

March 24, 2009 5:14 PM

# Ex-Sheriff Sentenced In Sex Abuse Scandal

A former western Oklahoma sheriff was sentenced to 79 years in prison Tuesday for using his power over female drug court defendants to force them to have sex with him.

Former Custer County Sheriff Mike Burgess, 56, apologized to two victims but maintained that he was innocent of allegations that he had also abused others. Defense attorney Steve Huddleston described the sentence as "way too harsh" and said an appeal is planned.

A jury in Major County - where the case was moved because of pretrial publicity - found Burgess guilty in January of 13 felony counts, including five counts of second-degree rape. But jurors acquitted him of 23 other counts, including second-degree rape, forcible sodomy and rape by instrumentation.

Prosecutors alleged that Burgess sexually abused inmates and drug court defendants; he had been a member of a team controlling a drug court. Several female offenders testified that they feared they would be sent to prison if they did not provide sexual favors to him.

Burgess was convicted of rape charges involving two female drug court defendants, one of whom alleged that he had sex with her on multiple occasions at a motel. Burgess was convicted of sexually assaulting her in his car after arresting her on a drug court violation, but he was acquitted of the charges related to the motel incidents.

The jury that convicted Burgess had recommended a sentence of 94 years.

"I think it was harsh in the sense that he won 23 of the 36 counts," Huddleston said.

"It's basically a life sentence. I don't think it calls for a life sentence," he said.

Besides the rape counts, Burgess was convicted of three counts of bribery by a public official, two counts of forcible sodomy and one count each of kidnapping, sexual battery and engaging in a pattern of criminal offenses. The sexual battery conviction involved a female former sheriff's deputy he was accused of groping.

Burgess also was fined \$15,000.

Special prosecutor Mike Boring said he was satisfied with the sentence but regretted not obtaining convictions on the other counts.

"In the long run we're satisfied," Boring said. "The clear message is that if somebody chooses to engage themselves to act in a capacity with the public, they take on the incumbent responsibility to engage in that public service with duty, integrity and honesty, to do what is right to those over whom they have charge."

Under state law, an inmate cannot legally consent to sexual relations with a jailer or anyone else

who controls the conditions of the prisoner's confinement. But Huddleston contended that drug court defendants were controlled by a judge, not Burgess, and that the women were hoping a verdict against Burgess in criminal court would lead to a payday for them in a civil case.

Allegations against Burgess surfaced after a federal lawsuit was filed against him on behalf of 12 former jail inmates in 2007. It alleged that sheriff's employees had inmates engage in wet T-shirt contests and offered cigarettes to those who would flash their breasts.

The plaintiffs' attorney, Greg Williams of Tulsa, said completion of the criminal case will allow the lawsuit to move forward.

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