

OFFICE OF THE ANOKA COUNTY ATTORNEY

Tony Palumbo, County Attorney



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FOR IMMEDIATE RELEASE

Guilty plea in restaurant attack

Jodie Marie Burchard-Risch, 44, of Ramsey, pleaded guilty to third-degree assault in Anoka County District Court today. Judge Nancy Logering accepted Burchard-Risch's plea and set a sentencing hearing for Dec. 20. Burchard-Risch admitted in court that she attacked another woman for not speaking English at a Coon Rapids restaurant last year, and that her actions were motivated by race or bias.

The victim, Asma Jama, was wearing a hijab and speaking Swahili to her family and did nothing to prompt the attack. As a result of the assault, Jama suffered deep lacerations and related head injuries, compounded by months of emotional stress. Jama attended the plea hearing and said she's pleased with the guilty plea. "I'm happy with the message sent today. She admitted to what she did and she admitted to bias," Jama said.

According to the plea agreement, Burchard-Risch will receive a 37-month prison sentence – more than double the guideline sentence for third-degree assault – but that sentence will be stayed and she will spend 180 days in jail. She will be placed on probation for five years and be ordered to pay restitution.

"It was important to Asma that any resolution, any plea in this case, include an acknowledgement of bias," said Assistant Anoka County Attorney Laura Schwartz, who handled the prosecution of the case. "A standard plea wouldn't have put a spotlight on the fact that this was motivated by bias. This wasn't just an argument that got out of hand, Asma was assaulted because she was wearing a hijab and speaking another language. To be singled out and assaulted because of the language you speak or your religion makes this particularly egregious."

Paul Young, chief of the Anoka County Attorney's Office criminal division, praised Jama for her active involvement in the case and her willingness to speak up. "I learned a lot about having courage in the face of something awful," Young said.

Anoka County Attorney Tony Palumbo said, "This was a crime motivated by bigotry, which added to the egregious nature of the crime." He said the plea agreement was a good resolution to the case, allowing everyone to move forward.

State of Minnesota
County of Anoka

District Court
10th Judicial District

Prosecutor File No.
Court File No.

CA-2015-01947
02-CR-15-7144

State of Minnesota,

Plaintiff,

vs.

JODIE MARIE BURCHARD-RISCH DOB: 02/12/1972

Defendant.

COMPLAINT

Summons

Amended

The Complainant submits this complaint to the Court and states that there is probable cause to believe Defendant committed the following offense(s):

COUNT I

Charge: Assault in the Third Degree

Minnesota Statute: 609.223.1

Maximum Sentence: 0-5 Years and/or \$3,000.00 - \$10,000.00

Offense Level: Felony

Offense Date (on or about): 10/30/2015

Control #(ICR#): 15235357

Charge Description: On or about October 30, 2015, in the County of Anoka, Minnesota, JODIE MARIE BURCHARD-RISCH, did assault another and inflict substantial bodily harm.

COUNT II

Charge: Assault in the Second Degree

Minnesota Statute: 609.222.2, with reference to: 609.11.4

Maximum Sentence: 0-10 Years and/or \$6,000.00 - \$20,000.00

Offense Level: Felony

Offense Date (on or about): 10/30/2015

Control #(ICR#): 15235357

Charge Description: On or about October 30, 2015, in the County of Anoka, Minnesota, JODIE MARIE BURCHARD-RISCH, did assault another with a dangerous weapon and inflict substantial bodily harm and at the time of offense, the Defendant or an accomplice did use a dangerous weapon, to wit: a glass mug.

STATEMENT OF PROBABLE CAUSE

On October 30, 2015, Officer Smith of the Coon Rapids Police Department was called to Applebee's, 3470 129th Ave NW, Coon Rapids, Anoka County, Minnesota, for an assault. Upon arrival, Officer Smith identified the victim, A.J., and observed she had a deep laceration on her nose, a laceration in her right eyebrow and a large deep cut on her lower lip. A portion of her lip appeared to be missing.

