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STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF DAKOTA

FIRST JUDICIAL DISTRICT

State of Minnesota,

Plaintiff,

PARTIAL TRANSCRIPT
JURY TRIAL

v.

Bruce Douglas Konold,

File No. 19HA-CR-22-2172

Defendant.

The above-entitled matter came on for trial before the Honorable Ann M. Offermann, Judge of the above-named Court, on September 5, 2024, at the Dakota County Judicial Center, in the City of Hastings, County of Dakota, State of Minnesota.

A P P E A R A N C E S

MS. EMILY FROEHLE, Attorney at Law, appeared for and on behalf of the State.

MR. KEVIN DEVORE, Attorney at Law, appeared for and on behalf of the Defendant.

MR. BRUCE KONOLD, the Defendant, was present.

1 (Whereupon, the following proceedings were duly
2 had:)

3 CLOSING ARGUMENTS

4 MS. FROEHLE: This Defendant was at all times "the
5 leader of his flock." The pastor of the church. The head
6 pastor. Not only the head pastor but of a church that he
7 built from scratch. From nothing to 100 -- to combine with
8 another church -- to a church that 500 or 600 people
9 attended each week.

10 It is impossible to separate this Defendant from that
11 role. You heard this morning, the church had set it up so
12 that this Defendant could do the "God part," the teaching
13 part. And that is important here. Not from a moral outrage
14 perspective, but because of the law. Because of the
15 position that put him in. And because of what that tells
16 you about whether he was providing private spiritual counsel
17 to the two women that we are talking about in this trial.

18 Even in his testimony yesterday, when his lawyer asked
19 why he was ashamed, at the time, of what he did. He listed,
20 first, because he was a pastor, then a husband, then a
21 father. Then some other things. But he said pastor first.
22 Even he doesn't separate himself from that, even four years
23 later.

24 As I go through this case, I'm going to talk about Ms.
25 Knickerbocker and Ms. Sullivan together. These were

1 separate times, separate instances. They are separate
2 charges. And you will and should, as the judge instructed
3 you, consider each charge separately. But there is a lot
4 that combines together.

5 There is a lot of the elements that are the same. And,
6 additionally, what happened to these women, although, they
7 were in very different stages of their lives, was remarkably
8 similar. You heard it. We talked about it in jury
9 selection. But now the judge has instructed you, consent is
10 not a defense here.

11 It doesn't matter how much these women "wanted it."
12 They told you they didn't. But it doesn't matter. They
13 can't consent. And that is because of the nature of this
14 relationship. The trust of this relationship.

15 And, frankly, the information that this Defendant would
16 have had about them in the context of that relationship made
17 them vulnerable -- makes people vulnerable. And so that is
18 why the law has said they can't decide whether they can
19 consent, even if they are adults. And so that is important
20 context here. The evidence is pretty clear that most of the
21 -- if not all of the -- photographs that you saw of Ms.
22 Knickerbocker. And those trips occurred later on, after the
23 dates of offense that you are considering. But that doesn't
24 matter. She couldn't consent.

25 Ms. Sullivan couldn't consent. If this Defendant was

1 giving these women spiritual comfort and / or advice in
2 private, he could not touch them sexually. He could not
3 have sex with them. And that's, too, why the context of
4 this church matters -- why his role matters when you
5 consider whether it is reasonable that they would have
6 looked at him for this purpose and in that way. I want to
7 talk about the idea of adultery.

8 This case is not about adultery. It is not a crime you
9 are asked to consider. And it is not about the moral
10 outrage piece. But the fact that this Defendant was married
11 to someone else, that did play a role that you should
12 consider in terms of how he was able to earn and hold the
13 trust of these women. It made it a little more insidious
14 because Tami made him feel safer.

15 "Well, yeah, I interviewed her at my house, but Tami was
16 there. Yes. I invited a 20-year-old college student to
17 stay at my house, but Tami was there." Tami was the excuse
18 for a lot of things. But Tami was, also, the context for
19 the safety that a member of this church, these women who
20 went to this church, would have felt in going to this man
21 for spiritual counsel. Because he loved his wife. Because
22 he was married.

23 And then later, it helped with the shame. The secrecy
24 that they feel. The way -- the reason they keep going.
25 Because you heard them talk about, in separate testimony in

1 separate ways, how they blamed themselves. How Ms.
2 Knickerbocker said, "Well, what can I do? What was I
3 wearing? How can we solve this? How can we make you love
4 your wife?"

5 Ms. Sullivan talked similarly about her guilt, her
6 shame. And the adultery plays into that because "adultery,"
7 that is a loaded word. That is a bible word. You heard the
8 Defendant, himself, talk about how the bible demands
9 stoning. And that is just -- that all, again, that's part
10 of the context of this, part of the trust that he broke.

