

Former deputy sentenced to 3 years, 8 months for soliciting minor

By RYAN OLSON -- Staff Writer

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- Jan 9:
- Former Butte deputy sentenced to 3 years, 8 months for soliciting minor
- Aug 28:
- Judge orders prison diagnostic for ex-deputy convicted of soliciting minor
- Aug 2:
- Jury finds former Butte deputy guilty on two counts in case of soliciting a minor
- Aug 1:
- 3:30 p.m. update: Jury finds former deputy guilty on two counts in case of soliciting a minor
- Jul 30:
- Jury begins deliberations in former Butte deputy's trial; defendant testifies that he's gay
- Jul 29:
- Ex-deputy testifies in own defense at trial
- Jul 27:
- Prosecution rests in ex-deputy's trial
- Jul 26:
- Prosecution rests in trial of ex-deputy charged with arranging to meet teen
- Testimony begins in trial of ex-deputy accused of meeting teen
- Jul 25:
- Jury watches ex-deputy's interview after allegedly arranging to meet teen

OROVILLE — A former Butte County sheriff's deputy was sentenced today to three years, eight months in state prison on two counts including soliciting a minor for sex.

Butte County Superior Court Judge James Reilley handed down the middle-term sentence on defendant Earl William Klapperich, 28.

On Aug. 1, a jury convicted the defendant of felony counts of meeting a minor for lewd purposes and possessing material depicting sexual conduct of a minor. Two misdemeanor counts of contributing to the delinquency of a minor were dismissed during the trial.

Klapperich was off duty when he was arrested entering the parking lot of a Chico restaurant May 11, 2012. In the hours prior to the arrest, the defendant and a supposed 14-year-old girl exchanged explicit text messages and ultimately arranged to meet there.

The "girl" was district attorney's Lt. Juan Diaz, who posed as a teenager Klapperich encountered during an April 2012 call. The Sheriff's Office and the District Attorney's Office investigated the deputy after receiving a complaint about how Klapperich handled the call with two girls, ages 14 and 16, reported as runaways.

Klapperich told investigators in a post-arrest interview he intended to only counsel the girl. He claimed he masturbated before meeting the girl to prevent his body from having an involuntary reaction.

During the trial, Klapperich testified he panicked during the interview because he didn't want his fellow deputies and others to know he is gay. He said he believed the text messages were from fellow deputies pranking him, but he didn't report it because he didn't want them to get fired.

Klapperich told the jury he had no intention of committing a sexual act with the teen because of his orientation. However, he also admitted he has been with women before, including his wife.

The media count applies to two photos on Klapperich's iPhone. The images were of a young woman who testified she and Klapperich had a 2-1/2-year relationship including sex starting when she was 15 and the defendant was 21.

Klapperich testified the relationship started after she turned 18.

The defendant had originally been scheduled to be sentenced Aug. 28, but Judge Reilley ordered a diagnostic and evaluation in state prison.

During Wednesday's sentencing, deputy district attorney Stacy Edwards said the prosecution sought the upper-term sentence while the Probation Department recommended a middle term in a pre-sentencing report.

Outside of court, Edwards said Klapperich's history, including testimony about uncharged conduct, indicated a predatory pattern the defendant has had since being a young adult.

Defense attorney Benjamin Adams asked the judge to place Klapperich on probation and to give the defendant a chance to comply with court orders. He said the defendant was willing to complete sexual offender treatment and had a stable home environment waiting for him.

"At least give him an opportunity," Adams said.

Edwards countered that, based on pre-sentencing reports, Klapperich didn't believe he did anything wrong. She argued a defendant has to be forthright and honest to successfully complete the sexual offender program and probation.

Outside of court, Adams said the defense stood by the argument that law enforcement personnel set Klapperich up with the text messages. He said the prosecution had placed too much weight on items that don't concern public safety, such as having a young girlfriend as a young man in his

teens and early 20s.

Adams said Klapperich wanted a second chance and was willing to undergo treatment. While pre-sentencing statements didn't contain express statements of remorse, Adams said Klapperich has been remorseful in private conversations with him.

Judge Reilley denied the probation request, in part, because Klapperich was an active participant and hadn't accepted responsibility. In passing sentence, the judge noted Klapperich's lack of a prior record, but said the former deputy showed no remorse and that law enforcement personnel should be held to a higher standard.

Klapperich was given 325 days of custody credits. He could become eligible for release after 507 days, in May 2015. He will be required to register as a sex offender.

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