

**DISTRICT COURT OF OTTAWA COUNTY**  
**STATE OF OKLAHOMA**

STATE OF OKLAHOMA

**PLAINTIFF,**

VS.

**DEFENDANT**

COURT CASE#:

MNPD CASE#: 2025-0037

FILED  
DISTRICT COURT  
OTTAWA CO. OKLA.

APR 24 2025

CASSIE  COURT CLERK

BY \_\_\_\_\_

**GRAY, DOUGLAS ALLEN**

SSN: XXX-XX- DOB: 1/1958

ANTICIPATED CHARGE(S):

**47-11-902-DRIVE UNDER THE INFLUENCE ALCOHOL/DRUGS (DUI)**

AFFIDAVIT FOR: **DETENTION**

**THE UNDERSIGNED UPON OATH DEPOSES AND STATES AS FOLLOWS TO WIT:**

**The following events took place in the County of Ottawa, State of Oklahoma**

Location:

2700 S 490 Rd in Miami Ok, 74354 in Ottawa County.

On April 22, 2025, at approximately 19:55 hours I, Officer CJ Weaver, assisted Ottawa County Deputies on an accident with injuries.

Dispatch advised that a 9-year-old juvenile was hit by a side-by-side ATV and was not conscious and with CPR in progress.

Upon my arrival the juvenile was already inside the ambulance and CPR continued. The juvenile was later identified verbally as EF. I spoke with the mother of EF, and she identified verbally as Kaytelin Freeman. Kaytelin stated that EF was running along side the ATV when he had tripped and fell. Kaytelin stated that when EF fell, he was struck by the side-by-side. Kaytelin advised she and EF were Miami Nation Tribal Members.

I spoke with the driver of the side-by-side, briefly identified as Douglas Gray by his Oklahoma issued drivers' license. Gray stated he was non-native American and collected his information verbally.

The father of EF was identified as Rodney Freeman verbally. The ambulance left the scene and transported EF to Integris ER for further treatment. Rodney and Kaytelin were released on scene to follow the ambulance.

I spoke with a male identified as Noah Willems verbally. Noah stated he was riding in the back of the ATV with AF (son), with Doug driving, Kaytelin was in the middle and Rodney was in the passenger side. Noah stated EF was running along side of the ATV when he fell and was struck by the ATV. Noah stated he moved the ATV while Rodney was performing CPR on EF.

I contacted my supervisor Chief Abel Stose and advised him of the situation. Chief Stose and Assistant Chief Justin Keller arrived on scene to assist with the investigation. The Oklahoma Highway Patrol was contacted and were enroute as well.

Assistant Chief Keller marked the tire tracks and the footprints near and on the roadway.

I obtained photographs of the accident scene. OHP Trooper Nance spoke with Gray. Trooper Nance arrested Gray on scene and transported Gray to Integris ER for medical clearance. Trooper Nance then transported Gray to the Ottawa County Jail where he was booked in and released to jail staff.

Officers were later notified EF had succumbed to his injuries at Saint Francis hospital in Tulsa Ok.

OHP's investigator Trooper Eric Roberts arrived on scene and later released officers after he completed his investigation. OHP will complete an accident report the report number is unknown at the time of report.

Supplemental Report Abel Stose:

On April 22, 2025, at approximately 2019 hours, I, Miami Nation Police Chief Abel Stose, was contacted by Officer CJ Weaver. Officer Weaver advised that he was on scene at a crash involving a side-by-side UTV and a juvenile who was critically injured. I contacted Assistant Chief Justin Keller at 2035 hours and requested his response to the scene, which was located near 2700 South 490 Road in Ottawa County. This incident occurred within the boundaries of the Miami Reservation.

At approximately 2035 hours, I arrived on scene with Assistant Chief Keller. Officer Weaver explained that the driver of the UTV, Douglas Gray, is not a member of a federally recognized Tribe. He stated that the victim, EF, and his mother, Kaytelin Freeman, are Miami Tribal members. Officer Weaver further explained that, after being interviewed, the driver was released to go to the hospital with the family members.

Assistant Chief Keller and I walked the area, identified footprints belonging to EF, tire tracks from the UTV, and the area of impact. Measurements and photographs were taken of the scene and will be included in the supplemental documentation prepared by Assistant Chief Keller.

At 2056 I received a call from Oklahoma Highway Patrol Lt. Brian McSlarrow who stated Ottawa County Sheriff David Dean requested Oklahoma Highway Patrol response to the crash. He explained that we could request assistance from the traffic homicide unit. Oklahoma Highway Patrol Trooper Nance arrived on scene and an official request was made to the traffic homicide unit to respond. According to the call notes, the Oklahoma Highway Patrol cleared the scene on Wednesday, April 23rd at 0129 hours.

