

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF OKLAHOMA

FILED JUN 16 2009 WILLIAM B. GUTHRIE Clerk, U.S. District Court By Deputy Clerk

UNITED STATES OF AMERICA, )
Plaintiff, )
v. )
TERRY ALAN JONES, )
MYKOL TRAVIS BROOKSHIRE )
Defendants. )

Case No. CR-09-51-RAW

INFORMATION

COUNT ONE

[18 U.S.C. § 371 - CONSPIRACY]

INTRODUCTION

At all times material to this Information:

- 1. TERRY ALAN JONES was the Sheriff for McIntosh County, Oklahoma.
2. MYKOL TRAVIS BROOKSHIRE was a Deputy Sheriff for McIntosh County, Oklahoma.
3. In their capacity as law enforcement officials in McIntosh County, the defendants were entrusted with the enforcement of all laws within McIntosh County.

THE CONSPIRACY

4. The Introduction section of this Information is hereby adopted, realleged, and incorporated.

5. Beginning in or about November, 2007, and continuing through in or about May, 2009, in the Eastern District of Oklahoma and elsewhere, **TERRY JONES and MYKOL BROOKSHIRE**, defendants herein, knowingly did combine, conspire, confederate and agree, to commit the following offense against the United States: Interference with Commerce Under Color of Law, in violation of Title 18, United States Code, Sections 1951 and 2.

#### THE OBJECT OF THE CONSPIRACY

6. The object of the conspiracy was for the defendants to use their positions as law enforcement officers to illegally obtain United States currency from motorists traveling in interstate commerce.

#### THE MANNER AND MEANS OF THE CONSPIRACY

7. By virtue of their jobs in the McIntosh County Sheriff's Office, the defendants were in positions to execute traffic stops and search for contraband such as weapons, narcotics, or money that was derived from illegal activity.

8. When, in certain such traffic stop contexts the defendants encountered large sums of United States currency, they would either take all or a portion of the proceeds, and report the remaining to the District Attorney as seized money to be

forfeited. The funds defendants illegally obtained, were divided relatively evenly between the defendants.

### OVERT ACTS

9. In furtherance of the conspiracy, the conspirators committed and caused to be committed the following overt acts, among others, in the Eastern District of Oklahoma and elsewhere:

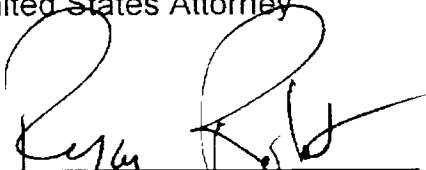
- A. On November 5, 2007, defendant **BROOKSHIRE** stopped Marco Antonio Delgado-Hernandez on U.S. interstate Highway 40, in McIntosh County, Oklahoma. During the course of the stop, **BROOKSHIRE** searched the vehicle and discovered what he reported to be \$7,000.00. **BROOKSHIRE** subsequently seized the currency and released the driver from the scene.
- B. On November 6, 2007 Assistant District Attorney Scott Biggs declined to forfeit the money and ordered that it be returned to Delgado-Hernandez.
- C. On or about October 27, 2008, Delgado-Hernandez spoke to the defendants and requested that his money be returned. Defendant **JONES** advised that it would take several weeks to get his money together and requested that Delgado-Hernandez return at a later date. However, at the insistence of the District Attorney's Office and after several delays on the part of the defendants, the currency was returned to Delgado-Hernandez later that day.
- D. On that same date, **JONES** made 19 telephone calls to Jimmy Corley and 24 calls to **BROOKSHIRE**.
- E. On May 21, 2009, McIntosh County Sheriff's Deputy Tonya French effected a traffic stop on a vehicle driven by an agent acting in an undercover capacity. Deputy French contacted **JONES**, who directed

**BROOKSHIRE** to go to the scene. A search of the vehicle revealed six bundles of currency. **BROOKSHIRE** took one of the bundles to his patrol car, then placed the other five on the dash of his car. **JONES** was then present at the scene, when **BROOKSHIRE** informed the agent acting in an undercover capacity that he would be jailed if he failed to complete a release of currency form.

- F. **JONES** then contacted the Drug Enforcement Agency and advised that they had seized five bundles of U.S. currency. **JONES** then presented the agent acting in an undercover capacity the release of currency form. **JONES** informed the agent, again, that if he did not sign the form he would go to jail. The agent signed the form and was then released.

All in violation of Title 18 United States Code, Section 371.

SHELDON J. SPERLING  
United States Attorney

A handwritten signature in black ink, appearing to read 'Ryan M. Roberts', written over a horizontal line.

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