

## **South Dakota Highway Patrol Officer Involved Shooting Summary Detailing Events That Took Place on March 21, 2026**

On March 21, 2026, the South Dakota Highway Patrol (SDHP) requested the South Dakota Division of Criminal Investigation (DCI) to investigate an officer-involved shooting that occurred at 107 U.S. Highway 1416, Box Elder, SD (Pennington County). Two SDHP Troopers discharged their duty weapons multiple times at Benjamin Milbrandt Jr. at the conclusion of a vehicle pursuit that began in Meade County, SD. The following is a synopsis of the events that occurred on March 21, 2026, and the subsequent investigation that was conducted by the DCI.

### **SYNOPSIS**

On March 21, 2026, at about 9:12 PM, the Summerset Police Department (SSPD) engaged in a pursuit following an attempted traffic stop for a speeding violation. The suspect vehicle was identified as a Montana-plated black Mitsubishi Outlander SUV. The driver of the vehicle was later identified as Benjamin Milbrandt Jr. The Meade County Sheriff's Office (MCSO) assisted in the pursuit and successfully deployed a tire deflation device on the suspect vehicle. The pursuit continued into Pennington County at which time Meade County and Summerset authorities terminated the pursuit as the suspect vehicle left their jurisdiction. Milbrandt Jr. continued traveling east on Interstate 90 through Rapid City. During the pursuit, Milbrandt Jr. traveled at high rates of speed and drove in a careless manner, while also turning his headlights off and on throughout.

SDHP Troopers #1 and #2 became aware of the pursuit and communicated that they would attempt to intercept the suspect vehicle around mile marker 61. State Radio Dispatch advised the suspect vehicle was involved in a firearm-related incident the night prior in Rapid City.

As the suspect vehicle continued east on Interstate 90, passing mile marker 61, SDHP Troopers #1 and #2 merged onto the interstate behind it. Trooper #1 paced the suspect vehicle at 90 MPH in a posted 65 MPH zone. Trooper #1 activated his emergency lights and siren near mile marker 62. The suspect vehicle failed to yield to Trooper #1 and a pursuit was re-initiated, with Trooper #2 following. Trooper #2 had a civilian passenger in the front seat. The suspect vehicle exited Interstate 90, at mile marker 63, and continued east onto U.S. Highway 1416 at speeds that exceeded the posted speed limit.

The suspect vehicle continued east on U.S. Highway 1416 for approximately two miles before turning south onto a private driveway located at 107 U.S. Highway 1416. The suspect vehicle traveled a short distance before coming to an abrupt stop near a residence where a male and female, later identified as the Milbrandt Jr.'s parents, were waiting outside.

Trooper #1 stopped directly behind the suspect vehicle and Trooper #2 stopped behind Trooper #1. Milbrandt Jr. immediately opened the front driver's side door and exited with what was later determined to be an AR-15 rifle-style Airsoft gun in his right hand. Milbrandt Jr. raised the rifle and pointed it at Trooper #1. As this happened, Trooper #1 immediately exited his patrol vehicle, yelled for the driver to "stop the car," and discharged two (2) rounds from his duty pistol in the direction of Milbrandt Jr.

While maintaining control of the rifle in his right hand, Milbrandt Jr. moved to the east of the suspect vehicle. Milbrandt Jr.'s father ran toward Milbrandt Jr., reaching for the rifle. While moving, Milbrandt Jr. kept his father at bay with his left hand and maintained control of the rifle in his right hand. A female passenger exited Milbrandt Jr.'s vehicle and stood near the front passenger side of the vehicle throughout the incident. Trooper #2 exited his patrol vehicle and discharged three (3) rounds at Milbrandt Jr. from his duty pistol. Trooper #2's passenger exited and took cover near the rear of Trooper #2's patrol vehicle.

Trooper #1 and Trooper #2 ultimately took cover on the passenger side of their respective patrol vehicles as Milbrandt Jr. was moving in a direction near the driver's side of Trooper #1's vehicle with the rifle still in hand. Trooper #1 discharged four (4) additional rounds from their duty pistol at Milbrandt Jr.

Milbrandt Jr. fell to the ground and his father hovered over him. Trooper #1 and Trooper #2 maintained their positions while yelling for Milbrandt Jr. to drop the rifle and for Milbrandt Jr.'s father to move away. Milbrandt Jr.'s father ultimately grabbed the rifle and tossed it in the direction of the Troopers before stepping away from Milbrandt Jr.

