
July 26, 2016

Press Release - For Immediate Release

Defendant's Name: Alan Skogan
Age: 55
City and State of residence: Elk Point, SD
Criminal File Number: 16-108
Incident Date: August 1 – 8, 2015
Arraignment Hearing: March 14, 2016
Change of Plea Date: March 14, 2016
Date of Sentencing: June 27, 2016
Convicted of: Ct. 1 - 3: Possession of Child Pornography, 22-24A-3 (F4)
Investigating Officers: Chief Ryan Fleek – Elk Point Police Dept.
Officer Jacob Limoges - Elk Point Police Dept.
Chief Deputy Mike Bucholz – Union County Sheriff's Office
Deputy Tim Peet – Union County Sheriff's Office
Brain Schnabel – Special Agent SD Division of Criminal Investigation
Troy Boone - Special Agent SD Division of Criminal Investigation
Court Appointed Attorney: Tom Frieberg
Prosecutor: Jerry Miller, Union County State's Attorney

Case Synopsis:

The investigation into Alan Skogan's action started at Skogan's place of employment. Skogan was working at the Load King plant in Elk Point, South Dakota, when Skogan discovered that he had unrestricted access and unsupervised time to a computer that was designated to a specific manufacturing process within the plant. Skogan's position allowed him to have early morning access to the workstation computer in which he used his paid work time to view child pornography. His porn-site activities developed a virus on the computer. His fear of being discovered lead Skogan to attempted to destroy the computer as a means to cover up his activities. Skogan's activities were discovered and reported to the authorities when the new computer was being installed. Additionally, internal surveillance and the company's monitored entry access system placed Skogan as the person who damaged the computer and with access to the computer during the times that the child pornography was being viewed. Skogan subsequently admitted that he participated in this behavior for approximately 5 years while working at Load King. Skogan also admitted that he would regularly pleasure himself as part of viewing images of child pornography while at work especially as he progressed his appetite for predominately child pornography images. Skogan rationalized that he was only 'looking at images' of children who were being abused. This would be contrasted to his previous actions of participating in the abuse of a child. A forensic testing of the computer revealed numerous images of child pornography and of potential child pornography. Out of all the images that were provided to the prosecution for the determination of potential charges, ten images were selected by the State's Attorney's Office, of which in the state's opinion, no juror could look at these images and not conclude that the images selected met the statutory definition of child pornography. The images that were selected for prosecution clearly identify infants to children up to about the age 12 as the subject of sexual abuse through actions and photography, which we have statutorily defined as child pornography.

Historically, Alan Skogan's victim from his First Degree Rape case in 1987 was about 7 years of age. Skogan and his attorney were approached with an offer to enter a guilty plea to the State's choice of three images and three charges of child pornography. Skogan described his 1987 offense of his 7-year-old rape victim in terms as if the victim participated 'mutually' in the acts of Rape. Skogan accepted the State's 'open' plea offer. The State's plea agreement only precludes additional charges for the images of child pornography and an agreement that the State would not file a habitual information to increase the punishment from a class 4 felony (10 years and / or \$20,000.00 fine on each offense) to a class 3 felony (15 years and / or \$30,000.00 fine on each offense). The State believes that the court has the option to sentence Skogan on the three charges consecutively up to 30 years and / or \$60,000.00 in fines if the court wished to make each sentence consecutive.

The State is concerned for public safety, while Skogan has sought out jobs that allow him to work either by himself or with predominantly men. The State was contacted by his current employer who sought out the State's opinion about Skogan's continued employment and risk to the public. Skogan's current employer (prior to sentencing) also employs local teenage girls that will mow the property and will at times also work the gates to make sure the cattle do not get out when they are hauling manure. The current employer identified that the teenage girls are not supervised at all times. The employer also indicated that Skogan is not the only registered sex offender working on the farm. The State recognizes that as a society we need employers willing to hire registered sex offenders, and that children are at risk on the farm as they are in our schools and other institutions or other forms of employment. Skogan's use of child pornography, according to Skogan and the PSI, steadily grew until he was discovered in August of 2015. At that point in his life, he opted to a failed suicide attempt in which he was struck by a car and thrown into the ditch for about two days before being discovered. Unchecked and unsupervised, Skogan admits that he is a danger to himself or others, which is why he seeks a life apart from other women and girls.

Skogan has attended alcohol treatment three times thus far in his life and participated in a 12 step program. He has also previously participated in sex offender's treatment program as a part of his 1987 felony conviction of First Degree Rape of a Minor.

Sentencing Synopsis:

On June 27, 2016 the Court sentenced Alan Skogan on Ct. 1 for the charge of Possession of Child Pornography, a class 4 felony, to a 10-year sentence to the state penitentiary and suspended 7 of the 10 years. Skogan was ordered to pay the following: \$104.00 in Court Costs. He was taken into custody and transported to the South Dakota State Penitentiary.

Criminal History:

This is Alan Skogan's Kevin third career sex offense felony convictions. Skogan's criminal history includes one misdemeanor count of Animal Endangerment in 2010; five DUI convictions from 1980 to 2003; a felony conviction for First Degree Rape of a Minor in 1987 that he served 6 years of a 10-year prison sentence; another felony conviction for the offense of failing to register as a Sex Offender in 2001. This offense and his 1987 offense require Skogan to register as a sex offender for life within the state of South Dakota.