

## Union County State's Attorney

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### Press Release - For Immediate Release

Elk Point, S.D. – State's Attorney Jerry A. Miller said today that Gale Jochem, 61, Elk Point, SD, was sentenced on November 8, 2012 in the Magistrate Division of the 1<sup>st</sup> Circuit Court on two separate files involving charges of Inhumane Treatment of an Animal, a class 1 misdemeanor. A class 1 misdemeanor carries a maximum sentence of 1 year in the county jail and / or a fine of \$2,000. **In each file, the court imposed consecutive 210-day sentences to the county jail, with 180 days suspended upon conditions including: the Defendant not own or possess animals of any kind, and not reside on any premise where animals are present. Jochem must report to the Union County Jail on November 24, 2012 and December 17, 2012 to serve 30 days each time.** The Court suspended a fine of five hundred (\$500.00) dollars in each file, and ordered court costs only. The State has not requested a fine in the matters citing a belief that, based upon prior matters involving the Defendant, fine money would not be a deterrent to future conduct.

In September 2011, Jochem had been sentenced on similar charges. Thereafter the Union County Sheriff's Office continued to respond to multiple calls regarding horses in the Defendant's care. The animals were frequently allowed to roam from the defendant's property in search of food, and were in gaunt condition when the Sheriff's Office responded in July 2012. At that time two calves were also found on the property; one needed to be euthanized due to a gaping wound on its leg that was not properly cared for. The Defendant later pled no contest to the charge on this animal and relinquished the other calf to the County. The Court thereafter provided the Defendant the opportunity to properly dispose of the remaining animals in his care prior to being sentenced in the matter.

While sentencing was pending, the Union County Sheriff's Office responded on October 26, 2012 to yet another complaint by neighbors of Jochem's horses being out in search of food. Neighbors assisted law enforcement in rounding up approximately eighteen (18) horses. Two more were located on the property: one deceased from

lack of proper care, and the other in such a state that necessitated it be euthanized. The Sheriff's Office obtained hay for the remaining horses, and the Defendant was taken into custody on another charge of Inhumane Treatment of an Animal.

On November 8, 2012, Jochem appeared before the magistrate and pled guilty to the October charge. During the sentencing on both files, Deputy State's Attorney Alexis Tracy cited aggravating factors including: the ongoing nature of the problem, the abysmal condition of the animals that had suffered in the Defendant's care, and the extreme public safety hazard posed by the Defendant's animals continuing to roam in search of food. "No one wants the next call the Union County Sheriff's responds to being that of the death of a resident after hitting one of these animals," Tracy stated.

The States Attorney's office credits outcome in the matter to cooperation with local law enforcement by neighbors and residents who wrote letters detailing encounters with Jochem and his animals that were considered at sentencing.