11 Obviously, you have been paying attention. You
12 know that there is one main element at issue here. But it
13 is still the State's burden to prove each element beyond a
14 reasonable doubt. So I'm going to take a moment going
15 through some of those elements. A lot of them are the same.

16 THE COURT: I'm sorry. Are you having trouble
17 hearing, sir?

18 A JUROR: I'm sorry. No. Can I get a short
19 break, please?

20 THE COURT: Absolutely. It is time for a short
21 break. And everyone, please, rise for our jury.

22 (A brief break was taken.)

23 THE COURT: Everyone may be seated. We are on the
24 record outside the presence of the jury. A juror raised
25 their hand and asked for a short break. At this time, we

1 will wait for the clerk to return. And as soon as the
2 jurors are prepared to move forward, we will continue
3 closings.

4 Anything from the State?

5 MS. FROEHLE: No, Your Honor.

6 THE COURT: From the Defense?

7 MR. DEVORE: No, Your Honor.

8 THE COURT: Thank you.

9 (A brief break was taken.)

10 THE COURT: All right. Are we ready to resume?

11 Yes?

12 (The jury entered the courtroom.)

13 THE COURT: The jurors may be seated. You may
14 continue.

15 MS. FROEHLE: Thank you.

16 CLOSING STATEMENT RESUMES

17 MS. FROEHLE: We were about to speak of the other
18 elements and -- so I will start with the element of, at the
19 time that any of these things occurred, the Defendant was
20 purported to be a member of the clergy. You heard, you
21 know, he was ordained. He was licensed. He was a
22 professional pastor. This element is met.

23 The next element that comes in all of these charges is
24 that the Defendant was not married to either of these women.
25 We know that. He was married to someone else. They both

1 testified to that. They were not married.

2 As to the element of the sexual contact and the sexual
3 penetration, we will talk more about that in light of this
4 whole case. But let me just outline what we are talking
5 about here. As to Ms. Knickerbocker, what we are talking
6 about is the sexual contact that she described that occurred
7 in the timeframe around October 20th to the 30th of 2020.
8 That is when the Defendant placed his hand in her shirt,
9 underneath her bra.

10 As to Ms. Knickerbocker and the sexual penetration, what
11 we are talking about is the incident that she described on
12 the couch, where the Defendant digitally penetrated her.
13 You will see from the definition of penetration that it
14 doesn't require penal insertion. That vaginal penetration,
15 by using fingers, meets that element -- meets the definition
16 of sexual penetration. And so that is, again, what we are
17 talking about in the timeframe of October 20th to 30th of
18 2020. As to Ms. Sullivan, as to the sexual touching, the
19 incident that we are talking about, that you are thinking
20 about, is when she was on the couch when the Knickerbocker's
21 were in town.

22 And the Defendant touched her vagina over her jeans.
23 You will see from the definition that touching one's genital
24 area, even over the clothes, is sexual contact. And that is
25 what we are talking about in terms of that charge and

1 element. And then finally, as to Ms. Sullivan, the sexual
2 penetration that was described that occurred in the car in
3 the park on May 27th of 2021. And I will take a moment to
4 talk about venue.

5 You heard that as to most of these instances, they
6 happened at the Defendant's home, which was in Eagan, which
7 is in Dakota County, Minnesota. As to the incident in the
8 park with Ms. Sullivan where the sexual penetration
9 occurred, the judge has read to you, and you will see in
10 your own copy, that where one element of the offense
11 occurred in a certain county, then it is venued there.
12 Meaning, that because the spiritual advice, guidance,
13 counseling, was happening in Dakota County, even though the
14 sexual penetration occurred in a different county, it is
15 properly decided here. So that is a lot of legalese. You
16 will have these instructions, but that is what that means.

17 As we talk about the main piece, the spiritual aid, the
18 spiritual advice, it is important to talk about what the
19 judge has told you about testimony and how to weigh it.
20 That is because, as you have seen here, the majority of the
21 evidence is testimony. Testimony is evidence. And in this
22 case, that is not surprising. We are talking about a crime
23 that, in and of itself, must occur in private.

24 We are talking about a time, a season in our lives, when
25 there was less people around and there was less interacting

1 and -- easier for this to occur. But as a result, there are
2 less witnesses. But testimony is evidence. And as you
3 think about that, you weigh a few things.

4 Will the witness gain or lose something if the case is
5 decided a certain way? The relationship between the
6 parties. How did they come to get the information? And is
7 it reasonable in light of all of the other evidence? The
8 judge gave you other factors as well.

