

## Redemption song



STEPHEN PINGRY / Tulsa World

George Singleton leaves the Craig County courthouse during a lunch break Thursday as his supporters look on.

# Rastafarian awaits ruling on dismissal of herb case

By OMER GILLHAM  
World Staff Writer

VINITA — A Vermont man on trial in Craig County for allegedly driving under the influence of an intoxicant that court officials have failed to identify should learn Friday if he will be subjected to further jail time or be sent down the road to continue his crusade for herb education.

George Singleton, a 49-year-old Rastafarian from Putney, Vt., who has hip-length dreadlocks, slept in his 1995 Volkswagen minivan Thursday night after sitting through a seven-hour trial at the Craig County Courthouse.

The self-avowed "herbologist" is on trial for having an expired license tag and driving under the influence of intoxicant on the Will Rogers Turnpike. The DUI charge is a misdemeanor that could

**'Their own blood test proves my client was drug free, but that's not good enough.'**

Defense attorney James H. Hadley

bring a 12-month jail sentence if he is convicted.

District Judge Bud Wyatt adjourned Singleton's trial Thursday to consider a defense motion to dismiss the DUI charge. Wyatt is expected to rule Friday morning on that motion.

An all-white jury that was selected Thursday will be asked to decide the case Friday if Wyatt denies the motion.

Singleton's pro bono defense team put

on an impressive defense, calling in expert witnesses that included a chemist for the Oklahoma State Bureau of Investigation, a local doctor who is experienced with detecting the misuse of mood-altering substances and a Craig County jailer, who said Singleton "did not appear intoxicated" when he was booked into jail Feb. 27.

"The state doesn't have anything, and I think today's testimony bears that out," defense attorney James H. Hadley said. "All they have is a highway patrolman who says Mr. Singleton took something, but he doesn't know what it was.

"Their own blood test proves my client was drug-free, but that's not good enough. They think he had to be loaded on something because of the way he looks," Hadley said.

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## HERB:

A Vinita doctor says it's "ridiculous" to say that Singleton could be impaired by the herbs.

FROM A-1

Singleton was arrested by Oklahoma Highway Patrol trooper Bud Lavender near Vinita. Lavender allegedly discovered two nonintoxicating substances — rosemary and mullein — in a Prince Albert can in Singleton's vehicle.

The trooper arrested Singleton and booked him into Craig County Jail even after a field test showed that neither of the substances were marijuana. Singleton spent 25 days in jail because he refused to pay the \$850 bail.

His incarceration has attracted media attention from across the nation, including outrage in his hometown.

"It's absolutely ridiculous to think that Mr. Singleton, or anyone for that matter, could be impaired by rosemary or mullein," Dr. Edward Allensworth said.

Allensworth has served as a doctor in Vinita for 35 years, he said. He also serves on the state's licensing board and helps oversee the physicians recovery program, which was created to rehabilitate

impaired doctors.

Also testifying on Singleton's behalf was OSBI chemist Sharif Sandhu and Craig County jailer Rebecca Engel. Sandhu is the chemist who tested Singleton's blood and found no evidence of an intoxicant. His test covers 90 percent of the known mind-altering drugs, he said.

Engel challenged Lavender's testimony that Singleton had slurred speech and was unsteady on his feet.

Assistant District Attorney James Ely presented only one witness, Lavender. Ely rested the state's case after 90 minutes.

The crux of the case is whether the state of Oklahoma can get a conviction based solely on a trooper's word that Singleton was high on something.

The defense in its motion to dismiss contends that the state has not proven the basic tenet — that Singleton took a mood-altering drug.

Singleton took the stand on his own behalf, aggressively answering cross-examination questions from Ely. Ely characterized Singleton's trial as nothing more than a DUI trial.

"That's all it is. It's that simple," he said.

Hadley called Singleton's arrest a tragedy that attacks the basic American right to be left alone.

Omer Gillham can be reached at 581-8301.

# DUI charge dismissed

## State failed to prove case against Vermont man, judge says

**By OMER GILLHAM**  
World Staff Writer

VINITA — A Vermont man who was charged with driving under the influence — even after he tested negative for drugs — walked out of the Craig County Courthouse a free man Friday.

District Judge H.M. "Bud" Wyatt III dismissed the DUI complaint against herbologist George Singleton, ending a

trial that began Thursday.

