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Press Release - For Immediate Release

Defendant's Name: Tilden, Keith
Age: 41
City and State of residence: Sioux City, IA
Criminal File Number: 18-058
Date of Offense: February 14, 2018
Date of Indictment: March 1, 2018
Date of Arraignment: March 12, 2018
Offense(s) Charged: Count 1: Possession of Controlled Drug or Substance, a violation of SDCL 22-42-5, a class 5 felony
Count 2: Driving under Revocation, a violation of SDCL 32-12-65, a class 1 misdemeanor
Count 3: Possession of Drug Paraphernalia by Driver, a violation of SDCL 22-42A-3, a class 2 misdemeanor
Change of Plea: March 12, 2018
Convicted of: **Count 1: Possession of Controlled Drug or Substance, a violation of SDCL 22-42-5, a class 5 felony**
Date of Sentencing: March 23, 2018
Officer: Trooper Eric Peterson – South Dakota Highway Patrol
Defense Attorney: Samuel Nelson
Prosecutor: Erin Handke

Original Case Synopsis:

On February 14, 2018 Keith Tilden was stopped for speeding. His driver's license status showed revoked, and was arrested for driving under revocation. A search incident to arrest uncovered a clear plastic container containing two small plastic baggies and a red straw. The baggies contained a clear/milky crystal substance. Tilden admitted that the substance was methamphetamine. A search of the vehicle revealed a meth pipe. Tilden was transported to the Union County Jail and charged with possession of a controlled substance, possession of paraphernalia, and driving under revocation.

Original Sentencing Synopsis:

IT IS HEREBY ORDERED that as to the crime **Ct. 1: Possession of Controlled Drug or Substance, SDCL 22-42-5, a class 5 Felony**, that the Defendant shall serve **5** (five) years in the South Dakota State Penitentiary.

It is further ORDERED that Court shall SUSPEND the EXECUTION of the **5** (five) years of the Defendant's sentence upon the Defendant satisfying the following terms and conditions:

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 court services, and if requested by court services, 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 court services.
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 another approved South Dakota county sheriff's office and submit to testing in the form of twice daily PBTs 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.

IT IS FURTHER ORDERED that the Defendant is placed on probation for **2 (two)** years. Defendant shall sign the standard probation agreement with court services and shall obey all conditions imposed by court services even though those conditions may not have been specifically set out by the court. Defendant shall execute a wage assignment form if requested to do so by court services.

IT IS FURTHER ORDERED, that the Defendant shall be imprisoned in the Union County Jail for the term of **86** days, with **26** days credit for time served. The 60 days shall be served as follows:

1. 30 days to be served beginning **October 1, 2018**, at 9:00 o'clock a.m.
2. 30 days to be served beginning **January 1, 2019**, at 9:00 o'clock a.m.

Subject to the Union County Jail, Defendant shall be entitled to work release, release for education, or release for chemical dependency treatment or aftercare with the Defendant to pay all costs of incarceration to the facility.

IT IS FURTHER ORDERED, that the Defendant shall pay court costs of **\$104.00**; grand jury transcript fees of **\$0**; a Fine of **\$0**; and Substance Testing fees of **\$54.00** 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 shall pay the Defendant's Court-appointed attorney's fees of **\$253.80** 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.

Criminal History:

Keith Tilden was first convicted of possession of methamphetamine in January of 2017. In August 2017 he was convicted of possession of methamphetamine and possession of paraphernalia. At that time Tilden was also charged with possession of burglary tools, a charge that was not prosecuted.