

# OFFICE OF THE ANOKA COUNTY ATTORNEY

Tony Palumbo, County Attorney

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2100 3rd Avenue, Suite 720, Anoka, MN 55303  
763-324-5550  
anokacounty.us/attorney  
twitter.com/AnokaCountyAtty  
facebook.com/AnokaCountyAttorneysOffice

## Media Contact:

Elizabeth Mohr, ACAO Community Relations Coordinator  
elizabeth.mohr@co.anoka.mn.us  
763-324-5471 (desk)  
612-619-8345 (cell)

Oct. 22, 2020

## FOR IMMEDIATE RELEASE

### Former Chisago County sheriff pleads guilty, faces two years jail in Stalking case

Richard Leon Duncan, the former sheriff of Chisago County, pleaded guilty today to Harassment and Misconduct of a Public Officer.

Per a plea agreement, Duncan's admission of guilt was as follows:

Count 1: **Guilty plea:** Amended count of Gross Misdemeanor Harassment.

Count 3: **Guilty plea:** Gross Misdemeanor Misconduct of a Public Officer (as charged).

Sentences for the two charges will run consecutively, totaling two years of stayed jail time and four years of probation. Duncan will not serve any additional jail at this time. Duncan will also lose his ability to possess firearms for the duration of his probationary term. Count 2, Threats of Violence, will be dismissed at sentencing, which is scheduled for Dec. 1.

The Anoka County Attorney's Office charged Duncan in 2018 for acts occurring in October and November 2017. At the time of the incidents, Duncan was the Chisago County Sheriff. According to the charges, Duncan repeatedly contacted a sheriff's office employee using a pseudonym. The communications were inappropriate and threatening.

Due to conflict of interest issues, Chisago County officials asked the Anoka County Sheriff's Office and Anoka County Attorney's Office to handle the investigation and subsequent prosecution.

"We are grateful that we could resolve the case in this manner, a resolution which was supported by the victim, in an effort to allow her to obtain closure after nearly three years," said Anoka County Attorney's Office Criminal Division Chief Wade Kish. "This case is an unfortunate example of an elected official abusing his position of power. We are committed to holding public officials accountable for their behavior to ensure credibility of the justice system."

The complaint is attached for reference. The court file number is 02-CR-19-4503.

Richard Leon Duncan

CA-2018-01729

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF CHISAGO

TENTH JUDICIAL DISTRICT

COURT FILE NO. 13-CR-18-1125  
COUNTY ATTORNEY FILE NO. CA-2018-01729

State of Minnesota,

Plaintiff,

v.

**CRIMINAL COMPLAINT**

**RICHARD LEON DUNCAN (DOB: 02/03/1965)**  
7961 Wyoming Trail  
Chisago City, MN 55013

Summons     Warrant  
 Order of Detention

Defendant.

Amended  
 Tab Charge Previously Filed

The Complainant, being duly sworn, makes complaint to the above-named Court and states that there is probable cause to believe that the Defendant committed the following offense(s):

**COUNT 1: STALKING - PATTERN OF STALKING CONDUCT**

Minnesota Statutes §609.749, Subd. 5(a); 609.101  
PENALTY: 0-10 Years and/or \$6,000.00 - \$20,000.00

On, about, or between October 26 & November 3, 2017, in the County of Chisago, Minnesota, RICHARD LEON DUNCAN, did engage in a pattern of stalking conduct with respect to a single victim or one or more members of a single household which the actor knows or has reason to know would cause the victim under the circumstances to feel terrorized or to fear bodily harm and which does cause this reaction on the part of the victim.

**COUNT 2: THREATS OF VIOLENCE**

Minnesota Statutes §609.713, Subd. 1; 609.101  
PENALTY: 0-5 Years and/or \$3,000.00 - \$10,000.00

On or about October 26, 2017, in the County of Chisago, Minnesota, RICHARD LEON DUNCAN, did threaten, directly or indirectly, to commit any crime of violence with purpose to terrorize another or to cause evacuation of a building, place of assembly, vehicle or facility of public transportation or otherwise to cause serious public inconvenience, or in a reckless disregard of the risk of causing such terror or inconvenience.

**RECEIVED**

**DEC 21 2018**

COURT ADMINISTRATION  
CHISAGO COUNTY, MN

Richard Leon Duncan

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**COUNT 3: MISCONDUCT OF A PUBLIC OFFICER OR EMPLOYEE**

Minnesota Statutes §609.43, Subd. 2; 609.101

PENALTY: 0-1 Year and/or \$900.00 - \$3,000.00

On or about October 26, 2017, in the County of Chisago, Minnesota, RICHARD LEON DUNCAN, did in the capacity of a public officer or employee, do an act knowing it is in excess of lawful authority or knowing it is forbidden by law to be done in that capacity.

