

Union County State's Attorney

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Press Release - For Immediate Release

Defendant's Name: Alexander Brooks
Age: 20
City and State of residence: Sioux Falls, SD
Criminal File Number: 13-045
Originally Convicted of: Ct. 1: Possession of Controlled Substance – Cocaine - (F4) 22-42-5
Date of Original Sentence: October 21, 2013
Original Arresting Officer: Officer Jacob Limoges – Elk Point Police Department
Date of Probation Violation: February - June, 2014
Probation Violation #1: 1) Violation of State laws; 2) Violation of the no use or possession of illegal or controlled substances, or alcohol; 3) Violation of Probation terms – failed to allow a search of person or place; 4) Failed to maintain contact with Court Services Officer; 5) Failed to complete treatment; and 6) Failed to make regular payments.
Date of Disposition: January 5, 2015
Arresting Officer: Kelly Gregg – Court Service Officer

Original Case Synopsis:

Mr. Brooks was arrested on February 6, 2013, by Elk Point City Officer, Jacob Limoges. Limoges was called by the Union County Jailers who reported that two male subjects who were at the jail in order to visit an inmate had a strong odor of marijuana coming from their person and or clothes. Limoges identified the two subjects and when they left the jail following their visit, Limoges noticed that the vehicle had a headlight out. Limoges conducted a traffic stop on the vehicle that was driven by Mr. Brooks. Limoges wrote warnings for the headlight and no insurance. After which, Limoges requested consent to search the vehicle and Mr. Brooks gave consent to search. Limoges found a container of marijuana and a container of cocaine in the glove box. Mr. Brooks consented to provide a urine sample which tested positive for the metabolite of cocaine. Alexander Brooks provided a urine sample which tested positive for the following: Benzoylcegonine at 6.1 ng/ml; and Marijuana (THC) at 874 ng/ml.

Probation Violation # 1 Synopsis:

Alexander Brooks has had the following issues while on probation:

- Brooks failed to report and provide a urine sample on the following dates:
 - May 6, 2014;
 - May 14, 2014; and
 - May 28, 2014.
- Brooks failed to meet with his Court Services Officer as directed on the following dates:
 - February 27, 2014;
 - May 21, 2014;
 - April 9, 2014; and
 - April 10, 2014.
- Brooks violated the following laws:

- On May 29, 2014, Brooks was arrested for possession of marijuana and drug paraphernalia; cited for improper lighting and failure to maintain financial responsibility.
- Brooks denied officers the right to search his vehicle in which Brooks' rights to object had been suspended by the court.
 - On May 29, 2014; and
 - On June 17, 2014; Brooks declined three separate times.
- Brooks has failed to establish a monthly plan to repay his financial obligations.
- Brooks has failed to enter a treatment program as directed.
- Brooks was required to report to his Court Services Officer immediately upon his release from custody or any contact with law enforcement.
 - Brooks was released from custody on February 6, 2014, and Brooks failed to contact his Court Services Officer.

Probation Violation Disposition Synopsis:

On the charge of possession of controlled substance, the court resentenced Alexander Brooks to a seven year sentence to the state penitentiary and suspended 6.8 years. The Court reordered all of the previous financial obligations (See below) as well as the additional costs back to the county to cover his legal representation during his probation violation.

Original Sentencing Synopsis:

On the charge of possession of controlled substance, the court passed the following sentence. The court suspended a seven year sentence to the state penitentiary along with a requirement to satisfy a five years of supervised probation. Brooks was further ordered to pay a \$500 fine; \$104 in Court Costs, \$10 in Prosecution Costs; \$45 to the South Dakota Drug Fund; and \$571.20 back to the County for the Court Appointed Attorney Fees.

Criminal History Synopsis:

This is Brooks' first probation violation on each of his first career felony convictions. Furthermore, Brooks has been charged and convicted of three misdemeanors involving marijuana and two failures to appear.