

IN CIRCUIT COURT
STATE OF SOUTH DAKOTA
SECOND JUDICIAL CIRCUIT,
LINCOLN AND MINNEHAHA COUNTIES

**BOND SCHEDULE FOR USE BY LAW
ENFORCEMENT OFFICERS**

ORDER promulgating a schedule of cash, 10% appearance bond or cash/surety bonds for Class 1 and Class 2 misdemeanors and authorizing law enforcement officers to fix bonds as set forth for these and other listed offenses within the jurisdiction of the county.

| ALCOHOL VIOLATIONS | |
|--|------|
| Maintaining Public Nuisance/Alcohol SDCL 35-10-17 | Cite |
| Open Container SDCL 35-1-9.1 | Cite |
| Providing Alcohol to Minor Under 18 SDCL 35-9-1 | Cite |
| Providing Alcohol to Minor 18 – 21 SDCL 35-9-1.1 | Cite |
| Public Consumption SDCL 35-1-5.3; SF Ord. 5-9 | Cite |
| Underage Poss./Cons. Alcohol (Resident) SDCL 35-9-2; SF Ord. 5-12 | Cite |
| Underage Poss./Cons. Alcohol (NonRes.) SDCL 35-9-2; SF Ord. 5-12 | Cite |

| ASSAULTIVE BEHAVIOR/ DAMAGE | |
|--|----------------------------------|
| Disorderly Conduct SDCL 22-18-35; SF Ord. 131.001 | \$54 |
| Disturbing Peace (City) SF Ord. 131.002 | Cite/PR Officer Discretion |
| Domestic Abuse/Simple Assault SDCL 22-18-1 | no bond |
| Domestic Stalking SDCL 22-19A-1 | no bond |
| Violation of Protection Order SDCL 22-19A-16 (stalking); SDCL 25-10-13 (domestic) | no bond |
| Intentional Damage to Property SDCL 22-34-1; SF Ord. 132.001 | Cite/PR Officer Discretion |
| Obstructing Police Officer SDCL 22-11-2 | Cite/PR Officer Discretion |
| Resisting Arrest SDCL 22-11-4 | \$200 |
| Simple Assault SDCL 22-18-1 | PR |
| Assault Upon Any Person by Causing Contact with Bodily Fluids SDCL 22-18-26.1 | PR |
| Interference with Emergency Communications SDCL 49-31-29.2 | PR, when not domestic |
| Tampering with Motor Vehicle SDCL 32-4-4 | PR |

| Criminal Trespass of Motor Vehicle 22-32-20 | PR |
|--|------|
| DRIVER'S LICENSE VIOLATIONS | |
| Displaying Another's Driver's Lic. SDCL 32-12-70 | Cite |
| Driving While Revoked SDCL 32-12-65 | Cite |
| Driving While Suspended SDCL 32-12-65 | Cite |
| Driving w/o Dr. Lic. in Poss. SDCL 32-12-39 | Cite |
| Give False Info. to Obtain Dr. Lic. SDCL 32-12-75.1 | Cite |
| No Valid Driver's License SDCL 32-12-22 | Cite |
| Poss. of Altered/Suspended Dr Lic SDCL 32-12-67 | Cite |

| DRIVING OFFENSES | |
|--|----------------------------------|
| Careless Driving - State or City 32-24-8; SF Ord. 76.076 | Cite |
| DWI 1 st SDCL 32-23-1 & 32-23-2 | PR |
| DWI 2 nd SDCL 32-23-1 & 32-23-3 | PR |
| DWI 3 rd SDCL 32-23-1 & 32-23-4 | PR |
| Reckless Driving – City SF Ord. 76.075 | Cite |
| Reckless Driving – State SDCL 32-24-1 | Cite/PR Officer Discretion |
| Eluding SDCL 32-33-18 | Cite/PR Officer Discretion |
| Zero Tolerance/Under 21 SDCL 32-23-21 | PR |
| Exhibition Driving – State or City SDCL 32-24-9; SF Ord. 76.077 | Cite |
| Fleeing from Police (City) SF Ord. 131.021 | Cite/PR Officer Discretion |
| Seat Belt Violation SDCL 32-38-1 | Cite |
| Texting While Driving SDCL 32-26-47.1; SF Ord. 76.091 | Cite |

| CRIMES OF DISHONESTY | |
|---|----------------------------------|
| False Impersonation SDCL 22-40-1 | Cite/PR Officer Discretion |
| Making a False Report SDCL 22-11-9 | Cite/PR Officer Discretion |
| Misprision of a Felony SDCL 22-11-12 | \$250.00 |
| Unauthorized Use of a Vehicle SDCL 22-30A-12 | Cite |
| Unlawful Occupancy -- Entering or Surreptitiously Remaining SDCL 22-35-5 | \$54 |
| Unlawful Occupancy -- Entering or Remaining After Notice | \$54 |