Both Troopers then approached Milbrandt Jr. and provided medical aid until additional law enforcement and medical personnel arrived. Milbrandt Jr. sustained a single gunshot wound to his abdominal area and was transported by ambulance to the hospital.

As part of the investigation:

- DCI determined the shooting incident was captured by SDHP in-car and body-worn cameras.
- SDHP Trooper #1 and #2 both discharged their duty pistols.
- The rifle Milbrandt Jr. possessed during the incident was an AR-15 rifle-style Airsoft gun.
- DCI, MCSO, Box Elder Police Department, Pennington County Sheriff's Office, and the Rapid City Police Department secured the scene of the officer-involved shooting.
- Troopers #1 and #2 were processed by DCI Agents. Both Troopers were in full uniform, and their pistols were inventoried as follows:
  - Trooper #1: FN 509 9mm handgun containing eleven (11) cartridges in the magazine and one (1) cartridge in the chamber, consistent with six (6) cartridges being fired. Two (2) additional magazines were filled to full capacity of seventeen (17) cartridges each.
  - Trooper #2: FN 509 9mm handgun containing fourteen (14) cartridges in the magazine and one (1) cartridge in the chamber, consistent with three (3) cartridges being fired. Two (2) additional magazines were filled to full capacity of seventeen (17) cartridges each.
  - DCI conducted interviews with the involved troopers, Milbrandt Jr., and multiple witnesses to include Milbrandt Jr.'s parents.

## **SCENE INVESTIGATION**

The shooting scene investigation was conducted by DCI Agents. The scene was located outside and to the east of the residence at 107 U.S. Highway 1416 in Box Elder, SD. Items of evidence found at the scene corroborated law enforcement and witness statements.

DCI collected items of evidence from the shooting scene, Milbrandt Jr.'s vehicle, SDHP vehicles, and the involved troopers.

Nine (9) fired 9mm casings were recovered on the ground surrounding Trooper #1's and #2's vehicles: one (1) near the front driver's side door of Trooper #1's vehicle, four (4) in front of the hood area of Trooper #1's vehicle, one (1) behind Trooper #1's vehicle, two (2) under the open front driver's side door of Trooper #2's vehicle, and one (1) on the front driver's side floorboard of Trooper #2's vehicle. The fired casings were consistent with Trooper #1's and #2's statements.

The hood of Trooper #1's vehicle had two (2) apparent bullet impact sites on it. These bullet impact sites were consistent with a projectile impacting the hood from the passenger side to the driver side, and were consistent with Trooper #1 discharging his pistol at Milbrandt Jr.

The front driver's side window of Trooper #2's vehicle was shattered. Fractures in the glass were consistent with a projectile passing from the inside portion of the glass to the outside, and were consistent with Trooper #2 discharging his pistol at Milbrandt Jr.

A black and white ArmaLite 15 Rifle (AR-15)-style Airsoft gun without a buttstock was located on the ground near Trooper #2's vehicle. The rifle was consistent with the one possessed by Milbrandt Jr. during the incident.

To the east of the Trooper vehicles were a cellphone and cut and/or soiled clothing items belonging to Milbrandt Jr., along with medical supply waste.

The vehicle driven by Milbrandt Jr. was processed by DCI Agents. Three (3) bullet impact sites were observed from the inside of the front driver's side door panel frame. A projectile was lodged inside one of the bullet impact sites and later recovered.

The crime scene was mapped and recorded by DCI Agents.

## **TROOPER INTERVIEWS**

### **TROOPER #1**

On Tuesday, March 24, 2026, DCI Agents conducted an interview with Trooper #1. Trooper #1 detailed his involvement in the incident and his thought process during the shooting incident.

Trooper #1 was working his assigned shift in his marked patrol vehicle wearing his issued uniform. While conducting routine traffic enforcement Trooper #1 learned via State Radio Dispatch of a vehicle pursuit near his area of operations.

Trooper #1 located the suspect vehicle near Interstate 90, Exit 61, and attempted to conduct a traffic stop by activating his emergency lights and siren. The suspect vehicle failed to stop for Trooper #1 and a vehicle pursuit ensued.

The suspect vehicle exited Interstate 90 and traveled eastbound on Highway 1416. The suspect's vehicle continued to drive at a high rate of speed with no regard for traffic laws or public safety.

During the pursuit, Trooper #1 was advised by State Radio Dispatch that the suspect vehicle was reported to have been involved with a weapons call—the night prior an individual within the vehicle pointed a gun at a group of people.

