

# Union County State's Attorney

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## Press Release - For Immediate Release

Defendant's Name: Ashley Durrah  
Age: 29  
City and State of residence: Sioux Falls, SD  
Criminal File Number: 12-233  
Originally Convicted of: Possession of a Controlled Substance 22-42-5 (F4) 10/20  
(Dihydrocodeinone) &  
False Impersonation to a Police Officer 22-40-1 (M1) 1/2  
Offense Date: August 31, 2012  
Indictment: October 4, 2012  
Arraignment Date: October 15, 2012  
Change of Plea Date: October 15, 2012  
Date of Sentence: November 19, 2012  
Arresting Officer: Trooper Jason Husby – South Dakota Highway Patrol  
Attorney: Katie Johnson  
Probation Violation: Violation of the restriction of the use and or possession of  
Alcohol and / or drugs; Failed to complete treatment; and  
Failed to pay monetary obligations.  
PV Incident Date: May 29, 2013  
PV Warrant Date: August 14, 2013  
Bond: No Bond  
Initial Appearance on PV#1: February 24, 2014  
Disposition Hearing: August 4, 2014

### Original Case Synopsis:

On August 8, 2012, Durrah was traveling with two companions on interstate 29 near mm 43 southbound. The driver of a vehicle was stopped by the South Dakota Highway Patrol, Trooper Husby, for 90 mph in a 75 mph zone. The officer received several different stories from the three occupants. None of the occupants who were traveling together from Sioux Falls, SD to Detroit, MI admitted knowing anyone else's name. The driver indicated that they were on their way out to Detroit, MI to pick up her niece. Durrah advised that they were going out to go to Michigan for a concert. Durrah provided a false name and identifying information. A drug dog arrived on scene and alerted and indicated to the present odor of an item the animal is trained to recognize. A search revealed a paraphernalia pipe which was field tested as positive for methamphetamine. Durrah tested positive for the presence of marijuana at 211 ng/ml and benzodiazepine for which she did not have a valid prescription. This was Durrah's first felony conviction.

### Probation Violation #1 Case Synopsis:

On May 29, 2013, Durrah tested positive for THC following her Code-A-Phone urinalysis at the Glory House. Durrah signed a Drug/Alcohol Admission Form the same date, denying her use of THC. The sample was then sent to Redwood Toxicology, and subsequently

tested positive for THC, and showed extreme dilution with Creatinine. Durrah also tested positive for THC on July 1, July 3, July 5, July 11, July 15, and July 19, 2013, at which time she stopped reporting to the office for her weekly UA's.

Durrah started a 6-7 week Intensive Outpatient CD program on December 31, 2012 and attended two weeks of treatment, with her last session being on January 10, 2013. Durrah was discharged shortly after this for failing to show up for groups. Durrah was scheduled to restart her treatment in March, but failed to do so. Durrah then attended treatment at Choices Recovery beginning on May 6, 2013. Durrah completed four sessions of Intensive Outpatient treatment and missed six sessions. Durrah has not completed any of the assignments on her treatment plan. Durrah was terminated from the program because she constantly testing positive for THC with her CSO.

Durrah's probation officer established a minimum monthly payment plan of Fifty Dollars (\$50.00) per month, beginning December, 2012; however, Ms. Durrah has failed to make any payments whatsoever toward her financial obligations in this case. As of August 12, 2013, the Defendant's total unpaid balance at the office of the Union County Clerk of Courts is One Thousand Five Hundred Thirty Five Dollars (\$1,535.00).

**Sentencing Synopsis:**

On the original charge of possession of controlled substance, a violation of SDCL 22-42-5, as a class 4 felony, the court granted Durrah a suspended imposition of sentence and ordered her to successfully complete 4 years of supervised probation. Durrah was ordered to pay court costs of \$104.00; prosecution costs of \$55.00; a find in the amount of \$500.00; and court-appointed attorney fees in the amount of \$492.00. It was further ordered that Durrah serve 11 days in the Union County Jail, of which Durrah received credit for the 11 days that she spent prior to the disposition of this file.

On the original charge of false impersonation to a police officer, the court ordered that Durrah pay Court Costs of eighty-four dollars; and a Fine in the amount of \$300.00.

**Probation Violation #1 Sentencing Synopsis:**

The court ordered that the original suspended imposition of sentence remain in place and restarted probation as of August 4, 2014 for 4 years. The court further ordered that Durrah serve a 60 day sentence and then suspended the 60 days sentence on the term and condition that she satisfies her probation. Durrah was assessed an additional \$600.30 in court-appointed attorney fees on to her previous un-paid monetary obligations.

**Criminal History:**

This is Ashley Durrah's first probation violation on her first career felony conviction. If Durrah is successful on probation, this felony will be removed from her permanent criminal record.