Sometime after 2130 hours, Douglas Gray returned with Noah Willems, both of whom were witnesses to the incident. Mr. Gray, using an electrolarynx device, informed me that he would be in the residence preparing to leave for Tulsa, where EF was expected to be transported. Shortly after Mr. Gray entered his residence, Trooper Nance advised that he intended to interview Mr. Gray while Assistant Chief Keller and I completed the crash reconstruction.

End of Crash Report supplement.

Supplemental Report Justin Keller:

On Tuesday 4-22-25 at approximately 2030 hours I Officer Justin Keller 907 with the Miami Nation Police Department received a phone call from Chief Stose advising of a UTV Crash at 490 RD and 30 Rd. Chief Stose advised a nine-year-old male had been ran over by the UTV and Officer Weaver was on scene. I advised Chief Stose I would be enroute.

1. At 2035 hours I advised over the radio to dispatch I would be enroute to the call at 490 Rd and 30Rd and was placed on the call.

2. While enroute to the call I received a phone call from Officer Weaver. Officer Weaver advised me of the 9-year-old male's name and family. Officer Weaver advised me the 9-year-old male was running alongside the UTV on 490 Rd slipped in the mud and had been ran over by the UTV. Officer Weaver advised me the 9-year-old male had been transported by ambulance and the family had left the area enroute to the hospital. Officer Weaver advised me he had all parties involved information. I advised Officer Weaver I was approximately ten minutes from the scene.

3. While still enroute to the call I received another phone call from Officer Hall with the Miami Police Department who wanted to advise me of more information of the relationship of the 9-year-old boy to Sheriff Dean.

4. Upon my arrival I contacted Chief Stose who pulled up behind. We were contacted by Officer Weaver who advised us more of the crash scene. Officer Weaver advised us Oklahoma Highway Patrol had been contacted and were enroute. I observed at least four Ottawa County deputies on scene. Officer Weaver advised us the UTV which had struck the 9-year-old male had been moved from its original resting point at least twice. Officer Weaver advised Chief Stose and I of his name. Further in this report I will refer to the 9-year-old male by his initials E.F. Officer Weaver advised us E.F, along with the driver of the UTV and other riding in the UTV were staying at the address of 2700 S. 490 Rd. Officer Weaver advised us he had taken pictures of the UTV and the area where E.F had slipped in the mud and of the area.

5. At this time, I started walking the scene. Once I arrived at the UTV which was facing in a southwest direction on the east side of the road on 490 Rd I looked around the scene. The road surface of 490 is described as a dirt road consisting of small rocks. Due to the rain the past several days mud and standing water were present in the ditches and edge of roadway. 490 Rd itself appeared relatively of dry with dirt and small rocks. I continued to look around the scene and observed what appeared to be a small amount of blood on 490 Rd on the east side of the roadway " this small amount of blood will be referred to as number 1 in this report". I noticed another small amount of what appeared to be blood approximately 2 feet east of the other small amount of blood I mentioned towards the edge of roadway, this small amount of blood will be referred to and number 2 in this report". "For further reference edge or roadway will be referred to as EOR in this report". As I continued to look at the scene and around the second amount of blood by the EOR I noticed what appeared to be small shoe prints consistent with a 9-year-old. I noticed the prints appeared to show that E.F had slipped in the mud. I continued to look at the prints at this point it appeared E.F was running south bound on 490 on the eastside of the roadway by the EOR and slipped in the mud. Looking at where it appeared E.F slipped in the mud; it appeared E.F slipped in the mud falling towards the west. It appeared this was the initial area where E.F and the UTV collided. I continued to walk the scene walking north on 490 Rd on the eastside of the roadway and noticed another set of shoe prints in the mud north of the collision scene. I continued to walk the scene walking north on 490 Rd on the east side of the roadway however I did not notice any more shoe prints in the mud, however in this area I did observe more prominent tire tracks which appeared to be from the UTV in question. I continued to walk the scene walking north bound on 490 Rd on the east side of the roadway noticing the tire tracks which appeared to be from the UTV in question. I continued to walk the scene north on 490 road however at this point the UTV tire tracks became less prominent and started blending in with other tire tracks at

the scene. I continued to walk with scene walking north on 490 road towards the driveway of 2700 S. 490 Rd and observed what appeared to be small shoe prints in the dirt towards the edge of roadway. These shoe prints were in the roadway approximately 1 to 2 feet west of the EOR. I noted these what appeared to be shoe prints. I continued to walk north on 490 Rd towards the driveway of 2700 S. 490 road and noticed what appeared to be another set of shoe prints on the roadway approximately 2 to 3 feet from the EOR. As I continued to walk north bound on 490 Rd, I reach the driveway entrance to 2700 S. 490 road and noticed what appeared to be another set of small shoe prints in the dirt in the roadway and the entrance to the driveway of 2700 S. 490 Rd. I continued to walk north on 490 Rd turning to the east entering the driveway of 2700 S. 490 Rd, once I passed the culvert under the driveway of 2700 S. 490 Rd I did not notice any other shoe prints in the dirt or leading up to the entrance gate of 2700 S. 490 Rd.

