

January 26, 2018

## Press Release - For Immediate Release

Defendant's Name: Tonia Ranschau  
Age: 36  
City and State of residence: Sioux City, IA  
Criminal File Number: 17-334  
Convicted of: Ct. 1: Possession of a Schedule I or II Controlled Substance, SDCL 22-42-5, (F5) 5/10  
Ct. 2: Contributing to the Delinquency of a Child, SDCL 26-9-1, (M1) 1/2  
Ct. 3: Contributing to the Delinquency of a Child, SDCL 26-9-1, (M1) 1/2  
Ct. 4: Contributing to the Delinquency of a Child, SDCL 26-9-1, (M1) 1/2  
Ct. 5: Possession of Drug Paraphernalia While in a Motor Vehicle, SDCL 22-42A-3 & 32-12-52.3, (M2) 30/500  
Original Offense Date: September 4, 2017  
Indictment: September 6, 2017  
Arraignment Date: September 11, 2017  
Change of Plea Date: November 6, 2017  
Date of Sentence: December 8, 2017  
Charges Convicted of: Ct. 1: Possession of a Schedule I or II Controlled Substance, SDCL 22-42-5, (F5) 5/10  
Ct. 2: Contributing to the Delinquency of a Child, SDCL 26-9-1, (M1) 1/2  
Ct. 3: Contributing to the Delinquency of a Child, SDCL 26-9-1, (M1) 1/2  
Ct. 4: Contributing to the Delinquency of a Child, SDCL 26-9-1, (M1) 1/2  
Ct. 5: Possession of Drug Paraphernalia While in a Motor Vehicle, SDCL 22-42A-3 & 32-12-52.3, (M2) 30/500  
Arresting Officer: Deputy T.J. North – UCSO  
Deputy Robert Albertson - UCSO  
Defense Attorney: Sam Nelson  
Prosecutor: Jerry Miller

### See below for Probation Violation Synopsis:

#### Case Synopsis:

On September 4, 2017 a concerned citizen reported that a vehicle was unable to maintain the vehicle within one driving lane. The vehicle was observed by LE at MM 18 on I-29 SB. LE observed the same behavior by the driver not being able to maintain the vehicle with a single lane

of travel. LE attempted by the use of lights and sirens to pull the vehicle over without success for over two miles. The vehicle nearly rear ended another motorist. Tonia Ranschau was the driver and she had three children in her vehicle with her. Ranschau was jittery and unable to sit still. She claimed that she did not see the patrol vehicle behind her when they were attempting to stop her. Ranschau consented to a search of her vehicle and officers found 5 syringes and a small bag containing methamphetamine. Ranschau admitted that she had used meth. Ranschau's urine tested positive for methamphetamine at a level of 106,989 ng/ml and Benzoylgonine (the metabolite of Cocaine) at 7,116 ng/ml and THC at 31 ng/ml.

**Sentencing Synopsis:**

IT IS HEREBY ORDERED the court found on the record aggravating circumstances exist that pose a significant risk to the public and require a departure from presumptive probation, to wit:

1. That the Defendant was on probation when the Defendant committed this offense;
2. That the Defendant was a significant risk to the public;
3. That the Defendant had three children in the vehicle at the time of the offense;
4. That the Defendant had programs available to her and did not utilize them.
5. That the Defendant was under the influence of methamphetamine at the time of the arrest.

IT IS FURTHER ORDERED that as to the crime of **Ct 1: Possession of a Schedule I or II Controlled Substance, SDCL 22-42-5, a class 5 felony**, that the Defendant shall serve **5** (five) years in the South Dakota State Penitentiary, there to be kept, fed, and clothed according to the rules and regulation governing that institution.

IT IS FURTHER ORDERED that Defendant shall abide by the rules and regulations of the board of pardons and paroles, shall sign the required parole agreements, and shall obey all conditions imposed by them even though the conditions may not have been specifically set out by the court.

It is further ORDERED that Court shall SUSPEND the EXECUTION of the **1** (One) year of the Defendant's sentence upon the Defendant satisfying the following terms and conditions [checked boxes]:

1.  Defendant shall obey all federal, state, tribal and local laws and be a good law-abiding citizen in all respects.
2.  Defendant shall pay all fines, costs, restitution, and attorney's fees as ordered by the court. Defendant shall work out a payment schedule with PAROLE, and if requested by PAROLE, the Defendant shall execute a wage

assignment form.

3.  Defendant shall not consume nor possess any alcoholic beverages of any kind, and Defendant shall not enter establishments where the sale of alcoholic beverages is the primary business.
4.  Defendant shall not consume, purchase, possess, or distribute marijuana, nor controlled drugs or substances of any kind, and Defendant shall not be present where such substances are being used. Defendant shall also not possess drug paraphernalia. Verification of any prescribed medication must be provided by Defendant to PAROLE OFFICER.
5.  Defendant shall submit to urinalysis, breath or blood testing at any time requested to do so by Defendant's court services officer or law enforcement officer and Defendant shall be responsible for the costs of that testing.
6.  Defendant, and Defendant's person, residence, vehicles and personal property, shall be subject to random search and seizure by any court services officer or law enforcement officer upon reasonable suspicion that Defendant is violating any provision of this court's order or of any probation agreement.
7.  Defendant shall obtain a chemical dependency evaluation and comply with the evaluator's and the court's services officer's recommendations for treatment and aftercare.
8.  Throughout the entire period of probation, Defendant shall enroll in and comply with the terms of the 24/7 Sobriety Program as set up through the Union County Sheriff's office or as directed by your Court Service Officer and submit to testing in the form of twice daily PBTs (24/7) program) or by SCRAM equipment, and the Drug Patch, and Defendant shall pay all costs of such programs. Court services may discontinue or restart these programs at their discretion.
9.  Defendant shall enroll in and successfully complete counseling , MRT, etc. as required by court services.
10.  Defendant shall maintain regular employment and obtain a GED while on supervised probation.
11.  Defendant shall not participate in games of chance or enter establishments where gambling is present.
12.  Defendant shall perform \_\_\_\_\_ hours of community service to be completed by

