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Plea ends trial of former sheriff

By Dan Nienaber

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Former Watonwan County sheriff Joe Dahl entered an Alford plea for a felony theft charge Monday.

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A controversial former Watonwan County sheriff agreed to let his law enforcement license lapse and not make another run for sheriff in a plea agreement Monday for a felony theft charge.

Joe Dahl, 52, entered an Alford plea to the charge during a court hearing before Judge Gregory Anderson in Watonwan County District Court.

The Alford plea allowed Dahl to acknowledge he could have been found guilty if the jury believed the prosecution's evidence and not the evidence presented by the

defense, said his attorney, Allen Eskens of Mankato.

“It allows someone to take advantage of a plea bargain and maintain their innocence,” Eskens said.

Dahl was scheduled to go to trial in August for the charges that accused him of logging work time as a deputy while he was at home. The trial was delayed after Dahl switched attorneys and the hearing Monday was originally scheduled to set the new trial date.

Sheriff Gary Menssen had an investigator from Nicollet County secretly install a global-positioning system on Dahl’s squad car in February 2008. Menssen was suspicious Dahl wasn’t fulfilling his duties.

The GPS device showed Dahl’s squad car was parked at his St. James home at times when his written log said he was patrolling the towns of Ormsby, Odin, South Branch, Lewisville, Darfur and Butterfield, the criminal complaint said. During a two-week period, Dahl had logged a total of 30 hours of work time when the secret GPS device showed his squad car was parked at his home.

Dahl, who also was sentenced Monday, was required to pay \$825 in restitution to Watonwan County to cover the lost time and other expenses. Anderson’s sentence placed Dahl on five years probation with a stay of adjudication, which means Dahl will not have a felony conviction on his record if he doesn’t violate his probation.

Dahl also agreed to let his Peace Officer Standards and Training license lapse when it expires July 1 and to not run for sheriff again in Watonwan County while he is on probation.

Michael Trushenski, the assistant Martin County attorney appointed to prosecute Dahl’s case, said it’s unlikely Dahl will receive a law enforcement license through POST in the future. State rules say any felony plea, even if it involves a no contest plea

or a stay of adjudication, makes someone ineligible for a license, Trushenski said.

Eskens wouldn't comment on whether Dahl would be able to pursue a law enforcement license. He also said Dahl wouldn't be commenting about Monday's plea.

A felony swindling charge and three gross misdemeanor misconduct charges were dismissed as a result of the plea agreement.

"I think there was a lot of resources expended over an \$800 disagreement and it's time for both sides to move on," Eskens said. "I don't know how much was spent, but I'm sure it was quite a bit."

Trushenski said he agreed with Anderson's courtroom assessment that Monday's plea was an appropriate resolution to the case.

"Ultimately, it was a result that I think was good for the county," Trushenski said. "I think the fact that he's not working as a peace officer anymore is a good result."

When the charges were filed in April 2008, they led to the end of Dahl's long, controversial career with the Watonwan County Sheriff's Department. Just prior to meeting with Menssen for a union-related employment hearing about three weeks after the charges were filed, Dahl announced he was retiring.

He had 28 years of employment with the department, including four years as sheriff before he was beat by Menssen in 2002. He later made another bid for sheriff, but lost.

Dahl was convicted of trying to get compensation for hours he hadn't worked as a deputy in the 1980s. That conviction was later overturned by the Minnesota Court of Appeals. And, during his time as sheriff, Dahl drew attention to himself when the County Board refused to cover the costs of paintball guns he'd bought for deputies. He wanted deputies to use the paintballs instead of bullets in deadly force situations.

Dahl also was suspended without pay by Menssen for 12 days in 2005 for incidents ranging from failure to maintain records to insubordination. Those incidents included giving a Taser device presentation in a school without permission, then leaving a live round behind in the classroom.

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