

IN THE DISTRICT COURT OF OKLAHOMA COUNTY)
STATE OF OKLAHOMA)

vs.)

DEFENDANTS: TAMMY L. BASS LESURE)
KARLOS ANTONIO LESURE, SR.)

) AFFIDAVIT OF
) PROBABLE CAUSE

STATE OF OKLAHOMA)

COUNTY OF OKLAHOMA)

) SS. CHARGE: FALSE CLAIM AGAINST
) THE STATE OF
) OKLAHOMA
) PERJURY

I, [REDACTED], being first duly sworn upon oath, depose and state as follows:

Your Affiant is a peace/police officer employed as the Chief Investigator by the Oklahoma County District Attorney's Office. I have been a police officer for approximately thirty-two (32) years, having served twenty-two (22) years with the Oklahoma City Police Department. My employment responsibilities include investigation of suspected criminal conduct in Oklahoma County, Oklahoma. Your Affiant has learned through the investigation set forth herein as follows:

Initial Information Received

In September, 2010, Oklahoma City Fire Department (OCFD) Investigators, Major [REDACTED] and Major [REDACTED] were investigating an arson case involving a suspect identified herein as R. B. a/k/a R. E. (referred to by initials to protect the identity of the minor children referenced herein at this time). [REDACTED] and [REDACTED] came to the Oklahoma County District Attorney's Office to provide prosecutors with information regarding R. B. a/k/a R. E. and the investigation.

At that time, [REDACTED] also provided unsolicited and unexpected information that, allegedly, Oklahoma County District Court Judge Tammy Bass LeSure had fraudulently adopted two minor children (twins, age 3), and then had given the children to R. B. a/k/a R. E. to raise as her own. Doolittle indicated this situation involving these children is common knowledge among people who know Judge LeSure in the community. Doolittle further explained that R. B. a/k/a R. E. is a sister to an individual named [REDACTED]. [REDACTED] is Judge Bass-LeSure's courtroom bailiff and close friend.

ABC

██████████ stated that during his arson investigation of R. B. a/k/a R. E., warrants were obtained and signed by another District Court Judge in Oklahoma County. To his surprise, when ██████████ made contact with R. B. a/k/a R. E. regarding the arson, R. B. a/k/a R. E. told ██████████ that Judge Bass LeSure had already contacted her directly and discussed the alleged criminal conduct and/or pending investigation. The fact that Judge Bass LeSure knew of the warrants and had contacted the suspect at this stage of his investigation greatly concerned him.

In regards to the twin children, ██████████ stated Judge Bass LeSure obtained legal custody via an Oklahoma Department of Human Services (hereinafter "DHS") placement. He stated the children were placed in foster care with Judge Bass LeSure and were eventually adopted through the Oklahoma County Juvenile Court System. Judge Bass LeSure, however, did not keep physical custody of the children. Instead, she "gave" the children to R. B. a/k/a R. E.

Further, ██████████ expressed concerns that Judge Bass LeSure has done this without the knowledge of DHS or the Oklahoma County District Court Judge who authorized the adoption.

Investigatory Steps

Upon the receipt of this unsolicited information, the D.A.'s Office was compelled to determine if any of ██████████ allegations could be corroborated as this information indicated that:

- (1) potential false representations have been made to the Juvenile Court;
- (2) potential false representations have been made to DHS;
- (3) the current location/welfare of the children was potentially unknown; or
- (4) potential misappropriation of public funds has occurred related to the foster care and adoption of the children.

Therefore, your Affiant began in an investigation in that regard. Via grand jury subpoenas issued in September, 2010, search warrants obtained in October 2010, interviews conducted, and/or other investigative efforts, additional relevant information has been identified as follows:

Oklahoma County Case

The D.A.'s Office File in Case No. JD-2007-*** (maintained in the normal course of business) regarding the children was reviewed. Information therein corroborated ██████████ assertions that DHS placed the children in foster care and eventually for adoption with the herein Defendants, Tammy L. Bass LeSure and Karlos Antonio LeSure, Sr. Via a Petition for Adoption verified and signed by the Defendants and a Final Decree of Adoption entered by Oklahoma County District Judge Richard Kirby, the children were legally adopted by the Defendants. Interestingly, the Defendant's requested in their Petition and it was ordered in the Final Decree of Adoption ordered that the children's last name be changed to the last name beginning with "B" (which is also the last name of R. B. a/k/a R. E.), and not the last name LeSure or Bass LeSure.

