

Meeker County Commissioner's Corruption of Justice

INVESTIGATION INTO CRIMES AT THE DASSEL APARTMENTS IN OCTOBER 2009. AN EXECUTIVE SUMMARY OF [CASE FILE #2009034397](#)

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Crime victims have rights! Investigations into criminal activity should result in justice for the victims. Meeker County Attorney Beckman has a statutory duty to respond on behalf of vulnerable adults. In the case of the investigation into the October 16, 2009 assault of two residents of the Dassel Apartments, the victims continue to be victimized with the passing of every day. We establish that the investigation into the October 16, 2009 abuse of vulnerable citizens did not occur. The Wright County Sheriff should reopen the case and complete its investigation or Meeker County Attorney Beckman should reassign a proper case number to initiate the completion of the investigation by another department.

On October 16th, 2009, two residents of the Dassel Apartments in Dassel, Minnesota, Clarence Wallace and Carol Nelson, reported that two county commissioners, Amy Wilde and Wally Strand, came into their apartment building and assaulted them. No criminal charges were ever filed even though their complaint was heard by Deputy Sara Miller. (see pages 69-87)

From page 84:

STATEMENT OF: CLARENCE ROBERT WALLACE

CFS #: 09013904 TRANSCRIPTION # 12627

- Q: Okay. All right. Do you have any other questions for me, any other comments for the statement at all?
- A: I was wondering if ah, if you can, if it's, you put an assault deal against them if they can be sanctioned so they can't come even around me.
- Q: Okay. All right that is definitely something that we can talk about um, order for harassment, order for protection.
- A: Right.

Yet nothing ever happened to investigate, or to follow-up, or prosecute.

And from Carol Nelson's report to Officer Sara Miller. See page 86:

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- Q: Okay. Amy put her hand on your shoulder? Okay did she do that to stop you or to get your attention?
A: Yes.

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STATEMENT OF: CAROL JEAN NELSON

CFS #: 09013904 TRANSCRIPTION # 12626

- Q: Yeah? Okay. And that made you uncomfortable I understand? Okay. All right and why did Amy and Wally approach you?
A: Tell that we don't have to be moved.
Q: Saying that you don't have to move? Okay and the concern is what's been told to you guys is that its possibly going to be changed into an assisted living,
A: Assisted living yeah.
Q: Okay. So they were coming here to tell you that you don't have to move?
A: Yeah.

This case should be reopened and investigated by a party not previously involved. What Stephanie Beckman refers to as a "full and complete investigation," was conducted as a "limited investigation," according to detective Fashant conducting the investigation (see page 121 & 122).

Fashant: Just so you kind of understand what ah my role is here, Darin, is I've been ah asked by my boss Sheriff Gary Miller from Wright County to assist ah the Sheriff in Meeker County with doing a limited investigation into ah ah some allegations you've made about Commissioner Am... Amy ah...

If the case was closed, Beckman or another County Attorney is required by law to contact the victims and notify them as to the reasons why she has decided to decline prosecution.

**611A.0315 VICTIM NOTIFICATION; DOMESTIC ASSAULT;
CRIMINAL SEXUAL CONDUCT; HARASSMENT.**

Subdivision 1. Notice of decision not to prosecute.

(a) A prosecutor shall make every reasonable effort to notify a victim of domestic assault, a criminal sexual conduct offense, or harassment that the prosecutor has decided to decline prosecution of the case or to dismiss the criminal charges filed against the defendant.

In order to efficiently conduct an investigation, both witnesses and victims should be interviewed. This did not happen. It is impossible for an outside agency to do a complete

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investigation without having all of this information, which means that Detective Fashant mishandled this investigation. What occurred after the abuse was an extensive investigation into another October 6, 2009 complaint involving Darin Packard and Commissioners Wilde and Strand. Fashant seemed to pass right over clear and convincing testimony involving the abuse cases. (See page 103)

During that incident at the housing complex, which had been the focus of the related governing issues, one resident had reported they were threatened and another was reporting she was touched in a way that felt threatening.

Our belief is that the investigator was misguided with preconceived notions based on several comments from Meeker County Attorney Stephanie Beckman, regarding alleged threats of litigation. The alleged threats of litigation with the HRA director and had no direct effect on the victims. Regardless, no litigation ever surfaced. Furthermore, the Meeker County Attorney does not represent the HRA in any aspect and should not have continued to be involved in any of these disputes. The emails make it appear her involvement was extensive (see pages 6, 9, 10, 12, 22, 23, 41, 44, 46, 51, 67).

