

March 16, 2015

Press Release - For Immediate Release

Defendant's Name: Rita Siemers
Age: 50
Residence: Elk Point, SD
Criminal File Number: 14-441
Charges: Ct. 1: Possession of Unauthorized Articles in Jail (F6)
Ct. 2A: DUI, 32-23-1(1), (M1)
Ct. 2B: DUI 32-23-1(2), (M1)
Part II Information: 3rd offense DUI – Increases a DUI (M1) conviction to a DUI 3rd (F6)
Date of Offense: December 4, 2014
Date of Indictment: December 17, 2014
Arrest Date: January 26, 2015
Change of Plea Date: March 2, 2015
Convicted of: Ct. 2A: DUI (M1)
Part II Information: 3rd offense DUI – Increases a DUI (M1) conviction to a DUI 3rd (F6)
Officer(s): Officer Cory Trudeau – Elk Point Police Department
Sgt. Jacob Limoges – Elk Point Police Department

Case Synopsis:

On December 4, 2014 Rita Siemers called the Elk Point Police Department and made contact with Sgt. Jacob Limoges and advised that she wanted to meet with him to file a complaint. Sgt. Limoges was standing at the door to the police department when Rita Siemers drove up to the police department. Sgt. Limoges could detect the odor of an alcoholic beverage about Ms. Siemers. Rita stated that she had not been drinking and cooperated with the standardized field sobriety tests. After conducting one test, Siemers declined to participate further. Based upon the observations that Sgt. Limoges had, he determined that Siemers was under the influence of an alcoholic beverage. Siemers did give consent to draw blood which when tested, indicated that Siemers had a BAC of .247%. The law presumes that a person is under the influence at .08%, indicating that Siemers was three times the legal limit. This was Siemers' third DUI offense in 10 years.

Sentencing Synopsis:

On March 2, 2015, Rita Siemers by and through her attorney, indicated that she would like to waive any delay in her case and asked to be sentence immediately. Following the arguments and recommendations of the State, and the Defense attorneys, Siemers, asked the Court to sentence her to the penitentiary as it was the only program that she has had experience with that worked for her.

Ct. 2A: DUI 3rd (F6)

Two years in the penitentiary to begin immediately; Siemers is to receive credit for the 39 days that she spent incarcerated prior to being sentenced; Pay \$247.50 in CAA fees; \$100.00 in prosecution costs; and \$104.00 in court costs;

Criminal History Synopsis:

This is Rita Siemers' fourth career DUI offense. This is Siemers' second career felony offense. Other criminal issues deal with a theft charge and domestic violence offenses.