

Union County State's Attorney

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Press Release - For Immediate Release

Elk Point, S.D. – State's Attorney Jerry A. Miller said today that Michael Gengler, a 21 year old man from LeMars, Iowa plead guilty on August 20, 2012 to one count of possession of a controlled substance (Methamphetamine), a class 4 felony. Gengler was sentenced on October 1, 2012. Gengler received a seven (7) year sentence to the South Dakota State Penitentiary with seven (7) years suspended. Gengler placed on supervised probation. Gengler also received a five hundred dollar fine to be paid along with his other court ordered obligations and his terms of probation.

This case was investigated by North Sioux City police officer Derek McIntosh. On January 6, 2012 at 11:14pm., Officer McIntosh conducted a traffic stop of a vehicle that Gengler was a passenger in. The driver and Gengler had admitted that they had purchased some incense from a local North Sioux City merchant, Mr Yucks, which they admitted that they intended to ingest to experience a sensation of intoxication. Gengler's urine analysis revealed that Gengler has also recently ingested methamphetamine prior to being stopped. Gengler's test results also confirmed synthetic marijuana use (incense). At the time of the arrest, Gengler's improper use of synthetic marijuana was a class 1 misdemeanor, however, Governor Daugaard signed into law on February 23, 2012, an emergency provision identifying various known forms of synthetic marijuana a felony to possess or ingest. This new law included the same substance that Gengler was found to have been abusing. The Union County State's Attorney added the possession of methamphetamine charge after receiving the results of Gengler's urine analysis.