

CONFIDENTIAL

PRE-SENTENCE INVESTIGATION

DEFENDANT:

Crain, Kimberly Ann

DOB: 1/19/63 SS: [REDACTED]

OFFENSE:

COUNT 1: PORNOGRAPHY – MANUFACTURING JUVENILE PORNOGRAPHY
COUNT 2: PORNOGRAPHY – MANUFACTURING JUVENILE PORNOGRAPHY
COUNT 3: PORNOGRAPHY – MANUFACTURING JUVENILE PORNOGRAPHY
COUNT 4: PORNOGRAPHY – MANUFACTURING JUVENILE PORNOGRAPHY
COUNT 5: PORNOGRAPHY – MANUFACTURING JUVENILE PORNOGRAPHY
COUNT 6: PORNOGRAPHY – MANUFACTURING JUVENILE PORNOGRAPHY
COUNT 7: PORNOGRAPHY – MANUFACTURING JUVENILE PORNOGRAPHY
COUNT 8: PORNOGRAPHY – MANUFACTURING JUVENILE PORNOGRAPHY
COUNT 9: CONSPIRACY TO MANUFACTURE JUVENILE PORNOGRAPHY
COUNT 10: DISTRIBUTION OF CHILD PORNOGRAPHY
COUNT 11: AGGRAVATED POSSESSION OF CHILD PORNOGRAPHY
COUNT 12: PORNOGRAPHY – POSSESSION OF JUVENILE PORNOGRAPHY
COUNT 13: PORNOGRAPHY – POSSESSION OF JUVENILE PORNOGRAPHY
COUNT 14: LEWD MOLESTATION
COUNT 15: LEWD MOLESTATION
COUNT 16: LEWD MOLESTATION
COUNT 17: LEWD MOLESTATION
COUNT 18: LEWD MOLESTATION
COUNT 19: LEWD MOLESTATION
COUNT 20: LEWD MOLESTATION
COUNT 21: LEWD MOLESTATION
COUNT 22: LEWD MOLESTATION
COUNT 23: LEWD MOLESTATION

CASE NUMBER:

CF –2011-693A

SENTENCING DATE: March 22, 2013 at 9:00 AM

JUDGE:

THE HONORABLE JUDGE CANAVAN

FILED
IN THE DISTRICT COURT

MAR 08 2013

POTTAWATOMIE COUNTY, OK
RETA HEAD, COURT CLERK
BY _____ DEPUTY

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OFFICIAL VERSION: The following information was provided by the Pottawatomie County District Attorney's Felony Information Sheet and the Affidavit submitted by Detective Rieves filed in CF-2011-693A.

"On 11-14-11, [REDACTED], mother of the victim, reported that on 11-11-11, her daughter ([REDACTED] 9 years of age) went over to the suspect's (Kimberly Crain) residence, 4312 Faith Boulevard for a pizza party and to decorate a Christmas tree. [REDACTED] stated that earlier Crain asked if [REDACTED] along with some other children could come over to her residence for the pizza party. [REDACTED] stated that Crain has been a teacher with the McCloud school district for some time now. [REDACTED] advised that her daughter was dropped off back home later that night at around 2000 hours. [REDACTED] stated that her and her husband asked her daughter if she had fun and what she did. [REDACTED] advised that her daughter stated that they dressed up in bras and panties and decorated the tree and ate pizza. [REDACTED] advised that she asked her daughter further about what they did and [REDACTED] advised that Crain took photos of her and her friends decorating the tree and then according to [REDACTED], her and the other girls made up a cheer dance and did it in the bras and panties while Crain videotaped them. [REDACTED] found this inappropriate and decided to report it to the police.

Further, on 11-14-11, Detective Rieves had [REDACTED] and her parents come in to the Police Department for an interview. I interviewed [REDACTED] who advised that on the way over to Crain's residence, Crain told her and her friends that she had something for them to change into when they get to her house. [REDACTED] advised that there were bras and panties lying on the bed in the bedroom and Crain's residence and Crain had all of the girls go into the bedroom, one by one, and change into the bras and panties. According to [REDACTED], the bras and panties were Christmas ones with words like "Ho! Ho!" on them. [REDACTED] stated that she and another girl did not want to change into the bras so they put on the panties and a t-shirt. [REDACTED] advised that Crain told them that they needed to go put the bras on. [REDACTED] stated that a pizza delivery person came to the door with the pizzas and they then ate pizza and decorated the Christmas tree and Crain took photos of them decorating. [REDACTED] advised that that she thought that Crain took about 5 photos. [REDACTED] advised that she and the other girls made up a cheer dance and did it in the living room while Crain videotaped it. [REDACTED] stated that she and her friends then went into the attic to play while Crain cleaned up in the kitchen. [REDACTED] advised that Crain then advised the girls to get dressed and then she drove all the girl's home.

