

Union County State's Attorney

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Press Release - For Immediate Release

Defendant's Name: Daniel Graveland
Age: 28
City and State of residence: Yankton, SD
Criminal File Number: 15-264
Date of Offense: August 9, 2015
Date of Indictment: August 26, 2015 & September 16, 2015
Date of Arraignment: October 15, 2015
Change of Plea Date: December 7, 2015
Convicted of: Ct. 1A: Driving Under the Influence (3rd), 32-23-4, (F6),
Date of Sentencing: February 1, 2016
Arresting Officer: Deputy Jason Westcott – Union Co. Sheriff's Office
Court Appointed Attorney: Mike Stevens

Case Synopsis:

On August 9, 2015 at about 4:15 a.m. Deputy Jason Westcott received a call from Dakota Dunes' Night Patrol service and advised that they were out with a subject that they thought was a possible drunk driver. The driver had the smelled of alcohol on his breath, and he slurred his speech. Graveland was identified as the driver. Daniel Graveland advised that he stopped because he observed the lights. It was later determined that Graveland stopped because he observed the night patrol vehicle was spotlighting around the neighborhood that Graveland had driven into. Graveland then stopped in the middle of the road and weighted until the night patrol reached his location. Deputy Westcott conducted a DUI investigation and made an arrest for Driving while Under the Influence. A blood alcohol test was run on the Graveland's blood sample which tested positive for alcohol at a level of .212 % BAC. A person is presumed to be under the influence with a .08% BAC or higher.

Sentencing Synopsis:

The court exercised its discretion of judicial clemency and granted Daniel Graveland a suspended imposition of sentence. The Court then ordered that Daniel Graveland successfully complete a two year term of supervised probation. Daniel Graveland was further ordered to serve thirty days with work release in the Union County Jail with credit for one day previously served. Daniel Graveland was ordered to start his county jail sentence on February 15, 2016. Daniel Graveland was also ordered to pay the following: A fine of \$500.00; Court Costs of \$104.00; Prosecution Costs of \$117.00; and a DUI cost of \$50.00. Daniel Graveland driver's license has also been suspended for one year from the date that he finishes his jail sentence.

Criminal History:

This is Daniel Graveland's first career felony offense which qualifies him to be eligible for the suspended imposition of sentence. Daniel Graveland's other misdemeanor offenses on his record is what elevated this file to a DUI 3rd. If Daniel Graveland successfully completes his supervised probation, the court will seal his file and he will never be sentenced on this case or receive a final judgment.