
December 30, 2017

Press Release - For Immediate Release

Defendant's Name: Erin Carpenter
Age: 31
State of residence: North Sioux City, SD
Criminal File Number: 17-040
Incident Date: January 20, 2017
Indictment Date: February 2, 2017
Charged with: Ct. 1(A): Aggravated Assault, SDCL 22-18-1.1(2), (F3) 15/30;
Ct. 1(B): Aggravated Assault, SDCL 22-18-1.1(5), (F3) 15/30;
Ct. 2: Aggravated Assault, SDCL 22-18-1.1(5), (F3) 15/30;
Arraignment Hearing: March 6, 2017
Change of Plea Date: June 5, 2017
Convicted of: Ct. 1(A): Aggravated Assault, SDCL 22-18-1.1(2), (F3) 15/30;
Date of Sentencing: November 29, 2017
Arresting Officer: Officer Andrew Ryan – NSC PD
Defense Attorney: James Daane
Prosecution Attorney: Jerry Miller

Case Synopsis:

On January 20, 2017, law enforcement was called to argument/assault in process. As officers were outside the residence, the officers overheard Erin Carpenter threatening the victim with a bat if the victim attempted to leave the residence. The officers also found bloody scratch marks on the victim consistent with the reported assault. The victim also reported that he was attacked by Carpenter with a metal towel rack. Carpenter was highly intoxicated.

Sentencing Synopsis:

The Court being satisfied that the ends of Justice and the best interests of the public as well as the Defendant will be served thereby and the Court receiving a plea of GUILTY BUT MENTALLY ILL to a crime that is not punishable by life in prison and the Defendant never before having been convicted of a crime which would constitute a felony in this State, this Court exercises its judicial clemency under SDCL 23A-27-13 and with the consent of the Defendant suspends the imposition of the sentence. It is, therefore,

AS TO THE CHARGE Count 1A: Aggravated Assault, (Domestic) SDCL 22-18-1.1(2), a class 3 felony; It is further ORDERED that the Defendant shall be placed on **supervised probation** for the term of Four (4) years under the following terms and conditions:

1. The Defendant shall be placed under the supervision of the Chief Court Officer, or his representative, for a period of Four (4) years. The Defendant shall sign and comply with all terms of Adult Probation Agreement.
2. The Defendant shall obey all federal, state and local laws.
3. That the Defendant shall not possess or use any alcoholic beverages, or use or possess any controlled drugs or illegal substances, including marijuana, while on probation with the exception of medications lawfully prescribed and ingested according to the doses prescribed by a licensed physician.
4. The Defendant shall waive his/her Fourth Amendment right against warrant-less random search and seizure by his/her Probation Officer and/or any law enforcement officer upon request, to include the Defendant's person, vehicle, and residence. This waiver shall include the Defendant submitting to a UA, breathe or other bodily substance upon request. The Defendant shall remain responsible for the costs of all UA's or any other substance tests.
5. The Defendant shall have NO contact with victim, Jason Sohn, unless it is approved by her Court Services Officer.
6. The Defendant shall follow any/all treatment recommendations made by the Defendant's doctor/counselor including any medications he/she may prescribe for the Defendant's physical and mental health.
7. Court Services shall have the discretion to require the Defendant to participate in the CBISA program, MRT program or other classes and programming as Court Services may direct during the term of probation.
8. The Defendant shall pay all monetary obligations as Ordered by this Court as a term of satisfying Defendant's probation. The Defendant shall enter into an agreement with court services to establish a minimum monthly payment plan and forward payments to the Clerk of Courts.

IT IS FURTHER ORDERED that the Defendant shall pay the following amounts to the Union County Clerk of Courts (209 East Main Street, ~ Suite 230, Elk Point, SD 57025): Court Costs of One Hundred Four (\$104.00) Dollars; Domestic Violence Fee in the amount of Twenty-Five (\$25.00) Dollars; and Prosecution Costs in the amount of One Hundred and Sixty-One Dollars and Forty-Five (\$161.45) Dollars.

IT IS FURTHER ORDERED that the Defendant shall pay the following amounts Ordered by the Court – To the Union County Auditor (209 East Main Street, ~ Suite 200, Elk Point, SD

57025): Court Appointed Attorneys Fees in the amount of Two Hundred Sixty-Three Dollars and Twenty (\$263.20) Cents. It is further ORDERED that Union County is awarded a Judgment for said Court Appointed Attorney Fees in this matter.

IT IS FURTHER ORDERED that the Court expressly reserves control and jurisdiction over the Defendant for the period of her probation and that the Court may revoke the suspension at any time and reinstate the sentence without diminishment or credit for any of the time the Defendant was on probation.

Criminal History Synopsis:

This is the first felony file for Erin Carpenter. If Erin Carpenter has no issues or violations while on probation, the Court will seal Carpenter's file from the public.