

IN THE IOWA DISTRICT COURT FOR HARDIN COUNTY

<p>STATE OF IOWA, Plaintiff, v. DEAN EDWARD HILPIPRE, Defendant.</p>	<p>Case No. FECR310703 DEFENDANT'S OBJECTION TO EXPANDED MEDIA COVERAGE</p>
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COMES NOW the Defendant, Dean Edward Hilpipre, by and through his attorney, George W. Appleby, and hereby OBJECTS to the media coordinator's Request for Expanded Media Coverage and, in support thereof, states:

1. Cameras in the courtroom may tend to diminish the sober and judicial atmosphere required for the administration of justice.

2. This case has been the subject of intense media coverage (see attached front page article in the Des Moines Register, February 9, 2018, headlined "'A grandfather molested his granddaughter 'over and over.' So why isn't he going to prison, an outraged mother asks'"; see also attached social media entry of Facebook search requesting opponents of probation to attend the sentencing.)

3. The Iowa Supreme Court has ruled that:

Our rules allowing expanded media coverage have been drafted to give the public increased access to judicial proceedings. This access is nevertheless, subject to the duty and authority of the presiding judge to control the conduct of proceedings, to prevent distractions, and to ensure the fair administration of justice.

State v. Douglas, 485 N.W.2d 619, 626 (Iowa 1992).

4. In-court cameras of the sentencing hearing may provide incentives to disruptive actions in the courtroom and/or hostile action towards the Defendant in the hours and days after the hearing.

WHEREFORE, the Defendant, Dean Hilpipre, requests the Court to deny the media coordinator's Request for Expanded Media Coverage.

Respectfully submitted,

CARNEY & APPLEBY, P.L.C.

/s/ George W. Appleby

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ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on February 16, 2018, I electronically filed this document with the Clerk of Court using the EDMS system, which will serve it on the appropriate parties, or by mail.

/s/ George W. Appleby

Copy to:

Denise Patters, Asst Hardin County Attorney

Susan Krisko, Asst Attorney General

A grandfather molested his granddaughter 'over and over.' So why isn't he going to prison, an outraged mother asks

Lee Rood, lrOOD@dmreg.com Published 9:00 a.m. CT Feb. 8, 2018 | Updated 9:14 a.m. CT Feb. 8, 2018

Dean Hilpipre, 61, of Alden has pleaded guilty to two felony charges of sex abuse for inappropriately touching his now 7-year-old granddaughter. Because of a plea deal, prosecutors agreed to recommend Hilpipre receive a suspended sentence.



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(Photo: Kelsey Kremer/The Register)

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ALDEN, Ia. — She was 6 years old when, in November 2016, she told her older sister what Grandpa did to her when no one else was around.

In a videotaped interview 11 days later with a child-protective worker, a sheriff's deputy and her parents present, the little girl said she was scared her grandfather would go to jail if she tells.

But she was explicit about what happened when the two were alone, writing "sex" on a piece of paper, then sobbing as she described forced touching and oral sex.

It happened, she said, "over and over," in a bedroom her grandfather would lock, in the bathroom and in some woods in her town of 760 near a pile of corn.

"He says 'please,' and she doesn't want to do it," according to a founded child-abuse report that led to the grandfather being placed on Iowa's child-abuse registry.



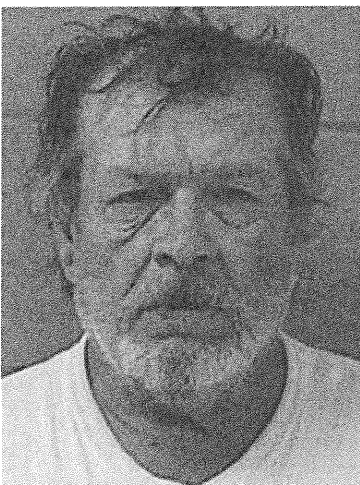
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Kasey Hilpipre holds her 7-year-old daughter's hand during an interview with the Des Moines Register on Sunday, Feb. 4, 2018, in West Des Moines. Hilpipre's daughter was molested by the child's grandfather, Dean Hilpipre. Under a plea agreement, he expected to receive probation during his sentencing later this month. (Photo: Kelsey Kremer/The Register)

But what has happened in the felony criminal case that ensued has outraged the girl's mother, Kasey Hilpipre of Des Moines; her grandmother, Deborah Yanna of West Des Moines; and the girl's now 13-year-old sister who first reported the abuse to a school counselor.

The girl's grandfather, 61-year-old Dean E. Hilpipre, was charged with two counts of second-degree sex abuse and faced as much as 50 years behind bars if convicted.

As part of a plea deal reached in December, Hilpipre admitted in open court what he did to his granddaughter. But as part of his plea, prosecutors agreed to recommend that Hilpipre receive a suspended sentence and five years of probation when he is sentenced Feb. 23.