On 11-17-11, I was contacted by the McCloud Police Chief Roe who advised that he had a 3rd grade girl who is in Kimberly Crain's class come into the McCloud Police Department with her parents. Chief Roe advised that the little girl stated that Crain has all the kids in her class Skype over the computer with an older man wearing glasses named "Uncle G". The child went on to state that 3 to 4 times a week, Crain takes photos of particular girls in the class, posing on the desk and chairs, using her personal cell phone.

On 11-22-11, upon recovery of the digital forensics, I turned the recovered cell phone from Crain over to DA Investigator Patrick Vance after finding that my forensic toll was unable to pull the deleted items off of the phone.

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On 12-01-11, at approximately 0130 hrs, I was notified by Investigator Vance that he was able obtain the deleted photos and video off of Crain's cell phone. Myself, Investigator Vance and DA Richard Smothermon reviewed the photos and video finding that they were images of the juvenile females (students) that were at the decorating /pizza party at Crain's residence. The photos were those of the juveniles in the bras and panties mentioned through the investigation. Other photos were found showing juvenile females exposed genitals, buttocks, and private parts. It was determined that there was plenty to pursue charges and make the arrest.

On 12-01-11, we responded to 4312 Faith Boulevard, Shawnee Oklahoma (Crain's residence). I made contact with Kim Crain and placed her under arrest."

DEFENDANT'S VERSION: The Defendant provided the following updated written statement regarding his involvement in the Instant Offense. All grammar, syntax and spelling are that of the Defendant.

Please see Attachment A

VICTIM'S VERSION: The District Attorney's office will provide the Victim's Impact Statements in this case.

PRIOR ADULT RECORD: Inquiries made to the Federal Bureau of Investigation, the Oklahoma State Bureau of Investigation, the Department of Public Safety and local law enforcement agencies reflect no prior criminal record.

PRIOR JUVENILE RECORD: An inquiry was sent to JOLTS. No record was found for this Defendant.

FAMILY BACKGROUND: This officer spoke to the Defendant on February 22, 2013 at the Pottawatomie County Public Safety Center. In addition a social history questionnaire was mailed to the Defendant's mother for additional information. Therefore the following information was provided by the Defendant and her mother.

The Defendant was born on January 19, 1963 in Shawnee, Oklahoma to James and Glenda Vaughn. According to the Defendant her parents are still married. The Defendant and her mother report a very close family unit. The Defendant and her mother also report that the Defendant has a close relationship with her sister, [REDACTED] who resides in Oklahoma City, Oklahoma.

RESIDENCE: The Defendant is currently in custody at the Pottawatomie County Public Safety Center. Prior to the Defendant's arrest, she resided at 4312 Faith Boulevard Shawnee, Oklahoma. The Defendant and her husband own the house and the Defendant was residing there with her husband and their daughter, Samantha. The Defendant reports she has resided there for 26 years.

MARITAL HISTORY: The Defendant reports she married [REDACTED] on May 24, 1981 in Shawnee, Oklahoma. The Defendant states they have two children together, [REDACTED] (27)

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and [REDACTED] (24). [REDACTED] resides in the home and [REDACTED] resides in Rapid City, South Dakota.

EDUCATION: The Defendant reports she graduated from Shawnee High School in 1981. The Defendant also reports she graduated from Seminole Junior College in 1983 with an Associate in Science and Oklahoma Baptist University in 1986 with a degree in Physical Education K-12. The Defendant reports she began working on her Master Degree at East Central University in 2009 and quit in 2011. This officer received verification from Shawnee High School verifying that the Defendant did graduate from there in 1981 with a 3.257 GPA. Seminole Junior College also verified the Defendant graduated from there in 1984 with an Associate in Science Degree and a 3.56 GPA. Oklahoma Baptist University verified the Defendant graduated from there in 1988 with a Bachelor of Science in Education. East Central University verified the Defendant did attend their Graduate Program from 2009-2011.

EMPLOYMENT HISTORY: The Defendant submitted the following employment history.

Dates Employed:	Employer's Name:	Nature of Work
2006-2011	McLoud Elementary School	3 rd Grade Teacher
1981-1985	Dr. Gary Alverson, DDS	Dental Assistant

The Defendant is currently unemployed. She reports she resigned from McLoud Elementary School in November 2011. This officer received verification from Dr. Alverson's office verifying she was employed with their office from 1981-1983 as a Dental Assistant. The Defendant received positive comments from Dr. Alverson and she is considered re-hirable there. A verification request was mailed to McLoud Elementary School but as of this date, no response has been received.

