

Union County State's Attorney

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Press Release - For Immediate Release

Defendant's Name: Stanford F. Pence
Age: 48
City and State of residence: North Sioux City, SD
Criminal File Number: 15-085 & 15-086
Offense Date: March 21, 2015
Indictment Date: March 25, 2015
Arraignment Date: April 13, 2015
Convicted of: 15-085 – Ct. 1C: 2nd Degree Burglary (F3), 22-32-3
15-086 – Ct. 2: Aggravated Assault of a Law Enforcement Officer,
22-18-1.05 & 22-18-1.1(5), (F2)
Date of Sentence: August 3, 2015
Arresting Officer: Deputy Stephanie Ryan, Union County Sheriff's Office
Officer Dereck McIntosh, North Sioux City Police
Officer Dustin Sharkey, North Sioux City Police
Chief Jody Frye, North Sioux City Police (Now Retired)

Case Synopsis:

On March 22, 2015 Jody Frye, the Chief of Police of North Sioux City was on his way to church with his wife when they were the first to drive by a single car accident on North Shore Drive. Chief Frye turned around to provide assistance and called his office to have on-duty officers respond. Chief Frye found the vehicle on its side with the only one occupant, a Stanford Pence, inside the vehicle. Chief Frye, and latter, two more North Sioux City officers responded. The three officers were working together to extract Pence from the partially rolled vehicle. Pence first tried to the kick the windshield out of the vehicle. Prior to pulling Pence out of the vehicle, Pence wanted to know the name and agency of everyone attempting to help him. Pence expressed concerned that some of them might have been a specific deputy sheriff whom Pence felt was out to get him.

This statement referenced an incident that occurred in either 2006 or 2007 in which, Stanford Pence was approached by Union County and Yankton County officers investigating a burglary that had occurred in Yankton County. During this incident, Pence ran to his vehicle and led officers on a high speed chase that ended when Pence lost control of his vehicle and struck the Exit 31 overpass bridge support. Pence lost his foot in this accident. At the time, it was determined the Pence had taken several pills that affected his ability to reason and drive. Following this incident, Pence was sent back to prison due to these parole violations, and subsequently, Pence was neither charged nor convicted for his eluding and illegal drug consumption issues in Union County, or for the burglary in Yankton County.

As the officers all worked together to hold the door open and pull Pence from the vehicle, Pence pulled a pistol from his waist and pointed the weapon at the three officers. Officer Sharkey was so close to Pence at this point that he immediately grabbed the gun out of his hand. Pence was

then removed from the vehicle. Pence then assaulted an EMT who had responded to assist and attempted to flee the scene on foot, after which he was immediately restrained.

It was discovered that the pistol that Pence used was a stolen firearm that he had taken from a relative. The firearm's owner identified the firearm and revealed to law enforcement that he had received some text messages asking to borrow a tool from him. When Pence found out that the relative was not home, there was no further comments about the item that Pence had wanted to borrow. It is at this time that Law Enforcement believes that Pence committed a burglary into this relative's residence to obtain a pistol and ammunition.

A blood test indicated that no alcohol was involved in this case. Pence has indicated to the Court that he stole the gun to drive into the county and end his own life. One of clips to the pistol was found inside the home, rolled up inside a sleeping bag. The case was later identified as being hidden in the attic of a storage shed. Both of these items, Pence originally stated that he did not know where these items were located. Additionally, the clip that was in the pistol when he was pointing the weapon at the officers was loaded with bullets placed into the clip backwards with no bullet in the chamber. There was no way for the officers to know that the pistol did not have a round in the chamber when the weapon was pointed at them. The clip found by Pence's wife, was in the same condition.

Sentencing Synopsis:

On the charge of 2nd Degree Burglary, a class 3 felony, Standford F. Pence received a ten-year sentence to the state penitentiary with six-years suspended. Pence was ordered to obey all laws; not to use any substance unless it was prescribed; and to comply with all terms of parole. The Court gave Pence credit for the one hundred and twenty-four days he spent incarcerated in the Union County Jail prior to sentencing. The Court further ordered that Pence pay all fines the following:

- \$104.00 in court costs;
- \$15.00 in restitution (for the items that were not recovered);
- \$65.00 in prosecution costs; and
- Court-appointed attorney fees, which are to be paid to the county.

On the charge of aggravated assault upon a law enforcement officer, a class 2 felony, Standford F. Pence received a twenty-five year sentence to the state penitentiary with seventeen-years suspended. Pence was ordered to obey all laws; not to use any substance unless it was prescribed; and to comply with all terms of parole. The Court further ordered that Pence pay all fines the following:

- \$104.00 in court costs;

Criminal History Synopsis:

This is Standford F. Pence's fifth and sixth career felony convictions.