6. While I was walking north on 490 Rd I was accompanied by Officer Weaver and Chief Stose. I asked Officer Weaver to take more pictures of the scene pointing out what appeared to be shoe prints in the dirt. I marked the area of what appeared to be shoe prints by laying a stick approximately one foot to the west of the prints so I would be able to mark them properly and would be easier to find. Office Weaver retrieved his iPad and started taking pictures of the areas I had pointed out. It is to be noted as I along with Officer Weaver and Chief Stose were walking the scene we were staying west of any tire tracks or shoe prints, we observed as to not attempt to corrupt the scene more. While Officer Weaver, Chief Stose and I were walking the scene we were contacted by Oklahoma Highway Patrol Trooper Roberts who had arrived at scene. It is to be noted after walking the scene several times I did not notice any visual signs the UTV attempted to break however it did appear the UTV attempted to swerve away from the ditch which will be noted in this report later along within the diagram.

7. At this time, I returned to my patrol vehicle to prepare equipment to mark areas of shoe prints, blood, the UTV and to start taking measurements. While I was gathering and preparing equipment and talking with Chief Stose and Officer Weaver, Trooper Roberts contacted us advised he needed to talk with his Lt. Chief Stose prior to this conversation was talking with Trooper Roberts Lt. Once Trooper Roberts had talked with his Lt and Chief Stose talked with the Lt, I was given permission to continue with my investigation and start marking areas and take measurements.

8. The following is a list of measurements taking at the scene. I walked back to the entrance of the driveway of 2700 S. 490 Rd. I selected to use the south pole of the large, gated entrance of 2700 S. 490 Rd as my reference point which will be referred to in this report as "RP". The EOR on a dirt roadway differs from asphalt or concrete roadway. I use the EOR to EOR measurement from where the grass met with the ditch then coming up to more of the flat portion of the roadway, due to from the grass touching the dirt or mud in the ditch would change after rain fall. The area of the roadway of 490 Rd EOR to EOR will change over time due to road being graded. The EOR to EOR measured 21'4". The RP to the EOR going west measured 38'11". From the RP to EOR walking south bound on 490 Rd looking for any other visual shoe prints and taking small measurements as I walked. I walked back to what appeared to be the area of impact. In this area was where it appeared E.F. had slipped in the mud and collided with the UTV. In this area was also the location of the first blood area by the edge of roadway. It appeared E.F. collided with the UTV in this area then E.F. was moved to the west in the roadway of 490 Rd which was the area of the second blood area on 490 Rd. The RP to the area of impact was 182'5". I walked north from the area of impact and the second blood area on 490 Rd taking measurements of each visible shoe print back to the RP. The first measurement from the area of impact to a shoe print in the mud was 12'2", the second shoe print in the mud was 20'11" the third shoe print in the mud was 29'3" and the fourth shoe print in the mud was 31'10", which appeared to be the first shoe print in the mud. From this point I continued walking back to the RP taking another measurement at 139'7" of a shoe print on the dirt gravel road, next measurement at 147'11" of another shoe print this leading more towards the entrance of 2700 S. 490 Rd, next measurement of 157'3" then 158'7", 161'9" which appeared to be the first visible shoe print I was able to

locate coming from 2700 S. 490 Rd.

9. I did not take any measurements from the UTV to the fact it was my understanding and being advised the UTV had been moved twice prior to my arrival.

10. While at the scene I completed a not to scale diagram of the scene for notes. I recontacted Officer Weaver checking to see if he had taking photos of the area in which I had mark. Officer Weaver advised me he had taken the photos and would add them to his report. Once I was completed with the investigation and checking my notes, I walked the scene again returning my equipment to the patrol vehicle.

11. At this time, at approximately 2239 I cleared the scene.

12. On Wednesday 4-23-25 I completed this supplemental report adding the measurements and observations made at the scene. I also completed a to scale diagram of the crash scene using the IPTM " Institute of Police Technology and Management traffic template, with the 1 inch = 20 feet scale, which I added to this report.

End of Crash Report supplement.

Officer J. Keller 907

Supplemental Report Trooper Kainen Nance:

On Tuesday, April 22, 2025, I, TROOPER KAINEN NANCE, was working my regularly scheduled shift as part of my employment with. the Oklahoma Highway Patrol. At approximately 8:24 P.M. I was advised of an Injury, single motor vehicle crash on S 490 Road, Just north of E 30 Road, in Ottawa County, Oklahoma. The crash involved a black 2018 CanAm Defender, which struck a nine year old male juvenile in the roadway.