Dean Hilpipre, 61 of Alden. (Photo: Special to the Register)

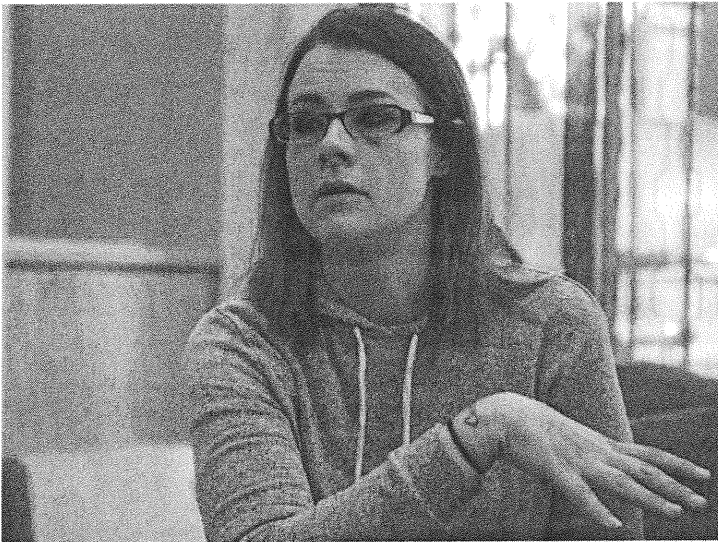
"I was just stunned," Yanna said. "At his plea-agreement hearing, I said, 'Why don't you just throw in a spa day?'"

But probation is common in child sex cases in Iowa, according to a Des Moines Register statistical analysis.

If Judge James McGlynn accepts the terms of Hilpipre's plea to a count of lascivious acts with a child, the grandfather will be required to undergo sex-offender treatment and stay away from his granddaughter for at least the next five years.

Dean Hilpipre lives in the same small town, with no police department, as his abused granddaughter.

Watching other high-profile cases of sexual abuse and harassment in the national spotlight involving teens and women, Kasey Hilpipre and her mother are asking where the justice is for the now-7-year-old girl who they say is so shaken she will not leave her yard to play.



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Kasey Hilpipre gives an interview to the Des Moines Register on Sunday, Feb. 4, 2018, in West Des Moines. Hilpipre's daughter was molested by the child's grandfather, Dean Hilpipre. He was charged with two counts of second-degree sex abuse and reached plea deal in December. As part of his plea, prosecutors agreed to recommend that Dean Hilpipre receive a suspended sentence and five years of probation when he is sentenced Feb. 23. (Photo: Kelsey Kremer/The Register)

Kasey Hilpipre, who shares custody of her four children with her ex-husband, Dale Hilpipre of Alden, said her daughter's case languished for months while under the direction of Hardin County Attorney Richard Dunn.

"It's like the county attorney had compassion for Dean, and Dean was more important than my daughter," she said.

Criminal charges were filed in July 2017. But Kasey Hilpipre, 34, said the case began to progress only after she and her mother hired a Boone attorney to start asking questions and after two other women, an area prosecutor for the attorney general and an assistant county attorney, took over the case.

Kasey Hilpipre said nothing about the case's handling appeared to center on her daughter's trauma.

A father of four and grandfather of 13, Dean Hilpipre recently stopped working at ILC Resources, a local ag business in Alden, where he was employed for more than 40 years.

This month, he won \$100,000 from the Iowa Lottery while awaiting sentencing.

Hilpipre is a whiskey drinker who, in a psycho-sexual evaluation completed in December, self-reported having more than 10 drinks a week. He would be required under his plea agreement to abstain from alcohol and mood-altering drugs.

But Hilpipre also has asked through his attorney for continued access to his adult son Dale, who lives nearby in a town with no local police department. Dale Hilpipre, 40, has custody of his abused daughter during the week.

Dale Hilpipre did not return phone calls seeking comment.

Reached last week on the doorstep of his weathered gray home in Alden, Dean Hilpipre, the grandfather, said he had no comment on the plea deal or his coming sentencing. His Des Moines attorney, George Appleby, also declined to comment about the plea.



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Outside Dean Hilpipre's home on Thursday, Feb. 1, 2018, in Alden. Hilpipre has been charged with two felonies for sexually abusing his granddaughter. Under a plea agreement he will admit guilt to a lesser felony and is expected to receive probation during his sentencing later this month. (Photo: Kelsey Kremer/The Register)

In an exclusive interview Sunday, nestled between her mother and her sister, the victim cried and expressed concern for other little girls her grandfather knows in Alden. She said she wanted her grandfather to go to prison.

