

Aberdeen Police Department Shooting Summary Detailing Events That Took Place on August 14, 2016

On 8/14/16, the South Dakota Division of Criminal Investigation (DCI) was called by the Aberdeen Police Department to conduct an investigation into an officer-involved shooting that occurred near the intersection of S. Marshall St. and 4th Ave. SE in Aberdeen. The shooting resulted in the suspect, Ehkhu Poe, being shot 2 times. Poe survived his injuries. The Aberdeen Police Officer involved in the shooting was Officer Ty Reinke. The following is a synopsis of the events that occurred on 8/14/16 and the investigation that was conducted by the DCI.

Synopsis

On 8/14/16 at approximately 12:11 AM, Brown County Communications received a 9-1-1 call from a 13-year-old. Communications was advised Ehkhu Poe was threatening family members with a knife and had chased them out of their apartment. The caller advised Poe had also started their apartment on fire. Officers from the Aberdeen Police Department were dispatched to the call.

Officer Reinke was the first officer on scene after being dispatched. He arrived between 12:11 AM and 12:13 AM. Upon arrival, Officer Reinke observed Poe standing in the middle of 4th Ave. SE holding a knife in his right hand. Officer Reinke drew his duty weapon and pointed it at Poe while giving verbal commands to drop the knife. Officer Reinke fired his duty weapon 10 times at Poe after he began to charge Officer Reinke from approximately 36 feet away. Poe was struck with 2 bullets as he continued to charge Officer Reinke. Officer Reinke sustained a head injury after Poe swung the knife at him. Poe was placed into handcuffs after other officers arrived on scene. The knife was still in Poe's hand at the time he was handcuffed.

Poe was given medical treatment on the scene by officers until he was transported to Sanford Hospital in Aberdeen. Officer Reinke was also treated for his injuries at a local hospital and released. Officer Reinke's head was lacerated above his ear. The crime scene was secured by the Brown County Sheriff's Office, South Dakota Highway Patrol, and the Aberdeen Police Department until DCI arrived on scene.

DCI Agents made contact with Officer Reinke. DCI Agents documented Officer Reinke was wearing his issued Aberdeen Police Department uniform. Officer Reinke's blood, urine, weapon, uniform, magazine, and remaining duty ammo were collected. Officer Reinke's duty weapon and magazines were secured, documented, and inventoried. The inventory showed the following:

- One (1) .40 caliber handgun contained 5 rounds in the magazine and 1 in the chamber.
- Officer Reinke's 2 additional duty-issued magazines each contained 15 rounds of ammunition.

Review of Aberdeen Police Department's Body Worn Camera Video/Audio

DCI reviewed Officer Reinke's Axon body camera and found that it was not activated. Sergeant Kaiser was second on scene and did have his Axon camera active. The video shows Sergeant Kaiser responding to the area with his patrol vehicle window down. The video shows Sergeant Kaiser traveling south on S. Vivian St. continuing past 4th Ave. SE. At that time, multiple gun shots can be heard in quick succession. Within 8 seconds of the gunshots, Sergeant Kaiser's

video captures Officer Reinke on top of Poe attempting to secure him. Sergeant Kaiser advises dispatch that shots have been fired while traveling through the parking lot to Officer Reinke's location. Once there, Sergeant Kaiser exits his vehicle to help secure Poe who was still resisting and holding the knife in his right hand.

Shooting Scene Investigation and Interviews

Based on DCI interviews with officers involved and the scene investigation, the following information was gathered during this investigation:

On 8/15/16, DCI interviewed Officer Reinke. Officer Reinke explained on 8/14/16 he was dispatched to a report of an out-of-control subject who was threatening family members with a knife. Dispatch informed Officer Reinke that Poe's exact location was unknown, but the rest of the family was located at the far south side of the parking lot. Officer Reinke's patrol vehicle emergency lights were on as he turned the corner heading west onto 4th Ave. SE from S. Marshall St. After turning the corner, Officer Reinke observed Poe standing in the middle of 4th Ave. SE holding a knife in his right hand. Officer Reinke said that he stopped his patrol vehicle, quickly exited, drew his weapon, and pointed it at Poe. Officer Reinke immediately started giving verbal commands for Poe to drop the knife. Poe began yelling and refused to comply. Officer Reinke repeated to Poe, "Drop the knife, drop the knife!" Poe turned, faced Reinke, clenched his hands in fists, lowered his head, and started running directly at Officer Reinke. Reinke had yelled, "Don't do it, don't do it!" Officer Reinke said he feared for his life as he was being attacked by Poe and fired his duty weapon. They collided and fell to the ground. Poe continued to resist on the ground with the knife still in his hand.

