

February 28, 2018

Press Release - For Immediate Release

Defendant's Name: Lance Longwell
Age: 29
State of residence: North Sioux City, SD
Criminal File Number: 17-290
Incident Date: July 26, 2017
Indictment Date: September 6, 2017
Charged with: Ct1: Simple Assault Domestic, SDCL 22-18-1(2), a class 1 misdemeanor;
Part II Habitual – Other Acts (3rd offense Simple Assault) increases the punishment from a class 1 misdemeanor to a class 6 felony.
Arrestment Hearing: September 11, 2017
Change of Plea Date: November 29, 2017
Convicted of: Ct1: Simple Assault Domestic, SDCL 22-18-1(2), a class 1 misdemeanor;
Date of Sentencing: November 29, 2017
Arresting Officer: Officer Dustin Sharkey – NSC PD
Defense Attorney: Jeff Myers
Prosecution Attorney: Jerry Miller

Case Synopsis:

On July 26, 2017, law enforcement was called to the Lance Longwell residence due to a call of suspected domestic dispute. The female victim was located at the scene. Her right hand was bleeding. The victim told law enforcement that the Longwell had kicked the fridge door shut while the victim was reaching into the fridge. Longwell displayed intent to cause the victim harm due to the common scenes knowledge imputed to all of us that a reasonable person would know that such an action could cause serious bodily injury. This action caused the victim's hand to bleed. There was blood on the fridge and on the front screen door window. One witness at the scene claimed that he did not see the incident. Longwell was arrested for simple assault domestic.

Sentencing Synopsis:

IT IS HEREBY ORDERED that as to the crime **Simple Assault (DOMESTIC) contrary to SDCL 22-18-1(2), a class 1 misdemeanor**, that the Defendant shall serve **180 (One-Hundred and Eighty)** days in the Union County Jail, with **0 (Zero)** days credit for time served.

IT IS FURTHER ORDERED, that the Defendant is placed on unsupervised probation for **360 (Three-Hundred and Sixty)** days and that the Defendant's **180 (One-hundred and Eighty)** day sentence shall be suspended upon the following terms and conditions [checked boxes].

1. Defendant shall not commit any acts of violence or the threatened use of violence for one (1) year.
2. Defendant shall pay all fines, costs, and Court Appointed Attorney's fee by August 1, 2018.
3. The Defendant shall successfully complete his current mental health counseling treatment and any recommendations for aftercare, including taking and following all recommendations for medications.

IT IS FURTHER ORDERED that the Defendant shall be granted work release, release for education, or release for chemical dependency/mental healthcare treatment or aftercare, with Defendant to pay all costs of these releases.

IT IS FURTHER ORDERED, that the Defendant shall pay court costs of **\$84.00 (Eighty-Four Dollars)**; grand jury transcript fees of **\$10.00 (Ten Dollars)**; a Fine of **\$200 (Two-Hundred Dollars)**; and UA fees of **\$0** to the South Drug Control Fund; to the Union County Clerk of Courts (209 East Main Street, ~ Suite 230, Elk Point, SD 57025); and it is further ordered that the Defendant also pay the domestic violence fee of **\$25.00 (Twenty-Five Dollars)** payable to (South Dakota Domestic Violence Fund, 1302 East Highway 14, Suite 5, Pierre, SD 57501).

IT IS FURTHER ORDERED, that the Defendant shall pay his/her Court-appointed attorney's fees of **\$587.50 (Five-Hundred and Eighty-Seven Dollars and Fifty Cents)** directly to the Union County Auditor, (209 East Main Street, ~ Suite 200, Elk Point, SD 57025).

Criminal History Synopsis:

Lance Longwell's criminal history consists of two DUI convictions and three simple assault convictions among other issues. A plea agreement was reached in which Mr. Longwell plead to a misdemeanor in this file rather than a felony offense. However, part of this plea agreement also included that Lance Longwell will now have to serve 90 (Ninety) days in the Union County Jail that were suspended in file 16-203. Longwell starts his sentence on January 5, 2018.