
January 13, 2017

Press Release - For Immediate Release

Defendant's Name: Breanna Ellsworth
Age: 25
City and State of residence: Wichita, KS
Criminal File Number: 15-278
Incident Date: August 17, 2015
Indictment Date: August 26, 2015
Charge(s): Ct.1) Possession of a Schedule 1 or 2 Controlled Substance, (F5)
Ct.2) Possession of a Schedule 1 or 2 Controlled Substance, (F5)
Ct.3) Possession of a Schedule 1 or 2 Controlled Substance, (F5)
Ct.4) Possession of a Schedule 1 or 2 Controlled Substance, (F5)
Ct.5) Ingestion, (M1)
Ct.6) Possession of Marijuana (M1)
Ct.7) Possession of Drug Paraphernalia (M2)
Change of Plea Date: July 18, 2016
Convicted of: Ct.1) Possession of a Schedule 1 or 2 Controlled Substance, (F5)
Incident Date: August 17, 2015
Ct.3) Possession of a Schedule 1 or 2 Controlled Substance, (F5)
Date of Sentence: September 12, 2016
Arresting Officer: Trooper Stuart Griffith – SDHP
SA John Barns – SD DCI
Joshua Bridenstien – Union County Sheriff's Office
Trooper Cody Jansen – SDHP
Defense Attorney: Rachel Rasmussen
Prosecutor: Alexis A. Tracy

Case Synopsis:

On August 17, 2015 Breanna Ellsworth was the driver of a vehicle that was stopped on Interstate 29 at milepost 32 for traveling 106 mph in an 80 mph zone. ELLSWORTH is required to have an interlock system on any vehicle that she would be driving. This vehicle was not equipped with an interlock system. The trooper could smell the odor of raw marijuana coming from the vehicle. ELLSWORTH denied having marijuana in the vehicle but did admit that she had ingested marijuana earlier in the day. ELLSWORTH's vehicle had raw marijuana, drug paraphernalia and a large roll of cash. ELLSWORTH's vehicle also contained Oxycodone, Ecstasy (or MDMA), hemp oil, amphetamine salts (pills), and cocaine. ELLSWORTH's urine sample tested positive for amphetamine at 1,376 ng/ml and 944 ng/ml of methamphetamine. ELLSWORTH was indicted federally on 4 counts with other co-defendants in a 19 count indictment.

Sentencing Synopsis:

On September 12, 2016, the Court addressed the class 5 felony charge in count 1 of Possession of a Schedule 1 or 2 Controlled Substance. The Court sentenced ELLSWORTH to a

suspended five-year sentence to the South Dakota State Penitentiary and three years of supervised probation. The Court also ordered that ELLSWORTH to pay the following: \$104 in court costs; \$10 in prosecution costs, \$305 in fees to the SD Drug Control Fund; and \$500 as a fine.

On September 12, 2016, the Court addressed the class 5 felony charge in count 3 of Possession of a Schedule 1 or 2 Controlled Substance. The Court sentenced ELLSWORTH to a suspended five-year sentence to the South Dakota State Penitentiary and three years of supervised probation. The Court also ordered that ELLSWORTH to pay the following: \$104 in court costs; and \$871.10 in court-appointed attorney fees as a term of successfully completing his supervised probation. The Court further ordered that ELLSWORTH's sentence in count 3 shall run concurrent to her sentence in count 1.

Criminal History Synopsis:

This is ELLSWORTH's first and second career felony conviction. KNECHT received a fifth career felony conviction. ELLSWORTH's criminal history includes a conviction for possession of stolen property, and a DUI. ELLSWORTH also had a four-count federal indictment file to address.