This investigation contains four phases:

- Phase 1 involves an October 6 complaint from Darin Packard involving Amy Wilde.
- Phase 2 involves an October 16 complaint from Dassel Apartment residents and questioning of witnesses by Officer Sara Miller (Meeker County), which results in a conflict of interest for Meeker County.
- Phase 3 involves the investigation being turned over to Wright County for investigation.
- Phase 4 involves Sherburne County making a decision based on an incomplete investigation. A letter dated January 12, 2010 from Samuel Wertheimer, Chief Deputy Sherburne County Attorney's Office states *"I have reviewed an investigation conducted by both the Wright County and Meeker County Sheriff's Departments concerning the alleged conduct of Meeker County Commissioners Amy Wilde and Wallace Strand....."* (page 96)

From the Sherburne County Attorney: Page 96

RE: Wright County ICR: 09034397
Our File No. 162466

Dear Detective Fashant:

I have reviewed an investigation conducted by both the Wright and Meeker County Sheriffs' Departments concerning the alleged conduct of Meeker County Commissioners Amy Wilde and Wallace Strand at the Dassel Apartments on October 16, 2009. The investigation also documents HRA Board Member Darin Packard's allegations against fellow HRA Board Member, Amy Wilde. The investigation was referred to the Sherburne County Attorney's Office by Meeker County Attorney Stephanie Beckman as a conflict review.

Clearly the Sherburne County Attorney knew that there were two events being investigated: 1) the assaults, and 2) a conduct complaint against Wilde. Yet we find no

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Wright County investigation on the assaults. None! The Wright County report is silent regarding any assault, touching, harassment, or intimidation. Clear references to the assault are ignored by the investigating officer. The only reference is related to the initial statements taken at the time of the complaints.

The officer hearing the initial complaint and conducting a brief interview with Clarence Wallace and Carol Nelson was Deputy Sara Miller, a Meeker County employee. Deputy Miller is a patrol officer who works in Dassel. She is not specially trained in conducting interviews and detecting verbal and nonverbal signs of deception. **No detailed questions were asked specifically related to the abuse, the level of abuse, injuries received, or fear instilled in the victims. The victims pleaded to Deputy Miller for protection from the Commissioners giving rise to their perception that they had reported the abuse to the proper authorities.

Also, none of the witnesses were questioned as to what they witnessed, by either Meeker's Deputy Miller or Wright's Detective Andy Fashant. There was a nurse working that day who turned this abuse into Meeker County Social Services, as she is a mandated reporter. No investigator questioned her, or even identified her as a witness. Procedures for following up on reported abuses is clearly broken here.

However, when Fox 9 Investigator, Trish Van Pilsum, interviewed the victims of abuse, these are some statements they made:

- Clarence said, "Every time she said I was a liar, she twisted my arm that much worse. It hurt for a long time after that. I couldn't sleep at night because I always sleep on my right side. She just wouldn't quit and Wally was standing right beside her, the other county commissioner, and he didn't help me or anything."
- Carol Nelson said she was heading to the lobby to work on her puzzle when she saw Clarence and the commissioners. She recalled, "She twisted him." We asked, "Hard or soft"? She answers, "Hard."
- She also said she told Wilde to leave him alone. Nelson says Commissioner Amy Wilde grabbed and pushed her, too, causing pain in a shoulder and hand where she'd had surgery.

On October 29th, 2009, Clarence Wallace filed a petition for harassment restraining order. Clarence, clearly feared for his safety from Commissioner Wilde. But without a report or charges being filed previously in a botched investigation the county would not issue a restraining order.

It is important to understand that the statutory definition of assault can be verbal, physical or in any one of a number of forms. The act of inducing fear is harassment, punishable under the Stalking statutes. Clearly stated, engaging in conduct to intimidate and threaten is 5th degree assault, which is up to 90 days in jail and a \$1000 fine unless it is against a vulnerable adult. Assault of a vulnerable escalates this charge up to 20 years sentence. As for the harassment, that is a Gross Misdemeanor, punishable by up to 1 year in jail and a \$3,000 dollar fine. Stalking laws come into play in this case. *It appears to be that Clarence and Carol were both being intimidated and abused and felt that they were being*

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threatened! Under state law, both Wilde and Strand should be charged with 5th Degree assault and harassment with intent to inflict fear and physical harm which is a **Gross misdemeanor**.

609.02 DEFINITIONS.

Subdivision 1. Crime.

Subd. 3. Misdemeanor.

"Misdemeanor" means a crime for which a sentence of not more than 90 days or a fine of not more than \$1,000, or both, may be imposed.

Subd. 2. Gross misdemeanor.

(a) Whoever violates the provisions of subdivision 1 against the same victim within ten years of a previous qualified domestic violence-related offense conviction or adjudication of delinquency is guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

Subd. 10. Assault.

"Assault" is:

- (1) an act done with intent to cause fear in another of immediate bodily harm or death; or*
- (2) the intentional infliction of or attempt to inflict bodily harm upon another.*

609.224 ASSAULT IN THE FIFTH DEGREE.

Subdivision 1. Misdemeanor.

Whoever does any of the following commits an assault and is guilty of a misdemeanor:

- (1) commits an act with intent to cause fear in another of immediate bodily harm or death; or*
- (2) intentionally inflicts or attempts to inflict bodily harm upon another.*

609.749 STALKING; PENALTIES.

(d) "Harassment" means a violation of section 609.749. (SEE BELOW)

609.749 STALKING; PENALTIES.

Subdivision 1. Definition.

As used in this section, "stalking" means to engage in conduct which the actor knows or has reason to know would cause the victim under the circumstances to feel frightened, threatened, oppressed, persecuted, or intimidated, and causes this reaction on the part of the victim regardless of the relationship between the actor and victim.

