

YANKTON POLICE DEPARTMENT SHOOTING SUMMARY REPORT IN REGARDS TO THE OFFICER INVOLVED SHOOTING THAT OCCURRED ON SEPTEMBER 1, 2015

On September 1, 2015 the South Dakota Division of Criminal Investigation (DCI) conducted an investigation regarding an Officer Involved Shooting (OIS) that resulted in the shooting of Trae Allen Angel (DOB 04/28/1996) in an alley behind 305 ½ Pine Street in Yankton, South Dakota. This occurred after three 911 calls were placed to the Yankton Police Department Dispatch Center. The first 911 call was from two victims of an assault and the second 911 call was from the perpetrator of the assaults. On the 911 call from the subject, Trae Angel admitted to the assaults and told dispatch he was going to kill himself and fired off a round from a gun to prove to the dispatcher that he had a loaded firearm. The third call came from a female who stated that a male, fitting the description of the subject, had just attempted to carjack her at gunpoint. The following is a synopsis of the events that occurred and led to the shooting on September 1, 2015, and the subsequent investigation by the DCI.

Synopsis:

On September 1, 2015, at approximately 8:45pm a 911 call was received at the Yankton PD dispatch center (Yankton Dispatch) in regards to a domestic assault that had just taken place at 315 Mulberry Street in Yankton. Officers were dispatched to that location and arrived just minutes later. Upon their arrival at the scene the officers found two victims of the reported assault. They were identified as a female and her boyfriend. The female was having some type of breathing distress and the male was suffering from pain in both of his arms and bleeding from the mouth. The victims told officers that the perpetrator of the assault was Trae Angel and he had fled the scene. The officers called for an ambulance and while on the scene did observe a semi-automatic pistol lying on the porch which was collected for safekeeping at that time. The male stated that the weapon was his and that he had it for protection from Angel who was also armed with a handgun. Both victims were admitted to the local hospital; the female for a major asthma and anxiety attack and the male with a broken elbow, broken wrist and 3 fractured vertebrae. While the officers were at the initial call a second 911 call was received. The second call was from Angel. While Angel was on the phone with 911 he told them he had just committed the assault described above and that he was going to kill himself. He told them he had a gun and fired off a round to prove that he had a gun. This information was then aired to the officers along with the shots fired information. The officers then went to the residence of Angel which was not far from the original residence. Upon their arrival at the residence of Angel they found a spent .45 ACP caliber casing on the front steps of the building. They attempted to locate Angel at the residence and were unable to do so. While this was happening a third 911 came into Yankton dispatch from a female that stated a black male with dreadlocks had just attempted to carjack her in her vehicle on Broadway Street a few blocks to the west of the officers. That description fit the description of Angel. A Yankton Police Department (YPD) officer who was familiar with the subject asked for permission to try and make contact with Angel via cell phone in an attempt to talk with him and turn himself in. The officer was given that permission and did make cell phone contact with the subject.

During this conversation the subject told the officer he was going to shoot each and every police officer he saw and that he wanted to die. At this point Yankton dispatch aired a request for assistance from any other Law Enforcement Officers in the area in the search for an armed subject. Officers from the Yankton County Sheriff's Office (YCSO), South Dakota Highway Patrol (SDHP), South Dakota Game, Fish and Parks (GFP) and South Dakota Division of Criminal Investigation (DCI) began to respond. Also at this time additional officers were called on duty from the YPD to assist, to include Sgt. Foote. As all of the officers were responding to the area, several sightings of the subject took place by law enforcement. On two occasions the subject raised a handgun and pointed it at officers. One of the officers was a SDHP sergeant and one was sergeant with the YPD. Neither of these officers fired at the Angel nor did Angel fire at them, but he continued to run and disappeared from their sight. With all of the sightings the search area was finally confined to a one square block area of downtown Yankton. Officers were located at all four corners and at each end of the alley. A foot pursuit and subsequent sighting by another officer made it apparent to the officers that Angel was probably within this perimeter.