13.  Defendant shall have no contact with the victim,
14.  Defendant shall write a letter of apology to the victim, ,which letter shall be approved by court services.

IT IS FURTHER ORDERED that the Defendant shall remain in the custody of the Union County Sheriff's Office until she can be transported to the South Dakota State Penitentiary at their earliest opportunity.

IT IS FURTHER ORDERED, that the Defendant shall be credited for the **95** (Ninety-five) days that the Defendant spent incarcerated prior to sentencing.

IT IS FURTHER ORDERED, that the Defendant shall pay court costs of \$104.00; grand jury transcript fees of \$10.00; a DUI surcharge of \$0.00; a Domestic Violence surcharge of \$0.00; a Fine of \$0.00; testing fees of \$45.00 to the South Dakota Drug Control Fund; and Blood Alcohol Fees of \$0.00 to the Union County as prosecution costs; to the Union County Clerk of Courts (209 East Main Street, ~ Suite 230, Elk Point, SD 57025).

IT IS FURTHER ORDERED, that the Defendant shall pay the Defendant's Court-appointed attorney's fees of \$1010.50 directly to the Union County Auditor, (209 East Main Street, ~ Suite 200, Elk Point, SD 57025). It is further ORDERED that Union County is awarded a Judgment for said Court Appointed Attorney Fees in this matter.

IT IS FURTHER ORDERED, that the Defendant sentence in this file 63CRI17-000334 shall run concurrently with Minnehaha County felony file 49CRI16-001557.

IT IS FURTHER ORDERED, that the Defendant sentence in this file 63CRI17-000334 shall run concurrently with Minnehaha County felony file 49CRI16-004702.

IT IS FURTHER ORDERED, that the Defendant sentence in this file 63CRI17-000334 shall run concurrently with Minnehaha County felony file 49CRI15-005698.

IT IS FURTHER ORDERED that as to the crime of **Ct 2: Contributing to the Delinquency of a Child, SDCL 26-9-1, a class 1 misdemeanor**, that the Defendant shall pay court costs of **\$84.00**; grand jury transcript fees of **\$0.00**; a Fine of **\$300.00**; and UA fees of **\$0.00** to the South Drug Control Fund; to the Union County Clerk of Courts (209 East Main Street, ~ Suite 230, Elk Point, SD 57025).

IT IS FURTHER ORDERED that as to the crime of **Ct 3: Contributing to the Delinquency of a Child, SDCL 26-9-1, a class 1 misdemeanor**, that the Defendant shall pay

court costs of **\$84.00**; grand jury transcript fees of **\$0.00**; a Fine of **\$300.00**; and UA fees of **\$0.00** to the South Drug Control Fund; to the Union County Clerk of Courts (209 East Main Street, ~ Suite 230, Elk Point, SD 57025).

IT IS FURTHER ORDERED that as to the crime of **Ct 4: Contributing to the Delinquency of a Child, SDCL 26-9-1, a class 1 misdemeanor**, that the Defendant shall pay court costs of **\$84.00**; grand jury transcript fees of **\$0.00**; a Fine of **\$300.00**; and UA fees of **\$0.00** to the South Drug Control Fund; to the Union County Clerk of Courts (209 East Main Street, ~ Suite 230, Elk Point, SD 57025).

IT IS FURTHER ORDERED that as to the crime of **Ct 5: Possession of Drug Paraphernalia While in a Motor Vehicle, SDCL 22-42A-3 & 32-12-52.3, a class 2 misdemeanor**, that the Defendant shall pay court costs of **\$66.00**; grand jury transcript fees of **\$0.00**; a Fine of **\$200.00**; and UA fees of **\$0.00** to the South Drug Control Fund; to the Union County Clerk of Courts (209 East Main Street, ~ Suite 230, Elk Point, SD 57025).

IT IS FURTHER ORDERED that the Defendant's South Dakota driving privileges shall be revoked for a period of **30** (thirty) days from the date of Defendant's initial release from imprisonment.

**Criminal History:**

In this file, the state filed a part II information that would have increased Tonia Ranschau's potential punishment to a class 4 felony offense which would have increased her maximum sentence up to a possible ten years in the penitentiary. A plea agreement brought the offense back down to the original class 5 felony with a maximum sentence of five years in the penitentiary. Ranschau had a felony conviction in 2012 for possession of controlled substances and a 2016 felony conviction for the ingestion of controlled substances. Ranschau was on probation in both of these files and driving while under the influence place herself, her children, and all of society at risk when she was picked and charged in this file.