Wyatt announced his ruling shortly after 9 a.m., then dismissed a seven-woman and five-man jury.

Wyatt's ruling came in response to a defense motion to dismiss the DUI charge against Singleton. The judge said prosecutors failed to provide sufficient "evidence" that would render the case for jury deliberation.

In announcing his decision, Wyatt

questioned the state's lack of an identified intoxicant in the case and the reasoning that only a mood-altering chemical could have caused Singleton's bloodshot eyes and unsteady stance on the morning of his arrest.

"His behavior at being arrested could just as easily be explained due to the fatigue of having driven almost 12

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# HERB:

## Man pleads guilty to an expired tag complaint, agrees to pay \$25 fine.

FROM A-1

hours" from another state, Wyatt said to Craig County prosecutor James Ely.

In the end, the only thing that Ely proved is that Singleton had eaten an avocado sandwich with fruit juice hours before being stopped for speeding Feb. 27 on the Will Rogers Turnpike.

Ely, who was filling in for Assistant District Attorney Clint Ward, said he will appeal Wyatt's decision.

"The state does not have the burden to produce evidence of a mood-altering substance in every case," Ely said.

"We try cases all the time without such evidence such as when a person refuses a blood test when he is believed to be drinking. You have no positive alcohol test and sometimes no evidence of an alcoholic container, but the officer's observation is good enough for a conviction. That's what we tried to do here," Ely said.

Singleton was in possession of

two herbs — rosemary and mullein — when arrested by Oklahoma Highway Patrolman Bud Lavender. Singleton said he used the substances to treat his inactive tuberculosis.

Expert testimony by Vinita physician Edward Allensworth confirmed the substances are not mood-altering.

Singleton, who was arrested in 1982 for a small amount of marijuana, is a vegetarian who does not use drugs, he said.

After the dismissal of the DUI charge, Singleton pleaded guilty to an expired tag complaint and agreed to pay a \$25 fine assessed by Wyatt. Ely asked for the maximum fine of \$100 for the expired tag, but Wyatt reduced that amount.

"I'm feeling better about Oklahoma all the time," Singleton said, smiling broadly after being released from custody. "I can't wait to get back home and visit my girlfriend in Florida."

Singleton, 49, is expected to file a civil suit against Craig County District Attorney Gene Haynes, said Singleton's attorney, James Hadley.

Singleton said he was targeted for arrest because he is black and because he wears his hair in dreadlocks as part of his Rastafarian faith. Rastafarians practice a form of Christianity and wear

their hair in dreadlocks to signify their service to God, he said.

Singleton resides in Putney, Vt., but travels across the nation promoting gardening and "herbology" to troubled teen-agers and to adults interested in his methods.

His 25 days in the Craig County Jail after he tested negative for drugs, and after he refused to accept a plea bargain from Craig County officials, drew national attention and local complaints of racism. His ordeal is expected to be featured in People Magazine later this month.

Dozens of Vinita High School students skipped school Thursday to support him by demonstrating outside the courthouse. Many of the students and several Vinita residents blamed Ward for "bringing shame" to their hometown.

Ward was the assistant prosecutor who upgraded Singleton's speeding charge to DUI in spite of his negative drug test and lack of any evidence that he was in possession of an intoxicant. Ward did not return a message left at his office to call the Tulsa World.

Wyatt said he believed the state acted in good faith by prosecuting the DUI case. He said Singleton's arresting officer, Lavender, was a credible person, who was acting on 12 years of experience that covered 500 DUI-related arrests.

The crux of the case was whether prosecutors could get a conviction against a person who tested negative for drugs but who allegedly exhibited mannerism of intoxication.

Lavender, a highway patrolman since 1986, walked over and shook Singleton's hand after Wyatt adjourned the court.

"It really surprised me that he would congratulate me and apologize," Singleton said.

Lavender said he had no hard feelings against Singleton or Wyatt. He defended his arrest of Singleton based on his experience as a lawman.

Singleton is a self-avowed herbologist who earned a bachelor's degree from Chicago University in 1970.

He was stopped for allegedly speeding in a construction zone on Will Rogers Turnpike, then taken into custody by Lavender.

Singleton praised his pro-bono defense team led by Hadley and attorneys Thomas McGeady and Mike Linscott. Linscott argued the dismissal motion that persuaded Wyatt to stop Singleton's trial.

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