
January 13, 2017

Press Release - For Immediate Release

Defendant's Name: Jerica Castro
Age: 27
City and State of residence: Jefferson, SD
Criminal File Number: 15-107
Date of Offense: March 2, 2016
Date of Indictment: May 11, 2016
Date of Arraignment: June 20, 2016
Offense(s) Charged: Ct.1: Ingestion of a Schedule 1 or 2 Controlled Substance, 22-42-5, (F5)
Ct.2: Poss. of Drug Paraphernalia, 22-42A-3, (M2)
Change of Plea Date: July 11, 2016
Convicted of: Ct.1: Ingestion of a Schedule 1 or 2 Controlled Substance, 22-42-5, (F5)
Date of Sentencing: August 25, 2016
Officer: Deputy James Prouty – Union County Sheriff's Office
Defense Attorney: Katie Johnson
Prosecutor: Alexis Tracy

Probation Violation Date: September 2016
File Number: 11-107;
Probation Violation Offense: Ct.1: Ingestion of a Schedule 1 or 2 Controlled Substance, 22-42-5,
Initial Appearance Date: December 19, 2016
Admission Date: December 19, 2016
Date of Disposition: December 19, 2016
Arresting Officer: Kelly Gregg – Court Service Officer
Defense Attorney: Katie Johnson
Prosecution: Jerry A. Miller

Case Synopsis:

On March 2, 2016, Deputy James Prouty with the Union County Sheriff's Office, responded to Jefferson residence for a hang up 911 phone call. Jerica Castro and her husband were arguing about her drug use. Deputy Prouty was at this residence in February of 2016 dealing with the issue of Jerica Castro's drug use. Jerica Castro's husband revealed that he had discovered needles stored under the sink a couple of weeks prior to this incident. In an interview with Jerica Castro, she advised that she had used two to four days which is when she was able to score some drugs from her dealer. Jerica Castro stated that she has not been able to get any more drugs because her dealer had been arrested. Paraphernalia was found in the residence and determined to be Jerica Castro's. Jerica Castro provided a urine sample that tested positive for amphetamine at 1,872 ng/ml, and methamphetamine at 22,380 ng/ml.

Original Sentencing Synopsis:

On August 25, 2016, the Court sentenced Jerica Castro on the class 5 felony charge of ingestion of a schedule 1 or 2 controlled substance. The Court considered the arguments of the State and the Defense, and determined that Jerica Castro should be sentenced to a suspended 5-year sentence to the penitentiary with an order to complete a 5-year term of supervised probation. Jerica Castro was further ordered to serve 60 days with 30 days suspended and 3 days credit the days that she spent incarcerated prior to sentencing. Jerica Castro was ordered to pay \$104 in Court Costs; \$10 in Prosecution Costs; \$45 dollars to the South Dakota Drug Control Fund; and \$846.40 to the county for his Court Appointed Attorney Fees.

Probation Violation Synopsis:

Shortly after CASTRO's August 25, 2016 sentencing hearing, CASTRO started the Hope Ministries Program. CASTRO did not successfully complete treatment at the Hope Ministries Program. CASTRO was discharged from treatment due to being dishonest, refusing to accept mental health treatment, having items on the property that were unacceptable and leaving the program without permission. This is a program that CASTRO originally asked the court to send her to instead of being sent to the penitentiary during the original sentencing hearing.

Probation Violation Disposition Synopsis:

On December 19, 2016, the Count re-sentenced CASTRO on the class 5 felony offense in Count I, ingestion of a schedule I or II controlled substance. The Court ordered that CASTRO serve 5 years in the South Dakota State Penitentiary with the sentence to begin immediately. The Court further ordered that 2 years of CASTRO's sentence shall be suspended. CASTRO was sentenced to serve 51 days in the Union County jail and was given credit for the 51 days he spent incarcerated prior to the disposition hearing.

Criminal History:

This is Jerica Castro's first probation violation on her first career felony offense. Jerica Castro has had other misdemeanor offenses dealing with violence and drugs.