Subd. 2. Stalking crimes.

A person who stalks another by committing any of the following acts is guilty of a gross misdemeanor:

- (1) directly or indirectly, or through third parties, manifests a purpose or*

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intent to injure the person, property, or rights of another by the commission of an unlawful act.

Both Clarence and Carol indicated that Wilde and Strand came to their houses with intent to intimidate and threaten them!

Imagine the horror of being an elderly man who has lost his sight late in life. He is navigating day-to-day using the limited rehabilitation skills he has learned since becoming legally blind. Then to have an irate Amy Wilde suddenly appear out of nowhere, in a hallway, and attack him as he is bringing snacks to the community room. This would induce fear into anyone, especially someone who is blind and unable to defend himself. Imagine being so scared that you have to give up your home and move because the extent of fear was so great.

Yet Wright County's Detective Fashant identified no assault: (page 114)

Wright County Sheriff's Office
Case Number = 2009034397 (MN0860000)

Case Supplemental Information

Printed On: Wed, Jan 13, 2010

Notes

I also saw no indication that any assault had occurred at the Dassel Apartments. It did appear that the residents of the Dassel Apartments had been subject to unnecessary stress and fear but it was unclear if that was due more to actions taken by Sandra Tischer and Darin Packard in their attempt to preserve the HRA board and Tischer's contract. Those actions did not seem to be of a criminal nature, however.

"No indication?" And how did Sandra Tischer come into this drama? Nowhere does he even interview Tischer.

Wilde fully admits the event occurred that day. Her 'spin' leaves ample opportunity to question motives, intent, and actions.

In an e-mail to Meeker County Sheriff Jeff Norlin, Amy Wilde writes, "*Sandy and Tammy berated us for coming in Friday and 'upsetting' the tenants. Sandy accused us of assaulting them (I believe I may have briefly touched one or two in passing. The apartments are rather tight--but there was definitely no assault) and calling one a 'liar.'*" However, after complaints were made, Amy states, "*I don't remember touching anyone.*" (page 68). It was also found that Commissioner Wilde lied during her interview with Andy Fashant when asked about a call regarding Ms. Tischer. These questions related to the complaint by Darin Packard, but shows that she has not been truthful. First, she claims she received a call regarding Ms. Tischer, and then a short time later, she denies it (page 147)

This investigation involves a conflict of interest in that Meeker County originally took statements from victims and then handed the investigation over to Wright County Detective, Andy Fashant, to investigate. Detective Fashant states in a report, "*The Meeker County Sheriff had requested our Office's assistance with conducting interviews of principles due to a conflict of interest between his office and the commissioner.*" (page 101)

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The following reveals the level of incompetence or intentional cover-up of this investigation:

- The investigation of abuse was never investigated outside of Meeker County.
- Two totally separate complaints were turned into one incomplete investigation:
 1. Darin Packard's complaint of illegal activity by Amy Wilde on October 6 (page 56 & 57) and
 - 2.. Clarence Wallace and Carol Nelson's complaint of abuse by Amy Wilde and Wally Strand on October 16. (page 69-70)
- The investigation by Wright County was focused on Darin Packard's complaint, not on the complaint of the abused victims. Fashant clearly chose to ignore clear evidence of 'touching' as admitted by Wilde's email to Sheriff Norlin and Attorney Beckman.
- The Wright County investigator, Andy Fashant, states to Darin Packard, "*I've been asked by my boss Sheriff Gary Miller from Wright County to assist ah the Sheriff in Meeker County with doing a limited investigation into ah ah some allegations you've made...*" (page 122)
- This proves that Wright County was not investigating the abuse of the Dassel Apartment residents, but instead, a separate complaint that Darin Packard made, regarding commissioner Amy Wilde.
- Regardless of what Wright County was investigating, they were not doing a full investigation.
- The victims and witnesses were not interviewed by the Wright County investigator.
- No follow up of the reported abuse by the social worker was ever conducted.

We do not believe a full and complete investigation into the abuse ever occurred by either Wright County or Meeker County. What started as a Meeker County investigation, got handed off to Wright County, and that agency failed to investigate the 10/16/2009 complaints by Clarence Wallace and Carol Nelson. Both of these counties failed miserably in their obligations to protect and serve these vulnerable citizens.

Meeker County has a Criminal Investigations Division which consists of two deputies who are assigned to investigate serious criminal activity such as theft, burglary, robbery, arson, death cases, physical assaults, sexual assaults, computer crimes, financial crimes, fraud, child abuse/neglect, vulnerable adult crimes, and welfare fraud. These investigators were never a part of this vulnerable adult abuse case.

Abuse is a crime! Crimes committed and covered-up by government is evil.

Wright County Sheriff Gary Miller, Meeker County Sheriff Norlin, Sherburne County Attorney Heaney, Meeker County Attorney Beckman, MN Attorney General Lori Swanson, and HUD, are all empowered to step in and short-circuit the injustice being perpetrated by Commissioners Wilde and Strand.

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