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News Release

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2 sentenced for distributing fentanyl, crack cocaine

Two defendants were sentenced yesterday in federal court for distributing fentanyl and cocaine base, commonly known as crack cocaine, in the Twin Cities.

On Dec. 9 in Minneapolis, United States District Court Chief Judge Michael Davis sentenced Kevin Joseph Fenner, 41, St. Paul, to life in prison on one count of conspiracy and one count of aiding and abetting the distribution of crack cocaine; and to 360 months on one count of aiding and abetting the distribution of fentanyl and one count of possession with intent to distribute cocaine. All sentences will run concurrently.

Fenner was sentenced under a federal recidivist law that mandates a life sentence for large-scale drug traffickers who commit their crimes after two or more prior felony drug convictions. Fenner has five prior felony drug convictions.

Judge Davis also sentenced Eric Dion Davis, 41, St. Paul to 151 months in prison and five years supervised release on one count of conspiracy to distribute fentanyl and crack cocaine; one count of aiding and abetting the distribution of crack cocaine; one count of aiding and abetting the distribution of fentanyl; one count of aiding and abetting the possession with intent to distribute crack cocaine; and one count of aiding and abetting the possession with intent to distribute fentanyl.

A third defendant, Eric Robert Hargrove, 40, St. Paul, was sentenced on Jan. 17 to 51 months in prison and four years supervised release on one count of conspiracy. All three men were indicted in July 2006. Hargrove pleaded guilty in November 2006, and both Davis and Fenner were convicted after a jury trial in January 2007.

According to a DEA affidavit, authorities began investigating Fenner in February 2006, after informants reported that he and his co-conspirators were distributing so-called "killer heroin," as well as crack cocaine. Authorities arranged a controlled purchase of 63 grams of crack cocaine from Fenner in St. Paul in May 2006. Davis accompanied Fenner to the deal and handed over the drugs.

Police arranged a second controlled purchase in June 2006, and this time Fenner was accompanied by Hargrove. Fenner distributed more than 5 grams of fentanyl, which is a heroin substitute that is described as being 40 times more powerful than heroin. The affidavit states that there had been a number of overdose deaths in various Midwestern cities, including St. Paul, caused by fentanyl.

Authorities arranged a third “controlled purchase” on June 23, 2006, and met Davis and Hargrove at approximately 7:50 p.m. Both were arrested, and officers found approximately 4 ½ ounces of crack cocaine and approximately 6 grams of fentanyl hidden in Hargrove’s crotch area.

Also on June 23, Fenner was stopped by police near the intersection of Dale Street and Interstate 94 in St. Paul. Fenner had his 5-year-old child and his 14-year-old nephew in the car with him, and was found in possession of approximately 80 grams of cocaine, which was hidden in his crotch area.

During a search warrant executed at Fenner’s residence, police recovered a loaded Smith and Wesson revolver hidden under Fenner’s mattress and more than \$7,000 in cash in a safe. In Hargrove’s bedroom, officers recovered approximately 1 ¼ ounces of crack cocaine, 1 ½ ounces of fentanyl, and \$2,900 in cash.

This case was the result of an investigation by the DEA and the St. Paul Police Department. It was prosecuted by Assistant U.S. Attorney Jeffrey S. Paulsen.