

## **Briards, hog farmers from Frazee area, face felony charges**

Here's an update on the legal status of Frazee hog farmers Robert and Virginia Briard, who both face felony charges in Becker County District Court. Although court dates shift frequently, especially with high-profile cases, here are the current details.

Written By: Pioneer staff reports | 12:00 am, Jan. 24, 2009

Here's an update on the legal status of Frazee hog farmers Robert and Virginia Briard, who both face felony charges in Becker County District Court.

Although court dates shift frequently, especially with high-profile cases, here are the current dates and charges:

Robert Briard, 62, was acquitted by a jury on Dec. 17 of first- and second-degree criminal sexual conduct charges involving a girl under the age of 13. Those incidents allegedly occurred in the 1980s.

But he is still charged with felony second-degree criminal sexual conduct involving a girl under the age of 13. That incident is alleged to have occurred in the summer of 2004.

A settlement conference has been set for Feb. 25 at 8:30 a.m. and jury trial is set to start at 9:12 a.m. on March 3 before District Judge Peter Irvine.

Robert Briard is also charged with three gross misdemeanor counts of fifth-degree nonconsensual sexual contact involving an adult woman.

A settlement conference on those allegations has been set for 8:30 a.m. Feb. 4 and jury trial is set for 9 a.m. Feb. 10 before Judge Irvine.

Although the court dates have been set, the Becker County Attorney's Office has not yet finalized a decision on whether or not to proceed with prosecuting those cases, said County Attorney Mike Fritz.

Virginia Briard, 62, faces six felony counts of contempt of court for allegedly disobeying a subpoena to testify at her husband's trial.

According to court records: The nature of the statement she gave to law enforcement officers investigating her husband "is that Robert Briard made certain admissions to her" about the allegations for which he was later acquitted.

In a pre-trial hearing, Briard had challenged the admissibility of his wife's testimony. The court ruled it was not privileged and she could be compelled to testify, but she did not show up and could not be found during the trial, held Dec. 8-12.

She did not reappear in public until she turned herself in Dec. 30.

Her next court appearance, an omnibus hearing, had been set for Tuesday, but is now scheduled for 10:45 a.m. on Feb. 19.

She is free on \$200,000 bond set by District Judge Joe Evans, with conditions that include she surrender her passport to authorities, not leave the state, and notify the court of any change of address within 48 hours.

On Jan. 5, her attorney, Kent D. Marshall of Barrett, Minn., successfully filed legal paperwork to remove Evans as presiding judge, an option provided under state law.

The next day, Assistant Becker County Attorney Gretchen Thilmony, who is prosecuting Virginia Briard, requested that Judge Irvine be removed from the case.

Irvine granted the request Jan. 7 and recused himself.

District Judge Lisa Borgen has now been assigned to the Virginia Briard case.