

January 30, 2016

## Press Release - For Immediate Release

Defendant's Name: Rosella Prins  
Age: 46  
Residence: Lee Summit, MO  
Criminal File Number: 14-061  
Originally Offenses: Ct. 1: Identity Theft, SDCL 22-10-8(1) (F6);  
Ct. 2: Identity Theft, SDCL 22-10-8(2) (F6);  
Ct. 3: Identity Theft, SDCL 22-10-8(2) (F6);  
Ct. 4: Identity Theft, SDCL 22-10-8(2) (F6)  
Convicted of: Ct. 4: Identity Theft, SDCL 22-10-8(2) (F6)  
Date of Arrest: March 7, 2014  
Date of Indictment: February 26, 2014  
Date of Original Sentence: November 17, 2014  
Original Arresting Officer: Chief Deputy Mike Bucholz – Union County Sheriff's Office  
Original Bond: \$5000 Cash / Surety  
Court Appointed Attorney: Rachel Rasmussen – Appointed

1st Probation Violations: 1) Failure to pay monetary obligations;  
Initial Appearance: November 9, 2015  
Status & Resentencing: November 9, 2015  
Defendant's Attorney: Rachel Rasmussen

### Original Case Synopsis:

Rosella Prins worked for a company from her home for approximately two years. According to the sheriff's office's investigation, Prins' position was eliminated due to a reduction in force. Prins was provided a severance package of \$50,000 from her \$80,000 (a year) plus job. Following her release from employment, Prins took out a credit card based upon the personal information that she knew about one the partners in the company that she formally work for. Over the course of a year, Prins used the card and ran up a bill of more than \$27,000. Prins also set up the account to have all of the documents and bills sent to her address in Missouri.

In court, Prins plead no contest to count four in the indictment. Prins went on to explain at sentencing, a story, which was consistent with the story the State investigated and which was consistent with what her defense counsel explained. Prins states that she was fired due to her uncovering that she learned that her victim of ID theft was having an affair with a person in her office. Prins also identified that this person was having an affair with was the partner's sister-in-law, or the wife of his brother-in-law, who also worked for the same company.

The State's investigation was uncovered many holes in Mrs. Prins' story:

- Document show that Prins' position was eliminated.
- Documents show a severance package of \$50,000.
- The victim's wife's brother (Victim's brother-in-law) does not work for the company.
- The person with whom the victim was to have had an affair with is not married to the person as indicated or identified by Prins.

- The person with whom the victim was to have had an affair with is not married to the victim's brother-in-law.
- The victim's brother-in-law does not work for the same company that Prins worked for.
- Nothing that Prins stated was able to be verified by the Sheriff's office.
- The victim denied having an affair with anyone in the company or with his wife's brother's wife.

As no allegations could be verified and as every allegation, including any variation of the allegation was either denied or proved to be an impossibility the State refused to dismiss this file. Despite the fact that the State had disproved the allegations, the Defendant restated the allegations to the court at sentencing and expressed that the partner approved the card for her personal use. Prins went on to justify her actions because, she needed the money and the partner, who was one of seven partners in this company made an outrageous amount of money every month and that he could afford it.

The court asked the Defendant at the time of the taking of the plea whether she wanted to persist in her no contest plea. Prins indicated that she did want to follow through with her no contest plea. The Court further advised Prins that if she accepted the state's explanation of the facts, and that those facts would be relied upon by the court regardless of what she would later inform the court. Prins advised that she understood and followed through with her no contest plea.

### **Sentencing Synopsis:**

Rosella Prins was sentenced on the charge of Identity Theft, in count four of the indictment, a class 6 felony the Court sentenced the defendant to a suspended two year sentence with four years of supervised probation. The Court further ordered that Prins must pay all fines, court costs, prosecution costs, and court-appointed attorney fees. The Court also ordered that Prins must repay the credit card company for her fraudulent charges to the amount of \$28,994.27 which included all of the charges and accrued interest on the account. Rosella Prins was also ordered to turn herself into the Union County Jail to serve twenty day starting on December 1, 2014 at 9:00 a.m.

### **1<sup>st</sup> Probation Violation Synopsis:**

Rosella Prins' Court Service Officer (Probation Officer) met with Prins and it was determined that Prins had the economic ability to make payments on her financial obligations at a rate of one thousand dollars ever month. The report on this file indicates that the supervising court service officer in Missouri Thirty Thousand Five Hundred and Thirty-four Dollars and Fifty-two cents (\$30,534.52). Furthermore, Rosella Prins attempted to fight extradition back to South Dakota from Missouri, even though she waived her right to fight extradition on this matter as a part of her compact agreement to have her South Dakota probation supervised in Missouri.

### **1<sup>st</sup> Re-sentencing Synopsis following Probation Violation:**

On the charge of Identity Theft, the Court resentenced Rosella Prins with a two-year suspended sentence and thereafter sentenced Prins to successfully complete four (4) years of supervised probation. The court further ordered that Rosella Prins forfeit the cash bond of \$2,500.00 cash to be applied towards her financial obligations. The court specifically ordered that Prins make regular monthly payments of one-thousand dollars until her obligations are paid in full.

### **Criminal History:**

This is Rosella Prins' first probation violation on her first career felony conviction. However, Prins did have misdemeanor offenses of issuing insufficient funds checks pursuant to her criminal record.