PHYSICAL HEALTH HISTORY: The Defendant denies any physical health problems other than high blood pressure.

MENTAL HEALTH: The Defendant denies any mental health problems other than depression and stress due to her current pending charges.

FINANCIAL CONDITION: The Defendant reports she is unaware of any of her financial conditions. She states her husband handles all of the bills and she does not know monthly payments of any of their assets.

RESOURCES: There are currently resources available in the institutional and/or community setting which will address the Defendant's current needs.

OFFENDER PLAN: The Defendant provided the following written statement regarding his future plans. All grammar, syntax and spelling are that of the Defendant.

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"I plan to help my husband with his business, Crain's, a mail-order company, until God leads otherwise. I plan to reside at my same residence - 4312 Faith Boulevard. I was working on my Masters in Elementary Education, if time allows I may finish because I only had two classes left. Otherwise will have to see what the Lord leads me to do - new field of study or help my husband. I need to work on liking and accepting "me". I would like to check into Christian counseling for couples. I'm not sure how the community will act. So I'd like to stay at home to start with and gradually get into regular activities. Church activities for sure, going to listen to my daughter play her music, being with family and friends."

TRANSITION PLAN: The LSI-R and the ASUS (Adult Substance Use Survey) are used to assess treatment needs. Another component of the LSI interview is the identification of the client's placement in the Stages of Change model. This model identifies six possible sequential stages in the behavioral change process. The identifiable stages include Pre-Contemplation, Contemplation, Preparation, Action, Maintenance and Relapse. After conducting the above-mentioned assessment, it appears that the Defendant is in the action stage of change. A person in this stage realizes a problem may exist and is willing to change it. Resolving this ambivalence and enforcing motivation is the key to positive change and the person's reasons to change must be reinforced. Should any portion of the Defendant's sentence be served in the community, the criminogenic needs identified by the Level of Service Inventory -Revised [LSI-R], place the Defendant in the employment module. However, in the case of a sex offender other assessment tools are used in addition to the LSI-R to determine risk to reoffend, which are administered by certified treatment providers. Any transition plan developed for this Defendant to address problem behavior should include sex offender treatment as required by law with a certified treatment provider, which would include risk assessment and polygraphs.

SUMMARY: Before the court is a fifty year-old female facing her first felony conviction of record.

OFFENSE: The Defendant pled guilty to, PT-CF-2011-693A, Manufacturing Juvenile Pornography (8 counts), Conspiracy to Manufacture Juvenile Pornography, Distribution of Child Pornography, Aggravated Possession of Child Pornography, Possession of Juvenile Pornography (2 counts) and Lewd Molestation (10 Counts) in which she manufactured photographs and or videos of minors under the age of 18 for the sexual gratification of the Defendants.

COMMUNITY: The nature of the crime indicates a disregard for the safety and well being of others with risk factors to the community at large.

DEFENDANT: The Defendant is currently unemployed. Prior to the Defendant's arrest she resided with her husband and their daughter at 4312 Faith Boulevard Shawnee, Oklahoma. The Defendant was compliant during this investigation and provided as much documentation as possible.

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In accordance with Title 22, Oklahoma State Statutes, Section 982, the Court may order the Defendant to pay a fee to the Department of Corrections not to exceed two hundred fifty dollars (\$250.00) for the pre-sentence investigation.

RECOMMENDATION: Based upon the background information compiled during this investigation and the seriousness of the charges, it is respectfully recommended that the Defendant, **KIMBERLY ANN CRAIN**, be sentenced to a term of incarceration with the Department of Correction as prescribed by the Court.

Respectfully submitted,



Cara Sanders
Probation and Parole Officer
Southeast District Community Corrections
800 East Jefferson
Shawnee, Oklahoma 74801
(405) 275-2521

Reviewed by,



Steve McDoulett
Team Supervisor

Attachment A

(10:00 am 10/10/10)

Your Honor

①

Thank you for the opportunity to share my account of this circumstance. I know this is alot to read but please carefully consider all I've presented. I made an effort ^{to} ~~be~~ as detailed as possible yet keep it brief.

Around 2005 I began going through menopause. This hormonal imbalance resulted in depression. I thought the answer to my miserable state of mind was to get a job of my own, since I'd helped my husband in his business for 25 years. I wanted to feel a sense of value.

My original teaching degree was in Physical Education K-12 so I took a test so I ^{could} classroom teach. I started teaching 3rd grade at McLeod in 2006. The task of teaching a Nationally Tested Grade was quite burdensome, even with 5 veteran teachers assisting me. Nevertheless, I was able to have an outstanding interim experience (my first 3 yrs.) along with receiving Teachers of the Year for 2008-2009.

