

IN THE IOWA DISTRICT COURT FOR LEE (SOUTH) COUNTY

STATE OF IOWA, v. BENJAMIN G. TRANE,	Plaintiff. Defendant.	NO. FECR009152 STATE'S RESISTANCE TO DEFENDANT'S REQUEST FOR RELEASE FROM PRETRIAL SUPERVISION
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COMES NOW the State of Iowa, by and through Denise A. Timmins, Assistant Attorney General, and for its Resistance to Defendant's Request for Release from Pretrial Supervision states:

1. Defendant was charged with Sexual Abuse in the Third Degree, a Class C Felony; Sexual Exploitation by a Counselor, a Class D Felony; and Child Endangerment; an Aggravated Misdemeanor. Defendant was arrested on September 7, 2017.

2. Defendant's bond was initially set at \$500,000.00 cash only. A bond review hearing was held on October 2, 2017. On October 4, 2017, the Court ordered Defendant's bond be reduced to \$50,000 cash or surety, and that should he be released, Defendant be required to participate in pretrial release supervision as set out in the attached pretrial release order. Said supervision included a curfew, restrictions on Defendant's travel, and his association with minors.

3. On October 5, 2017, Scott Piper paid the \$50,000.00 cash bond and Defendant was released from jail.

4. On October 13, 2017, Defendant's attorney filed an Application for Furlough from Pretrial Supervision requesting Defendant be allowed a one-week furlough to return to his home in Idaho to retrieve his personal and work-related items.

5. A hearing on said Application was held on November 13, 2017, and the Court denied Defendant's Application.

6. On December 22, 2017, a jury returned a verdict finding Defendant guilty of the lesser offense of Assault with Intent to Commit Sexual Abuse in Count I and guilty as charged in Count II (Sexual Exploitation by a Counselor or Therapist) and

Count III (Child Endangerment). If run concurrently, Defendant faces up to nine years in prison.

7. The State resists Defendant's Motion to Modify the Terms and Conditions of Pretrial Release in its entirety. The Court did not see fit to allow Defendant even a one-week furlough while the charges against Defendant were pending. Defendant has even more at stake now that he has been found guilty of a felony-level offense and facing the actual consequences of his actions. Furthermore, two of the crimes the Defendant has been convicted of are of a sexual nature and involve minors. In order to ensure Defendant's appearance and provide protection to the community, the Defendant should continue with his current level of monitoring and should not have the conditions of his pretrial release modified.

WHEREFORE, the State respectfully requests the Court deny Defendant's request in its entirety and without hearing.

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