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November 30, 2017

## Press Release - For Immediate Release

Defendant's Name: Myron Beauvais  
Age: 36  
City and State of Residence: Sioux Falls, SD  
Date of Offense: June 18, 2015  
Criminal File Number: 15-199  
Indictment Date: July 8, 2015  
Change of Plea Date: May 24, 2016  
Convicted of: Possession of Controlled Substance (Meth), 22-42-5 (F5)  
Driving Under the Influence, 32-23-1(2) (M1)  
Date of Sentence: May 24, 2016  
Arresting Officer: Trooper Trent Heuertz – SDHP  
Trooper Tyler Boltjes  
Defendant's Attorney: Rachel Rasmussen  
Prosecutor: Alexis Tracy  
Probation Violation Date: June 15, 2016  
Probation Violation(s): 1) BEAUVAIS failed to contact his Court Services Officer within 24 hours of having contact with law enforcement;  
2) BEAUVAIS failed to contact his Court Services Officer within 48 hours of losing his job;  
3) BEAUVAIS failed to keep his appointment with his Court Services Officer;  
4) BEAUVAIS failed to contact complete his substance abuse or mental health evaluation;  
5) BEAUVAIS failed to contact complete his substance abuse or mental health treatment and aftercare;  
6) BEAUVAIS failed to abstain from the use of illegal and / or controlled substance;  
Initial Appearance on PV: November 28, 2016  
Defense Attorney: Jason Rumpca  
Prosecutor: Alexis Tracy  
Probation Violation Date: November, 2016 through June, 2017  
Probation Violation(s): 1) BEAUVAIS failed to notify Court Services Officer of address;  
2) BEAUVAIS failed to make contact with his Court Services Officer;  
3) BEAUVAIS failed to be accepted into Drug Court Program;  
Initial Appearance on PV: August 28, 2017  
Admission Date: September 11, 2017  
Disposition Date: September 11, 2017  
Defense Attorney: Jason Rumpca  
Prosecutor: Jerry Miller

**Original Case Synopsis:**

On June 18, 2015, Trooper Boltjes was patrolling on Interstate 29 near mile marker 38 northbound when he observed a vehicle that was unable to drive within its lane. The vehicle was pulled over without incident. The driver was very nervous while talking to the officer. The driver was identified as Myron Beauvais.

BEAUVAIS behavior lead the trooper to suspect that BEAUVAIS was under the influence. BEAUVAIS' rambling revealed that BEAUVAIS had a warrant for his arrest. Trooper Boltjes checked BEAUVAIS record and found that he did have a warrant for his arrest however, the county that had the warrant for BEAUVAIS' arrest did not want him held. BEAUVAIS cooperated with and failed the field sobriety tests. Trooper Boltjes observed prescription pills in the vehicle. BEAUVAIS was found to have in his possession Hydrocodone, Tramadol, Furosemide, drug paraphernalia, and methamphetamine.

BEAUVAIS was arrested for DUI and Possession of Methamphetamine. BEAUVAIS provided a blood sample for testing as well as a sample of his urine for testing. BEAUVAIS' blood sample revealed no alcohol in his system. BEAUVAIS urine tested positive for marijuana (THC) at 497 ng/ml, amphetamine at 14,090 ng/ml; and methamphetamine at 96,905 ng/ml.

**Original Sentencing Synopsis:**

On the charge of Possession of a Controlled Substance (Methamphetamine) (F5), the court sentenced BEAUVAIS to a suspended 5-year sentence with 4 years of supervised probation. BEAUVAIS was further sentenced to serve 64 days in the Union County Jail with credit for the 63-days he spent incarcerated prior to sentencing. BEAUVAIS was ordered to pay \$104 in Court Costs; \$241.60 in Prosecution Costs; \$45.00 to the South Dakota Drug Control Fund; and \$548.50 in Court-Appointed Attorney Fees along with other standard obligation terms.