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**STATEMENT OF PROBABLE CAUSE**

During the time of these crimes, the defendant, Richard Leon Duncan (DOB: 2/3/65), was the Chisago County Sheriff and lived in Chisago County, Minnesota. The victim, M.L.J., an adult female, was employed by the Chisago County Sheriff's Department, first as a records clerk, and then beginning on January 1, 2015 as a crime analyst. In her role as a crime analyst, the victim would meet on a weekly basis with the defendant to go over crime statistics. Her other responsibilities included some social media posting for the Sheriff's Department and some community events for the Sheriff's Department. She also lived in Chisago County, Minnesota during the time of the crimes.

Beginning in October of 2017, the defendant spoke to the victim and told her that he had received letters from someone calling themselves 'Control Freak.' The defendant claimed there were eight (8) different letters from 'Control Freak.' The eight letters will be referenced below.

**CRIMES**

On October 26, 2017 at 1:00 p.m., the victim met the defendant in his office located at 313 North Main Street in the City of Center City, County of Chisago, State of Minnesota. This was not a normally scheduled meeting. The defendant had called the meeting under the guise that he wanted to talk to her about an upcoming job opportunity. The only two individuals in the room were the defendant and the victim. When they met, the defendant told the victim that he had a letter that he wanted her to read. The defendant pulled a two-page typed letter out of his pocket and handed it to the victim. The victim read the letter (this is the third alleged letter and the first one the victim saw). The letter alleged to be from a person named 'Control Freak.' The letter said that he wanted to control the victim and the Sheriff, though control her more than him; that he knew where she lived; that he knew she was married; that he knew she had children; and that if she did not follow his plan, something unspecified could happen. The letter instructed the defendant to put three separate dates on his personal Facebook account, and then for the victim to 'like' them. The letter indicated that this was for him to know that the victim was now aware of the letters. The letter also instructed the two of them to go to an upcoming law enforcement training in Bemidji and stay in the same hotel room.

The victim told the police that the defendant then asked her if she could make time to go to the training in Bemidji. The defendant suggested to the victim that they play along with the contents of the letter to try and draw the letter writer into writing more letters. The victim also said that the defendant told her that he had received two similar letters previously: the first one he disregarded and threw away (alleged letter number one), the second one he sent to a friend with the Minneapolis Police Department to see if it had fingerprints on it. The defendant told the victim that it did not have any fingerprints on it (alleged letter number two).

Later in the afternoon on October 26, 2017, the victim received a text from the defendant saying that he received another letter from 'Control Freak' at his home, and that she (the victim) should plan on attending the training in Bemidji (alleged letter number four).

On October 30, 2017 the victim, while out of town, received a text from the defendant. In this text, the defendant claimed to have received more letters from 'Control Freak.' The defendant also asked the victim if she had a private email that only she could access. Later on October 30, 2017, the victim received another text from the defendant claiming that he had driven by her house and found a letter from 'Control Freak' in the ditch by her mail box. The victim gave the

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defendant her private email address, and the defendant sent her the letters allegedly written by 'Control Freak.' These alleged letters were not scanned to her but rather the defendant had re-typed them verbatim. The victim received the alleged letters via her email on October 30, 2017.

The fifth alleged letter was addressed to both the victim and the defendant, and allegedly received by the defendant. In this alleged letter, 'Control Freak' instructs both the defendant and the victim to go to a law enforcement training in Bemidji on November 12 through the 15, 2017, that they must drive to the training together, that they needed to take a specific route to the training, what time and date they must leave for the training, that they must stay in the same hotel room at the Country Inn and Suites, that they must reserve a room with one king bed, and how much clothing to bring and what type of clothing to bring. In this alleged letter, 'Control Freak' indirectly threatens to harm the victim, her children, her husband, and her reputation if she does not go along with his directives.

The sixth alleged letter was addressed to the victim only. This is the letter that the defendant claimed to have found in the ditch beside the victim's mailbox. In this alleged letter, 'Control Freak' again indirectly threatens to harm the victim if she does not go along with his directives and points out that he knows where she lives.

The seventh alleged letter was addressed to the defendant only. In this letter, 'Control Freak' again indirectly threatens the defendant, pointing out that 'Control Freak' knows where he lives, and has seen his wife and describes her current physical condition.

In the defendant's email to the victim re-typing alleged letters five, six, and seven; the defendant reiterates how 'Control Freak' is threatening their families and children, how this person is crazy and capable of anything, that the defendant is going to make the reservations as directed, that 'Control Freak's' references to the defendant's wife are accurate (thus he could really hurt them both), and that he cannot think of anything to stop 'Control Freak' except for going along with his plans.

Due to the number of letters received, what was said in the letters, and the defendant's response to the victim about the letters and how they should proceed, the victim became very scared and afraid for herself and her family.

