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Press Release - For Immediate Release

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Elk Point, S.D. – State's Attorney Jerry A. Miller said today that John Johnson, a 57 year old man from Beresford, SD, plead guilty on November 28, 2011 to one count of Sexual Contact with a Person Incapable of Consenting, a class 4 felony. Johnson was sentenced on February 27, 2012 to a ten (10) years sentence to the South Dakota State Penitentiary with seven (7) years of that sentence suspended. The Court ordered that Johnson would be required to participate in a sex offender treatment program and all aftercare treatment that may be recommended. Johnson is also subject to a no contact order protecting his victim, R.L. age 27, from Sioux Falls, SD. Johnson will be required by state law to register as a sex offender upon his release from the South Dakota State Penitentiary.

This case was investigated by officer Michael Schurch of the Beresford Police Department. On June 25, 2011, Johnson and his son left, his Beresford residence, after a day and a half of heavy drinking, to purchase more alcohol at the local liquor store. Johnson's son was driving during this alcohol run and was pulled over for a felony driving while under the influence charge. Johnson was allowed to walk home where his son's girlfriend was waiting for there return passed out due to intoxication. R.L. awoke to John Johnson having sexual contact with her while she was incapable of consenting to Johnson's actions. R.L. immediately left Johnson's residence and shortly there after reported the incident to the Beresford Police Department. Johnson made admissions, which corroborated R.L.'s report that same night.