Pride got in the way and the summer of 2009 I began working on my Masters in Education. This extra requirement of time added to my work load, putting a great strain on me, mentally & physically. ← Adding to my physical strain were my mounting health issues between 2005-2009. Such as, weight gain, increasingly high cholesterol levels, chronic joint & muscle pain from the beginnings of fibromyalgia, ^{panic} attacks, sleep deprivation, and a ^{multiple life threatening} rapidly changing hormonal imbalance.

Dr. Gary Doby had phoned my husband for some weightlifting advice one evening. I had not talked with him in about 28 years but recalled his degree was in Education therefore, I asked him if he would be available to help me with my classes. It had been some 27 years since I had any college classes and was nervous & ^{felt quite} inadequate. Gary was very helpful in helping me to understand educational terminology and in writing my papers in the proper format. During the time of my first class we developed a close friendship that escalated quickly in a direction I never thought possible. By the beginning of the 2009 school year my relationship with Gary went where it never should have gone.

Due to all my medical problems, I began taking the weightloss drug Phentermine^(~~30~~?), per Rx. It was very beneficial in reducing my weight, by 85 lbs., which in turn lowered my cholesterol. ^{Insert} (2)*.

15² Not only was I experiencing medical problems but my husband was also. In 2007 my husband had a hip replacement, which he had lived with unbearable chronic pain for 5-6 years. Now he was facing possible prostate cancer and

was required to have not one but two biopsies in 2011. I was fully aware of what these procedures might I would do to him but emotionally. I wasn't ready. ^{insert} I love my husband dearly and have always been there for him and will continue to be.

From June 2009 - May 2011 my mental health declined @ a rapid rate. I began perceiving everything my husband said to be very critical, taking every remark to be very fault finding but I knew he was very proud of what I was accomplishing. My tracking began to suffer because I had lost the ability to focus, concentrate, complete tasks, and recall what I was working on. ^{I became} indecisive and ^{with} tasking and organization was no longer part of my life.

By the second semester of the 2010-2011 school year, I went from teaching 4 subjects [Math, Spelling, Language, & Writing] to only one — Math. My team teacher, [REDACTED], took on everything I couldn't do, including all the yearly testing requirements for all 42 students. I literally got to the point of not being able to function. ^{I worked @ a frantic pace yet never got anything accomplished} The loss of these functioning skills not only affected my teaching but my responsibilities

home, church, with family and friends also suffered.

It was during June 2009 - May 2011 that I became so overwhelmed in my relationship with Gary. ^{inset} By nature I'm a very caring person and try to please and make others happy because I do not like confrontation. Gary had confided in me about some fantasies he had. He spoke low and sincere, sharing intimate experiences involving me that went on in his mind over these past years. They made me feel desired, which is what I was searching for because I was feeling rejected from my husband, even though I knew it was all because of his medical problems. Gary also shared about some issues in his marriage and I felt compassion for him. He shared he and his wife had not had sexual relations in over 25 years because she had been sexually molested by her father therefore she just shut Gary off. And currently Gary was the caregiver for his father-in-law during the day while his wife went to work. Other things Gary shared about his life was

that he really didn't have any close friends
 to talk to and none of his family really
 talked to him. He always told me how
 appreciative he was for my friendship
 and that made it difficult for me to
 say anything negative to him. Another
 time I really experienced an emotional
 connection with Gary was when he had
 his back surgery. I spent more time with
 him via Skype while he was in the
 hospital & @ home rehabbing than any of
 his family. It hurt me to see he
 didn't have anyone to be there for him.
 He spoke very highly of me and
 consistently told me how lucky my
 husband was to have me to care for
 & love him the way I do. I am a caregiver
 and servant at heart and enjoy caring
 for my husband and others. However, this
 time, I was not in my right mind and took
 it too far in thinking it's my responsibility to make ^{everyone} happy.
 With Gary's affirmations and some encourage-
 ment, I began sharing inappropriate [nude]
 pictures of myself. He always made me feel
 good about myself & told me how happy &

relaxed I made him feel and that the time he spent with me was the most enjoyable part of his day. I felt wanted and valued. But upon reflecting back, I find my feelings very ironic. Never would a person, who truly cared about another, ask, suggest, or expect such wrong things of the other. Yes, I allowed myself to get involved in a relationship that never should have started but I was depending on Gary to end it. I was depending upon him because he was older and wiser. I looked toward him like I do my husband, who has never led me astray. [I never wanted to hurt Gary's feelings by telling him 'no' because he made me feel like I was all he had.]

