



## **EPA Pick Pruitt Sued For Slander By Former Okla. Sheriff**

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February 14, 2017

A former Oklahoma county sheriff on Friday accused the state attorney general, whom President Donald Trump has nominated to lead the U.S. Environmental Protection Agency, of defaming him by characterizing a civil asset seizure as improper on a radio broadcast.

Former Wagoner County Sheriff Robert Colbert said Oklahoma Attorney General Scott Pruitt appeared on a podcast produced by the libertarian think tank Cato Institute and discussed civil asset seizures, where law enforcement agencies confiscate money or property, sometimes without criminal convictions being obtained. Colbert said Pruitt mischaracterized his involvement in one such seizure so egregiously that he had to sue.

“During said interview, defendant Pruitt stated, ‘We had a Wagoner County Sheriff that stopped someone, uh, in Wagoner County and took \$10,000 in a seizure and put it in their pocket, and so I’m indicting that individual,’” Colbert claimed in his Oklahoma state court petition.

Colbert said Pruitt went on to describe this “supposed pocketing of the money” as one of two “egregious examples” of recent abuse of civil asset seizure in Oklahoma. The petition said Pruitt’s statements were false and defamatory.

According to the petition, in 2014 a Wagoner County sheriff’s deputy named Jeffrey Gragg seized \$10,000 from a suspected drug trafficker.

Pruitt’s office in March 2016 announced that a grand jury indicted Colbert and Gragg on bribery and extortion charges. Colbert and Gragg were alleged to have conspired together to bribe two individuals, taking \$10,000 in exchange for not pursuing drug charges.

According to the AG’s office news release, during a traffic stop conducted by Gragg, he found \$10,000 in cash. The two occupants of the vehicle were arrested for possession of drug proceeds.

“After being taken to the Wagoner County Jail, Colbert and Gragg accepted a bribe from Wallace and the passenger when Wallace disclaimed any interest in the cash,” the AG’s office said. “They were then released and their records were deleted. The cash was placed in a Sheriff’s Drug Forfeiture account with the Wagoner County Treasurer’s Office.”

Colbert said the \$10,000 was never “pocketed” by either him or Gragg, as alleged by Pruitt, but rather that the money was appropriately processed as a civil asset seizure and deposited into a county treasury account.

“No part of the indictment or accusation contained claims that plaintiff Colbert or anyone on his behalf personally benefited from the seizure of the \$10,000. Nor did it contain claims that said persons had pocketed, misappropriated, absconded with or embezzled said monies. No part of the indictment or accusation claimed that the sheriff or anyone on his behalf ever used or spent the monies,” the petition said.

Colbert is asking for compensatory damages “in excess of \$75,000” and punitive damages also “in excess of \$75,000.”

The AG’s office spokesman Lincoln Ferguson said the office does not typically comment on pending litigation.

Colbert is represented by Michon Hastings Hughes and Clinton C. Hastings.

Counsel information for Pruitt was not available Tuesday.

The case is Robert Colbert v. Scott Pruitt, number CJ-2017-546, in the Oklahoma State District Court for Tulsa County.