The suspect vehicle turned on to an unnamed gravel road and stopped next to a residence. Trooper #1 pulled his patrol vehicle behind the suspect vehicle where Trooper #1 attempted to conduct a felony traffic stop.

Once the suspect vehicle stopped, Trooper #1 recalled the driver of the suspect vehicle immediately exiting the suspect vehicle and pointing an AR-15-style rifle at Trooper #1. Trooper #1 believed the suspect was attempting to shoot them.

Believing the suspect was trying to shoot he and Trooper #2, Trooper #1 expeditiously exited his patrol vehicle and utilized his duty pistol to discharge approximately two (2) rounds at the suspect.

After the initial shots were discharged from Trooper #1, the suspect immediately advanced toward Trooper #1. Trooper #1 relocated to the passenger's side of his patrol vehicle to seek cover.

Once Trooper #1 relocated, Trooper #1 observed the suspect still in possession of the weapon, posing an immediate threat to Trooper #1 and Trooper #2. Due to this continued threat, Trooper #1 re-engaged the suspect with additional shots using his duty pistol.

After Trooper #1 concluded his second volley of fire, Trooper #1 observed the suspect lying on the ground and another male subject hovering over the suspect. Trooper #1 then observed the other unidentified male throw the weapon away from the suspect's location.

Trooper #1 and Trooper #2 began to coordinate and initiate life saving measures on the suspect after gaining control of the evolving scene.

## **TROOPER #2**

On Tuesday, March 24, 2026, DCI Agents conducted an interview with Trooper #2. Trooper #2 detailed his involvement in the incident and his thought process during the shooting incident.

Trooper #2 was working his assigned shift with the Highway Patrol in his marked unit wearing his issued uniform. While conducting routine traffic enforcement Trooper #2 learned via State Radio Dispatch of a vehicle pursuit near his area of operations. Trooper #2 had a ride-along in his marked unit during his assigned shift.

After Trooper #1 initiated a pursuit, Trooper #2 joined Trooper #1 pursuing the suspect vehicle. Trooper #2 recalled the pursuit beginning on or about Exit 61, on Interstate 90. Trooper #2 had the emergency lights and sirens activated during the pursuit.

During the pursuit, Trooper #2 was advised by State Radio Dispatch that the suspect vehicle was reported to have been involved with a weapons call—the night prior an individual within the vehicle pointed a gun at a group of people.

The suspect vehicle exited Interstate 90 and traveled eastbound on Highway 1416 before turning onto an unnamed gravel road leading to a residence. Trooper #2 prepared to conduct a felony traffic stop in coordination with Trooper #1.

Trooper #2 recalled the suspect vehicle stopped in an abrupt manner beside the residence which due to their experience is an abnormal behavior of suspects.

After the suspect vehicle stopped, Trooper #2 began to hear gun shots. Trooper #2 exited his patrol vehicle and observed Trooper #1 shooting in the direction of suspect.

Trooper #2 believed he was being shot at and moved to an area of cover. Trooper #2 observed the suspect advancing and attempting to gain a more beneficial fighting position upon the Troopers. Trooper #2 was concerned for he and Trooper #1's lives and therefore Trooper #2, using his duty pistol, discharged three (3) rounds at the suspect.

Trooper #2 worked with Trooper #1 to gain control of the rapidly evolving scene and provide life-saving measures to the suspect.

## **INTERVIEW: BENJAMIN MILBRANDT JR.**

On March 24, 2026, DCI Agents conducted an interview with Benjamin Milbrandt Jr. at Monument Health Rapid City Hospital.

Milbrandt Jr. made admissions that he was involved in drug activity prior to the pursuit and intended to utilize the Airsoft rifle to force law enforcement to shoot him. Milbrandt Jr. admitted

he intended to commit suicide by threatening law enforcement with what appeared to be a deadly weapon, and that he wanted it to take place at his parents' residence.

Milbrandt Jr. admitted to using drugs and alcohol before the pursuit began.

### **WITNESS INTERVIEWS**

On March 21, 2026, DCI Agents interviewed Milbrandt Jr.'s mother, father, the passenger of the vehicle Milbrandt Jr. was driving, and Trooper #2's passenger. Witness statements were consistent and corroborated the investigation.