Throughout this relationship there were many phone conversations, Skype chats, emails, + texts. It was hard for both of us at the beginning to understand when the other was speaking facetiously but as time went on we could read right through the sarcastic joking. The distance between us was a safety thing for me. No way did I ever think we would get together so, I said things I thought he wanted to hear. Since I've had to go back and read many of

these emails & texts, which many I don't even recall, I see sarcasium isn't emailable or textable. How wrong I was in doing this. Never did I mean to hurt the feelings of so many people or create such insulting messages.

Many personal pictures were shared with Gary. Then he began sending pictures & videos from the internet. After seeing what he liked I would search to locate something similar to send back to him. He would always give me positive reinforcements therefore, I continually wanted to please him. He would mention things I had never seen, thought or dreamed about but through the familiarity of pictures and videos off the internet and persistent asking I found myself giving in to all he wanted.

Gary sent the first picture of a nude young girl, around 7-9 yrs of age, riding a horse, from a nudist colony website. He sent me the link so, I found a picture from there of an older girl, around 25-28 yrs of age and sent it to him. He replied with another picture of a young girl, 7-9 yrs of age, so to appease his

I returned one to him of the same type. His response was, "Now you've got the idea." Gary briefly spoke of his fascinations with young girls but I didn't see it as a fetish. I found it odd, somewhat peculiar, but I shrugged it off w/a being-what-it-might-be sort of attitude. He commented that he figured out that these kinds of websites were safe but at that time, and even up till the end, NEVER did I think anything about his statements.

^{as time passed,} I became a basket case — an emotional wreck! I asked my primary care physician about ^{checking} hormone levels so he ran a test and the results came back that I was post menopausal. I'd heard bad things about taking hormones, even now I know very little about them, so I asked about natural replacements. I had been referred to [REDACTED] Pharmacy, who was very helpful, but I wasn't comprehending ^{insert} I was so hormonally out of balance, it was too late for them to take affect quickly.

I found myself becoming very body conscious and so when I began gaining some of my weight back I got scared because I didn't want to get

insert ①

back to where I use to be. ^{*} (71) My next thought was plastic surgery. I went to check into liposuction, a tummy tuck, and breast augmentations. The doctor was very positive and said I was a good candidate then he told me to loose another 65 lbs. and he would do it. What a bust to my ego. I talked him down to only losing another 35 lbs. but needless to say, I didn't leave his office in high spirits. (72) I checked into ~~some~~ weight loss hypnosis. A local therapist was wanting to experiment with weight loss hypnosis because he had had good success with hypnosis with people wanting to quit smoking. I became his so called guinea pig for weight loss ^{hypnosis}. It was during June & July of 2011 that I went through 5 hypnosis sessions under Joppi Lincicum^(SP). I was very excited & eagerly willing about the hypnosis therefore I was in a good mind frame and more easily susceptible to the hypnosis. The first two sessions I remember clearly word for word, what was said during the hypnosis part of the session but the last three sessions, of the hypnosis portion, I do not recall what was said. During the discussion portion we concentrated on a To Do list he asked me to put together, which I found to be totally overwhelming. To see everything I needed to do or finish was overpowering.

and I didn't even know where to begin. The
 rather thing I remember him asking me to do was to
 picture in my mind of when I felt sexy. The
 first picture that popped into my mind was one of me
 around the age of 10 or 11. It was during this session
 I was confronted with the realization that I didn't
 like myself. I often reflect on that conclusion.
 Toppi was going to provide me with a CD to listen
 to daily, but he got busy and never got around to it.
 I do not believe anything was done purposefully in
 these sessions but I do see a correlation between
 the things and personalities of Toppi & Gary. Both
 spoke low and sincere, full of concern and care.
 Toppi would induce the hypnotic state by counting
 from 1 to 10 and likewise, I remember times when
 Gary, persistently, would suggest things for me
 to do, to help him feel better & relax, he would
 begin counting, 1-10, until I would agree. There
 were times I remember feeling in a dazed state
 or mentally unaware of what was going on
 around me. I recall some type of boisterous
 sound or emotional taking place and I
 seemingly became more aware of my surroundings.
 I'm not familiar with side effects of hypnosis
 and unable to research it where I am but I do

believe it effected me in an unfavorable way. These hypnosis sessions are being overlooked more than I think they should be. but I don't know how to find the right people (an advocates group) to get me the help or information to verify facts about hypnosis.

One reason I believe there is such a strong connection between my mental wellbeing and the hypnosis is because it was following these sessions that I responded to Gary's suggestions of the students. I'm still taken back and stunned by the sequence of events & the actions I took.