On the charge of Driving Under the Influence (M1), the Court sentenced BEAUVAIS to pay \$84 in court costs; and a fine in the amount of \$300; along with a period of one year after the defendant has been released from custody.

**Probation Violation #1 Synopsis:**

BEAUVAIS was arrested for the possession of methamphetamine, paraphernalia, and false impersonation on July 2, 2016. BEAUVAIS did not inform his court services officer that he had been terminated from his employment. BEAUVAIS started missing his appointments with his Court Services Officer on June 8, 2016 and absconded from his probation obligations. AS of May 27, 2016, BEAUVAIS had neither completed his substance abuse evaluation nor started his CBISA program. On June 15, 2016, BEAUVAIS admitted that he was taking his father's Tramadol when he was arrested for possession of Controlled Substance and Drug paraphernalia.

**Probation Violation #1 Disposition Synopsis:**

On August 28, 2016, the Court resentenced BEAUVAIS on the charge of Possession of a Controlled Substance (Meth) (F5), the court sentenced BEAUVAIS to suspended 5-year sentence with 4 years of supervised probation. The Court further ordered that BEAUVAIS serve 71 days in the county jail, and the court further gave BEAUVAIS credit for the 71 days that he previously spent incarcerated prior to the sentencing hearing.

BEAUVAIS was ordered to pay all the unpaid financial obligation that remained unpaid as well as new Court Appointed Attorney Fees of \$174.80.

**Probation Violation #2 Synopsis:**

Defendant was incarcerated in the Minnehaha County Jail from November 29, 2016 to February 17, 2017. Defendant had contact with his Court Services Officer on December 7, 2017 and was instructed to report to his Court Services Officer immediately upon release from custody. Defendant was transferred to the Brown County Jail on February 17, 2017. Defendant posted bond in Brown County and was released. As of May 2, 2017, Defendant has not contacted his Court Services Officer and is thought to have absconded. Defendant did not contact his Court Services Officer when he was released from custody as he was instructed by his Court Services Officer to do. And Defendant was not accepted to the Drug Court Program in Minnehaha County.

**Probation Violation #2 Disposition Synopsis:**

IT IS ORDERED, ADJUDGED, AND DECREED the Defendant is that the Defendant shall serve a sentence of One Hundred Six (106) days in the Union County Jail. IT IS FURTHER ORDERED that the Defendant shall receive credit for One Hundred Six (106) days that the Defendant spent incarcerated prior to disposition.

IT IS FURTHER ORDERED that the Defendant shall pay the following amounts Ordered by the Court – To the Union County Clerk of Courts (209 East Main Street ~ Suite 230, Elk Point, SD 57025): **New** transport costs on Twenty-Six Dollars and Twenty-Two (\$26.22) Cents; and Remaining Court Costs, Prosecution Costs, and Fine in the amount of Six Hundred Seventy Dollars and Sixty (\$670.60) Cents.

IT IS FURTHER ORDERED that the Defendant shall pay the following amounts Ordered by the Court – To the Union County Auditor (209 East Main Street, ~ Suite 200, Elk Point, SD 57025): **New** Court Appointed Attorneys Fees in the amount of Two Hundred Thirty Dollars and Thirty (\$230.30) Cents; and **Previous** Court Appointed Attorneys Fees in the amount of Seven Hundred Twenty-Three Dollars and Eighty (\$723.80) Cents, thus totaling Nine Hundred Fifty-Four Dollars and Ten (\$954.10) Cents. It is further ORDERED that Union County is awarded a Judgment for said Court Appointed Attorney Fees in this matter.

IT IS FURTHER ORDEREED that the Defendant shall pay all monetary obligations as ordered by this Court as at term of satisfying his sentence.

IT IS ORDERED, ADJUDGED, AND DECREED that the Defendant shall be released from probation unsatisfactory as of when he has completed his Union County Jail sentence.

**Criminal History:**

This is BEAUVAIS's second probation violation on his first career felony conviction.