
August 12, 2016

Press Release - For Immediate Release

Defendant's Name: Raquel Nino
Age: 27
City and State of residence: Sioux City, IA
Criminal File Number: 15-029
Incident Date: March 25, 2015
Arraignment Hearing: August 30, 2015
Change of Plea Date: November 23, 2015
Date of Sentencing: January 26, 2016
Convicted of: Ct. 1: Ingestion of a Schedule 1 or 2 Controlled Substance, 22-42-5.1, (F5)
Ct. 3: Contributing to the abuse or neglect of a minor, 26-9-1, (M1)
Arresting Officer: Officer Derek McIntosh
Defense Attorney: Angela Ericson & Andrew Twinamatsiko
Prosecuting Attorney: Alexis Tracy

Case Synopsis:

On March 25, 2015, North Sioux City Police Officer, Derek McIntosh responded to a citizen's complaint of marijuana smoke coming from a motel room at the Red Carpet Inn, in North Sioux City. Officer McIntosh made contact with the person at the room. Prior to the female occupant of the room opening the door, McIntosh was told that the female was not dressed and needed time to get dressed. McIntosh could hear the person moving about in the room; flush the toilet; and struggled for some time to open the door. Once the occupant opened the door, McIntosh could smell the odor of burnt marijuana.

Once outside the room, Officer McIntosh advised that he was going to apply for a search warrant. The female was identified as Raquel Nino. Nino identified that her children were in the room and then Nino realized that she did not have her key card. Nino started to sob about her children being alone in the room. When Nino returned with a duplicate key card, Officer McIntosh found the children and an adult male that was standing in the room. The male was identified as Julio Juarez, the father of the children. Juarez stated that he did not answer the door because he was waiting for Nino to return. Juarez had an outstanding warrant for his arrest and he was taken into custody. Nino gave consent to search the hotel room and the following illegal items were found: a mason jar filled with marijuana was placed in the toilet tank (one of the children indicated that his father had put the jar in the tank); and a small digital scale.

Raquel Nino admitted to smoking marijuana and provided a urine sample. Nino's urine sample tested positive for amphetamine at 3,443 ng/ml; and methamphetamine at 19,658 ng/ml; and marijuana (THC) at 2,244 ng/ml. Both parents, Raquel Nino and Julio Juarez, were also charged with three counts of contributing to the abuse and neglect of a minor for doing drugs and exposing their children to drug use in their presence.

Sentencing Synopsis:

On January 26 2016, the Court sentenced Raquel Nino on the charge of possession of a schedule 1 or 2 controlled substance, a class 5 felony, to a suspended five-year sentence to the South Dakota State Penitentiary with a term and condition of supervised probation for four years. The Court further ordered that Nino serve sixty days in the Union County Jail, and set a schedule for her to serve her time. Nino was ordered to complete the following programs: CBISA, MRT, and any other program that is required by her court services officer. The Court further ordered that Nino pay \$104.00 in court costs; \$10.00 for prosecution costs; \$45.00 to the South Dakota Drug Fund; and \$324.90 in Court-Appointed Attorney Fees.

On January 26 2016, the Court sentenced Raquel Nino on the charge of contributing to the abuse or neglect of a minor, a class 1 misdemeanor, to pay \$84.00 in court costs; and \$300.00 in fines.

Criminal History:

This is Raquel Nino's second career felony conviction. Nino has several misdemeanor infractions on her criminal record.