During the 2010-2011 school year, I had emailed Gary some candid snapshots of girls in my classroom. He said they made him smile & feel good so I wanted to continue to keep him happy. After the first of the year in 2011, Gary persistantly suggested that I have a sleepover with a few of the girls. I started becoming very uneasy and wondered what I had got myself into. I didn't want to hurt his feelings but ^{was} unsuccessful finding a way to stop. I told him my husband had found some of the pictures, I had got off the internet, on my

computer, and was starting to question me. I really didn't get much of a response out of him so a few days later, I told him that he was getting very suspicious and I needed to stop communications for awhile. Gary somewhat agreed to lay low but that only lasted about a week. A couple of weeks went by and I got a virus on my computer from a website link he sent to me. After that was repaired, his demands returned and seemingly stronger. The school year ended and I was able to put off his sleepover request but he expressed his disappointment & a sense of failure came over me.

Before the beginning of the 2011-2012 school year, I placed a non-working security camera in my classroom expressing to Gary that administration was watching me but, even with that, he never once offered to cease in his asking. [It was at this time that the first incident with the girls took place.] All summer he told me how disappointed he was that I didn't have a sleepover and encouraged me to figure out a way to get these girls ([redacted]) to my house. I came up

with them helping me get my classroom ready for the first day of school and going to my house for pizza. The undergarments were his request. Each student was brought to the school by a parent (or grandparent), since school was not in session yet, along with their address & phone number so I could bring them home afterward. [redacted] were unable to attend]. Upon Gary's urging, I downloaded Skype onto my school computer. — Before leaving the school, to go to my house, we called Gary on the computer and the girls casually talked to him for approx. 10 minutes. Once we arrived at my house the girls wasted some shoe polish off my truck windows. So I could dry their clothes, they changed into a tank top and underwear. They did this one @ a time in a spare bedroom where I placed a video camera in a box full of old non-working camera equipment and set it on a table next to the bed. The video camera was turned on and left to run while each girl went into the room to change. While waiting for their clothes to dry, the girls found a box of barbies and began playing

with them. Once the pizza arrived they ate and [redacted] (I think) got into the freezer and saw the popcicles^(BP) and asked if they could have them. I took some candid snapshots as they played & ate. Once their clothes were dry they went back to the same room to change and the camera ran during this time also. But, at no time was I in the room while they were changing nor did I ever pose them in any certain way.

Pictures that are of them changing were freeze frames from the video which I ran through my computer to do. After taking each girl home and arrived back home, I sat in my driveway for about 20 mins. in disbelief. I felt mentally withdrawn and quite disturbed by my actions. It took me some time to pull out of this state.

but with Gary's persuasion, 5-7 days later I emailed him some pictures. Gary was quite assertive in his compliments to me. He commented, "this will be tough to beat." His persistence, in topping what had taken place, were on my nerves, making me a tense, stressful mess.

A few weeks following it was Red Ribbon Week @ school and Gary persuaded me to place

the same video camera under a table to get
 some underwear shots. He suggested I place
 the girls feet up on the table to paint their
 toenails, red of course. The idea to wear a
 red dress came from one of the girls
 in my classroom. The next day, I hung big
 black trash bags from the ceiling to make a
 dressing area. The video camera was placed on
 a shelf inside the dressing area, where the
 girls changed into a T-shirt that said
 DRUG FREE on it. Afterwards I took their
 pictures ^{in the Drug Free T-shirt} sitting in our classroom chair alone
 or with a friend. We posted them on the
 outside of our classroom door with a DRUG FREE
 quote written by each student. [The boys changed
 on the other side of the room in a different area]
 Once again, at no time did I look upon or take
 a direct picture of any of the girls while they
 were changing. These incidents @ school created
 so much anxiety & fear in me that I destroyed
 the camera and memory cards so that I wouldn't
 ever do it again. I know I didn't have the
 money to replace the camera so I know I
 couldn't replace it and be able to do it again.
 Not long after this my husband had

emergency bypass surgery. Nevertheless, within a couple of months Gary was pushing me to do something to top the first. He said the Drug Free Week was fun but he wanted the girls that were unable to make it to my house the first time to be included in something. The only request he had, was for the underwear garments again. So, I thought the girls could come help me put up & decorate my Christmas tree.

