
June 20, 2017

Press Release - For Immediate Release

Defendant's Name: Richard Carlson II
Age: 37
State of residence: Alcester, SD
Criminal File Number: 16-430
Incident Date: November 24, 2016
Indictment Date: December 28, 2016
Charges Filed: Ct.1A: 1st Degree Burglary, SDCL 22-32-1(1), F2, felony;
Ct.1B: 1st Degree Burglary, SDCL 22-32-1(3), F2, felony;
Ct.2A: Simple Assault, SDCL 22-18-1(5), M1;
Ct.2B: Simple Assault, SDCL 22-18-1(1), M1;
Ct.3: Entering or Remaining in Building, SDCL 22-35-5; M1;
Ct.4: Refusing to Leave Property After Notice, SDCL 22-34-6 (1),
M2; and
Ct.5: Intentional Damage to Property, SDCL 22-34-1 (2), M2.
Arresting Officer: Trooper Cody Jansen – SDHP
Arraignment Hearing: February 6, 2017
Change of Plea Date: February 6, 2017
Date of Sentencing: February 6, 2017
Convicted of: Ct.2A: Simple Assault, SDCL 22-18-1(5), M1;
Ct.3: Entering or Remaining in Building, SDCL 22-35-5; M1;
Ct.4: Refusing to Leave Property After Notice, SDCL 22-34-6 (1),
M2; and
Ct.5: Intentional Damage to Property, SDCL 22-34-1 (2), M2.
Defense Attorney: Richard Carlson II represented himself – Pro-Se
Prosecution Attorney: Jerry A. Miller

Case Synopsis:

On November 24, 2016 several people observed an intoxicated female walk up to them. The homeowner and friends invited the intoxicated female into the house and called the female's husband to inform the husband, Richard Carlson II, that his wife was safe and was at the specific address. Without warning or provocation, Carlson busted into the house and attacked the first male person he found. There was no report of any wrong doing by any person to the intoxicated female. The homeowner and friends pulled Carlson off the person he attacked and multiple people had to physically remove Carlson from the residence. Several items were damaged by Carlson in the assault and the forced removal. Carlson entered a guilty plea at his arraignment and took responsibility for his behavior immediately upon sobering up from that night's events and after being charged.

Sentencing Synopsis:

The Court pronounced the following sentence upon Richard Carlson to include, as to Ct.2A: Simple Assault, a violation of SDCL 22-18-1(5), a class 1 misdemeanor; Richard Carlson shall be sentenced to the Union County Jail to serve a term of Sixty (60) days. The Court ordered that that the Sixty (60) day sentence shall be suspended upon Defendant being placed on un-supervised probation for One (1) year under the following terms and conditions:

1. Richard Carlson shall have no similar offenses for One (1) year.
2. Richard Carlson shall attend an angry management course and supply a copy of the completion to the Clerk of Courts.
3. Richard Carlson shall pay all monetary obligations as Ordered by this Court as a term of satisfying the Defendant's sentence. Richard Carlson shall pay all financial obligations within One (1) year or by February 6, 2018.

The Court further ordered that Richard Carlson shall pay the following amounts: Court Costs of Eighty-Four (\$84.00) Dollars; and a fine in the amount of Three Hundred (\$300.00) Dollars.

The Court pronounced the following sentence upon Richard Carlson as to Ct.3: Entering or Remaining in Building, a violation of SDCL 22-35-5; a class 1 misdemeanor, in which Richard Carlson shall be sentenced to the Union County Jail to serve a term of Sixty (60) days. Again, the Court ordered that the Sixty (60) days shall be suspended upon Richard Carlson being placed on un-supervised probation for One (1) year under the following terms and conditions:

1. Richard Carlson shall no similar offenses for One (1) year.
2. Richard Carlson shall attend an angry management course and supply a copy of the completion to the Clerk of Courts.
3. Richard Carlson shall pay all monetary obligations as Ordered by this Court as a term of satisfying the Defendant's sentence. Richard Carlson shall pay all financial obligations within One (1) year or by February 6, 2018.

Richard Carlson shall pay the following amounts: Court Costs of Eighty-Four (\$84.00) Dollars; and a fine in the amount of Three Hundred (\$300.00) Dollars.

Richard Carlson's Count 3 sentence shall run **concurrent** to his Count 2A sentence.

The Court pronounced the following sentence as to Ct.4: Refusing to Leave Property After Notice, a violation of SDCL 22-34-6 (1), a class 2 misdemeanor; which Richard Carlson shall pay the following amounts: Court Costs of Sixty-Six (\$66.00) Dollars; and a fine in the amount of Two Hundred (\$200.00) Dollars.

Lastly, the Court pronounced the following sentence on Ct.5: Intentional Damage to Property, a violation of SDCL 22-34-1 (2), a class 2 misdemeanor; in which Richard Carlson shall pay the following amounts: Court Costs of Sixty-Six (\$66.00) Dollars; a fine in the amount of Two Hundred (\$200.00) Dollars; and Restitution payable to (Roxy Johnson, 303 So. 4th Street, Beresford, SD 57004) in the amount of Two Thousand Four Hundred Eighty-Seven (\$2,487.00) Dollars.

Criminal History Synopsis:

Richard Carlson II has a history of alcohol related offenses including a DUI and simple assault domestic issues. Richard Carlson can avoid the Court imposing the suspended sentences by not indulging in alcohol and avoiding events that would bring him into contact with law enforcement.