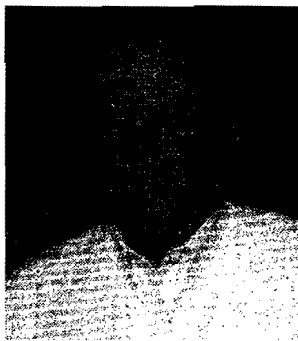


David Chandler

Candidate

Kay County Commissioner - District Three

Openness and Accountability of Government Officials



Total openness and accountability of government officials and the records of their offices is necessary before taxpayers and voters can have full faith in those they elect.

Whenever there is an unexplained shortage of funds in a county office, such as in the district attorney's office last year, there must be a prompt and total investigation, with the results publicly reported to all residents of Kay County.

To delay a full investigation and public report of findings lessens public faith in our officials and provides the appearance of a cover-up.

A specific duty of the county commissioners is to account for all county funds.

As county commissioner, I will see that any and all financial shortages in any county office is promptly investigated, and the findings made public.

Your vote is necessary, and will be appreciated.

David Chandler • Candidate • Kay County Commissioner, District Three

Paid for by David Chandler, 18300 West Coleman Road, Blackwell, OK 74631



David Chandler
Candidate
Kay Co. Commissioner
District Three

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Kay County Commissioner - District Three

Paid By David Chandler 18300 West Coleman Road • Blackwell, Oklahoma 74631

Mark L. Gibson
EIGHTH DISTRICT ATTORNEY
201 S. Main
Newkirk, OK 74647

July 9, 2010

Mr. David Chandler
18300 West Coleman Rd.
Blackwell, OK 74631

Re: Your campaign ad published on and since July 4

Mr. Chandler:

I formally request that you publish a public apology to my staff and me for your defamatory, factually incorrect, and clearly misleading advertisement published in The Ponca City News, among others.

Your ad states:

"Whenever there is an unexplained shortage of funds in a county office, such as in the district attorney's office last year, there must be a prompt and total investigation, with the results publicly reported to all residents of Kay County. To delay a full investigation and public report of findings lessens public faith in our officials and provides the appearance of a cover-up."

For now, I will presume your statements are borne of ignorance, rather than being intentional untruths with slanderous implications. So we have no misunderstandings, I will specify each of these.

FIRST: The district attorney office is *not a county office*, thus being the District Attorney's Office. I, and all of my employees, are STATE EMPLOYEES, over whom *NO* county officer has any authority or oversight whatsoever! In fact, we are audited by the State Auditor and the District Attorneys Council on an annual basis, and on special request. **NO COUNTY FUNDS** were involved on any level in the embezzlement from my office by a former employee. This statement alone is astounding evidence of ignorance on your part.

SECOND: At no time has the **DISAPPEARANCE** of money (NOT a "shortage") been "unexplained." Less than 24 hours after discovery of the theft, I gave an open and unlimited press conference for local reporters, answering each and every question asked. At that time, I made it clear that someone had **STOLEN** the money from our office safe. Further, after an 18-month investigation by the Oklahoma State Bureau of Investigation and presentation of evidence by independent, specially-appointed prosecutors, the former employee was indicted by a *statewide* grand jury.

It would be nearly impossible to have a more prompt and total investigation than occurred in this case. Within less than an hour of confirming that the money had been stolen, I *personally* contacted the Director of the Oklahoma State Bureau of Investigation and the Attorney General of the State of Oklahoma, requesting an immediate investigation and the appointment of special prosecutors to oversee said investigation.

From that moment until its conclusion, neither I nor anyone in Kay County had ANY input or control over the investigation and its length, other than when being interviewed as witnesses. Further, that investigation began the very next morning at 9 a.m., when the OSBI arrived at my office. Finally, from the moment the investigation began, I, and every member of my staff gave their FULL COOPERATION to all investigators AT ALL TIMES! I immediately provided them with full and unfettered access to ALL of my personal records — and, within a matter of weeks, passed a polygraph with flying colors and was removed from any list of “persons of interest.”

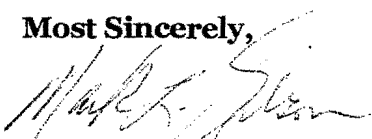
The fact is, Mr. Chandler, that the ONLY person who *refused to cooperate in any way* was, and continues to be, the former employee who is now charged with embezzlement from my office AND from the Kay County Sheriff's office.

THIRD: Your apparent ignorance for and lack of appreciation of the criminal justice system continues with your demand of a “public report” of findings of an investigation. This would NEVER be appropriate, in ANY case, so long as there is the possibility of criminal charges, much less a case where felony charges have actually been filed, as here. To “publicly report findings” would undermine the integrity of any criminal prosecution — not to mention violate the legal code of ethics!

FINALLY: It was both reckless and defamatory for you to raise the idea of a “cover-up”, with absolutely NO EVIDENCE of such an outrageous claim, particularly in light of all the above. If you believe there is such evidence, you have an obligation to immediately approach the appropriate law enforcement agency to initiate an investigation. You should be ashamed of yourself.

Mr. Chandler, I cannot fathom why, as a candidate for a public office, you would divert your focus from your *own* opponents, to become a lackey for *mine* and interject yourself into the DA's race. Whatever the reason, your ad is factually WRONG, morally INDEFENSIBLE, and potentially slanderous. I expect an apology to my staff and me to be published by July 15, 2010, with the same frequency and in the same publications as the original advertisement ran. Otherwise, I will respond appropriately.

Most Sincerely,



Mark L. Gibson
EIGHTH DISTRICT ATTORNEY

David Chandler
18300 West Coleman Road
Blackwell, Oklahoma 74631

July 13,2010

Mr. Mark Gibson
201 South Main
Newkirk, OK 74646

Re: Response to letter dated July 9, 2010

Mr. Gibson:

After reading and through review of your letter dated July 9, I cannot understand the basis for your demand for a published apology.

It appears that you and I are in total agreement with the content of my campaign ad regarding the need for accountability of government officials. My referral to the shortage (ie) disappearance of funds, such as the occurrence in the district attorney's office was strictly for explanatory purpose only since that situation is recent and well known to area residents.

No where in the ad did I accuse you or anyone in your office of wrong doing.

You evidently agree that a full and prompt investigation is necessary from the prompt action you took.

Although charges have been filed, there has not been a final determination , therefore the matter is still unresolved.

By your own statement you agree that funds involved were taken from your office and the office of the Kay County Sheriff. Please refer to OS 2003, Sec. 339 (A.2) which gives full audit authority to the commissioners office of all county offices having the care, management, collection or disbursement of any money belonging to the county or appropriated for its benefit.

It also appears that you agree that a delay in an investigation and report of final findings would be cause for a loss of faith in officials and a possible appearance of a cover-up.

I believe the law requires and the statutes clearly state it is a specific duty of the county commissioners to account for all county funds. If I am elected , I will use my best efforts to ensure the funds of the county are wisely used and protected.

I understand well the stress you are under due to the rapidly approaching election. This may well have caused you to interpret the contents of my ad in a narrow , inward perspective rather than the broad, non-accusatory manner with which it was intended and written.

Also because of the heat of the moment, I choose to ignore the very arrogant and accusatory language contained in your letter. A more professional presentation of your comments would have displayed greater emotional stability.

In closing, again I commend you on the prompt attention and co-operation given the matter occurring in your office. Your response only substantiates and affirms my beliefs.

Wishing you well, I remain ,

Sincerely

A handwritten signature in cursive script that reads "David Chandler". The signature is written in black ink and is positioned below the word "Sincerely".

David Chandler