I asked [redacted], & [redacted] because they were the two who were unable to come the first time. In the meantime, [redacted] asked if [redacted] could come and I said, 'yes'. A few days before they were coming to the house, I accidentally pulled [redacted] aside, thinking she was one coming over. Since I already said something to her, she asked if she could come and I said yes. Then, [redacted] overheard us talking, she is [redacted] stepsister, and she asked if she could come and I said yes. I contacted each child's parent and asked them personally if they could come to my house and help decorate my Christmas tree and eat pizza. Each child had a note or their parent called

the school for permission to leave the school grounds with me. The office was aware of these girls coming to my house that day. I told Gary that my daughter had borrowed the video camera and I couldn't locate it so I would do what I could on my phone. I only took a few candid snapshots and videos while the girls played and ate pizza. Nothing was taken while they changed clothes. We stopped by my husband's office so I could tell him I was taking the girls home. One girl walked over and got on a treadmill, some walked over and saw a few guys working out, and then I let them get some sports gear and we left. We were only there a total of 5-7 minutes. We stopped for gas, got drinks at the Sonic and then stopped at the school because one of the girls left her homework there. We were ahead of schedule so we stayed at the school for 20-25 minutes before heading the girls home. I got the first girl (██████) home @ 8:00 pm. I had told parents before Dec. 9, 2009. After all girls were home, I was miserable on my way home. This incident was very uncomfortable. I felt so much pressure along with mental and nervous strain. Hostility

built up inside because I was flat out
discussed with myself. I didn't feel like I
was in control of my behavior and didn't know
what to do. I felt overtaken by distress and
outrageously shameful. I was in shambles.
One mile from my house I received a phone
call from the father of [REDACTED] asking questions
about what the girls did. I explained but
assured him of no harm done. I told him
I guess I didn't think things through
properly and promised him I didn't mean
to offend or create a problem. After
that phone conversation w/ him I began
to see more clearly. Even though I was
frightened of what might happen, down
deep, a relief came over me because I
knew I would never have to do anything
like it again. But, I found myself holding
back my emotions which is quite exhausting
and difficult to withstand.

Monday morning I knew I had to tell the
principal so I was in her office as soon as
she arrived. She shared that the superintendent
had received a call and I told her about the
call I received and all that was said. I vaguely

ed her what happened at my house and asked what she suggested I do. She asked what my father was telling me to do and I said to go see the superintendent & keep trying to call the parent, to reassure them I didn't mean anything bad. He contacted the superintendent and he said he didn't want to meet w/ me nor did he want to get involved. Therefore, I continued to try to contact the parent but was unable. Later in the day, I called my teachers insurance organization, P.O.E. (Professional Oklahoma Educators) for guidance. On Wednesday of that same week, the Pitt. Co. detectives came to the school and I was placed on administrative leave to take care of my situation. Friday of that week, I contacted P.O.E. to take care of the paperwork for my resignation and cancellations of my Oklahoma teaching certificate. They told me not to jump into anything and to wait it out so I'm not sure when they finally filed the paperwork.

I never wanted the publicity of this for the student's sake. I believe the parents, their attorney, D.A., and media should have handled this differently.

ist, my attorney, Gregg Webb, asked the D.A. if I could turn myself in and he agreed that I could. However, when the time came, the D.A. had time to contact all T.V. Stations in OKC, that is at least a 25-35 min. travel, some parents of the girls and get all his detectives and officers together BUT, he couldn't contact my attorney who is across the street from him. Later, the D.A. had told my attorney that the feds had called and said if I wasn't in custody that they were coming to get me. I could have been where I needed to be in 15 minutes - no questions asked.

Another way the students could have been protected was @ the Preliminary Hearing. Putting the girls on the stand for questioning at that point, was unwarranted.

^{one to pg. 22} ⑤ Thoroughly examining my emotions is new for me. It is through this reflective time that I have felt such an awareness of the reliance I have in Christ. Truly, I've grasped the real meaning of "that without Christ I can do nothing." On my own I have made a mess of my life and others.

quickly, I would like to break down the occurrences for you. The first occurrences are of medical issues. The accumulation of gaining weight, high cholesterol levels, chronic joint & muscle pain ^{from the beginnings of Fibromyalgia,} ^{multiple eye changes, experiences,} sleep deprivation, and my hormonal imbalances. All of these issues currently exist but not @ the level they use to — and now I'm aware of what they can do and I'm intentionally dealing with my responses. I'm currently on 20 hormones but the consistency in getting them here is erratic. Not taking them regularly is devastating, as my emotions are much stronger, creating unwarranted incidents. I'm fully aware I cannot do without them.

The middle occurrence is the inappropriate relationship with Gary Doby. Most of my friendships are with males because of my husband's business. I would have to say that this friendship took the plunge it did because of the first occurrence. It is hard for me to comprehend it happening any other way.

The last occurrences are the incidents involving the students. I know, without a shadow of doubt, that without the middle or first occurrences,

z would have never taken place. The last
wrecks happened as a result of the middle
d first occurrences. Yes, the first and middle
urrences may have taken place on their
n but at no point would the last occurrence
er happen on its own.