Officer Reinke's blood and urine were submitted to the South Dakota Health Lab for testing. The results later indicated negative for alcohol and/or controlled substances.

A witness, who was interviewed by DCI, explained what he had observed. Just prior to the shooting, the witness had been driving his motorcycle and stopped in the Ken's Super City Mall parking lot. This location is just south of where the shooting had occurred. The witness then said he observed 1-2 police vehicles with their lights activated arrive to the area. The witness then heard 3-4 loud verbal commands to "get on the ground" and then what he thought sounded like 1-2 commands to "put it down!" After the verbal exchange, the witness heard 4-6 gunshots. The witness then observed what looked like two officers dealing with a subject on the ground. The witness then heard additional verbal commands of "stop moving" and someone yell, "I'm bleeding."

On 8/17/16, a DCI Agent met with Poe at the hospital. Poe agreed to speak with him. Poe admitted to using methamphetamine over the last few days. Poe said that he did not feel good being around his family and chased them out of the apartment with a knife in his hand. He advised that if his family had not ran away he would have "cut them." While outside in the street, he then observed an officer (Reinke) stop his vehicle and exit. He said the officer was telling him to drop the knife. Poe said he refused to do so. Poe admitted to running at the officer knowing that he would be shot. Poe said he did not want to live anymore. Poe said he had struck the officer in the neck with the knife before falling to the ground.

The South Dakota Forensic Laboratory examined the 10 casings found at the shooting scene and determined that all 10 casings had been fired by Officer Reinke's duty weapon.

Medical Reports and Criminal History

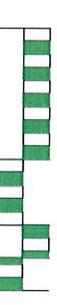
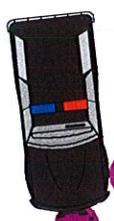
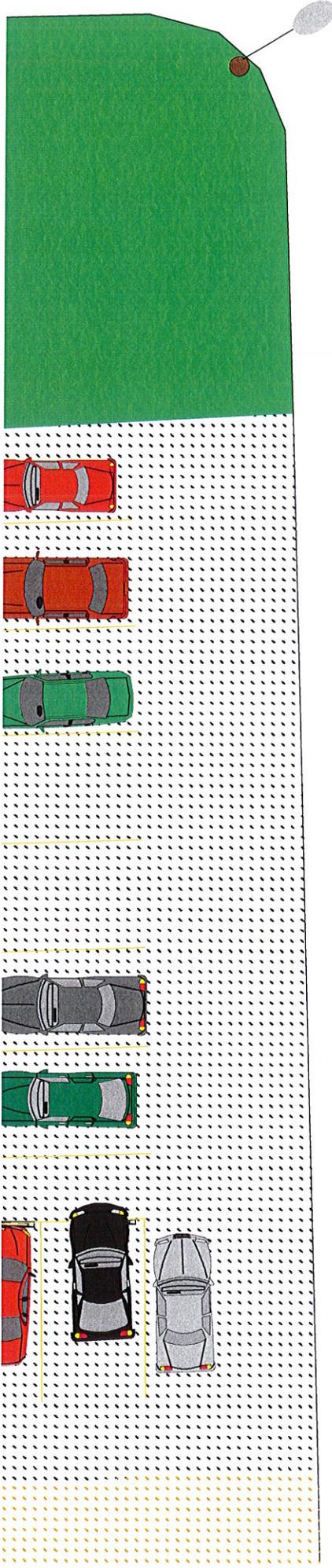
- One (1) round entered Poe's front upper chest and exited causing a collapsed lung. That round was later recovered by DCI Agents on the scene.
- One (1) round entered Poe's left forearm and exited causing his left ulna to fracture.
- Poe's blood indicated a .01% blood alcohol content. His urine indicated positive for methamphetamine.
- A criminal history check on Poe indicates only non-violent misdemeanor offenses.

Investigation Results

Based on the totality of the circumstances, a reasonable officer present at the scene utilized deadly force in a situation that was tense, uncertain, and rapidly evolving. Poe had the means and opportunity to use deadly force and was a clear and present danger to Officer Reinke at the time.

It is the conclusion of this report and the Attorney General that Officer Reinke was justified in firing his weapon and using lethal force.

Based on the investigation conducted by the DCI, the crime scene reconstruction, evidence collected at the scene, witness statements, and statements made by officers were found to be consistent with the described events that occurred on 8/14/16.



1. POE'S KNIFE
2. BLOOD STAIN
3. REINKE HAT
4. REINKE SERVICE WEAPON
5. APD KEVLAR VEST
6. GREEN SATCHEL
7. POE'S HAT

- CASINGS
- BULLET SKIPS
- CLOTHING FIBERS
- SPENT ROUND
- SKIP AND CLOTHING FIBERS