Hardin County Sheriff Dave McDaniel said two deputies developed a "solid" case against Hilpipre, listened as the girl gave a videotaped statement and "most certainly" would have been willing to testify had the case gone to trial.

"I don't necessarily agree with the outcome," he said, "but I don't know how they came to that conclusion either."

In state crimes, probation common

In federal courts, 98 percent of those charged with child sex crimes ranging from child porn to trafficking end up in prison.

From 2004 to 2013, the average prison sentence for those offenders nearly doubled from 70 months behind bars to 139 months, statistics released last fall by the Bureau of Justice Statistics show.

But in Iowa's state courts, many child sex abuse cases result in no conviction, state statistics show. And unless the offender is convicted of a forcible felony, probation is a common outcome.

In Hardin County, 48 sex offenses were charged from 2010 to 2017; 17 resulted in a conviction, according to Iowa's Division of Criminal & Juvenile Justice Planning.

As the Register reported last February, probation is often a frequent outcome for school district employees accused of sexual abuse of students.

During the state of Iowa's last fiscal year, 37 people were convicted of lascivious acts with a child, the same crime to which Hilpipre has pleaded guilty.

Probation was ordered in 21 cases (57 percent). In 16 cases, offenders received probation and a prison sentence that may have been suspended by a judge.

Jennifer Long, a former prosecutor who co-founded AEquitas, a national organization to improve the quality of justice in sexual violence cases, said incest is as traumatic to victims as other high-level cases involving sexual violence.

"A prolonged crime, even if it doesn't leave physical injury, leaves deep emotional and psychological trauma," she said.

While prosecutors always worry about the effect that testifying at trial can have on a child victim, there are ways to "provide a safe court environment," she said.

No criminal history

Denise Patters, the assistant Hardin County attorney who now handles the case, said she cannot comment on the deal negotiated with the help of an area prosecutor at the Iowa Attorney General's Office.

"It's a difficult decision at times, and one that, frankly, weighs on a person," she said.

Court records show one reason Hilpipre was offered probation was that he had no prior criminal record. A forensic psychologist, Dr. Tracy Thomas, hired by Hilpipre's attorney, also evaluated him and determined that he was a low risk to re-offend.

Research shows those who commit incest re-offend at about half the rate of those who sexually abuse children with whom they are not related.

When Hilpipre was questioned in December 2016 by Hardin Deputy Jeff Brenneman, he denied doing anything wrong. He also blamed the girl's older sister for putting her up to the accusations, according to the state child-abuse report.

When he was interviewed last December by the forensic psychologist, Hilpipre said he didn't deny the allegations but didn't remember the things his granddaughter accused him of either.

He also said, "If I did it, I deserve everything I get."

A polygraph test he took in November was inconclusive "due to Mr. Hilpipre's poor physical condition."

Teri Sommerlot, a division manager for the Fifth Judicial District at the Department of Corrections, said prosecutors often strike deals to spare children from testifying or because they fear the children might be poor witnesses on the stand.

However, the impact of the crime on the victim is supposed to play a role at sentencing, she said.

State law requires that Hilpipre undergo a pre-sentence investigation, which McGlynn ordered. That investigation, independent of defense or prosecution, includes a risk assessment to other children and the community, Sommerlot said.

McGlynn, the judge, is not bound to the plea recommendations at sentencing in the case.

One in seven

Child sexual abuse is the most prevalent health threat children face — and one of the most costly, according to [Darkness to Light](#), a South Carolina-based sexual abuse prevention organization.

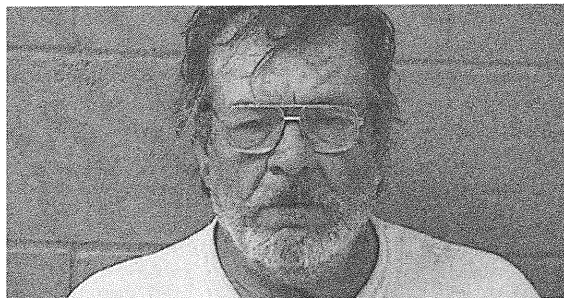
- Roughly one in seven girls and one in 25 boys will be sexually abused before they turn 18. About 30 percent are abused by family members.
- Children who live in rural areas are almost two times more likely to be identified as victims.
- Child sex-abuse victims are at much higher risk for substance-abuse problems, behavior issues and delinquency.



Nancy N Ted

February 12 at 10:26pm ·

Dean Hilpipre BEWARE!! Please beware of this man he is an admitted sexual predator and has damaged the sweet spirit of a 7 year old little girl since she was 2 she was forced to do unspeakable acts for his own selfish despicable gratification which she endured over the course of 5 years He's been known to portray Santa Claus and the Easter Bunny The public is being asked to stand for justice in this case by respectfully attending (on behalf of the family) his sentencing on Friday Feb 23rd @ the Hardin County Court House Eldora, Iowa 10 a.m Parents and Grandparents against Pedophiles. see you there.