Both of Applebee's managers, L.H. and S.D., observed the assault. S.D. followed the suspect as she fled from the business until she was arrested by responding officers and identified as **JODIE MARIE BURCHARD-RISCH (DOB 2/12/1972)**, hereinafter Defendant. L.H. and S.D. stated Defendant was at the restaurant with her husband. A.J. was seated at a booth next to Defendant. Defendant and her husband were upset that A.J. was speaking in a foreign language. The managers were trying to get Defendant to leave the business, but she refused to do so. Defendant continued to yell and threw her drink on A.J. Defendant then smashed her twenty ounce beer stein/mug across A.J.'s face in a "round house punch" motion and fled.

SIGNATURES AND APPROVALS

Complainant requests that Defendant, subject to bail or conditions of release, be:
(1) arrested or that other lawful steps be taken to obtain Defendant's appearance in court; or
(2) detained, if already in custody, pending further proceedings; and that said Defendant otherwise be dealt with according to law.

Complainant declares under penalty of perjury that everything stated in this document is true and correct. Minn. Stat. § 358.116; Minn. R. Crim. P. 2.01, subds. 1, 2.

Complainant Christopher McCall
Detective
13301 Hanson Boulevard NW
Andover, MN 55304
Badge: 246

Being authorized to prosecute the offenses charged, I approve this complaint.

Prosecuting Attorney Laura M. Schwartz
Assistant County Attorney
2100 3rd Ave
Anoka, MN 55303-2265
(763) 323-5550

FINDING OF PROBABLE CAUSE

From the above sworn facts, and any supporting affidavits or supplemental sworn testimony, I, the Issuing Officer, have determined that probable cause exists to support, subject to bail or conditions of release where applicable, Defendant's arrest or other lawful steps be taken to obtain Defendant's appearance in court, or Defendant's detention, if already in custody, pending further proceedings. Defendant is therefore charged with the above-stated offense(s).

SUMMONS

THEREFORE YOU, THE DEFENDANT, ARE SUMMONED to appear on _____, _____ at _____ AM/PM before the above-named court at 325 E Main Street, Anoka, MN 55303 to answer this complaint.

IF YOU FAIL TO APPEAR in response to this SUMMONS, a WARRANT FOR YOUR ARREST shall be issued.

WARRANT

To the Sheriff of the above-named county; or other person authorized to execute this warrant: I order, in the name of the State of Minnesota, that the Defendant be apprehended and arrested without delay and brought promptly before the court (if in session), and if not, before a Judge or Judicial Officer of such court without unnecessary delay, and in any event not later than 36 hours after the arrest or as soon as such Judge or Judicial Officer is available to be dealt with according to law.

Execute in MN Only

Execute Nationwide

Execute in Border States

ORDER OF DETENTION

Since the Defendant is already in custody, I order, subject to bail or conditions of release, that the Defendant continue to be detained pending further proceedings.

Bail: \$
Conditions of Release:

This complaint, duly subscribed and sworn to or signed under penalty of perjury, is issued by the undersigned Judicial Officer as of the following date: _____, _____.

Judicial Officer <judge name>

Sworn testimony has been given before the Judicial Officer by the following witnesses:

**COUNTY OF ANOKA
STATE OF MINNESOTA**

State of Minnesota

Plaintiff

vs.

Jodie Marie Burchard-Risch

Defendant

LAW ENFORCEMENT OFFICER RETURN OF SERVICE
*I hereby Certify and Return that I have served a copy of this
Summons upon the Defendant herein named.*

Signature of Authorized Service Agent:

DEFENDANT FACT SHEET

Name: Jodie Marie Burchard-Risch
DOB: 02/12/1972
Address:
Alias Names/DOB: Jodie Marie Risch DOB: 2/12/1972
SID:
Height: 5' 3"
Weight: 180lbs.
Eye Color:
Hair Color:
Gender: FEMALE
Race: White
Fingerprints Required per Statute: Yes
Fingerprint match to Criminal History Record: No
Handgun Permit: No
Driver's License #: F246085923912 (MN)
Alcohol Concentration:

STATUTE AND OFFENSE GRID

Cnt Nbr	Statute Type	Offense Date(s)	Statute Nbrs and Descriptions	Offense Level	MOC	GOC	Controlling Agencies	Case Numbers
1	Charge	10/30/2015	609.223.1 Assault-3rd Degree-Substantial Bodily Harm	Felony	A3243		MN0020000	15235357
2	Charge	10/30/2015	609.222.2 Assault-2nd Degree-Dangerous Weapon-Substantial Bodily Harm	Felony	M1234		MN0020000	15235357