The victim then met with the defendant at his office on November 2, 2017 and informed him that she was not going to the Bemidji conference, and would take her chances with 'Control Freak.'

On November 3, 2017, the victim received a text from the defendant saying that he had received another letter from 'Control Freak' at his home (alleged letter seven). This letter allegedly said that 'Control Freak' was calling everything off (alleged letter number 8).

The victim then reported the above events to personnel in the Chisago County Sheriff's Department who in turn referred her to the County Human Resources Department. An internal investigation was conducted into the victim's allegations. On two occasions the defendant was scheduled to give a deposition as to his role in this matter and the source of the letters from 'Control Freak.' The first deposition was canceled by the defendant at the last minute due to an alleged family emergency. Prior to the second deposition, the internal investigator received an email from the defendant's civil attorney which was a forwarded email from the defendant himself. In the email the defendant said: "I, and only I, am the source of the emails and text messages in regard to the current inquiry." Shortly thereafter, the defendant resigned his position as the Chisago County Sheriff.

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The police also contacted the Country Inn and Suites in Bemidji and found out that the defendant had made reservations for a single room with a king size bed for November 12 through November 15, but then canceled the reservation prior to arrival.

Richard Leon Duncan

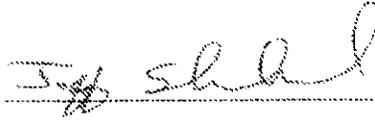
CA-2018-01729

Complaint requests that Defendant, subject to bail or conditions of release, be:  
(1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court;  
or (2) detained, if already in custody, pending further proceedings; and that said Defendant  
otherwise be dealt with according to law.

COMPLAINANT'S NAME:

COMPLAINANT'S SIGNATURE:

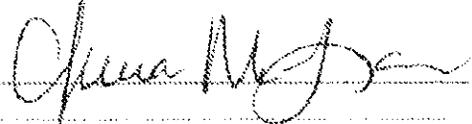
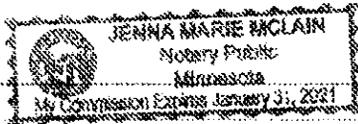
Detective Jeffrey Schoeberl, Anoka County  
Sheriff's Office



Subscribed and sworn to before the undersigned this 21<sup>st</sup> day of Dec, 2018.

NAME/TITLE:

SIGNATURE:

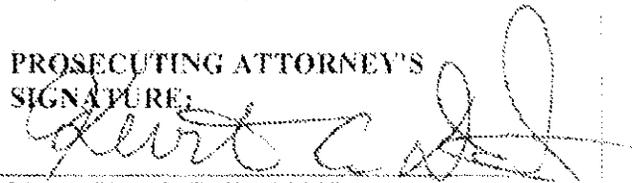


Being authorized to prosecute the offenses charged, I approve this complaint.

Date

12/20/18

PROSECUTING ATTORNEY'S  
SIGNATURE:



Name: Kurt C. Deile, 289875  
Assistant Anoka County Attorney  
Anoka County Government Center  
2100 Third Avenue, STE 720  
Anoka, MN 55303  
Phone: (763) 324-5385

Richard Leon Duncan

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**FINDING OF PROBABLE CAUSE**

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense.

**[X] SUMMONS**

THEREFORE YOU, THE ABOVE-NAMED DEFENDANT, ARE HEREBY SUMMONED to appear on \_\_\_\_\_, at \_\_\_\_\_ before the above-named court at the Chisago County Courthouse, Center City, MN 55012 to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

**[ ] WARRANT**

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I hereby order, in the name of the State of Minnesota, that the above-named Defendant be apprehended and arrested without delay and brought promptly before the above-named court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

*Execute in MN Only*       *Execute Nationwide*       *Execute in Border States*

**[ ] ORDER OF DETENTION**

Since the above-named Defendant is already in custody, I hereby order, subject to bail or conditions of release, that the above-named Defendant continue to be detained pending further proceedings.

Bail:  
Conditions of Release:

This complaint, duly subscribed and sworn to, is issued by the undersigned Judicial Officer this 21 day of December, 2018.

JUDICIAL OFFICER:  
NAME: Doyle D. Meek  
TITLE: Judge

SIGNATURE:  
[Signature]

Sworn testimony has been given before the Judicial Officer by the following witnesses:

<p>COUNTY OF CHISAGO STATE OF MINNESOTA</p> <p><b>STATE OF MINNESOTA</b></p> <p>Plaintiff,</p> <p>vs.</p> <p><b>RICHARD LEON DUNCAN</b></p> <p>Defendant</p>	<p>Clerk's Signature or File Stamp:</p>   <p><b>RETURN OF SERVICE</b></p> <p><i>I hereby Certify and Return that I have served a copy of this COMPLAINT upon the Defendant herein named.</i></p> <p>Signature of Authorized Service Agent:</p>
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