Milbrandt Jr. and his passenger were at the residence about an hour prior to the incident. Milbrandt Jr. smoked marijuana and consumed alcoholic beverages. Milbrandt Jr. and his passenger left the residence around 2100 hours and drove to the Black Hawk area. Police attempted to conduct a traffic stop and Milbrandt Jr. refused to yield to law enforcement. It was known Milbrandt Jr. possessed a firearm with him in the vehicle. Witnesses described the firearm as being consistent with a rifle.

Milbrandt Jr. called his father during the pursuit and advised he did not want to go back to jail. Milbrandt Jr. told his father he was going to drive to his residence, shoot at the police, and make them shoot him.

Milbrandt Jr.'s mother and father were waiting outside the residence for Milbrandt Jr. to arrive. When Milbrandt Jr. pulled into the driveway of the residence, he grabbed the firearm, exited the vehicle, and pointed it in the direction of the Troopers.

Once Milbrandt Jr.'s vehicle stopped, Milbrandt Jr.'s father ran toward the vehicle and tried tackling Milbrandt Jr. as he exited the vehicle with the firearm in hand. Witnesses then heard gunfire and observed Milbrandt Jr. on the ground. Milbrandt Jr.'s father grabbed the firearm and threw it away from Milbrandt Jr.

### **VIDEO EVIDENCE**

Body-worn camera (BWC) and vehicle-mounted camera footage from thirty (30) involved law enforcement officers was obtained and reviewed by DCI Agents. Involved officer and witness statements are consistent with captured video.

### **CRIMINAL HISTORY**

A criminal background check of Milbrandt Jr. showed a history of criminal offenses to include but not limited to DUI, drug offenses to include ingestion and possession of controlled substances, aggravated eluding, identity theft, forgery, burglary, domestic abuse, and failure to appear. Milbrandt Jr. was on parole at the time of this incident and had an active arrest warrant for being a parole absconder.

### **SOUTH DAKOTA HEALTH LABORATORY**

Blood and urine samples collected from Milbrandt Jr. were submitted to the South Dakota Health Laboratory (SDHL) for toxicology examinations. Toxicology results showed Milbrandt Jr. had alcohol, methamphetamine, and cannabinoids in his system. Milbrandt Jr.'s blood alcohol content (BAC) was .207 % by weight.

Blood and urine samples collected from Troopers #1 and #2 were submitted to the SDHL for toxicology examinations. Toxicology results for Troopers #1 and #2 were negative for drugs or alcohol.

### **FORENSIC EXAMINATION**

The South Dakota Forensic Laboratory (SDFL) tested the nine (9) fired casings located on the scene. The SDFL concluded these casings matched Trooper #1 and Trooper #2's duty pistols.

The SDFL tested the AR-15 style Airsoft rifle located on scene. The SDFL found this Airsoft rifle to be damaged and defective, and the magazine taped (modified). The Airsoft rifle and magazine were not functional due to damaged and defective parts and components. The serial number on this Airsoft rifle was obliterated and was unable to be restored through chemical etching.

### **INVESTIGATION RESULTS**

Based upon the totality of the circumstances, SDHP Troopers #1 and #2 utilized lethal force in a situation that was tense, uncertain, and rapidly evolving. Troopers were in pursuit of Benjamin Milbrandt Jr., a parole absconder with a significant criminal history.

At the conclusion of the vehicle pursuit, Milbrandt Jr. pointed what was believed to be a deadly weapon at troopers. Milbrandt Jr. presented a clear and present perceived danger to the troopers on scene and to the bystanders by pointing the alleged firearm at the troopers. Milbrandt Jr. demonstrated a propensity for violence through his erratic driving and through his active flight from law enforcement. Milbrandt Jr.'s desire to be killed by law enforcement was demonstrated through these actions and corroborated by later interviews.

Milbrandt Jr. was transported to the hospital where he was treated for a non-life-threatening gunshot wound. Milbrandt Jr. has been indicted on two (2) counts of Simple Assault Against Law Enforcement Officer(s) pursuant to SDCL 22-18-1.05.

It is the conclusion of this report and the South Dakota Attorney General that SDHP Trooper #1 and SDHP Trooper #2 were justified in firing their weapons and using lethal force. This information is based on the investigation conducted by the DCI, crime scene processing, law enforcement officer statements, and laboratory results. All the information is consistent with the described events that occurred on March 21, 2026, in Box Elder, South Dakota.

### **PHOTOGRAPHS**



DCI crime scene photograph of the AR-15 style Airsoft rifle possessed by Milbrandt Jr.