

My name is Raye Dawn Smith and my daughter was Kelsey Shelton Smith-Briggs, the beautiful two year old little girl that was killed by her step-father on October 11, 2005 in Meeker, Oklahoma. I have been wrongfully convicted of enabling child abuse, because the District Attorney Richard Smothermon has made the statement that I "should have known." Not that I knew anything, but I "should have known." So many things went wrong in my case and they continue to go wrong to this day. I am trying to reach out to anyone who will listen to me and read the information available on my web-site www.freekelseysmom.com.

So many lies, stories, and half truths have been told, but very little has been told about what kind of a child Kelsey was and no one has ever heard of the wonderful relationship Kelsey and myself had. Just because Richard Smothermon, Patty High (special prosecutor), Kathie Briggs (Kelsey's paternal grandmother), Mike Porter (step-father), and/or the media say something doesn't make it true. This is who Kelsey and I were...

Kelsey was born December 28, 2002 at 10:00p.m., nineteen inches long, seven pounds, with a head full of black hair, and olive skin. She was always a happy baby and we were together all the time. She sucked her thumb until one day she broke herself when she decided she didn't need that comfort anymore. She did everything early, from sleeping all through the night, to crawling, to walking, to talking. She was a very busy baby, but a very good baby. Did I mention well mannered and very independent? She would tell you "God bless you" if you sneezed. If she was trying to get past someone and it was a tight squeeze she would say, "Cuse (Excuse) me" and if anyone tried to help her do something she would say, "No, I do it." Everything Kelsey did was an event to me. I would call my mom and my grandma almost everyday at their places of work just to tell them something Kelsey did or said throughout the day. We would watch movies together, dance together, go shopping together, sleep together, and some days until noon, put puzzles together, color together, and we even made a cake together. In 2005 we made a strawberry shortcake together with strawberry icing and sprinkles. I helped her with the icing, but she had a big time shaking the sprinkles all over the cake. I can still see the look on her face smiling from ear to ear, clapping her hands when I clapped with her and told her, "Good job!" October 10, 2005, the day before my entire life turned upside down, Kelsey and I were sitting in the truck waiting on our new furniture at Mathis Brothers. Kelsey was in the back set in her car seat and she began counting 1, 2, 3,...and when she got to ten she kept going 11, 12, 13, 14, and then stopped. I had never heard her count that high before, and when I turned around and looked at her in amazement, she just smiled as big as ever with a look on her face as if thinking, "You didn't know I could do that, did you?" She could always make me smile and made me proud everyday.

When my mom had Kelsey in her care all of May and part of June, 2005, she made a statement my mom says she will never forget. My mom and Kelsey were taking the trash down through the pasture to the dump when Kelsey reached down to the radio knob, turned it on, and said, "I haffa (have to) hear good music." Laughing, my mom asked her, "What do you know about good music? You're momma has spoiled you rotten." Kelsey just smiled at her, knowing she had made a funny. Although Kelsey was only two and a half years old, I think back on her short life, and we did a lot together. From hanging out watching movies, her favorite being Shrek, to going through a cave in Branson, Missouri, to going down the water slides together at White Water, and eating crawfish and crablegs. The memories make me smile and laugh everyday, but some

days are a lot harder than others. Even though the memories are great, we were ripped of many years to come. I think about the things we were able to do, but not without thinking about the things we will never be able to do. I will never see her tie her own shoe; ride a bicycle with or without training wheels; go to her first day of kindergarten; graduate from the eighth grade; go on her first date. I will never get to teach her to drive a car, teach her to put makeup on, take her shopping for her prom dress and her wedding dress... I will never see my baby grow up.

April 11, 2008 my son turned two and my daughter has now been gone for two years and six months, and to this day there is not a day that goes by that I don't talk about her or think about her. It will be this way for the rest of my life. I watch mothers here at the prison on visitation day play and laugh with their daughters, and hug and kiss them hello and goodbye, and I think of how I would give up anything this world has to offer to do all of those things with Kelsey one more time. I pray to God all of those mothers know how lucky they are and that they never take one day for granted. In court and out of court lies have been twisted and stories have been stretched, but one thing they can't twist or take away are the memories, because those are mine and they can't take away the truth of who we were.

