

## I-Team Investigation: Why former cop got probation for child sex crimes

kake.com

2014



A former police officer and mentor gets probation—not prison—after pleading guilty to child sex crimes.

Last year, Augusta cop Jerry Ballinger was arrested and charged with having sex with a 14-year-old girl. He entered a plea agreement and will serve his punishment outside the walls of prison.

Some are calling it a slap on the wrist.

Ballinger pleaded guilty in February to one count of aggravated indecent liberties with a child. And just this week, KAKE's I-Team was the only TV crew in Butler County when Ballinger was sentenced to five years probation.

When the I-Team heard that sentence, we dug deeper to find out what the average sentence is for first time sex offenders.

In Kansas, it's up to eight years behind bars and the convict will be placed on the state's sex offender registry for the rest of their life.

Here's what Judge David Ricke told the 44-year-old former cop in court:

"Ballinger falls into a category of offender who present a problem and concern for society," he said, "and therefore must be watched closely the rest of his life and supervised."

Ballinger worked in law enforcement for more than 20 years. He met his 14-year-old victim at the Augusta public safety office when she was volunteering as a junior firefighter.

The girl, a middle school student at the time, testified during a preliminary hearing that the cop befriended her. She said he took her out to the country several times and the two had sexual intercourse last year.

The victim's father said he is furious with the probation sentence. He said what happened to his little girl will scar her for the rest of her life.

Assistant Butler County Attorney Cheryl Pierce prosecuted the case. She said that based on the

fact that he's 44-years-old and was a cop at the time, and the victim was a 14-year-old girl, Ballinger should be in prison based on that fact alone.

Butler County Attorney Darrin Divinney told the KAKE I-Team he entered the plea deal with Ballinger, saying, "Some cases have overwhelming evidence. This one had only circumstantial evidence. Given that fact, there was a far greater risk of acquittal."

Divinney told the court he did not join in the defense request of just probation, but he also didn't actively oppose the request.

Judge Ricke ruled that Ballinger would be better served for treatment on probation instead of behind bars, based on a doctor's report.

"... The strength of doctor Steffan's evaluation report, which indicated that defendant was a low risk to reoffend, that the defendant was amenable to treatment, and that he had a favorable prognosis for treatment, and that he was favorable candidate for probation."

For many in the community, the sentence was a big disappointment.