
January 30, 2016

Press Release - For Immediate Release

Defendant's Name: Chad Kosinski
Age: 29
City and State of residence: Elk Point, SD
Criminal File Number: 14-127
Date of Arrest: April 24, 2014
Date of Indictment: June 25, 2014
Date of Arraignment: September 15, 2014
Originally Convicted of: Ct. 1: Ingestion of a Schedule I or II Controlled Substance, SDCL 22-42-5.1, (F5), 5/10
Date of Sentencing: November 17, 2014
Original Arresting Officer: Deputy Stephanie Ryan – Union County Sheriff's Office
Deputy Jason Westcott – Union County Sheriff's Office
Bond: \$500 Unsecured Bond reset to \$1000 cash after FTA
Court Appointed Attorney: Rachel Rasmussen
Prior Offenses: Failed to Appear on Misd. Charge – April 24, 2014 – Union Co., SD
1 ct. of Simple Assault on 8/13/2012 – Union Co., SD, Sentenced on 8/23/12;
2 ct. of Abuse / Neglect of Child, 08/13/12 ~ Union Co., SD Sentenced on 8/23/12

1st Probation Violation: Failing to abstain from the use of alcohol and drugs.
Absconding from his supervised probation obligations.
Failing to follow through with treatment.
Date of Disposition: October 26, 2015
Court Appointed Attorney: Rachel Rasmussen

Case Synopsis:

On or about April 24, 2014, Deputy Ryan observed a vehicle on Interstate 29 near mile marker 4 that was displaying expired registration tags on the vehicle. The driver, who was identified as Chad Kosinski stated that he was not aware that his registration had expired. Once Kosinski realized that Ryan was a drug-dog handler Kosinski became very nervous and his demeanor changed. Kosinski stated that he was previously addicted to pain medications due to physical injuries and that he now smokes marijuana. Deputy Ryan noted that Kosinski's cheeks were sunken in; that he spoke as if he was missing teeth; and observed sores on his left arm. Kosinski was arrested for the ingestion of marijuana. Kosinski consented to a withdrawal of his urine which tested for Marijuana @ 1360 ng/ml; Amphetamines 30,563 ng/ml and Methamphetamine at > 100,000 ng/ml.

Sentencing Synopsis:

The court granted Chad Kosinski a suspended Imposition of Sentence on this file. This means that if Mr. Kosinski pays all of his financial obligations and complies with all the terms and conditions of his four year term of supervised probation, the court will close and seal this file. This will mean that Mr. Kosinski will have earned the right to truthfully and honestly

represent to all of society that he was not convicted of this crime due to the judicial clemency granted to him.

1st Probation Violation Synopsis:

On December 8, 2014, Chad Kosinski provided a urine sample as part of a requirement by the jail for him to continue with his work release program. Kosinski's urine tested positive for methamphetamine at 665 ng/ml, and amphetamine at 695 ng/ml. During Kosinski's probation, he missed 2 scheduled appointments, thereby absconding from his probation officer. And lastly, Kosinsk was required by the court to complete a chemical dependency evaluation, however, Kosinsk scheduled the evaluation and latter canceled that appointment and has not rescheduled.

1st Probation Violation Disposition Synopsis:

The Court revoked Chad Kosinski's suspended imposition of sentence. This means that Kosinski's permanent criminal record will always show that he was convicted of this crime. The Court re-sentenced Chad Kosinski on the original charge of Ingestion of a Controlled Substances, to a suspended sentence of five years to the SD State Penitentiary and with a term of supervised probation for four years. The Court also ordered that Kosinski participated with the drug patch program for ninety days. The Court re-ordered the standard terms of supervised probation and obligations of monetary repayments to the court and county.

Criminal History:

This is Chad Kosinski's first probation violation on his first felony offense, and the Court revoked Kosinski's suspended imposition of sentence.