

SEALED

ORIGINAL

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

FILED

UNITED STATES OF AMERICA,

Plaintiff,

v.

JEFFREY SCOTT SMITH, JR.,

Defendant.

AUG 09 2023

SEALED

BONNIE HACKLER
Clerk, U.S. District Court

Case No.

By _____
Deputy Clerk

23 CR 139 JFH

INDICTMENT

The Federal Grand Jury Charges:

INTRODUCTION

At times material to this Indictment:

1. The defendant, **JEFFERY SCOTT SMITH, JR.**, worked as a police officer for Savanna Police Department (“SPD”), a law enforcement agency in Pittsburg County, Oklahoma.
2. During the course of his duties, **JEFFERY SCOTT SMITH, JR.** conducted a traffic stop on a car in which K.H., a female, was a passenger.
3. Paragraphs One and Two are incorporated by reference in the counts below.

COUNT ONE

**DEPRIVATION OF RIGHTS UNDER COLOR OF LAW
[18 U.S.C. §§ 242 & 250(b)(3)]**

On or about November 2, 2022, within the Eastern District of Oklahoma, the defendant, **JEFFERY SCOTT SMITH, JR.**, while acting under color of law, willfully deprived K.H. of her right to bodily integrity, a right secured and protected by the Constitution and laws of the United

States, when he groped K.H.'s breast and penetrated K.H.'s genital opening with his finger without her consent and without a legitimate law enforcement purpose. The defendant's conduct resulted in bodily injury to K.H. In the course of committing the offense, the defendant engaged in sexual misconduct involving a sexual act, as defined in Title 18, United States Code, Section 2246, with K.H. without her permission. All in violation of Title 18, United States Code, Sections 242 and 250(b)(3).

COUNT TWO

**FALSIFICATION OF RECORDS
[18 U.S.C. § 1519]**

On or about November 2, 2022, within the Eastern District of Oklahoma, the defendant, **JEFFERY SCOTT SMITH, JR.**, acting in relation to and in contemplation of a matter within the jurisdiction of the Federal Bureau of Investigation, an agency of the United States, knowingly altered, concealed, covered up, and falsified a record with the intent to impede, obstruct, and influence the investigation and proper administration of that matter. Specifically, the defendant, **JEFFERY SCOTT SMITH, JR.**, knowingly altered, concealed, covered up, and falsified an SPD record by deactivating his SPD body worn camera during the traffic stop. All in violation of Title 18, United States Code, Section 1519.

COUNT THREE

**FALSIFICATION OF RECORDS
[18 U.S.C. § 1519]**

On or about November 2, 2022, within the Eastern District of Oklahoma, the defendant, **JEFFERY SCOTT SMITH, JR.**, acting in relation to and in contemplation of a matter within the jurisdiction of the Federal Bureau of Investigation, an agency of the United States, knowingly altered, concealed, covered up, and falsified a record with the intent to impede, obstruct, and

influence the investigation and proper administration of that matter. Specifically, the defendant, **JEFFERY SCOTT SMITH, JR.**, knowingly altered, concealed, covered up, and falsified an SPD record by deactivating his SPD dashboard camera during the traffic stop. All in violation of Title 18, United States Code, Section 1519.

TRUE BILL:

Pursuant to the E-Government Act,
the original indictment has been filed
under seal in the Clerk's Office.

CHRISTOPHER J. WILSON
United States Attorney

s / Foreperson
FOREPERSON OF THE GRAND JURY

KRISTEN M. CLARKE
Assistant Attorney General


CLAY COMPTON, OK Bar # 19781
Assistant United States Attorney


LAURA B. GILSON
Trial Attorney
Criminal Section, Civil Rights Division