I was silent for almost two years, because I was advised by my attorney not to make any statement, and besides that, a gag order was in place. Trying to follow the rules and the law, it doesn't take a genius to see where it got me. Kathie Briggs, Kelsey's paternal grandmother, had a website up with in about a week of Kelsey's death, stating that it was Kelsey's purpose to be abused and murdered to bring awareness about child abuse in the state of Oklahoma. She passed out stickers with www.kelseypurpose.org slapped across them, a bash board in my name was put on the web. Harassing phone calls with a baby crying in the background were made to my grandma, Mildred Fowler. A harassing phone call was made to the church DURING Kelsey's funeral at the Meeker Assembly of God Church. A friend of my mom received phone calls threatening to ruin his real estate business, and his entire neighborhood in Northwest Oklahoma City received a horrible letter in their mailboxes stating that a child abuser, child molester, and a child murderer was living in the neighborhood. Kelsey's Purpose Signs were put at the entry of our neighborhood with Channel Four's, Cherokee Ballard there, as it was aired on the evening news. All of this was handed over to the District Attorney, Richard Smothermon, but not one thing was ever done about it. Protests took place in front of the District Attorney's office with signs stating, "No Deals for Raye Dawn." A petition was even done in order to keep my son away from me when he was born. My son is absolutely no business of Kathie Briggs. There was even a petition to bring charges against me, even though I was working with the District Attorney's office to the fullest extent. There were no protests or petitions about Mike Porter receiving a deal, or about keeping my son away from him – the person whom murdered and sexually assaulted her granddaughter on October 11, 2005. In fact the Briggs family agreed to the plea bargain of murder and sexual assault being dropped, and to him pleading to "Enabling Child Abuse." District Attorney, Richard Smothermon, exhumed my baby's body to look for sexual assault, and then he turned around and dropped it! Do you have any idea what I went through when I was told they were going to do that? Let me tell you, it almost killed me knowing they were going to disturb my daughter's resting place, and it will bother me for the rest of my life, even more because now I know they did it for NO reason.

A person may wonder why the Briggs family would be so easy on this sick and twisted person, and never speak a negative word about him. I wondered too, but since my trial I have learned the reason why. Seventy nine days after Kelsey's death, Kathie Briggs and her daughters, Shirica Howard and Jeanna Fowler, began corresponding with Mike Porter through e-mails, discussing the entire case and conspiring together as to how they could get me put into prison. Of course this was a violation of Mike Porter's bond, and from the information we were given in court, Richard Smothermon knew of this and also about the Briggs and Porter meeting. Why was Porter not rearrested for his violation? Not only did Kathie Briggs talk to Mike Porter, but she talked to a few witnesses, as is evident in the e-mails between the two and that was a violation of the gag order that was in place. Now I know where some of the lies that were told in court came from.

I testified at Porter's preliminary hearing, not wanting a plea deal in return, because that's not what it was about. That morning before I took the stand, with my attorney by my side, I told Richard Smothermon, "I want you to know that I'm not doing this for you. I'm not doing this for me. I'm doing this for Kelsey." He nodded and said, "I know, or we wouldn't be talking." I said, "Well, I just wanted to make sure you knew that." Everything I've done in this case from January 2005, up until now has been for Kelsey. I just wanted to do what I knew was right. I have even been told that the reason I'm in prison is because I did do the right things. That just doesn't make sense to me, I was raised to tell the truth, and if you didn't do anything wrong, you don't claim that you did. I was offered five years incarceration and five years probation and of course, I refused, but then the day before my trial was over, I was offered a blind plea of spanking Kelsey on the diaper with a hairbrush. I stated, "No, I didn't do it. I won't take it." I never hurt my baby and I didn't sit back and allow someone else to hurt her. How is the district attorney, Richard Smothermon, going to tell me that I "should have known?" They wanted to drop the entire case on September 8, 2005. The district attorney's office, Department of Human Services (DHS), Community Home Based Services (CHBS), and C.A.S.A. were all there throughout the entire process, and they didn't know anything either.

During those last nine and a half to ten-months of Kelsey's life, I did everything that was asked of me and more. If my attorney told me to do something, I did it. If DHS told me to do something, I would. If the judge told me to do something, I did. If anyone of them told me to do something, I would and I did. When I asked DHS to tell me what all I needed to do to have my daughter returned to me by June, they told me that I wouldn't be able to get it done by then. As much as that upset me, I didn't focus on that, and told them to just tell me what I needed to do and let me worry about that. I just knew I wanted my daughter back, as soon as possible. And to everyone's amazement, I accomplished every little thing within about four months. I took a parenting class, a six-week domestic violence class, an anger management class, a domestic violence inventory (D.V.I.) test, and when I completed all of that, they had me take several more evaluations. They were all normal or above. I received certificates for all of this and a letter of recommendation from my counselors, stating I had completed all my classes and there was no need to be further counseled.