DHS and Juvenile Court Records

Records obtained from DHS further corroborate that twins, a boy and a girl, were born in October, 2007, to a woman named Kapri [REDACTED] (initial used to protect the identify of the children at this time) who tested positive for illegal drugs at the time of the births. The children E.W. and J.W. were placed into protective custody with DHS. At this time, R. B. a/k/a R. E. was working as an employee of DHS.

In January, 2008, the Defendants, Tammy L. Bass LeSure and ~~Karlos~~ ^{KARLOS} Antonio LeSure Sr., completed the necessary paperwork to become foster care providers and to receive foster care payments for the care of the children.¹ DHS and Court Records reflect the children were placed in the Defendants' home on January 24, 2008. These records clearly show that based upon actions and representations by the Defendants, both DHS and the Juvenile Court were operating under the belief that the children were placed and remained in the physical custody of the Defendants beginning January 24, 2008, and continuing throughout the entire foster care and adoption process. ^{DBE}

Court Records reflect the Defendant, Tammy L. Bass LeSure, repeatedly appeared in the Juvenile Court proceedings and represented herself as the foster parent/placement of the children. (As is explained herein, the children were actually living with and being cared for by R. B. a/k/a R. E. during most of this time period, and they remain with R. B. a/k/a R. E. at the time of the filing of this Information). No record has been found wherein the Defendants advised anyone they were not in actual physical custody of the children. Throughout the Juvenile Court process, repeated representations were made that the children remained physically with the Defendants as foster parents and the children were doing well in the Defendants' home.

Court Records show that eventually the biological mother's and possible biological fathers' parental rights were terminated. Subsequently, the children were placed for adoption with the Defendants.

Kapri [REDACTED]

In January, 2011, your Affiant conducted a voluntary interview with the biological mother of the children, Kapri [REDACTED]. She stated at the time the children were born, she was using cocaine. DHS took custody of the children and about one month later she was contacted unexpectedly by R. B. a/k/a R. E.. R. B. a/k/a R. E. told Kapri [REDACTED] the Defendant, Tammy L. Bass LeSure, wanted to adopt her children and could offer her children a better life than Kapri [REDACTED] could. Kapri [REDACTED] only knew of the Defendant

¹ DHS records also show the Defendants were previously approved for foster care placement of another child in 2004.

Judge in the community at the time. Kapri [REDACTED] stated she wanted to get her children back, but initially had problems complying with her treatment plan and positive drug test(s). She did not know how R. B. a/k/a R. E. obtained her phone number to contact her. She stated she felt very intimidated throughout this process by R. B. a/k/a R. E., the Defendants' family and/or friends, DHS personnel, her court appointed attorney, and the Court System.

On one occasion, R. B. a/k/a R. E. took Kapri [REDACTED] to Bethany to address outstanding tickets. R. B. a/k/a R. E. went into the office and Kapri W. believes R. B. a/k/a R. E. made a payment on the tickets. (Records from the City of Bethany were obtained showing payments were made on Kapri [REDACTED]'s outstanding tickets during the time frame identified by Kapri [REDACTED]). Kapri [REDACTED] was concerned as to why the Defendants' family and/or friends were taking these efforts to do things for her.

Kapri [REDACTED] stated she had scheduled visitation with her children at a McDonalds in Oklahoma City. During these visits, R. B. a/k/a R. E. would always bring the children. The Defendant, Tammy L. Bass LeSure, would arrive separately. Kapri [REDACTED] stated she simply thought the Defendant Judge was busy, and R. B. a/k/a R. E. represented herself as an alternative caregiver for the children when the Defendant was busy. Kapri [REDACTED] also stated that she saw her children in September, 2008, at the State Fair with R. B. a/k/a R. E. The Defendant, Karlos Antonio LeSure, was not present at the McDonald's visits, and neither Defendant was present with the children at the fair.

Kapri [REDACTED] stated she felt constant pressure to relinquish her parental rights, and R. B. a/k/a R. E. called her several times asking her to relinquish. On one occasion, a Court hearing was scheduled for that purpose and many of the Defendants' family and/or friends were in attendance. Kapri [REDACTED] changed her mind and refused to relinquish at that time. Eventually, upon advice of her attorney, Kapri [REDACTED] decided to voluntarily relinquish her rights in Juvenile Court. At the time of her interview with your Affiant, Kapri W. still believes her children are with and being cared for by the Defendant, Tammy L. Bass LeSure.

