

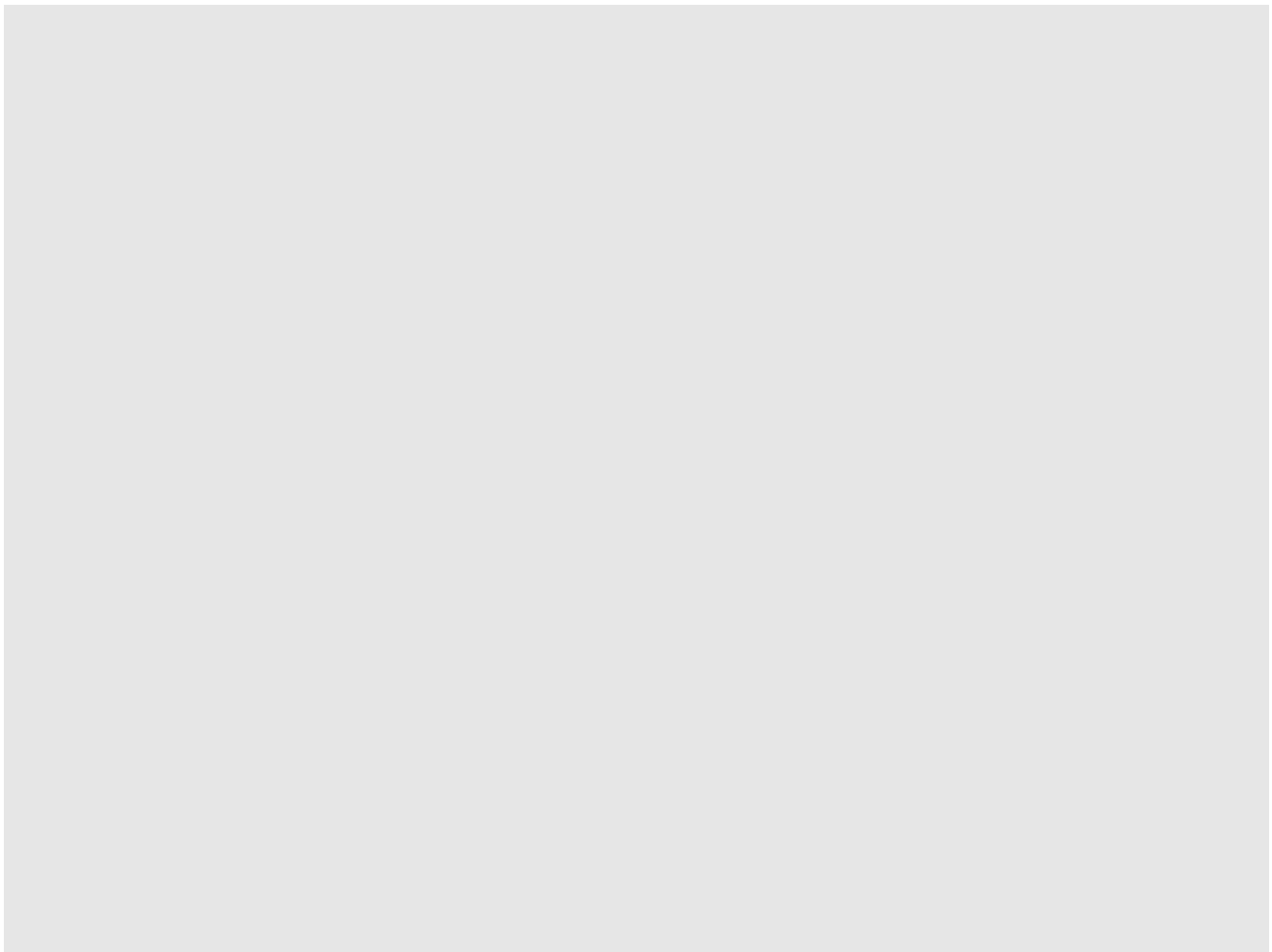
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ALERT TOP STORY

Federal jury finds former Ellsworth airman guilty of attempting to entice a minor

Shalom Baer Gee

Apr 17, 2023



The jury box inside courtroom 1 at the Andrew W. Bogue Federal Building & U.S. Courthouse in Rapid City.
Adam Fondren, Journal Staff

After his first federal trial ended in a hung jury, a man who was stationed at

Ellsworth Air Force Base was found guilty on Thursday of attempting to entice a minor in summer 2021.

James Dean Hanapel, 22, of Jacksonville, Florida, was arrested in August 2021 during a routine undercover operation where law enforcement agents pose as underage children on the internet during the Sturgis Motorcycle Rally. In recent years, the stings have led to arrests of primarily local men.

At the time of the operation, Hanapel was a 20-year-old Airman First Class stationed at Ellsworth. He was discharged from the Air Force in December 2021, Ellsworth Air Force Base Public Affairs Officer Second Lt. Michael Caggiano confirmed on Monday.

Hanapel started a conversation Aug. 10, 2021 with Homeland Security Investigations Special Agent Richie (((Berger))), who was posing as a 14-year-old girl named "Journey" on an online messaging app, according to an affidavit filed the day after his arrest.

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Assistant U.S. Attorney Sarah Collins told the jury on the first day of the three-day trial the conversation moved to text messaging "almost right away." Once texting, "Journey" told Hanapel she was only 14 years old.

"He could have walked away," Collins said. "He kept on communicating with her."

On Aug. 12, 2021, after sexual conversations, Hanapel agreed to meet up with "Journey" at West Middle School in Rapid City. Law enforcement predetermined the location. Collins said Hanapel stopped to buy condoms on his way to Rapid City from Box Elder after "Journey" asked if he had any.

Both Collins and Ellery Grey, Hanapel's defense attorney, stressed that the main question at trial was whether law enforcement entrapped Hanapel.

Collins said it was not a "who-done-it" or "what happened" case, but a question of whether Hanapel was entrapped by law enforcement.

Grey said the agent used "flattery and persuasion" in the conversations with Hanapel, who was "resistant" and not already willing to commit the crime.

Although the law allows undercover agents to use deception to give someone already willing to commit a crime the opportunity to do so, the government cannot legally persuade an unwilling person to commit a crime.

"Simply giving someone a favorable opportunity to commit a crime is not the same as persuading him," read the jury instruction on entrapment.

The first jury, which heard the case in October 2022, concluded the trial with a note to the judge that stated, "We as a jury have not been able to come to a unanimous decision regarding entrapment."

Now that Hanapel has been convicted, he faces a minimum of 10 years in federal prison and a maximum of life.

He is scheduled to be sentenced at 1:30 p.m. on July 7 at the federal courthouse in Rapid City. He is currently held at the Pennington County Jail.



Rapid City Journal

— Contact Shalom Baer Gee at sgee@rapidcityjournal.com —

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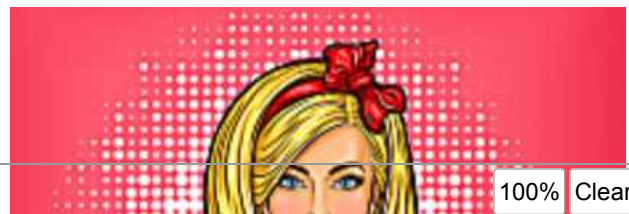
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By Shalom Baer Gee
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