

Dick Dasen's Sentencing Reflects The Strange Nature of His Case

by Hal Herring

"Sexual addiction is comparable to other addictions in that the behavior is out of control and takes over your life," said Dr. James Myers, a Libby, Montana, based psychologist who specializes in working with sexual offenders. As part of a pre-sentencing agreement, Myers was asked to evaluate Dick Dasen and assess both his potential for rehabilitation and the risk, if any that he posed to the community of Montana's Flathead Valley if he were sentenced to treatment rather than imprisonment for his five sex related felony convictions.

At days end, Dasen received a sentence that combined a dose of both treatment and prison. Judge Stewart Stadler sentenced Dasen, who is sixty three years old and was once one of the valley's most prominent businessmen and philanthropists, to a combined total of twenty years, with eighteen suspended. The sentence guarantees that Dasen will spend at least twenty months in the Montana State Prison at Deer Lodge. He will also undergo further treatment for sex addiction in a program for sex offenders. Myers reported that in his opinion, Dasen would be an excellent candidate for treatment, posed no threat to the community, and had a "low to moderate" potential to re-offend. Under questioning from prosecutor Dan Guzynski, however, Myers revealed that although he conducted a thorough evaluation, he was not familiar with the scope of the case, or with the wide

range of damage, the sheer numbers of people touched by Dasen's activities.

Guzynski also disagreed with the statement that Dasen presented no threat to the community. "If you had reviewed the case you would see that the defendant had unprotected sex with dozens of IV drug users," suggesting that Dasen put all of them at risk.

Dasen's attorney, George Best of Kalispell, never used sexual addiction as a defense during the three week long trial last May. The reason he did not is that an admission of illness would have undermined Dasen's ongoing contention that he has never knowingly committed any crimes. According to pre-sentencing investigator David Castro, Dasen still maintains that his dozens of sexual relationships and the estimated \$3 million that he gave to his sex partners were consensual agreements, not prostitution, and that the underage girls who appeared in his photos and had sexual meetings with him all lied to him about their ages. He insists that he had no idea that the girls and women were taking the money that he gave them and pouring it into the valley's rampant meth trade, consuming themselves with addiction at the same time.

That continuing denial, even after the 117 days Dasen has already spent in the Flathead County Jail, worried Judge

Stadler, who at one point asked Myers if an offender could hope for successful treatment if they did not admit that there was any problem. Myers said that he believed Dasen was just beginning to recognize his accountability.

Stadler also said that he was worried about what he perceived as a lack of empathy on Dasen's part for the many young women and girls who had been drawn into the payments, who were publicly shamed by the revelations of their relationships with him, and who were, and in many cases remain, destitute and vulnerable. Questioning Myers about the six hour interview that Myers conducted with Dasen, the judge said, "...at one point in this conversation he (Dasen) said, 'If I'd known they were dopers, I wouldn't have given it to them.'" That indicates to me a lack of empathy, almost as if these were disposable people..." Stadler continued, "Then he talks about this girl Beth, and how she used money that he gave her to buy alcohol and then was killed in a car crash, and he said he was devastated by that. But then he went on to devastate all these others."

It was fairly clear when the court broke for lunch that Dasen would indeed go to prison. But how that would happen was as cloudy as the afternoon skies outside the courthouse.

Here was a man whose only previous contact with the judicial system in 34 years was four speeding tickets, and all of his felony convictions, no matter the context, were for non-violent offenses. Under Montana law, it is very difficult to send such a person to prison. It does not really matter how much time and energy that the court and law enforcement has spent trying to bring his activities to a halt and gain justice for victims, no matter that a jury has given up a month of their lives to the trial, no matter, even, what the community expects to see in the way of penance.

According to David Castro and others, Dasen has been a "model prisoner" in

his 117 days at the Flathead County Jail. Dasen appeared a bit pale and a bit florid from his long stay, with his hair much longer than during his trial, but he has done his time so far with stoicism and wit. Castro said that Dasen told him that in his first month, he'd "gotten a lot of reading done," and that he was used to spending \$200 a day to get that kind of "alone time."

In the early afternoon, Stadler explained that sentencing must take into account many elements, including the degree of harm done, the acceptance of accountability by the offender, community input in the form of letters and other communications, and the potential for rehabilitation. He noted that the degree of harm in this case was beyond dispute. He also noted that one policy for sentencing was that it should be commensurate with the sentences that others have received for similar crimes, but that was not possible because this case, he said, the "totality of the charges, and the testimony that we heard," was without precedent. "I would challenge anybody to find a similar defendant."

Addressing Dasen, he said, "There's no question that you harmed this community. There's no question that you harmed these young women... and you still don't think you've done anything wrong... you continue to maintain that you didn't know the money was being spent on drugs, that you weren't paying for sex... that 18 or 19 year old girls would just rush to a motel room to meet you at 8:30 in the morning... or that you have photos of a girl that looked like a third grader with braces and you still have some question that she was under eighteen... my heart breaks when I read the letters from your children and grandchildren, but nobody led you in to this... with the damage you've done to this community, you cannot just walk out of here and go to Arizona and live a normal life..."

After pronouncing and explaining the sentence that would guarantee at

least the two years in prison, Stadler said, "The sentence that this court has imposed speaks to justice."

In the waiting room outside after the court ended, Connie Guzman hugged her daughter and quietly disagreed. Guzman's oldest daughter, Angela, was killed in a wreck in 2003. Angela was a meth addict who had a sex-for-pay arrangement with Dasen until her death in the pre-dawn crash that followed a long meth binge. Her mother was among the more prominent voices calling for Dasen to be investigated in the months following Angela's death. Early on, she defined the connection, which turned out to be widespread, of the money her daughter received for sex to the meth abuse and addiction that contributed to her death.

"That might have been something," Guzman said of the sentence, "but it wasn't justice. I think they had to do what they had to do, but that was not justice. It didn't touch the devastation that he brought on this community. I think he deserves to spend the rest of his life behind bars. I know my life will never be the same, and I'm only one of many in this who can say the same."

But for prosecutor Dan Guzynski, who devoted more than a year to the case, Dasen's sentence was as much as could be hoped for, and almost exactly what he and fellow prosecutor Lori Adams had recommended. "What was important to the community was that he sees the inside of a prison," Guzynski said. "and he did not get two years and be eligible for parole in four months. He is going to do every day of that two years. I'm happy with it. It holds him accountable not only for what he did to those women, but for what he did to all us here in the valley."

As defense attorney George Best left the waiting after the sentencing, Missoulian reporter Micheal Jamison asked about the possibility of an appeal. "It's already prepared," Best replied, heading for the stairwell.

The waiting area cleared quickly, of Dasen's family and their supporters, of the women who had been charged with prostitution for the arrangements they made with him, and their mothers, and friends and relatives, and of a scatter of jurors from Dasen's trial who had come to watch the close of the final chapter.