During all of this my daughter, Kelsey, was being shifted here, there, and everywhere. It was extremely hard on her and I could see that. One night in March, 2005, after she got out of her bath, I noticed her hair had fallen out in the back. Being upset, as any mother would be, I rushed her across the street to my grandma, Mildred Fowler, had her look at Kelsey and take a picture of

the bald spot and was asking her what would cause this. Of course she didn't know, but the next morning I called DHS, my attorney's office, and got her an appointment with Dr. Kelli Koons. They did tests on her, but I have yet to know exactly what caused that, other than probably stress. The doctor told me that Kelsey's hair had indeed fallen out, because the hair follicles were not raised, as they would be if she had pulled her hair out. A few days later I mentioned this to Kathie Briggs, and she told me Kelsey was pulling her hair out, and I knew that was not the case, because not only had the doctor told me that, but I had NEVER seen Kelsey pull out anyone's hair, let alone her own. At one visit, Mrs. Briggs sent a cabbage patch doll with Kelsey and said she got the doll for her so she could pull the doll's hair out instead of her own. Flabbergasted, I told her that whether she was pulling her hair out or it was just falling out, there was a problem somewhere and we weren't going to just cover it up. Neither DHS nor the district attorney's office ever acted as if her hair falling out was a big deal. Why?

On April 14, 2005 Kelsey sprained her ankle while on a trip to the zoo with her aunt and cousins. They came and picked me up and we took Kelsey to the doctor where she/he told us it was indeed sprained. The doctor told us to have her to continue to walk on it as tolerated and then rest it. That Monday I married Mike Porter, and I have a picture proving she was standing and walking that day. She was limping, but she was walking. That day at five o'clock, my older sister and I took Kelsey to meet Mrs. Briggs, and four days later when I picked Kelsey up, she was NOT walking at all, she was crawling. When I asked what was wrong with my baby...why she was crawling, Kathie Briggs told me that earlier that week she took four steps and fell and didn't want to walk anymore. Why didn't she take her to the doctor??? She took Kelsey when she thought her nose was broken, which it was not, but she didn't take her because she QUIT WALKING??? I didn't take her to the doctor, because I had already taken her. Since I was told that Kathie Briggs made the statement that she didn't care what the doctor said, she was NOT going to make Kelsey walk on her foot, so I thought her foot had gotten stiff and sore from not walking on it. Never in my wildest nightmares did I ever think that my baby had two broken legs. But come Monday I took her to DHS and then to the doctor and that's when I found out my baby had not one, but two broken legs. I remember crying and screaming out to my mom, "Mom, what's going on?!" So you see it is a fact that Kelsey was NOT with me when her legs were broken, but I "should have known?" I was only doing what everyone was telling me to do. In May, 2005, I accompanied my mom and Kelsey, me being in a separate car, to Children's Hospital to have Kelsey tested for Brittle Bone Disease. Worried something was medically wrong with her, this was just one more step I wanted to take to see what was going on with my daughter. Later that summer, DHS and I were informed that the results came back "inconclusive". I wanted to have her tested further, but DHS said they would not be paying for a second test, because the insurance wouldn't pay for it, so my family and I was going to pay for it ourselves. I was informed that the Briggs family was extremely upset about having her further tested, and they were NOT going to help with the funds. Why would they be upset about having her further tested to make sure she didn't have a serious disease? That didn't, and still doesn't, make any sense to me. So you see, I still don't know if she even had Brittle Bone Disease, because the test didn't rule it out. I was going above and beyond even what the state was willing to do. But I "should have known?"

On one instance Kelsey had a bruise on her nose and I showed it to Kathie Briggs, telling her and her daughter (Robynn) what had happened. They told me that they didn't even see it, because

they were sick of all of this and they were sure I was too. Not believing my ears I called my mom to tell her what they had just told me. Later I learned that Kathie Briggs immediately ran home and called DHS. It is impossible to work with a liar!

The days Kelsey and I would meet at the DHS office she would sometimes ask me very difficult questions. On one occasion when I was leaving she asked me, "Mommy, I go with you?" I would tell her through tears, "No, baby you can't go with me." Looking so sad and confused she asked, "Mommy, what happened?" How do you tell a two-year old what happened when you as an adult don't even know? In June after court, the day she came home, I was holding her as we walked up to the door and she said something I will NEVER forget. She hugged my neck and said, "Mommy, I so proud you, we're home." Do you have any idea how that made me feel? Out of all the people involved, Kelsey, my two-year old, told me she was proud of her mommy. I pray and hope every night that Kelsey knows how much I fought for her, day in and day out, and that I'm still fighting for her.