By no means am I attempting to justify my
itions. I'm trying not to give excuses, only
xplanations. I've made some mistakes in my
life but for me to act so foolishly &
irrationally has brought on more sorrow than
I and my family can bear on our own. I ask
that you lay aside all preconceived perceptions
you might have, ... Keep your heart turned
to God, and see with eyes of understanding &

mercy
Insert 1/10/20
⑤ I understand the feelings of confusion,
betrayal and anger everyone is feeling. In the
same way, I'm also feeling these emotions toward
myself & my actions. I've failed in my
commitment to God, my husband, family, friends,
school, & community, bringing on a very distraught
feeling.

Everytime I go back over my choices & actions
in these unanticipated situations, I'm overtaken

great grief and self-hatred because of my
illures. All choices are made under the
fluence of something and since I seemed
to have put God aside, who has always been
my influence, I was being influenced by
he I was completely focused on & totally
submitted to. My emotional state didn't allow
me to adapt to my ever changing situations
and little by little I was led to compromise my
morals and do something I would have never
done. Never did I realize the extent of what
I was doing or realize the results that might
come. I was emotionally dependant and
carried further than I ever dreamed possible.
I still ask myself how I let my emotional
weakness jeopardize my relationships & job.
Your Honor, on the condition that some type
of probation might be given, I would be elated
and very grateful to have a second chance. I
would seek resources to benefit & maintain my
mental & spiritual wellbeing, keep up regular
counseling & accountability classes and put in to
practice all learned, in my church & community.
Seeing more clearly, I agree I acted impulsively
and carelessly. I'm humbled, heart broken,

Inserts

1) I had shared with my physician my concerns about the beginning of my weight coming back, expressing to him I was an ^(sp?) emotional eater so he prescribed Prozac to take with my Phentermine[®]. After taking the Prozac for about 7-10 days, I took myself off because it was creating horrible thoughts in my head and there were a few days I couldn't remember what really took place or not. I was very perplexed and felt as if things were out of my control.

- 2) For a time, it also helped me to become more alert and lifted my moods but soon only added to the other problems and creating new ones such as becoming dehydrated easily, taking my electrolytes off balance, which caused me to have a few passing out episodes.
- 3) I felt guilty about the relationships and in an obscure way I vaguely told some insightful friends, wanting to see what they thought of their reactions ^{might be}. The correction I was in search of didn't come so I rationalized all was well.

④ I should have told him all I was feeling at this time but didn't think I could be tactful enough dealing with the subject matter. I didn't want to create more problems but in not facing up to my emotions, my responsibility as a Christian wife and teacher, I brought on more problems than wanted.

⑤ I ~~write the~~^{next few} paragraphs very cautiously and with great difficulty. I mean no disrespect or belittlement to the situation, I merely want to address the apparent lack of attention it may appear I'm giving to the situations of the students, compared to my issues. I'm very grieved by the things that took place w/ the students. The shame my actions have brought upon the students, families, school, and community is far beyond what words can express. If I could go back and change things I truly would! I loved teaching children and watching them learn new skills. I enjoy being around them but never ⁱⁿ an inappropriate manner. I never viewed the students in the way the photos are being perceived but now with a clear, level-headed mind, knowing what took place, I could perceive the undesirable thoughts as well. However, that isn't me! It is only from the persistent intruding of others asking that these unwanted actions took place. I felt unable to stop. I'm naive & optimistic in life, always depending on others to make my decisions for me but I'm learning to

Notes

tinued...

more aware of and responsible in how to
handle progressively stressful situations. I will
start thinking for myself by listening to God first.

Here's the part I must be very careful with
cause I do not want to present myself as
artless. The students were unaware of the things
going on and therefore no dramatic effects would
have taken place. If any mental issues exist it's
because the situation was brought into the light
improperly & carelessly. Children are tough. They
are not easily suppressed or controlled by feelings
of bitterness & anger but adults are. All of us are
molded by influences around us and these
children will react however their parents react.
My greatest desire, for the children involved,
is for them to thrive in their educational
experiences and in life! And if I can help at
all in these areas, it would bring me great delight.
Daily, I ask God to bless and provide their needs
for them because only He can bless & provide
in the best way.

It took over 30 days to finally get a cream
compounded and

- ⑧ ~~Because~~
Normally I do not make poor choices.
However, I was already feeling the effects of burning out, due to strenuous demands at school and as always I try to appear calm even though I'm falling apart on the inside. I'm normally not aware of my feelings and when someone starts sharing their most deepest feelings I become insecure and felt the need to prove myself.
-

disgusted & ashamed by my actions and over
the distress my behavior created for others.
I've had much time (487 days) to reflect, repent,
& be restored. I earnestly ask you for the
opportunity to prove my credibility to you & the
entire community with a second chance. I will
make all concerted efforts to help & provide
to the community in any way you see best.

At your mercy,
Kim Crain

For LSI