R. B. a/k/a R. E.

In October 2010, your Affiant conducted a recorded voluntary interview with R. B. a/k/a R. E. wherein other alleged criminal acts by R. B. a/k/a R. E. were primarily discussed. Throughout the interview, R. B. a/k/a R. E. represented that the said children are her children, and she is their parent. She made statements which essentially established that from the time the children were allegedly placed in foster care with the Defendants, the children have actually been in her physical custody. She made no statements regarding the children ever being in the physical custody of the

Defendants, the Defendants ever serving as the children's foster parent, the Defendants ever serving as the children's adoptive parent, the Defendants ever supporting the children in any way, and/or R. B. a/k/a R. E. ever having knowledge that the Defendant, Tammy L. Bass LeSure, received financial assistance from the State of Oklahoma for the foster care and/or adoptive care of the children.

R. B. a/k/a R. E. stated that other than DHS paying for day care services directly to the day care providers, she received no compensation or financial assistance or reimbursements from any source whatsoever for the care of the children. She stated the children have continuously resided with her but for short time periods when they visited her relatives (not the Defendants). She essentially indicated she has cared for and represented the children to be her own children since the time they were taken into protective custody and placed in foster care (in January, 2008).

On January 20, 2011, your Affiant called R. B. a/k/a R. E. and she voluntarily represented that she still had physical custody and was the primary caregiver for the children. Your Affiant could hear ~~the~~ children in the background on the phone call. ABE

Day Care

Your Affiant learned the children have attended day care at [REDACTED] Day Care. Records obtained from [REDACTED] corroborate the children's attendance and DHS payments for day care services as R. B. a/k/a R. E. stated. The records also show R. B. a/k/a R. E. represented herself as the children's parent as early as November, 2009.

[REDACTED] with [REDACTED] was interviewed by the Affiant, and stated R. B. a/k/a R. E. consistently picked up the children from the day care and represented herself as the mother of said children.

[REDACTED]
Your Affiant learned the children attended day care at [REDACTED]. Records obtained from [REDACTED] show R. B. a/k/a R. E. representing herself to be the children's mother in August, 2010, some three months after the Defendants' alleged adoption was finalized. Further your Affiant personally observed R. B. a/k/a R. E. picking-up the children from the Academy on October 6, 2010. Neither Defendant was seen.

Medical Records

Medical Records for the children were obtained and reflect consistently throughout the time the children were allegedly in the care of the Defendants, R. B. a/k/a R. E. was actually taking the children for medical care and representing herself as their parent. Records show R. B. a/k/a R. E. signing medical records and authorizing medical care as the mother

of the children as early as November, 2008. Based upon the records, it does not appear either Defendant was present for the medical care nor is it reflected either Defendant signed any medical paperwork in the role of foster parent or parent.

██████████ Neighbor of R. B. a/k/a R. E.

██████████, a neighbor of R. B. a/k/a R. E., was voluntarily interviewed in the course of this investigation. ██████████ stated that the children would consistently be with R. B. a/k/a R. E. at her residence on NW ██████████ Street in Oklahoma City during the time said children were allegedly in foster care placement with the Defendants and for a time after the adoption was finalized. R. B. a/k/a R. E. has now apparently moved to a residence on ██████████ in Oklahoma City.

DHS Foster Care Payments to the Defendant, Tammy L. Bass LeSure

As indicated above, the Defendants completed the necessary paperwork to receive foster care reimbursement payments from DHS for the care of the said children. DHS records establish that from February, 2008, through April, 2010, the Defendant, Tammy L. Bass LeSure, received monthly payments of public funds in the form of foster care reimbursement payments for the care of the children via checks/warrants.

The monthly payments were mostly in the amount of \$730.00 (\$365.00 per child per month) with a total amount of public funds paid to the Defendant, Tammy L. Bass LeSure, totaling over \$19,000.00. Copies of the cancelled checks/warrants have been obtained in this investigation and reflect the checks/warrants were issued as payable to the Defendant, Tammy L. Bass (then Jones) LeSure. She endorsed and presented these checks as claims for payment, and the checks/warrants were processed as follows:

<u>Date Issued</u>	<u>Endorsed by</u>	<u>Date Processed</u>	<u>Amount</u>
2/13/08	Defendant T.B.L.	2/14/08	\$194.72
3/12/08	Defendant T.B.L.	3/13/08	\$730.00
4/10/08	Defendant T.B.L.	4/11/08	\$730.00
5/28/08	Defendant T.B.L.	5/30/08	\$730.00
6/12/08	Defendant T.B.L.	6/12/08	\$730.00
	& "pay to the order of ██████████",		
	& endorsed by ██████████		
7/11/08	Defendant T.B.L.	7/15/08	\$730.00
	& R.B. a/k/a R.E.		
8/12/08	Defendant T.B.L.	8/13/08	\$730.00
	& R.B. a/k/a R.E.		
9/10/08	Defendant T.B.L.	9/15/08	\$730.00
	& "pay to the order of ██████████",		
	& endorsed by ██████████		