At this point in the search, Sgt. Jason Foote along with his search and apprehension dog and GFP Officer Sam Schelhaas began a foot search within the perimeter. They walked east from Capital Street thru an empty lot in the middle of the block towards the alley. They searched the area as Sgt. Foote had a handgun drawn at his side and Schelhaas had a shotgun at the ready position. They arrived at the alley and begin to work to the south. They searched a couple of vehicles and dark corners. Quarters became tight so Schelhaas slung the shotgun over his shoulder and drew his handgun. They continue south past 305 ½ Pine Street which is an apartment building in the alley and also searched a dumpster and a few more vehicles parked on the south end of the alley. Both officers turned back toward the north as another officer was trying to tell them something at which time both Foote and Schelhaas saw an individual fitting the subject's description walking toward them from the north. Both Officers saw the subject that they identified as Angel. Angel raised his arm with a handgun pointed in their direction. Both Officers aimed their weapons at the subject who was yelling at them about having a gun. The Officers gave verbal commands for the subject to drop the weapon. Angel ignored the commands and then aimed the weapon directly at one of the officers. At this point, approximately 9:57pm, Sgt. Foote fired one round from his .40 cal. Glock duty weapon. Foote struck Angel with one round in the lower right abdominal area. Angel immediately fell to the ground. Foote and Schelhaas along with several other officers immediately approached Angel, secured the weapon and began to render medical attention until the ambulance arrived. Both Foote and Schelhaas were then removed from the scene. Foote was taken to the YPD by a YPD administrator to await the arrival of a DCI Agent to begin the investigation. The scene was immediately secured by the YCSO and SDHP until the Agents of the DCI arrived to process it.

Sgt. Foote was contacted by DCI Agents at the YPD. Agents documented in writing and by photograph that Sgt. Foote was wearing his issued YPD uniform. His duty weapon, magazines and remaining ammunition was secured by the Agents. The inventory showed the following:

-A Glock model 22, .40 caliber handgun, one round in the chamber and 14 rounds in a 15 round magazine, indicating one round fired in this incident.

-Two 15 round Glock magazines in a magazine pouch on Sgt. Foote's duty belt with 15 rounds in each of them which is full capacity.

Sgt. Foote was taken to a local medical clinic by the Agents and voluntarily gave a blood sample to medical personnel. The Agents also obtained a urine sample from Foote. The blood and urine samples were sent to the South Dakota State Health Laboratory for testing and the results were negative for any alcohol or illegal or legal drugs that would impair his decision making ability.

SHOOTING SCENE INVESTIGATION AND INTERVIEWS

Prior to the shooting incident, several witnesses saw Angel with a handgun. Some witnesses had the gun pointed at them and some witnessed Angel firing a round off. Interviews revealed that an eye witness in the lower apartment on Pine saw and heard the entire incident. The apartment witness stated that she saw and heard a commotion outside the apartment when she then looked out the west window into the alley. She saw Angel, who she knew personally from high school, walking south past her window with a gun in his hand. She said Angel started to yell things at the cops about having a gun and asked what they were going to do about it. She saw Angel point the handgun at the officers. She heard the officers yell commands to Angel to drop the gun. She said that Angel did not comply with the officers. She said that she then heard one shot fired and saw Angel fall to the ground. She said that the officers immediately approached, secured and began to give medical attention to Angel until the ambulance arrived.

During the processing of the scene, one YPD squad car was located within the shooting scene's taped boundary. The squad car had its video running throughout the incident and captured the entire confrontation and shooting. The video was viewed on scene and showed the entire incident unfold exactly the way that the eye witness described it. This recording is in evidence.

DCI Agents processed the scene. They located one spent .40cal shell casing that was fired by Sgt. Foote, one silver colored .45ACP cal. handgun that was dropped by Angel, and one black cell phone that was also dropped by Angel. The .45ACP hand gun was identified as an AMT High Standard Back Up model with no rounds in the chamber or magazine. There was also a small pool of blood on the ground where Angel fell and swabs of that blood were collected. The scene was also digitally mapped by the SDHP.

The South Dakota Forensic Lab (SDFL) conducted testing on Sgt. Foote's handgun and found it to be in perfect working order. They also matched the spent shell casing from the scene to his weapon. The SDFL also found that the weapon retrieved from the subject in this case was in working order and matched the spent casing found at Angel's residence to the weapon. The SDFL also compared DNA taken from the weapon and matched the DNA to Angel.

Blood was drawn from Angel by hospital staff and sent to the South Dakota State Health Laboratory for testing. The results were negative for blood alcohol. A drug screen completed at the hospital did test positive for the presence of THC.

