

Former judge and police officer sentenced to 20 years for molesting girl

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Randall Hoffman listens to arguments during his sentencing hearing after pleading guilty in July to Class AA felony continuous sexual abuse of a child, Class A felony attempted gross sexual imposition and Class C felony corruption or solicitation of minors in South Central District Court at the Morton County Courthouse in Mandan on Monday.

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South Central District Judge Tom Schneider said the one thing that stood out to him in the case of a former judge and police officer accused of molesting a young girl was the amount of grooming and planning that went into the crimes.

Randall Hoffman, 56, did not just make a one-time bad decision with a 17-year-old girl, but molested her from the time she was 12 or 13 until she was 17 and protested, Schneider said.

"It started out when she was very, very young," Schneider told Hoffman in court on Monday. "It only stopped when the child screamed and you were discovered."

Schneider sentenced Hoffman to 50 years in prison with 30 years suspended and five years of supervised probation on a Class AA felony charge of continuous sexual abuse of a minor. The judge also gave concurrent sentences of 20 years and five years in prison, respectively, for charges of Class A felony attempted gross sexual imposition and Class C felony corruption or solicitation of a minor.

Hoffman was a district court judge who resigned his judgeship and later lost his law license following complaints about his conduct. At the time of his arrest in September 2010, he was the police chief in Elgin.

Hoffman was arrested after attempting to rape a 17-year-old girl in September 2010. He faced 52 felony charges in Grant County related to having sexual contact with the girl from the time she was 12 or 13 until the day in September 2010 that she resisted his attempts, court documents said. Hoffman pleaded guilty in July to three of the charges in exchange for the dismissal of the additional 49 charges.

At the hearing Monday in Morton County, Assistant Attorney General Jon Byers, who prosecuted the case with Grant County State's Attorney Dan Herbel, recommended Hoffman be sentenced to 50 years with 25 suspended and five years of supervised probation on the Class AA felony

charge, with concurrent 20- and five-year sentences on the other two charges.

Byers said the victim wished Hoffman would be sentenced to 25 years in prison. He said Hoffman should get credit for pleading guilty and sparing the victim from testifying at trial.

Byers said few of the sentencing factors that state law outlines for judges to consider went in Hoffman's favor: Hoffman was a police officer at the time and his actions could have been construed as an abuse of power, there were no grounds on which to excuse his behaviors and the victim did not, and could not under state law, consent to the sexual acts.

Byers also said Hoffman should not get different treatment on the basis of having been a judge, attorney and police officer.

Hoffman's attorney, Irvin Nodland, said Hoffman should be treated for mental health problems rather than just punished and "warehoused" in a prison.

"A sentence of this length is unreasonable," he said about Byers' proposal.

Nodland called Richard Weinberger, a psychologist at Alpha Human Services, a sex offender rehabilitation facility for adult men in Minneapolis, to testify. Hoffman spent about 90 days at the facility for an evaluation during the spring, and Weinberger said the program would accept him for longer-term residential treatment.

Weinberger said Hoffman is not considered a pedophile, but is attracted to teenage girls and adult women. Hoffman was cooperative and open during his time at the facility and expressed regret for his actions, the psychologist said. Under cross examination by Byers, Weinberger said Hoffman did not condone or justify his own actions but continued molesting the girl as part of a cycle to feel good rather than feel bad about his behavior.

Nodland said Hoffman's past achievements and community service should be considered in sentencing. He urged Schneider to issue a "forward-looking and enlightened sentence."

"He has a vast record of good deeds," Nodland said of his client. "He would have a chance to do some good for the community."

Hoffman must serve 85 percent of his sentence before he can be considered for release. He will receive credit for 13 months served in the Mercer County jail and at Alpha Human Services. Schneider waived court fees in the case, finding that Hoffman would be unlikely to pay them given his lengthy sentence. Hoffman will be required to register as a sex offender following his release.

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