At approximately 9:02 P.M. I arrived at the scene where the CanAm .was located. Miami Nation Police Department was on scene, and advised all occupants had left the scene and the juvenile was transported to Integris Health Miami Hospital and considered to be in critical condition. Prior to leaving the scene, the driver of the CanAm, was identified by his Oklahoma driver license as DOUGLAS ALLEN GRAY, date of birth January 5, 1958. While conducting my investigation, GRAY arrived back at his residence, located at 2700 S 490 Road, Miami, Ottawa County, Oklahoma. I went to GRAY's residence to obtain a statement. While speaking to GRAY, I detected the strong odor of intoxicants emitting from his breath as he spoke. I asked GRAY to submit to a voluntary, chemical test of his blood, and he refused, stating, "No." GRAY Indicated he did not want to submit to the test because they had all been drinking prior to the crash. I asked GRAY when he consumed his last drink, and he replied, "When it happened." I asked GRAY when he started drinking, and he replied, "Six o'clock." GRAY Indicated he drank Pepsi and Canadian Mist. I asked GRAY If he had consumed any intoxicants since the crash, and he replied, "No." I asked GRAY to submit to a Preliminary Breath Test, and he refused. I asked GRAY to perform a series of Standardized Field Sobriety Tests, and he agreed, but indicated he had issues walking.

The first test I administered was the Horizontal Gaze Nystagmus Test. During the test, I observed GRAY's eyes were bloodshot and glassy. GRAY displayed a lack of smooth pursuit, and distinct and sustained nystagmus at maximum deviation. Due to GRAY Indicating his Inability to walk or stand well, no further tests were administered. I asked GRAY If he was a member of a Nationally recognized Native American Tribe, and he stated "No."

At approximately 10:26 P.M. I placed GRAY under arrest for Driving Under the Influence of Alcohol. Due to

GRAY having to use an Electronic Larynx to talk, he was handcuffed In front of his person, searched Incident to arrest, and secured in the front passenger seat of my patrol car. At approximately 10:30 P .M. I advised GRAY of Implied Consent and requested he submit to a chemical test of his blood. GRAY refused to submit to the test, stating, "No." I transported GRAY to Integris Health Miami Hospital, for a court ordered blood draw. On Wednesday, April 23, 2025, at approximately 12:15 A.M. I observed Registered Nurse CASSIE HOLT sterilize GRAY's left arm with an Iodine swab, Insert a sterile needle, and withdraw three gray topped blood tubes. The blood tubes were Inverted several times and seized as evidence. The blood kit will be sent to the Oklahoma State Bureau of Investigations laboratory far analysis. GRAY was released from the hospital after being cleared as fit for confinement and I transported him to the Ottawa County Jail where he was released to the Jail staff.

At approximately 12:45 A.M. I was advised by Dispatch, the Juvenile was transported to Saint Francis Hospital located In Tulsa, Oklahoma and was declared deceased after arrival.

All events occurred In Ottawa County, State of Oklahoma.

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*The following affirmation is endorsed with my electronic signature as defined as 12A § 15-102 and authorized by 22 O.S. § 7. I state under penalty of perjury under the laws of Oklahoma the foregoing is true and correct. 12 O.S. § 426.*

AFFIANT: Printed

A handwritten signature in black ink, appearing to read "Chad Stone". The signature is fluid and cursive, with the first name "Chad" and last name "Stone" clearly distinguishable.

Approximate Date/Time of Signature: 04/24/2025 09:25 AM

Location where affidavit was electronically signed: Miami Nation Police Department

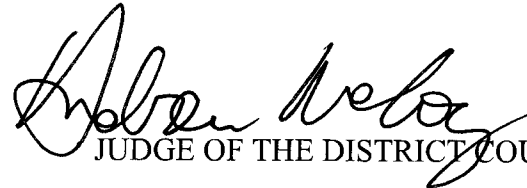
## PROBABLE CAUSE DETERMINATION

I, the undersigned Judge of this District Court, reviewed the above and foregoing Probable Cause Affidavit, on the 24 day of April 2025, at 3:36 A.M./P.M. and make the following findings and Order pursuant to Gersten V. Pugh 420 U.S. 103 (1975), and County of Riverside V. McLaughlin (1991) U.S. Lexis 2528);

☒ The above and foregoing Affidavit contains sufficient probable cause to detain the Arrestee to await further proceedings.

☐ The Court set an Appearance Bond in the amount of \$ \_\_\_\_\_

☐ The Court denies Bond at this time.

  
JUDGE OF THE DISTRICT COURT

☐ The above and foregoing Affidavit contains insufficient facts to show that there is probable cause to detain the Arrestee. The arrestee is ORDERED RELEASED FROM CUSTODY FORTHWITH.

JUDGE OF THE DISTRICT COURT