

CLEET certification continues for some sex-offending officers

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In July 2010, a former Kingfisher County Sheriff's Office deputy pleaded no contest to a charge of committing lewd acts with a child when he still was an officer two years earlier.

Shawn Theo Thomsen, then 43, was given a five-year suspended sentence, court records show. Now living in Texas, he's required to register as a sex offender for the rest of his life.

Despite the crime, Thomsen is still certified as a peace officer by the Council on Law Enforcement and Education, a state agency that certifies Oklahoma law officers. State law requires that the council take away certification for an officer who pleads guilty or no contest to a felony charge, removing him or her from law enforcement.

Thomsen's case highlights how a lack of communication between prosecutors and the agency that certifies officers has allowed dozens of Oklahoma officers who pleaded guilty to, or were convicted of, a felony to keep their certifications for years — more than a decade in some cases, an Oklahoma Watch investigation found.

Using court and council records and news reports, Oklahoma Watch identified a dozen cases from 2003 to 2011 where law officers were convicted of, or pleaded guilty to, felonies but still have the council's certification as peace officers.

More recently, from 2010 to 2012, 66 officers had their certifications revoked or suspended, were given a letter of reprimand, or they surrendered their certification, according to copies of final disciplinary orders provided by the council.

In 22 cases where officers lost or gave up their certifications because of convictions, guilty pleas or other misconduct, it took longer than two years after the resolution of the case for CLEET's action to be completed, the disciplinary orders show. In 18 of those cases, it took longer than four years.

Under state law, district attorneys who handle felony cases involving officers are supposed to notify CLEET, which opens an investigation. That doesn't happen all the time, said Steve Emmons, the council's director.

"There isn't a good communication system in the state," Emmons said.

If the council isn't aware of such cases, it's difficult and time-consuming for his agency to track them down, he said.

Oklahoma law states that CLEET "shall revoke the certification of any person upon determining that such person has been convicted of a felony or a crime involving moral turpitude or a

domestic violence offense."

The law also states that a plea of guilty or no contest for a felony offense, including a plea with a deferred sentence, subjects an officer to disciplinary action.

Oklahoma Watch provided Emmons with a list of a dozen cases in which officers were convicted of felonies from 2009 to 2011 but still have certifications. Emmons said his agency was unaware of at least several of them.

"We will take action against these," Emmons said.

Emmons, who has been CLEET director since 2011, attributed cases such as Thomsen's to a communication lapse between agencies.

The council has no way of knowing about the convictions or guilty pleas if district attorneys' offices don't let the agency know, he said. Council staff members do look for news reports on officers' misconduct, Emmons said.

Michael Fields, the district attorney who oversaw the Thomsen case, said his agency failed to notify the council of the conviction. "It was an oversight," said Fields, adding that his office would forward the conviction information to CLEET.

After being contacted by Oklahoma Watch, Trent Baggett, assistant executive coordinator for the District Attorneys Council, said the agency will contact district attorneys in the state and remind them about their obligation to notify CLEET.

"It's not necessarily something we train on each year," Baggett said. If notification "is not taking place, it should."

In other cases where officers were convicted of, or pleaded guilty to, a felony, it took the council years to revoke an officer's certification.

For instance, former Dewar police officer Haskell Wads-worth, 69, was convicted in May 2000 of rape and molestation in Okmulgee County, served 10 years in prison and was released, court records show. It wasn't until a year later, in 2012, that the council revoked his certification.

Citing the state's Open Records Act, the council would not disclose specifics about how an officer's conviction or guilty plea came to its attention. It also would not provide the date or year of certification for any officer or release its list of all certified law enforcement officers in Oklahoma.

It's unclear if any delay in removing a certification has allowed an officer with a felony conviction or guilty plea to get a new job as a peace officer. Law enforcement agencies run background checks on applicants, and those checks would likely turn up a felony conviction or guilty plea unless the case was expunged.

Emmons said that since 2011, the council has begun looking into older cases of police misconduct, trying to identify some that had been overlooked.

"That doesn't mean the problems are fixed," he said.

The time lapses raise the question of how many more cases of officers with felony convictions have gone unreported to the council.

Emmons said the agency will take a look at cases identified by Oklahoma Watch, but it would be difficult to identify all cases without additional funding and resources.

"We may still not know about" other cases, Emmons said.

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