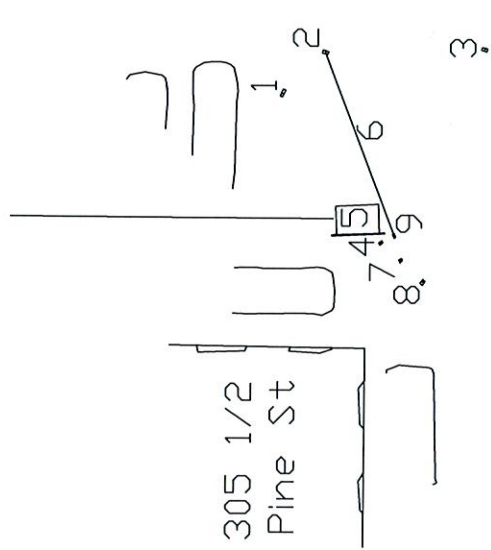
Angel was interviewed by DCI on 9-2-2015. Angel stated the entire incident started when he assaulted his mom's boyfriend. Angel stated that after that assault he stole a .45 caliber handgun from his mother's residence and left. Angel stated that on one occasion he fired the gun while speaking with someone on a 911 call. Angel stated that he pointed the gun at several Law Enforcement Officers throughout the event. Angel stated that the last time he pointed the gun at the cops, he was in an alley. He said that he pointed the gun at two officers and started to yell at them. He said he yelled "Where are all your guns at?". Angel said that he thought he had the gun pointed at the officers for 3 to 3 ½ seconds before he was shot. Angel said that he had thoughts of killing himself prior to this. Angel said he was acting like there were still bullets in his gun and stated that he wanted to get shot.

On 9-4-2015, Sgt. Jason Foote was interviewed by a DCI Agent. Foote stated that he was scheduled to come on duty at 11:00pm the night of 9-1-2015. Foote said he was called in early due to the fact that a situation existed where shots had been fired and a search was underway for the subject. Foote is the handler of a police search and apprehension dog. Foote responded to work in uniform and in his patrol vehicle. He initially assisted in the search from his vehicle and at one point had the subject run across the street in front of his squad vehicle. Foote stated that at this time the search perimeter had been secured and he exited his vehicle with his dog. He said that he requested GFP Officer Schelhaas to assist him in the search as his back up. Foote stated that he and Schelhaas along with the search dog entered the search area on foot from Capital Street in the center of the block walking east. Foote stated that he had his service pistol drawn and at his side and that Schelhaas had a shotgun in the beginning but then slung the shotgun over his shoulder and drew his service pistol. He said they searched several vehicles and hiding spots. He said that they got to the alley and headed south. Along the way they searched a few more vehicles and a dumpster. At the south end of the alley he said they turned around towards the north and at that time saw an individual matching the description of Angel walking towards them with a gun in his hand, raised and pointed in their direction. Foote remembers bringing his handgun up from his side and aiming at Angel. Foote said that Angel was yelling something at them but he is not exactly sure what Angel was saying. Foote said both he and Schelhaas were giving Angel commands to drop the gun. Foote said Angel's gun was originally pointed in Foote's direction and then in Schelhaas' direction. Foote said the gun was pointed just a little high at first and then he saw Angel's hand begin to lower directly at the body of Officer Schelhaas. Foote fired one round from his duty weapon striking Angel. Foote stated that with the gun pointed at Schelhaas and the look on Angel's face, he determined it was time to shoot. Foote said Angel fell to the ground and he and other Officers approached Angel. Foote said that he backed off the scene because his dog was agitated and he did not want anyone to get bit. Foote said that he was then approached by a supervisor who then transported him to the YPD to await a DCI Agent for further investigation.

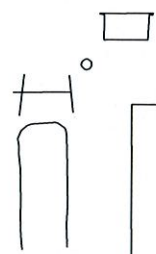
INVESTIGATION RESULTS

It is the conclusion of this investigation and the Attorney General that Sgt. Jason Foote was justified in firing his weapon and using lethal force on the evening of 9-1-2015 in Yankton, SD. The crime scene investigation and review of video evidence is consistent with statements made by Sgt. Foote and witness statements and evidence at the scene.

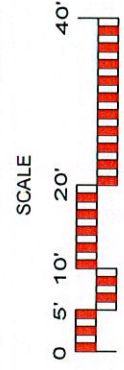
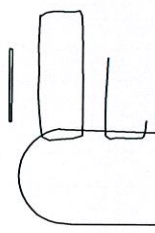
Transmission Shop



- Evidence List
1. Fired shell casing
 2. Sgt. Foote's approx location
 3. GFP Schelhaus approx location
 4. Cell phone
 5. Dumpster
 6. Approx distance between Sgt. Foote and Trae Angel - 23.62 ft.
 7. Puddle of blood
 8. Gun
 9. Trae Angel approx location



Sgt. Larson's Patrol Vehicle



Date of Incident: September 1, 2015 @ 2157 hours
 Location: 305 1/2 Pine St, Yankton SD
 Case Agent: Agent Jim Severson
 Mapped by: Trooper Jeremy Gacke
 Date Mapped: September 2, 2015