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<u>Date Issued</u>	<u>Endorsed by</u>	<u>Date Processed</u>	<u>Amount</u>
10/10/08	Defendant T.B.L. & pay to the order of R. B. a/k/a R.E., & endorsed by R.B. a/k/a R.E.	10/14/08	\$730.00
11/13/08	Defendant T.B.L.	11/20/08	\$730.00
12/10/08	Defendant T.B.L. & "pay to the order of [REDACTED]"	12/12/08	\$730.00
1/12/09	Defendant T.B.L. & "pay to the order of [REDACTED]", & endorsed by [REDACTED]	1/13/09	\$730.00
2/11/09	Defendant T.B.L. & pay to the order of R.B. a/k/a R.E., & endorsed by R.B. a/k/a R.E. - - then all crossed-through & endorsed again by the Defendant T.B.L.	2/13/09	\$730.00
3/11/09	Defendant T.B.L. & "pay to the order of [REDACTED]"	3/13/09	\$730.00
4/10/09	Defendant T.B.L.	4/13/09	\$730.00
5/12/09	Defendant T.B.L. & "pay to the order of [REDACTED]", & endorsed by [REDACTED]	5/13/09	\$730.00
6/10/09	Defendant T.B.L. & "pay to the order of [REDACTED]", & endorsed by [REDACTED]	6/12/09	\$730.00
7/14/09	Defendant T.B.L. & "pay to the order of [REDACTED]"	7/23/09	\$730.00
8/12/09	Defendant T.B.L. & "pay to the order of [REDACTED]", & endorsed by [REDACTED]	8/21/09	\$730.00
9/10/09	Defendant T.B.L. & "pay to the order of [REDACTED]", & endorsed by [REDACTED]	9/12/09	\$730.00
10/13/09	Defendant T.B.L. & "pay to the order of [REDACTED]", & endorsed by [REDACTED]	10/13/09	\$730.00
11/12/09	Defendant T.B.L. & "pay to the order of [REDACTED]", & endorsed by [REDACTED]	11/16/09	\$730.00
12/11/09	Defendant T.B.L. & "pay to the order of [REDACTED]", & endorsed by [REDACTED]	12/12/09	\$730.00
1/12/10	Defendant T.B.L. & "pay to the order of [REDACTED]", & endorsed by [REDACTED]	1/13/10	\$730.00

ASE

<u>Date Issued</u>	<u>Endorsed by</u>	<u>Date Processed</u>	<u>Amount</u>
2/10/10	Defendant T.B.L. & pay to the order of R.B. a/k/a R.E., & endorsed by R.B. a/k/a/ R.E.	2/12/10	\$730.00
3/10/10	Defendant T.B.L.	3/15/10	\$730.00
4/10/10	Defendant T.B.L. & some pay order crossed-through	4/17/10	\$730.00
5/12/10	Defendant T.B.L.	5/17/10	\$730.00

Adoption Records

DHS and Court records reflect that in May, 2010, the Defendants filed a Verified Petition for Adoption of said children. Oklahoma Law (Tit. 10 O.S. Section 7505-3.1) requires that the assertions contained in a Petition for Adoption be verified under oath as truthful by the Petitioner(s). In said Verified Petition for Adoption, the Defendants falsely state, among other relevant things:

Said children have resided with the Defendants at [REDACTED] Street, Oklahoma City, OK [REDACTED], from January 24, 2008, until the time of the filing of the Verified Petition on May 11, 2010.

The statements contained in said Petition were relied upon, and a Final Decree of Adoption was entered and filed on May 11, 2010, by Judge Richard Kirby. Therein, the children were legally adopted by the Defendants, but the children's last names were changed to the last name identified as "B", herein - not the last name of LeSure or Bass LeSure.

It should be noted that during the October, 2010, interview with R. B. a/k/a R. E., she also indicated she continues to maintain physical custody of the children since May 11, 2010, the children are her children, and she is raising the children as their mother. At no time during the interview did she state either of the Defendants has had any part in the physical care of said children from January, 2008. She also stated she receives no financial assistance from any source in regards to the children since the time the Final Decree of Adoption was entered in May, 2010. Further, and again, on January 20, 2011, your Affiant called R. B. a/k/a R. E. and she voluntarily represented that she still had physical custody and was the primary caregiver for the children. Your Affiant could hear children in the background on the phone call.

