
May 25, 2018

Press Release - For Immediate Release

Defendant's Name: Amber Peterson
Age: 36
City and State of residence: Beresford, SD
Criminal File Number: 18-015
Date of Offense: October 26, 2017
Date of Indictment: January 8, 2018
Date of Arraignment: February 12, 2018
Offense(s) Charged: Count 1: Ingestion of a Schedule I or II Controlled Substance, a violation of SDCL 22-42-5.1, a class 5 felony
Change of Plea: There was no change of plea
Disposition: **Count 1 was dismissed by the Court**
Officer: Deputy Tom Krull
Defense Attorney: Katie Johnson
Prosecutor: Jerry Miller & Erin Handke

Original Case Synopsis:

On October 23, 2017 a Beresford High School assistant principal reported to law enforcement a student told the school nurse he was worried about his mother, Amber Peterson. Lincoln County Sheriff's Deputy Tom Krull went to Peterson's residence and inquired about illegal drugs in the home on October 23, 2017. Peterson denied this and allowed Officer Krull to look around the home, where he found drug paraphernalia. Peterson consented to submit a urine sample to the Department of Social Services on October 26, 2017. The test came back positive, and Peterson was charged with Ingestion of a Controlled Substance, SDCL 22-42-5.1. Peterson was indicted on January 8, 2018 and arraigned on February 12, 2018.

Original Sentencing Synopsis:

The indictment for Amber Peterson was dismissed on May 8, 2018. At the disposition on May 10, 2018, Count I, Ingestion of a Schedule I or II Controlled Substance, a violation of SDCL 22-42-5.1, was dismissed by the Court. The Court ruled that Mrs. Peterson was not arrested, no warrant was sought, Mrs. Peterson submission to the urinalysis was requested by the Department of Social Services and there is no indication that the Department of Social Services would use the urinalysis for any other purpose than the Department of Social Services investigation. There is no indication that Mrs. Peterson even knew that the results of the test could be used for criminal

prosecution. The Court finds that the state has not provided by clear and convincing evidence for consent by Mrs. Peterson for the urinalysis to be used for Criminal purposes.

Criminal History Synopsis:

Amber Peterson was charged with Ingestion of a Schedule I or II Controlled Substance, a violation of SDCL 22-42-5.1 and a class 5 felony. She was arrested for this on January 24, 2018. This is Amber Peterson's only arrest. However, the charge was dismissed on May 8, 2018.