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Press Release - For Immediate Release

Defendant's Name: Rachel Duerksen
Age: 38
City and State of Residence: Viborg, SD
Criminal File Number: 15-188
Incident Date: May 28, 2015
Indictment Date: July 8, 2015
Arraignment Date: September 14, 2015
Change of Plea Date: November 9, 2015
Date of Sentencing: December 21, 2015
Convicted of: Ct.1: Possession of Schedule 1 or 2 Controlled Substance, 22-42-5 (F5)
Ct.2: Ingestion of Schedule 1 or 2 Controlled Substance, 22-42-5.1 (F5)
Arresting Officer: Trooper Stuart Griffith – SDHP
Sheriff Dan Limoges – Union County Sheriff
SA Brian Schnabel – SD DCI
Court Appointed Attorney: Rachel Rasmussen

Case Synopsis:

On May 28, 2015, Sheriff Limoges and Trooper Stuart Griffith responded to a roll over accident off of Interstate 29 at about mile marker 24. The driver of the vehicle was identified as Rachel Duerksen. Duerksen was transported to Mercy Medical by air ambulance. Duerksen was ejected from the vehicle after Duerksen swerved to avoid tire debris that was in the driving lane. Part of the accident investigation identified that prescription medication was located in pill bottles that were prescribed for her children; however, many of the pills did not match the prescription that was in the bottles. Besides the issue with prescription pills, the Trooper also found methamphetamine and paraphernalia for ingesting methamphetamine. Rachel Duerksen provided a urine sample that tested positive for Amphetamine at a level of 2007 ng/ml and positive for Methamphetamine at a level of 45,335 ng/ml.

Sentencing Synopsis:

On the charge of Possession of a Schedule 1 or 2 Controlled Substance, a class 5 felony, the Court sentenced Rachel Duerksen with a suspended execution of a five year suspended sentence. The Court further ordered that Rachel Duerksen complete a term of four years of supervised probation. The Court further set the terms and conditions of supervised probation.

On the charge of Ingestion of a Schedule 1 or 2 Controlled Substance, a class 5 felony, The Court sentenced Rachel Duerksen with a suspended execution of a five year suspended sentence. The court further ordered that Rachel Duerksen complete a term of four years of supervised probation. Besides the standard terms of supervised probation, the Court ordered that the sentence in count 2 shall run concurrent with count 1.

Criminal History:

Rachel Duerksen's criminal history record indicates that Duerksen would not qualify for a suspended imposition of sentence. This will be Rachel Duerksen's first and second felony conviction.