Adoption Subsidies

DHS records also establish the Defendants, Tammy L. Bass LeSure and Karlos Antonio LeSure Sr., completed paperwork including an Adoption Assistance Application executed March 15, 2010, and an Adoption

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Assistance Agreement executed May 10, 2010, in order to receive adoption subsidies for the future care of the children. Therein, the Defendants represented that full adoption assistance is needed for both children to continue to meet the children's needs. The Defendants agreed to financially support the children for as long as the subsidies are received. Included in this documentation is a notice to the Defendants that subsidies will terminate if the adoptive parent or parents are no longer providing financial support to the children or the children are no longer in the adoptive parents home.

Your Affiant learned that Affiliated Computer Services State & Local Solutions (ACS) contracted with DHS to distribute public funds including adoption subsidies to adoptive parents. Records from ACS were obtained which reflect adoption subsidies paid to the Defendant, Tammy L. Bass LeSure, for the adoption of said children. The method of payment is monthly deposits to a debit card account assigned to the Defendant, Tammy L. Bass LeSure, as the adoptive parent. The Defendant may then make purchases/cash withdrawals on the account.

The monthly subsidy deposit to the Defendant, Tammy L. Bass LeSure's, account was/is in the amount of \$621.00 per month (\$310.50 per child). Your Affiant has received ACS Records through September, 2010. Credits to the Defendant's account totaled over \$3,000.00 as follows:

<u>Deposit Date</u>	<u>FGN</u>	<u>Amount</u>
5/13/10	0001860347-2	\$621.00
5/13/10	0001860348-2	\$351.90
6/11/10	0001867594-2	\$621.00
7/13/10	0001878107-2	\$621.00
8/11/10	0001888849-2	\$621.00
9/13/10	0001899585-2	\$621.00

Purchases Made from Defendant's Debit Card

Your Affiant learned whenever a purchase is made using this debit card account, a computer network is utilized. The records establish debit card transactions from the Defendant, Tammy L. Bass LeSure's, account were repeatedly made cash withdrawals and purchases in Oklahoma County. The records also show the Defendant, Tammy L. Bass LeSure's, debit care account was used to make purchase in Texas and Maryland and/or at locations including spas, nail salons, and casinos.

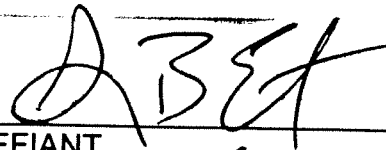
A review of the records shows no apparent connection between the types of purchases made via the account and the care and/or financial support of adopted children. Based on the information obtained to date, your Affiant believes these monthly subsidies continue at this time and will continue to be paid until the children's 19th birthday.

Summary

Your Affiant's investigation has revealed the Defendant, Tammy L. Bass LeSure, continues to receive these adoption subsidies based on the fraudulent representations of both Defendants herein. This is in spite of the fact that neither of the Defendants has physical custody of the children, are providing a physical home for the children, are not attempting to keep R. B. a/k/a R. E. from holding herself out and acting as the children's mother, are not financially supporting the children, and are not engaging in raising the children. No record of any type has been discovered wherein the Defendants disclosed the fact they do not actually have physical custody of the children or the fact R. B. a/k/a R. E. is actually caring for the children, raising the children, acting as the children's parent, and representing herself to be the children's mother.

After completing this investigation:

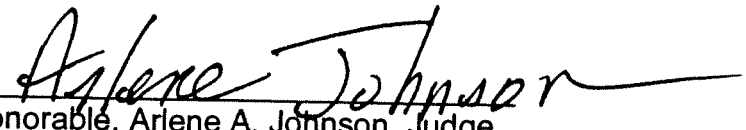
- I believe that the above suspect, Tammy L. Bass LeSure, is in violation of multiple counts of Title 21 of the Oklahoma Statutes, Section 358, Making False Claims Against The State of Oklahoma.
- I believe that the above suspect, Karols Antonio LeSure Sr., is in violation of multiple counts of Title 21 of the Oklahoma Statutes, Section 358, Making False Claims Against The State of Oklahoma.
- I believe that the above suspect, Tammy L. Bass LeSure, is in violation of multiple counts of Title 21 of the Oklahoma Statutes, Section 491, Perjury.
- I believe that the above suspect, Karlos Antonio LeSure Sr., is in violation of multiple counts of Title 21 of the Oklahoma Statutes, Section 491, Perjury.



AFFIANT



Subscribed and sworn to before me this 21 day of January, 2011.



Honorable, Arlene A. Johnson, Judge
Oklahoma Court of Criminal Appeals