Man Who Admitted Molesting His Granddaughter May Avoid Prison; Mom Asks 'What Justice Is That?'

Dean Hilpipre, 61, pleaded guilty and will be sentenced Feb. 23

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3

2 Comments

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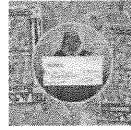
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Iowa Lottery
January 24 at 4:07pm ·

A big shout out to Dean Hilpipe of #Alden who recently retired and just claimed a \$100,000 lottery prize! Dean purchased his winning ticket at his local Casey's General Store on Grand Ave. He said he plans to use his winnings to purchase a home....See more



118

31 Comments 13 Shares

PICK POSTS
February 12 at 7:47am ·

Source: Daily Mail >> Dean Hilpipe, 61, of Alden, Iowa admitted in court in December to molesting his now seven-year-old granddaughter. ...See more



Man, 61, may not get prison for molesting granddaughter, 7
www.triatium.com

1

3 Comments

Darcie Engelby Jass
February 9 at 9:44am ·

Thank you Dean Hilpipe and Bob Hoversten (Marcela Vančová Hoversten) with cleaning my sidewalk this morning!!! Much appreciated!!

13

1 Comment

Sandra Lee
February 12 at 5:27pm ·

In a plea deal agreed to in December, prosecutors will recommend a suspended sentence and probation at Hilpipe's sentencing later this month....See more



'What safety is that?': Iowa mom tearfully blasts prosecutors offering probation to father-in-law...
www.rawstory.com

Violence Against Women & Children
February 12 at 5:35pm ·

Alden, IA: Disgraceful paternal grandfather Dean Hilpipe, 61, admitted to molesting his granddaughter. He may avoid prison despite his confession....See more



Man Who Admitted Molesting His Granddaughter

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people.com

All Posts People Photos Videos Pages Places 10 Groups 2 Shares Apps

End Sex Abuse posted 4 photos.
February 12 at 9:26pm ·

Like Page

CALL TO ACTION !!! !! Dean Hilpipe, 61-year-old man, admitted to molesting his seven-year-old granddaughter and has entered into a plea deal with prosecutors, agreeing to plead guilty to a lesser charge of lascivious acts with a child, which could carry a maximum of 10 years in prison!!

!HOWEVER!? prosecutors have agreed to drop the two other charges and will recommend that Hilpipe's prison sentence be suspended and that he only serve probation. 🙏🙏🙏

On February 23. Judge James McGlynn has the last say and will pass the official sentence at 10 A.M. at the Harden County Courthouse located at 1215 Edgington Ave, Eldora, IA 50627.

We need your help. End Sex Abuse along with the victim's mother are asking members of the public to attend Hilpipe's sentencing later this month, in hopes of convincing the judge not to accept the plea terms. We can make a difference if we stand together!

Please email the District Attorney, Richard N. Dunn and recommend that probation for this offense is not acceptable !!! You can email Richard at: rdunn@hardincountyia.gov

Email Judge James McGlynn and encourage him to impose the maximum sentence! You may email Judge James at: james.mcglynn@iowacourts.gov

Trending Events Links

- Google Chrome
Google turns on default adblocker within Chrome - theguardian.com
- Marco Rubio
Florida Republicans' Offers Of Prayers Invite Accusations Of... - yahoo.com
- Charleston, South Carolina
Missing South Carolina girl found safe in Alabama - usatoday.com
- Cyril Ramaphosa
Cyril Ramaphosa confirmed as South African President - cnn.com
- McDonald's
McDonald's Cuts Cheeseburgers From Happy Meals - bloomberg.com
- Marjory Stoneman Douglas High Sc...
Coach among dead in Florida school shooting - espn.com
- Mikaela Shiffrin
Winter Olympics: Mikaela Shiffrin wins giant slalom for first gold... - cbssports.com
- Barnaby Joyce
Scandal-hit Australia deputy PM takes leave - bbc.com
- Gravy Train
Euthanasia Drug Found in Smucker's Brand Dog Food Linked to... - yahoo.com
- Nirav Modi
After Sidharth Malhotra, Priyanka Chopra sues alleged fraudster Nirav... - msn.com

INSTANT GAMES MORE



YOUR GAMES MORE



- Richard Derek Nichol... 1h
 - Renee Jones Mosby
 - Tamula Huggins 1h
 - Chelsea Rae 1h
 - Chris Andersen 4m
 - Brittany O'Dougherty ...
 - Brenda Grove Hend... 11h
 - Jacki Bardole
 - Jon Huggins 1m
 - Devin Heimke
 - Kalob Westercamp
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