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Former Elgin police chief released for sex evaluation

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Former Elgin police chief released for sex evaluation

By LAUREN DONOVAN Bismarck Tribune BismarckTribune.com | Posted: Wednesday, March 30, 2011 5:00 am | (2) Comments

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A former Elgin police chief, facing felony sex charges involving a minor, was released from jail on a reduced bond Wednesday so he can be evaluated at a sex-offender facility in Minneapolis.

Randall Hoffman, 55, had been in jail on \$500,000 cash bond since September, when police arrested him for gross sexual imposition, or rape, of a 17-year-old girl. He also was charged with continuous abuse of a child and 50 counts of corrupting a minor.

It's alleged that Hoffman began abusing the girl in 2005, when she was 12 or 13 years old, and continued the abuse until early morning Sept. 22 when her screams alerted another adult.

A former prosecutor in the case described it as the victim's first resistance that caused Hoffman to choke her.

A district court judge had earlier denied Hoffman's request for reduced bond, but approved it Tuesday as a condition of his evaluation.

Jon Byers, an assistant attorney general who's helping prosecute the case, said Hoffman's sister and brother-in-law posted \$50,000 cash so he could leave jail for Alpha Human Services, a nonprofit sex offender rehabilitation facility.

Hoffman will be subject to a head count every 30 minutes and wear electronic surveillance.

Because there is no lock down security, he and his family were required to sign an appearance bond for the remaining \$450,000 in the event Hoffman fails to return following his evaluation, Byers said.

Byers said bond will revert to \$500,000 cash when Hoffman returns to the Mercer County Law

Enforcement Center after his evaluation. He's been held there under contract with Grant County.

A trial date of May 10 has been postponed.

The evaluation will look at Hoffman's risk of being a repeat sexual offender, whether he has other mental illnesses and what type of treatment would help in his case, Byers said.

He said it will help support defense attorney Irvin Nodland's sentencing request "for something other than what we would be asking for, which is an extended prison sentence."

Byers said such evaluations are normally part of a pre-sentencing investigation, but in this case could lead to resolution by plea agreement rather than a formal trial.

Because the court will have access to the evaluation, "We'll all know what he knows about what he did, so the likelihood of a trial and contesting the facts is a lot less likely," Byers said.

Nodland declined to comment on the case.

Besides being a police chief, Hoffman also was a former district court judge. He was suspended from his district judgeship in Jamestown in 1999 when the North Dakota Supreme Court Judicial Conduct Committee found that he was stalking his ex-wife following their divorce.

In 2003, the Supreme Court Disciplinary Board suspended his law license for his misconduct in legal proceedings between his second wife and her partner in a child custody matter. The board declined to reinstate his license in 2005, finding that he had practiced law without a license in his second wife's visitation disputes.

(Reach reporter Lauren Donovan at 701-748-5511, or lauren@westriv.com.)

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