

August 25, 2014

Press Release - For Immediate Release

Defendant's Name: Ryan Cournoyer
Age: 33
City and State of residence: Sioux Falls, SD (2309 West Madison Street, Sioux Falls, SD)
Criminal File Number: 06-189
Originally Convicted of: Passing Checks Against Non-Existent Account, 22-41-1.2 (F5)
Original Date of Sentence: December 29, 2009 (**Suspended Imposition of Sentence**)
(Arrested on October 26, 2009)
(Indicted on April 13, 2006)
(Offense on November 18 – 23, 2005)
Original Arresting Officer: Deputy Dave Swanson – Union County Sheriff's Office
(Defendant was in Minnehaha County Jail and picked up on our warrant)
1st Probation Violation: 1) Failed to follow terms and conditions of supervised Probation by missing 6 scheduled appointments; 2) Failed to notify and obtain prior approval to change phone numbers and address thereby absconding from probation; and 3) Failed to pay financial obligation pursuant to a mutually agreed to payment plan.
Disposition Date of PV#1: **March 12, 2012 – Suspended Imposition of Sentence Stays in Place:**
2nd Probation Violation: Arrest Warrant Active July 29, 2013;
Cancelled August 16, 2014 by Lincoln Co –
1) Failure to obey all laws – D would admit that he FTA; that he participated in disorderly conduct (not a Simple Assault Domestic) and the admission of the following charges - Failure to Maintain Financial Responsibility & No DL; and Seat belt Violation.
2) Failure to abstain from the use of alcohol and illegal or controlled substances – overdose of Rx -attempted suicide disclosure; (edit out or not admit to being intoxicated via alcohol as suggested).
Disposition Date of PV#2: Initial Appearance - August 25, 2014 @ 11:30 a.m.
Disposition on August 25, 2014 @ 2:30 - Suspended Imposition of Sentence Revoked by the Court

Case Synopsis: PV#1

Originally, Ryan Cournoyer passed checks on a non-existent account in 2006 which resulted in a suspended imposition of sentence in 2009. Cournoyer had left the state shortly after his felony offense in 2006. Cournoyer was also being pressed in another jurisdiction in which he fled to Pennsylvania. After his arrest, Cournoyer returned to SD and handled his charge. Cournoyer was granted a suspended imposition of sentence and placed on probation in 2009.

Within 1 year Cournoyer had violated his probation and admitted to the following: The Defendant missed scheduled appointments with his court services officer on seven occasions; On April 4, 2011, the Court Services Officer conducted a field check to Ryan's listed address and no one answered the door and the mailbox had a different person's name on it; furthermore, the CSO attempted to call Cournoyer's, listed phone numbers which no longer active indicating that Cournoyer had absconded from probation. It was further admitted that Cournoyer had failed to make regular payments on his financial obligations. On this probation violation, the court left

Cournoyer suspended imposition of sentence in place.

Case Synopsis: PV#2

Cournoyer failed to obey all federal, state and local laws when Cournoyer engaged in disorderly conduct while dealing with his estranged wife while she was at a bar on July 12, 2013. A warrant was issued for his arrest, however he was not arrested until August of 2014. Cournoyer was on supervised probation for less than a year prior to this violation and it took more than a year to find and arrest Cournoyer. Additionally the Defendant failed to appear in Union County on August 8, 2013 for his Court appearance on Failure to Maintain Financial Responsibility, No Driver's License, and Back Controlled Access Shoulder (seat belt violation) charges and a new warrant was issued for this Failure to Appear charge, The Defendant was arrested for the above offenses and for the probation violation at the same time. Cournoyer bonded out on the probation violation and then failed to appear on the traffic offense as directed by the officer.

Cournoyer failed to abstain from the use of any prescription medications when Cournoyer also attempted suicide through the use of prescription medications on July 12, 2013 prior to dealing with his estranged wife at the bar. Just prior to the incident at Shooters Pub, the Defendant had been at Borrowed Buck's, another local Sioux Falls bar. The Defendant was taken to ER where he was treated and subsequently returned to the Minnehaha County Jail.

Sentencing Synopsis:

On the original felony charge of passing check(s) against a non-existent account, and as part of the final disposition of this second probation violation, the Court ordered the revocation of the Suspended Impositions of Sentence and enter following Judgment and Sentence: Cournoyer shall serve 10 days in the Union County jail: Cournoyer shall remain incarcerated from Monday, August 25, 2014 to Friday, August 29, 2014 at 2:00 p.m. and until Monday, September 1, 2014 to Friday, September 5, 2014 at 2:00 p.m.; Cournoyer was also ordered to pay his additional Court Appointed Attorney Fees and Union County was granted a judgment in favor of Union County. As Cournoyer had paid his obligations previously and made the victim whole, it was the determination of the Court that Cournoyer unsatisfactory performance is best punished by the additional days in the jail and a permanent felony record without the requirement of further supervision.

Criminal History:

This is Cournoyer's first career felony conviction. Cournoyer was convicted of multiple class 2 misdemeanors, two DUI charges, and two Failure to Appear charges.