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Monday, March 4, 2013

Former police officer convicted in indecent liberties case

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 The Wichita Eagle

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A former Wichita police officer waived his right to a jury trial Thursday and was found guilty by a judge of sexually abusing two young children.

District Judge Jeff Syrios found Joseph McGill, 28, guilty of two counts of aggravated indecent liberties with a child after a five-minute bench trial that saw the prosecution and defense stipulate to a set of facts that were presented at McGill's preliminary hearing in June. Syrios set sentencing for March 1.

Defense lawyer Mark Schoenhofer said he plans to appeal the conviction and an earlier decision by Syrios to allow prosecutors to admit into evidence incriminating statements that McGill made to his wife, a counselor and a polygraph examiner. Schoenhofer argued that the statements were privileged and inadmissible.

McGill pleaded guilty in January 2012 in an unrelated case to sexual battery while on duty as a police officer and was sentenced to three years probation. Those charges stemmed from separate incidents in November 2010 and February 2011. McGill, who had been with the Wichita Police Department for about three years, resigned after those charges were filed.

At his preliminary hearing in the indecent liberties case, McGill's wife testified that her husband confided to her after a therapy session that he had committed a sexual act on a 3-month-old child and a 1-year-old child. The stipulation made at the bench trial said McGill also made incriminating statements to a counselor and on a set of written questions that were given in preparation for a polygraph exam that was ordered in McGill's earlier case.

Schoenhofer argued in a motion to suppress those statements that Kansas law requires that criminal charges be based on more than just a confession.

Prosecutors countered that McGill's multiple confessions were admissible in court, and they said the age of the victims was sufficient evidence to corroborate the confessions.

Photos

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Joseph McGill in 2011

Courtesy photo

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Thurgood • a month ago

So we are supposed to believe that this guy passed the psych test to become a cop and he is the only bad cop on thhe WPD. I will pass on this kool aid thank you. If he can pass the evaluations than anyone of them can have these kinds of problems or worse.

6 ^ | ▾ • Reply • Share ›



Quaxo → Thurgood • a month ago

I worked as a reserve officer in 1996-97 and took that psych test. Back then it wasn't really that thorough of an exam. I wonder how much it's changed since then, but I doubt it has much if at all.

2 ^ | ▾ • Reply • Share ›



tinkerbell1961 • a month ago

Put this monster in jail with population. He deserves everything he gets. And then some. This pig makes me sick. I now understand why people don't have any faith or trust in police officer's. I to, don't trust any of them.

4 ^ | ▾ • Reply • Share ›



Clouseau • a month ago

Congrats to WPD for cleaning out the rats. The force is only as strong as the weakest link.

4 ^ | ▾ • Reply • Share ›



northrock • a month ago

I'm starting yo wonder if police recruits are found on Craigslist.

5 ^ | 1 ▾ • Reply • Share ›



Reich • a month ago

I don't understand any argument that holds statements made to a polygraph examiner could possibly be considered privileged.

3 ^ | 1 ▾ • Reply • Share ›




Quaxo → Reich • a month ago

Interesting set of circumstances here. The polygraph in question was for an "earlier charge", not the current one. Due to certain laws and restrictions, these things aren't usually allowed to be carried over to other cases/charges to prevent abuse. Only questions and answers from the charge the polygraph was conducted for are admissible and only for that charge.

As the article also says, Kansas law requires more evidence than just a confession. Even if he told his wife and the counselor about the abuse or confessed to doing so in a polygraph (same case or not), there would have to be solid evidence that the crime actually occurred and not just words.

2 ^ | ▾ • Reply • Share ›


2 ^ | 4 v • Reply • Share ›



wiry_wookie • a month ago

If only cops should carry guns, is this the kind of cop that the pro-gun control league wants carrying them?

2 ^ | 4 v • Reply • Share ›



Quaxo → wiry_wookie • a month ago

Being a cop has nothing to do with his crimes directly. He could have been a teacher, a lawyer, a doctor, your neighborhood mailman... anyone. Your argument is absurd.

5 ^ | 3 v • Reply • Share ›

wiry_wookie → Quaxo • a month ago

Then so is the argument of those that say only cops and military personnel should be able to have assault rifles.

1 ^ | 3 v • Reply • Share ›

Quaxo → wiry_wookie • a month ago

As Sol said, you're veering off topic. This article has nothing to do with gun control or assault rifles or even the fact that he was a cop.

4 ^ | 3 v • Reply • Share ›

wiry_wookie → Quaxo • a month ago

I'm going off topic, but I'm also making a point. The point I am making is that cops ain't perfect and I don't want them to be the only ones that can protect themselves.

0 ^ | 1 v • Reply • Share ›

Sol_Invictus → wiry_wookie • a month ago

I think you're veering off topic.

5 ^ | 3 v • Reply • Share ›

This comment was deleted.

wiry_wookie → David Davidson • a month ago

Your momma.

0 ^ | 1 v • Reply • Share ›

Truth 4 the Masses • a month ago

what's with white men & raping kids? he needs to be given the death penalty.


0 ^ | 1 v • Reply • Share ›

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chriscat — "Bennett said the infant began crying louder after he was hit." Imagine that
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