That summer I enrolled Kelsey into a play therapy group for her to receive counseling, because like I told DHS, if someone hurt her, I wanted to know what they did, who it was, and then that person and me were going to have a talk. I received her acceptance papers in the mail the day she died when I was on my round trip to pick up her stepsister. The most Kelsey ever went without seeing or talking to a DHS worker, CHBS worker, CASA worker, and/or a doctor was seven days, and they were in and out of our home day in and day out from June to October 11, 2005. Out of one hundred and twenty two days, they were in our home thirty-five of those. I would let Kelsey talk to them when they would call, because who better for them to talk to other than Kelsey herself? At one point and time I asked DHS for a round table discussion with everyone involved, and I have yet to see that happen. Why? DHS has done it with my son. Why wasn't I allowed that for Kelsey's well being? During the summer of 2005, Kathie Briggs refused to go to the DHS office to visit with her granddaughter, because she didn't want any more bad things said about her. I'm sorry, but that is just ridiculous. I have been called everything under the sun, but if I could see my daughter again, I really don't care and still don't. From January, 2005, to September 8, 2005, we had what felt like a million court dates, and on September 8 NO ONE from the paternal side, not even their attorney, even bothered to show up to fight for their visitation rights, but guess what, Kelsey's mommy was still there fighting for her baby. The district attorney's office and Kelsey's attorney were asking the judge for the entire case to be dropped, because everything was going so good, but because of the Ryan Luke Law they couldn't do that. Kelsey was there that too and they all saw her, so if anything with her was out of the ordinary, I'm sure they would've taken action. Obviously, she was doing great. I still remember what I dressed her in that day.

To this day I have never claimed I was a perfect person or a perfect mother, but I NEVER hurt Kelsey or allowed anyone to hurt my baby. Kelsey was my pride and joy, and to me the world revolved around her and still does. It hurts so bad to see on the television and/or in the newspaper that anytime there is a story done about DHS my baby's name is right in the middle of it. She was a human, a child, a grandchild, a cousin, a niece, a soon to be big sister, NOT a poster child for DHS. I think back and read about all the things I did to get her back, and it kills me that I lost her anyway. I could sit here all day and tell you what I did for her when in all actuality no one seems to care. Kelsey lost her life for NO reason, I lost my daughter for NO

reason, and even though I worked with the state before her death, day in and day out, I still not only lost her, but for the time being I've lost my son. And for what, because I "should have known?"

I've been asked a million times if Kelsey could talk and the answer is, "Yes, she could talk up a storm as if she was half grown." Then I've been asked, "Did she ever say anything?" Yes, she said some things, such as: "I don't like Ashley!" (Kelsey's step-mom), and, "I don't want go see Kafie (Kathie)!"...and talking one day about Mike Porter, she said, "Daddy not mean to me." I have witnesses to these statements, CHBS worker being one. Believe me, I realize what Mike Porter did to my precious baby on October 11, 2005, but those are the kind of things she told me, so how was I supposed to know? I agree people are allowed their own opinion, but sent to prison on an opinion? That's absurd! The district attorney, Richard Smothermon, stated publicly that I "should have know", but he told former Judge Craig Key in private that he KNEW I was INNOCENT, but because of the other family he had to charge me with something. My son is growing up without me because Richard Smothermon didn't have guts enough to stand up and be an authority figure over the Briggs family.

Now this man, Richard Smothermon, is wanting out of office to become a workman's compensation judge. He still has two years to serve in office. How loyal is he to the community and district he has promised to serve? Plus, he doesn't even live in the district where he serves as district attorney. He lives in Edmond. State officials have been informed of this on several occasions, but nothing has been done. Why? A lady running a tag office had to shut her place of business down, because she didn't live in the same county as her tag office, but there is nothing done about a district attorney doing the exact same thing? Richard Smothermon has made the statement that the "Kelsey Case" has done him in. If he had done the right thing in the first place, what he KNEW was the right thing, he wouldn't be in this predicament. Richard Smothermon told my attorney, Steve Huddleston, that H "Didn't have a problem with my mom having my son and me being supervised by my mom," but of course DHS didn't allow it, because they were already getting call-ins on my son, and I didn't even have him. Now does that sound like a district attorney who really, truly believes a mother enabled child abuse?

Speaking of my mom. To this day she has yet to be questioned by the OSBI and/or the district attorney's office. Why? She was the first one on the scene on October 11, 2005 and she had interaction with Kelsey and myself almost everyday for the two and a half years of Kelsey's life. I've wondered if it was because not questioning my mom made it easier for Richard Smothermon to prosecute me if he never heard the truth.

I am pleading with you to do the right thing and support me in this case. My daughter's memory and my son's life, as well as my own, is counting on it. I want the DHS files and the OSBI interviews made public; the Ryan Luke Law demands it. I have written to a couple of representatives and senators to ask for this, but as of this moment, I have received no response. What's the point of putting a law into effect if no one is going to use it for what it was put into law to do? So many wrongs need to be made right and it is long over do. I've always felt this way and I always will. I am asking you to please check more into the facts of this case and help my family and me. My family as well as myself, would be more than happy to speak with you. Please, I am asking you and your colleagues to please find it in your hearts to fix the part of the

tragedy that can still be fixed. I pray this letter finds you well, and I appreciate you taking the time to hear me out. The truth is out there, someone just has to take the time to listen to it, read about it, and then act upon it. Please do the **RIGHT THING**.

Sincerely,

Raye Dawn Smith