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| SDCL 22-35-6, Class I Misdemeanor | |
| Unlawful Occupancy -- Entering or Remaining After Notice SDCL 22-35-6, Class II Misdemeanor | \$54 |
| Substitution of Plates SDCL 32-5-103 | Cite/PR Officer Discretion |

| HIT AND RUN VIOLATIONS | |
|---|-------------------|
| Failure to Report – Unattended Vehicle or Property, SDCL 32-34-4 | Cite |
| Failure to Report Accident – bodily injury/death and/or prop. damage over \$1,000 SDCL 32-34-7 | Cite |
| Hit and Run, SDCL 32-34-6 | Cite |
| Leaving Scene of Accident, SDCL 32-34-3 | Cite |
| Hit and Run with Injuries, SDCL 32-34-5 | Felony No bond |

| DRUGS AND SUBSTANCES | |
|--|----------------------|
| Ingest Non-Alcoholic Substance SDCL 22-42-15 | PR |
| Poss Drug Paraphernalia SDCL 22-42A-3 | Cite |
| Poss Marijuana (less than 2 oz.) SDCL 22-42-6 | Cite |
| Poss Marijuana (2 oz. - ½ pound) SDCL 22-42-6 | PR if SD resident |
| Poss Marijuana (under 1 pound) SDCL 22-42-6 | PR if SD resident |

| FISHING/HUNTING/WEAPONS | |
|--|----------|
| Carrying Concealed Weapon SDCL 22-14-9.2; SF Ord. 133.001 | \$200.00 |
| Fishing w/o license (resident) SDCL 41-6-7 | Cite |
| Fishing w/o license (nonresident) SDCL 41-6-8 | Cite |
| Hunting w/o license SDCL 41-6-16 | Cite |
| Poss. of Firearm w/ Intoxicated SDCL 22-14-7 | \$250.00 |

| PHONE CALLS/NUISANCES | |
|---|----------------------------------|
| Misuse of Phone SDCL 49-31-31 | Cite/PR Officer Discretion |
| Nuisance Phone Calls SDCL 49-31-31 | Cite/PR Officer Discretion |
| Panhandling/Public Begging SF Ord. 130.007 | Cite |
| Public Nuisance SDCL 22-36-1 | Cite |

| INSURANCE VIOLATIONS | |
|---|------|
| No Proof of Insurance SDCL 32-35-113 | Cite |
| Prov. False Evid. of Fin. Resp. SDCL 32-35-120 | Cite |

| MORALS CHARGES | |
|---|----------------------------------|
| Contrib. to Delinq. of a Minor SDCL 26-9-1 | Cite/PR Officer Discretion |

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|---|----------------------------------|
| Indecent Exposure SDCL 22-24-1.2 | \$200 |
| No Escort Identification SF Ord. 118.010 | Cite |
| Prostitution, SDCL 22-23-1 | Cite/PR Officer Discretion |
| Public Indecency, SDCL 22-24-1.1 | Cite/PR Officer Discretion |
| Soliciting a Ride SF Ord. 80.008 | Cite |
| Window Peeking, SDCL 22-21-3 | PR |
| Refusal to Accept Diagnosis/Treatment TB SDCL 34-22-18 | PR with EM |

| THEFTS | |
|--|------|
| Obtain Services w/o Paying SDCL 22-30A-8 | Cite |
| Petty Theft 1° SDCL 22-30A-17.2 | Cite |
| Petty Theft 2° SDCL 22-30A-17.3 | Cite |
| Grand Theft (\$1,000-\$2,500) SDCL 22-30A-17 | PR |
| Grand Theft (\$2,500-\$5,000) SDCL 22-30A-17 | PR |
| Possession Stolen Property 1 st Degree SDCL 22-30A-7 | PR |
| Organized Retail Theft | PR |

| ANYTHING NOT OTHERWISE LISTED ON THE BOND SCHEDULE ABOVE SHALL BE SET AS FOLLOWS: | |
|---|-------|
| Class 1 Misdemeanors | \$200 |
| Class 2 Misdemeanors | PR |

DATED THIS 20th DAY OF SEPTEMBER, 2023.


Robin J. Houwman
Presiding Judge, Second Judicial Circuit

[This order does not expire annually; remains in effect until superseded.]

Note: Fines and appearances required for violation of municipal ordinances shall be the same as those required for violation of similar state statutes. For other traffic offenses not covered by municipal ordinance, the fines are the same as the state schedule. For violation of City of Sioux Falls municipal ordinances that do not have a similar or corresponding state statute, the total amount clerk magistrates are directed to charge is \$95, inclusive of fines, fees and surcharges (except for Sioux Falls curfew violations which are assessed a different amount).

Any officer has the authority to require a violator to appear before a magistrate judge.

Rev: 09/19/2023