



SUPERINTENDENT OF PUBLIC INSTRUCTION

DR. TERRY BERGESON OLD CAPITOL BUILDING • PO BOX 47200 • OLYMPIA WA 98504-7200 • <http://www.k12.wa.us>

I, Katie Jones, certify that on 4/12/02, I mailed a copy of this document, certified & postage prepaid, to all parties or their counsel of record. I certify under penalty of perjury, under the laws of the state of Washington, that the foregoing is true and correct.

IN THE MATTER OF THE EDUCATION)
APPLICATION OF)
)
MR. TIMOTHY O'KEEFE)
DOB: [REDACTED]/1958)
_____)

OPP No. A02-01-0007

DENIAL ORDER
FOR CERTIFICATION

COMES NOW the Office of Superintendent of Public Instruction (OSPI), under the authority granted by the laws of the state of Washington, having reviewed the file of the above-referenced case, and having considered the entire evidence contained therein, does hereby deny the education application of TIMOTHY O'KEEFE based on the Findings of Fact and Conclusions of Law set forth below:

FINDINGS OF FACT

1. Timothy O'Keefe applied for a Washington education certificate on December 17, 2001.
2. On the Character and Fitness Supplement, a part of the application process, Timothy O'Keefe answered "yes" to Questions 4 & 6 in section III (Criminal History Section). Question

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#4 states "Have you ever been convicted of any felony crime?" Question #6 states "Have you ever been or are you presently under investigation in any jurisdiction for possible criminal charges?" Mr. O'Keefe provided a written explanation stating "On July 18, 1990, I was arrested for Murder in the Second degree and sentenced to 164 months of confinement in the Washington State Penal System." Mr. O'Keefe also answered "yes" to question 4 of section IV. Question 4 states "Have you ever engaged in any conduct which resulted in the physical injury or harm of any person (s)?"

3. The Washington State Patrol (WSP) and Federal Bureau of Investigations (FBI) fingerprint results provided information that Timothy O'Keefe was convicted of Murder in the 2nd degree (RCW 9A.32.050) (1) (a), a Class A Felony.

4. The Presentence Investigation Criminal History Summary stated that:

Shortly after midnight on July 7, 1990, Mr. O'Keefe knocked on a neighbor's door and told the neighbor that his home had been burglarized, and he had been knocked unconscious. The neighbor called the police and the Pierce County Sheriff's office responded.

Deputy Sheriffs entered the home and noticed Mrs. O'Keefe (Pamela O'Keefe) was tied to a bed and appeared dead. They contacted Mr. O'Keefe, who told them an intruder had entered the home, knocked him unconscious, and tied him up with duct tape. He said he freed himself and went for help.

On July 18, 1990, Mr. O'Keefe, in a statement made to the Sheriff's detectives, admitted that his original statement was untrue. He told the detectives that he and his wife had an argument and that she hit him with her fists. He stated he hit her back and she fell on the bed. He said he then panicked when he thought she was dead so he tied her to the bed with tape to make it look like someone else had killed her.

The medical examiner told the detectives after the autopsy that the death was caused by strangulation and required several seconds of pressure to the throat. In his opinion, "a single blow to the throat could not have caused death."

5. On October 15, 1990, Mr. O'Keefe entered a guilty plea of Murder in the 2nd degree for the murder of his wife. On October 17, 1990, The Superior Court of the State of Washington ordered Mr. O'Keefe to the following: 164 months of confinement in the custody of the Department of Corrections with credit for 90 days already served; one year community placement following release; restitution in the amount of \$6,208.00; and \$100.00 for legal financial obligations.

6. Dr. Richard N. Jacks, a licensed Psychologist, evaluated Mr. O'Keefe on February 5, 2001 to assess the risk and appropriateness of placing Mr. O'Keefe in a work release setting. In summary, Dr. Jacks determined Mr. O'Keefe's violence potential to be medium, and his likelihood to re-offend to be low.

7. Good moral character and personal fitness is a requirement to attain a Washington education certificate.

CONCLUSIONS OF LAW

1. OSPI has jurisdiction over Timothy O'Keefe and over the subject matter of this action.

2. Timothy O'Keefe has failed to provide clear and convincing evidence of good moral character or personal fitness to receive a Washington education certificate, Washington Administrative Code (WAC) 180-86-170 (copy enclosed).

ORDER

THEREFORE, it is hereby ordered that the application for certification of Timothy O'Keefe is denied.

This order may be appealed within thirty (30) calendar days from the date of receipt, pursuant to Chapter 180-86 WAC (copy enclosed).

DATED this 12th day of April, 2002.

DR. TERRY BERGESON
Superintendent of Public Instruction
State of Washington

By: Michael L. Bigelow
Michael L. Bigelow
Associate Superintendent
Budget and School Business Services