
December 30, 2017

Press Release - For Immediate Release

Defendant's Name: Denise Dodds
Current Age: 27
City and State of Residence: North Sioux City, SD
File Number: 11-108
Original Incident Date: April 6, 2011
Original Indictment Date: April 28, 2011
Charges: Ct.1: Possession of a Controlled Substance, (F4);
Ct.2: Possession of Marijuana, (M1);
Ct.3: Ingestion, (M1);
Ct.4: Possession of Drug paraphernalia, (M1);
Arrestment Date: May 23, 2011
Change of Plea Date: May 23, 2011
Convicted of: Ct.1: Possession of a Controlled Substance, (F4)
Original Sentencing Date: July 11, 2011
Arresting Officer: Officer Eric Fay – North Sioux City Police Dept.
Defense Attorney: Katie Johnson
Prosecution: Jerry A. Miller

Probation Violation Date: August 13, 2013
File Number: PV #1 on 11-108; New Felony file on 13-245;
1st Probation Offense: Ingestion of a Schedule I or II Controlled Substances (F5) 22-42-5.1
Arrestment Date: October 7, 2013
Change of Plea: November 4, 2013
Date of Sentence: December 9, 2013 (For both files)
Arresting Officer: Lt. Richard Headid – North Sioux City Police Dept.
Officer Eric Fay – North Sioux City Police Dept.
Kelly Gregg – Court Service Officer
Defense Attorney: Katie Johnson
Prosecution: Jerry A. Miller

Probation Violation Date: April through August of 2016
File Number: PV #2 on 11-108;
2nd Probation Offense: Ingestion of a Schedule I or II Controlled Substances (F5) 22-42-5.1
Arrestment Date: October 24, 2016
Change of Plea: October 24, 2016
Date of Sentence: November 28, 2016
Arresting Officer: Kelly Gregg – Court Service Officer
Defense Attorney: Katie Johnson
Prosecution: Alexis A. Tracy

3rd Probation Violation Date: April 2017
File Number: PV #3 on 11-108;
3rd Probation Offense: Failed to abstain from the use of Alcohol
Arrestment Date: June 5, 2017
Change of Plea: June 5, 2017

Date of Sentence: June 5, 2017
Defense Attorney: Katie Johnson
Prosecution: Jerry A Miller

Original Case Synopsis:

On April 5, 2011, North Sioux City Officers stopped a vehicle that they knew belonged to Tanner Rasmussen because the officers were aware that that Rasmussen had an active warrant for his arrest. Rasmussen had a warrant for his arrest dealing with drug offenses. Rasmussen was arrested on the warrant. Denise Dodds was the passenger in the vehicle. A search of the vehicle was conducted and several items of drug paraphernalia were discovered along with marijuana. DODDS was arrested for these items that she admitted that she possessed in the vehicle. DODDS provided a UA sample that, when tested, was positive for marijuana (THC) at 1,505 ng/ml and 6.9 ng/ml of amphetamine, and 14 ng/ml of methamphetamine.

Original Sentencing Synopsis:

On July 11, 2011, on the charge of Possession of Controlled Substance in file 11-108, the Court sentenced DODDS to a seven-year suspended sentence to the South Dakota State Penitentiary. The Court further stated DODDS must satisfy a term of five years of supervised probation. DODDS was ordered to pay the following: \$104 in Court Costs; \$55 is prosecution Costs; a fine of \$500; and Court-Appointed Attorney fees in the amount of \$403.44.

Probation Violation # 1 Synopsis:

Court Service Officer, Kelly Gregg was conduct home visits with some of her probationer on August 13, 2013 when she went to the residence shared by Denise Dodds and Tanner Rasmussen. Gregg found both DODDS and Rasmussen in a detached garage smoking synthetic marijuana (generic street name of K2) which was tested and later determined to contain UR-144 and / or XLR-11 which are schedule 1 controlled substances. Gregg called the North Sioux City Police Department to respond to DODDS' location. Both were arrested and because they were on probation, they were required to provide a urine sample. Both DODDS and Rasmussen tested positive for the UR-144 and / or XLR-11.

Probation Violation # 1 Disposition Synopsis:

On the charge of Possession of Controlled Substance in file 11-108, the Court resentenced Denise Dodds to a seven-year suspended sentence to the South Dakota State Penitentiary. The Court further stated that this sentence would be consecutive to file 13-245. The Court further ordered that DODDS would be on supervised probation for four years. The Court Ordered that DODDS must spend thirty days in the Union County Jail starting on January 18, 2014 at 9:00 a.m. Work release was granted to DODDS. DODDS must pay all unpaid fines, court costs, prosecution costs, and previous and new court-appointed attorney fees.

Probation Violation # 2 Synopsis:

DODDS had several violations which her probation officer attempted to address without the need of violating DODDS. However, in August of 2016, DODDS failed a drug patch which she tested positive for methamphetamine. DODDS also failed to make payments towards her payment obligations.

Probation Violation # 2 Disposition Synopsis:

On the charge of Possession of Controlled Substance in file 11-108, the Court resentenced DODDS to a seven-year suspended sentence to the South Dakota State Penitentiary. The Court further ordered that DODDS would be on supervised probation for two years. The Court Ordered that DODDS must spend 17 days in the Union County and then gave DODDS credit for the 17 days that she served prior to sentencing. DODDS must pay all unpaid fines, court costs, prosecution costs, and previous and new court-appointed attorney fees.

Probation Violation # 3 Synopsis:

On April 16, 2017, Defendant was arrested for Operating While Intoxicated 3rd in Woodbury County, Iowa. Her alcohol concentration was 0.168.

Probation Violation # 3 Disposition Synopsis:

IT IS ORDERED, ADJUDGED, AND DECREED the Defendant is that the Defendant shall serve a sentence of One Hundred Twenty-Six (126) days in the Union County Jail. IT IS FURTHER ORDERED that the Defendant shall receive credit for Eighty-One (81) days that the Defendant spent incarcerated prior to disposition.

IT IS FURTHER ORDERED that the Defendant shall pay the following amounts Ordered by the Court – To the Union County Clerk of Courts (209 East Main Street ~ Suite 230, Elk Point, SD 57025): Remaining Court Costs in the amount of One Dollar and Twelve (\$1.12) Cents; and Fine in the amount of Five Hundred (\$500.00) Dollars.

IT IS FURTHER ORDERED that the Defendant can serve Eight (8) additional days in the Union County Jail at Sixty Dollars (\$60.00) a day to sit out her ordered fine totaling Five Hundred (\$500.00) 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): **New** Court Appointed Attorneys Fees in the amount of Two Hundred Twenty-Five Dollars and Sixty (\$225.60) Cents. It is further ORDERED that Union County is awarded a Judgment for said Court Appointed Attorney Fees in this matter.

IT IS ORDERED, ADJUDGED, AND DECREED that the Defendant shall be released from probation unsatisfactory as of when she has completed her Union County Jail sentence.

Criminal History Synopsis:

This is DODDS' third probation violation on her first career felony conviction. Since her first felony conviction, DODDS has obtained 2nd felony conviction.