9 But I think there is a couple here that are really
10 important to think about in the context of this case. Kelly
11 Knickerbocker and John Knickerbecker, at this point, have,
12 absolutely, nothing to gain or lose. Frankly, at the time,
13 Kelly reported to police she had everything to lose. And,
14 in fact, she did. That family lost a majority of their
15 missionary sponsorship from the church when she decided to
16 tell the truth to the police.

17 And you heard that that happened almost immediately.
18 And she would have known that was going to happen because
19 she knew the power this Defendant had over that church.

20 John Knickerbocker got the privilege of coming in and
21 testifying to all of you about a very trying time in his
22 life. I imagine, a somewhat embarrassing time in his life.
23 They traveled on multiple planes, over multiple days, to
24 come for the privilege of talking to all of these people
25 about this very private event.

1 Amy Sullivan, also, had the privilege of talking to a
2 gallery full of people about a very private, hard topic.
3 And Zach Lemmens had, absolutely, nothing to gain or lose
4 from this case. He didn't want to be here. He doesn't work
5 at that church anymore. And so that is important context.

6 Finally, the Defendant, clearly, has the most to gain or
7 lose from the outcome of this case. So when you weigh
8 testimony, those are important to consider. So let's talk
9 about the spiritual aid and advice piece. And, also, what
10 is most reasonable in light of the case put together? What
11 is interesting here about the Defendant's statement that he
12 gave to the police before he saw the evidence, before he
13 knew what the other women were saying, is that his narrative
14 is remarkably consistent with what the women said happened.

15 Well, most of it, except for the culpability piece.

16 Yes, there were hugs. Yes, there were crossed boundaries.

17 Yes, there were back rubs. Yes, there were longer hugs.
18 They were enjoyable.

19 They were consensual but they occurred. He acknowledged
20 sexual contact. He acknowledged sexual penetration. The
21 only place the narrative doesn't match is the 10 percent
22 where he has to take some personal responsibility. And in
23 that instance, we are talking about some moral
24 responsibility.

25 It doesn't change the facts of what were happening, but,

1 yes, I wanted to have sex with her. Well, I didn't really
2 want to, but my wife didn't touch me. My wife didn't love
3 me the way I wanted to. So what was I supposed to do? Here
4 is this beautiful woman in front of me, throwing herself at
5 me.

6 That was a remarkable piece of it too that he described.
7 That as it turned out, two young women threw themselves at
8 him. Amy Sullivan pretended to get drunk. But, ultimately,
9 he acknowledged the hug and everything that came after. He
10 acknowledged what happened with Ms. Knickerbocker, but that
11 it was her that approached him and said, "I've always wanted
12 to be with an older man."

13 So the facts -- the core of the facts -- he is
14 corroborating everything they say. The only thing he
15 doesn't corroborate is who is to blame for it. Everybody
16 but him. As to Kelly, Ms. Knickerbocker, the Defendant even
17 acknowledged in his statement to police before he had seen
18 the whole case that he had given her spiritual counsel,
19 exchanged books, just like she said. But he didn't
20 acknowledge that was because he is a pastor. It is because
21 they are friends.

22 So, again, he corroborates what they are saying. He
23 just won't accept the culpability piece of it. He outlines
24 the way he was viewed in the church. The role that he
25 played. How he was an expert. A world expert on religious

1 things.

2 When he talks about reporting the case to the police,
3 there, again, it is the narrative of culpability. Well, I
4 wanted to come clean. I wanted to absolve. But is that
5 really what happened? He resigned from the church in
6 December, not telling them anything about what happened.

7 He waits it out. He collects more pay checks. And then
8 finally, he tells his wife in March, after several people
9 have confronted him about these situations. After he has
10 already left the church.

11 After he is getting nervous. And so he wants to give
12 his narrative. He wants to take away the culpability. But
13 it doesn't change the fact that all of these narratives are
14 similar. And why is that important?

15 Because the core issue here is whether this Defendant
16 offered spiritual counsel, advice, guidance, in private to
17 these women. And they told you that he did. And that is so
18 reasonable in light of the fact that everyone agrees with
19 almost everything that happened here. So when they tell you
20 -- when Ms. Knickerbocker told you that she met several
21 times a week with this Defendant in his office, in private
22 to talk about the bible, to talk about her spiritual doubts,
23 that, absolutely, makes sense. And when Ms. Sullivan told
24 you that they would go for walks alone, regularly, to talk
25 about God.

