



GENTNER DRUMMOND
ATTORNEY GENERAL

November 1, 2024

Via Email

The Honorable J. Kevin Stitt
Governor, State of Oklahoma
2300 N. Lincoln Blvd., Room 212
Oklahoma City, OK 73105
Kevin.Stitt@gov.ok.gov

Re: *Briggs, et al. v. Friesen, et al.*, No. 23-cv-81 (N.D. Okla.)

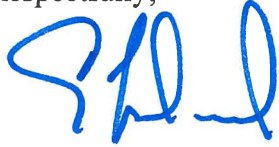
Governor Stitt:

I am in receipt of a letter dated October 28, 2024, whereby you purportedly retain William “Bill” W. O’Connor as special counsel to represent Allie Friesen, in her official capacity as the Commissioner of the Oklahoma Department of Mental Health and Substance Abuse Services, and Debbie Moran, in her official capacity as Executive Director of the Oklahoma Forensic Center, in the case styled *Briggs, et al. v. Friesen, et al.*, No. 23-cv-81 (N.D. Okla.). This letter is to inform you that I am exercising my authority outlined in 74 O.S. § 18b(A)(3) to “take and assume control of the prosecution or defense of the state’s interest” in this litigation. Based on our many previous disagreements, you are undoubtedly aware that the Oklahoma Supreme Court has squarely held: “The Attorney General, by statute, 74 O.S.1971 [§] 18 is the Chief Law Officer of the State. **In the absence of explicit legislative or constitutional expression to the contrary, he possesses complete dominion over every litigation in which he properly appears in the interest of the State**, whether or not there is a relator or some other nominal party.” *State ex rel. Derryberry v. Kerr-McGee Corp.*, 1973 OK 132, ¶ 20, 516 P.2d at 818 (emphasis added). OKLA. CONST. art. VI, §§ 2 and 8 do not explicitly authorize a Governor to overrule the Attorney General in litigation. Just the opposite, the explicit legislative expression is that the Attorney General is the sole party with authority to “take and assume control of litigation” involving the State. 74 O.S. § 18b(A)(3). Accordingly, I clearly have the authority to “take and assume control” of this litigation.

Further, my client in this case is the State of Oklahoma, not Commissioner Friesen and Executive Director Moran in their individual capacities. I will continue to represent the State of Oklahoma, including Commissioner Friesen and Executive Director Moran in their official capacities, to the best of my abilities.

Accordingly, consistent with 74 O.S. § 18b(A)(3), I hereby terminate William “Bill” W. O’Connor’s services, including any other members of his firm, in the subject litigation. I will move forward with striking Mr. O’Connor’s and the other Hall, Estill attorneys’ appearances in the litigation.

Respectfully,



GENTNER DRUMMOND
Attorney General