

# Union County State's Attorney

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## Press Release - For Immediate Release

Defendant's Name: Michael McDougald  
Age: 33  
City and State of residence: Benton Harbor, MI  
Criminal File Number: 15-325  
Date of Offense: September 13, 2015  
Date of Indictment: September 16, 2015  
Date of Arraignment: September 28, 2015  
Change of Plea Date: September 28, 2015  
Convicted of: Ct. 1: Possession of a Schedule 1 or 2 Controlled Substance, 22-42-5, (F5),  
Ct. 3: Possession of Marijuana, 22-42-6, (F6)  
Date of Sentencing: November 23, 2015  
Arresting Officer: Trooper Mike Boyd - SDHP  
Court Appointed Attorney: Katie Johnson

### Case Synopsis:

On or September 13, 2015 at about 1:30 p.m., Trooper Boyd noticed a vehicle parked partially on the grass in the rest area off of Hwy 50 and Interstate 29. This is also where the squad office is located for the South Dakota Highway Patrol. When Trooper Boyd made contact with the occupants of the Toyota Prius, he found two individuals in a state of undress. The female's name is Brittany Schertenleib and the male occupant is Michael McDougald. After visiting with the two occupants, he learned that the female was not a licensed driver and released the two subjects after advising them that their activities were not appropriate in this public place. Shortly after releasing the two subjects, Trooper Boyd noticed the same Toyota Prius being driven by the female occupant whom had previously been identified to have an expired license. Schertenleib, appeared to sleepy and unable to keep her eyes open or even look in the direction of the officer. Prior to a canine officer deploying his dog around the Schertenleib & McDougald vehicle, Schertenleib confessed to possession marijuana in the vehicle. A search of the vehicle reveled marijuana, drug paraphernalia which among other things included numerous needles; marijuana wax (a schedule 1 controlled substance), methamphetamine, prescription pills of Buprenorphine, and a substance the officer believed to be heroin. McDougald told the officer that he has had a heroin addiction since he was sixteen years old. Pursuant to the trooper's investigation, Schertenleib was also arrested for driving under the influence of drugs. A urine sample of Schertenleib tested positive for 3847 ng/ml of amphetamine and 17,676 ng/ml of methamphetamine and 1381 ng/ml of codeine and 88,667 ng/ml of morphine. A urine sample of McDougald tested positive for 422 ng/ml of marijuana (THC), 6284 ng/ml of amphetamine and 15,320 ng/ml of methamphetamine.

### Sentencing Synopsis:

The court sentenced McDougald to serve five years in the South Dakota penitentiary and then suspended those five years under the terms and condition of McDougald successfully completing his term of four years of supervised probation. McDougald was ordered to serve

fourty-six days in the Union County Jail and received credit for the sixteen days that he was incarcerated prior to his sentencing hearing. McDougald was ordered to go through treatment for his addiction issues with the stipulation that McDougald could not participate in a treatment program that used methadone as part of the treatment protocol.

**Criminal History:**

This is Michael McDougald's first and second career felony convictions. Michael McDougald has had other misdemeanor offenses on his criminal record, however, he freely admitted to the officer and the court his life long struggle with addiction.