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December 15, 2017

## Press Release - For Immediate Release

Defendant's Name: Rolin Taylor  
Age: 52  
State of residence: Sioux City, IA  
Criminal File Number: 17-084  
Incident Date: March 18, 2017  
Indictment Date: March 29, 2017  
Arraignment Hearing: April 24, 2017  
Charges Filed: Ct. 1(A): Driving Under the Influence, SDCL 32- 23-1(1), M1 1/2; in the alternative  
Ct. 1(B): Driving Under the Influence, SDCL 32-23-1(2), M1 1/2  
Ct. 2: Driving With A Suspended License, SDCL 32-12-65(2), M2 30/500  
Ct. 3: Improper Lane Driving, SDCL 32-26-6, M2 30/500  
Change of Plea Date: July 31, 2017  
Date of Sentencing: August 28, 2017  
Convicted of: Ct. 1(A): Driving Under the Influence, SDCL 32- 23-1(1), M1 1/2; and a Part II  
Information for Prior Offenses, SDCL 32-23-4, making this offense a class 6 felony  
Arresting Officer: Trooper Kayne Weaver  
Defense Attorney: Bob Tiefenthaler  
Prosecution Attorney: Jerry A. Miller

### Case Synopsis:

On March 18, 2017, Trooper Kayne Weaver with the South Dakota Highway Patrol, observed a vehicle in front of him turn improperly onto the I-29 South Bound, on River Drive, in North Sioux City, in Union County, SD. Trooper Weaver continued to follow the vehicle and it then crossed the fog line coming onto the interstate, the vehicle continued southbound and then crossed the center line. Trooper Weaver then initiated a traffic stop on I-29 near MM 1. The Driver of the vehicle was identified as the Defendant, Rolin Taylor. While speaking with the Defendant the Trooper detected an odor of alcohol coming from the vehicle. The Trooper asked the Defendant to come back to his patrol vehicle.

While the Defendant and Trooper were in the Trooper's patrol vehicle State Radio advised that the Defendant's driver's license was suspended. The Trooper also still detected the odor of alcohol coming from the Defendant's person. The Trooper then asked the Defendant to perform field sobriety testing and the Defendant performed very poorly. The Defendant had a PBT of .182% BAC. The Defendant was then placed under arrest for a DUI 3<sup>rd</sup>. The Defendants voluntary blood draw came back at a level of .199 % alcohol.

### 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 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 1(A): Driving Under the Influence, SDCL 32-23-4, a class 6 felony, IT IS FURTHER ORDERED that the Defendant shall be placed on **supervised probation** for the term of Two (2) 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 Two (2) 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 not enter any establishment that obtains its primary source of income through the sale of alcohol.
6. The Defendant shall obtain a Chemical Dependency Evaluation within Thirty (30) days and he shall successfully complete any and all treatment and aftercare, and follow all recommendations of the treatment provider.
7. The Defendant shall be on the 24/7 or SCRAM program for a period of Ninety (90) days, and shall comply with all the rules of the program as a condition of probation. The Defendant shall be responsible to pay all costs associated with the 24/7 or SCRAM programs.
8. Court Services shall have the discretion anytime during the term of probation to require the Defendant to participate in the Drug Patch Program and/or SCRAM or 24/7 Programs.
9. The Defendant shall pay all monetary obligations as Ordered by this Court as a term of satisfying Defendant's probation. The Defendant shall work with his probation officer and establish a minimum monthly payment plan and forward payments to the Clerk of Courts.

IT IS FURTHER ORDERED that the Defendant shall serve Thirty (30) days in the Union County Jail. It is further ORDERED that Twenty (20) days shall be suspended on the term and condition that the Defendant shall obtain a chemical dependency evaluation as Ordered by this Court. IT IS FURTHER ORDERED that the Defendant shall serve said sentence as follows:

1. The Defendant shall report to serve his Ten (10) days at the Union County Jail beginning on Saturday, September 16, 2017 at no later than 5:00 p.m. work release.

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; Prosecution Costs in the amount of Ninety (\$90.00) Dollars; Costs payable to (South Dakota Drug Control Fund, 1302 East Highway 14, Suite 5, Pierre, SD 57501) in the amount of Forty-Five (\$45.00) Dollars; DUI fee of Fifty (\$50.00) Dollars; and a Fine in the amount of Seven Hundred and Fifty (\$750.00) Dollars.

**Criminal History Synopsis:**

This is Rolin Taylor's third DUI, however it is his first felony offense, and if he is successful throughout his supervised probationary status, the Court will seal this file and it will no longer be a public file.