1 To talk about him, his work, her beliefs. That is all
2 reasonable in light of the fact that everything matches up
3 here, except for the culpability. And the Defendant,
4 actually, acknowledged talking to Ms. Knickerbocker about
5 her marriage. He had information about her marriage that I
6 don't even think that she testified to. So they did talk
7 about her marriage. They did talk about her mental health.

8 And there has been a lot of parsing about the words
9 counseling versus spiritual aid, comfort. And that is why
10 his role in the church is important. If you are with the
11 head pastor, the head of God at your church, you're going to
12 be talking about God. They all talked about how central
13 that was to these conversations -- to their lives. And,
14 again, the similarities. Here are two young women who chose
15 to go to Christian bible colleges.

16 Who built their lives around their love of Christ. And
17 so Ms. Knickerbocker, she, in fact, now lives half way,
18 maybe more than half way, across the world to live out that
19 mission. And Ms. Sullivan went to bible college. She was
20 active in the church. And so is it unreasonable to think
21 that when they are meeting in private with this Defendant,
22 that he is giving them spiritual aid and comfort and that is
23 the purpose of them wanting to meet with him? But you don't
24 just have to take their word for it.

25 Mr. Lemmens, who again has the least to do with any of

1 this, told you that this Defendant told Mr. Lemmens that he
2 could provide spiritual guidance to Ms. Sullivan. He
3 mentioned that things at her home were strained with her
4 father. That she didn't feel safe at home. And that she
5 felt shunned by her family at times. And that was all
6 information that Mr. Lemmens had because this Defendant gave
7 it to him.

8 So as an aside, the idea that he doesn't know what is
9 going on with Ms. Sullivan when he invites her to stay at
10 his home, when he offers to be a guiding force, a spiritual
11 force, is, simply, not reasonable in light of the other
12 evidence. But it does make it harder to think about. Here
13 is this young woman, trusting a married pastor in a
14 horrible, doubting, difficult season in her life. And along
15 comes the Defendant. And that is why this is a crime.

16 Because not only did she trust him because of his
17 position, he had information because of their interacting --
18 because of their spiritual counseling that allowed him to
19 take advantage of her. And same with Ms. Knickerbocker. He
20 -- she trusted him. And that information allowed him to
21 take advantage of her. And that is why this is a crime.

22 And you know he had that information because Mr. Lemmens
23 also told you that this Defendant had remarked about the
24 marriage of the Knickerbockers. That in this Christian
25 marriage, where again, man, wife, God. It is a three-legged

1 table that marriage. And this Defendant told somebody else
2 that he didn't think John Knickerbocker was up to the job.
3 And that is why this is a crime too because he had that
4 information and he used it. I want to speak for a minute
5 about Ms. Sullivan's second phone call to the detective,
6 where she interestingly, specifically called to say, among
7 other things, that he was not offering me spiritual
8 guidance, comfort, or aid.

9 Which is interesting language because that is not
10 language that you think about normally. That is not
11 language that you think about in your daily life. And,
12 certainly, she wasn't sophisticated -- or sophisticated
13 about the law. So what that suggests is the Defendant told
14 her to make that call. That the Defendant told her exactly
15 what to say. And she did tell you that.

16 She testified that is exactly what happened. But you
17 also have a text message in which you see the Defendant
18 trying to control the narrative here. Trying to control the
19 damage to mitigate his culpability. He can't get away with
20 it all together, but maybe he can eliminate the legal
21 consequences. So while at first glance, her second
22 statement would seem to be a shift away from proof beyond a
23 reasonable doubt.

24 In light of everything else, it is a step towards it.
25 Because you know from Ms. Sullivan, you know from this

1 Defendant, you know from the text message, they are still
2 talking. He is going to her school -- her Christian college
3 -- and putting things on her car. Ultimately, what we have
4 here is a Defendant who took advantage of the most sacred,
5 essential thing to two women, who are most vulnerable in
6 this very specific way. And he used that position as the
7 head of his flock, and they were in his flock.

8 And he used the private spiritual counseling and
9 information and prayer and then he slept with them. He
10 sexually touched them. He sexually penetrated them. And at
11 this point, the State has proven all four charges beyond a
12 reasonable doubt. And we ask that you find Bruce Konold
13 guilty of all of these offenses.

14 THE COURT: All right. Defense Counsel?

15 (This is the conclusion of the partial
16 transcript.)

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STATE OF MINNESOTA)

) **REPORTER'S CERTIFICATE**

COUNTY OF DAKOTA)

I, **Sara A. Sattler**, do hereby certify that
the foregoing transcript, consisting of the preceding
16 pages, is a true and complete transcript of the
proceedings had of record.

Dated: December 6, 2024

/s/Sara A. Sattler
Sara A. Sattler
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