



Former Wagoner County sheriff receives deferred sentence on reduced charge related to cash seizure during 2014 traffic stop

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Former Wagoner County Sheriff Bob Colbert received a five-year deferred sentence Thursday after pleading guilty to a reduced charge related to a bribery case stemming from a traffic stop.

The Multicounty Grand Jury Unit indicted Colbert and then-Sheriff's Office Capt. Jeff Gragg on March 31, 2016, on charges of bribery, conspiracy to receive a bribe and extortion, and also recommended Colbert's removal from office.

Sequoyah County Special Judge Matt Orendorff dismissed the extortion charge against Colbert after a preliminary hearing on Aug. 5, 2016, and Okmulgee County District Judge Kenneth Adair tossed the remaining two charges in an order issued Thursday.

Orendorff, in dismissing the extortion charge, said he determined Colbert and Gragg had probable cause to believe the money taken from motorist Torrell Wallace on Dec. 13, 2014, was from drug proceeds.

Gragg received a two-year deferred sentence last year in exchange for a guilty plea on a reduced charge of willful neglect or refusal of duty, which is the same charge filed against Colbert on Thursday in Wagoner County District Court. Court records show the Attorney General's Office requested the dismissal of the felony case against Colbert pursuant to the plea agreement on the misdemeanor count.

An information sheet in the misdemeanor case alleges Colbert unlawfully neglected or refused to take Wallace into custody on a complaint of possession of drug proceeds.

The charge is similar to those leveled against former Tulsa County Sheriff Stanley Glanz in connection with the fallout from the shooting death of Eric Harris by then-reserve deputy Robert Bates. Glanz pleaded guilty in July 2016 to willful violation of the law and no contest to refusal to perform his official duty. He received a one-year suspended sentence.

"I'm happy to put all of this behind me and get on with enjoying my wife's and my retirement," Colbert said in a statement released by Michon Hastings Hughes, one of his attorneys.

Hastings Hughes said the resolution is "a victory" for her client.

“We had already succeeded in getting all counts dismissed of the (grand jury’s) civil (accusation for) removal from office case and now all (criminal) accusations from the grand jury are dismissed as well,” she said.

Alex Gerszewski, a spokesman for the Attorney General’s Office, said a statement about the case’s resolution issued by Colbert’s team is inaccurate because he pleaded guilty to a crime related to his conduct after the 2014 stop.

Colbert in February filed a lawsuit against former Oklahoma Attorney General Scott Pruitt for slander over comments in a May 2016 podcast from the Cato Institute regarding civil asset forfeiture. The charges against Colbert drew attention from political think tanks such as the Cato Institute, which have been studying the use and abuse of civil asset forfeiture laws.

Pruitt, in the podcast, alleged Colbert pocketed the \$10,000 in an “egregious” abuse of the law, which Colbert argued was inaccurate because Pruitt had no evidence showing Colbert personally benefited from the seizure.

Hastings Hughes said the lawsuit against Pruitt has been settled, as has litigation over attorney’s fees in the civil case started by the grand jury. Colbert did not run for re-election, which made the move to oust him from office moot as of January, and current Sheriff Chris Elliott won election June 28, 2016.