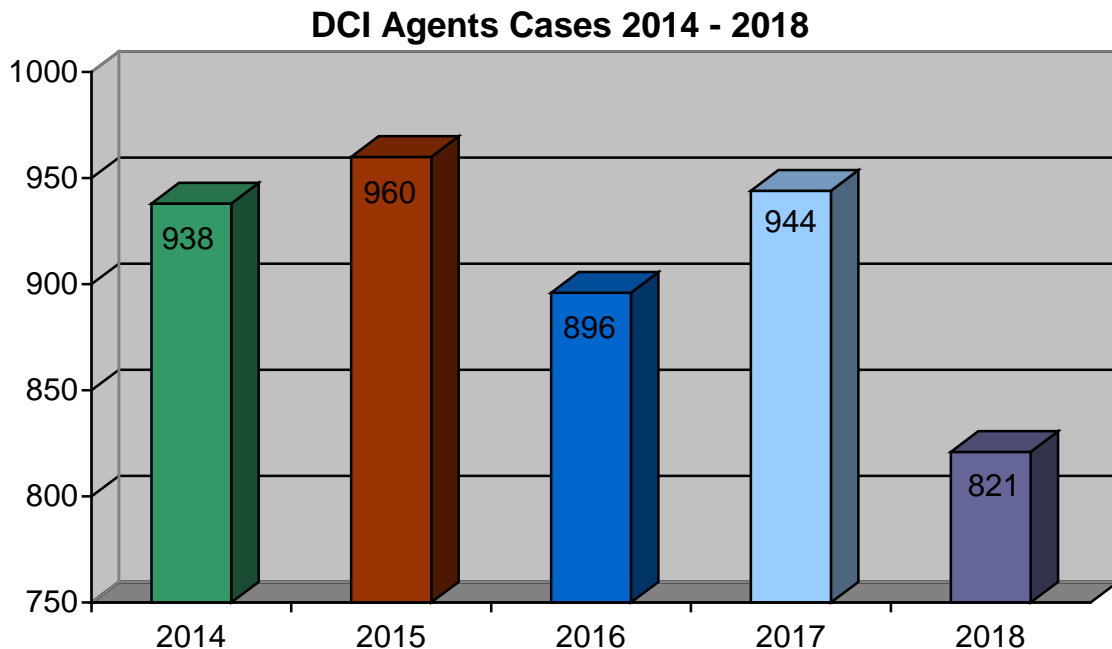


DIVISION OF CRIMINAL INVESTIGATION

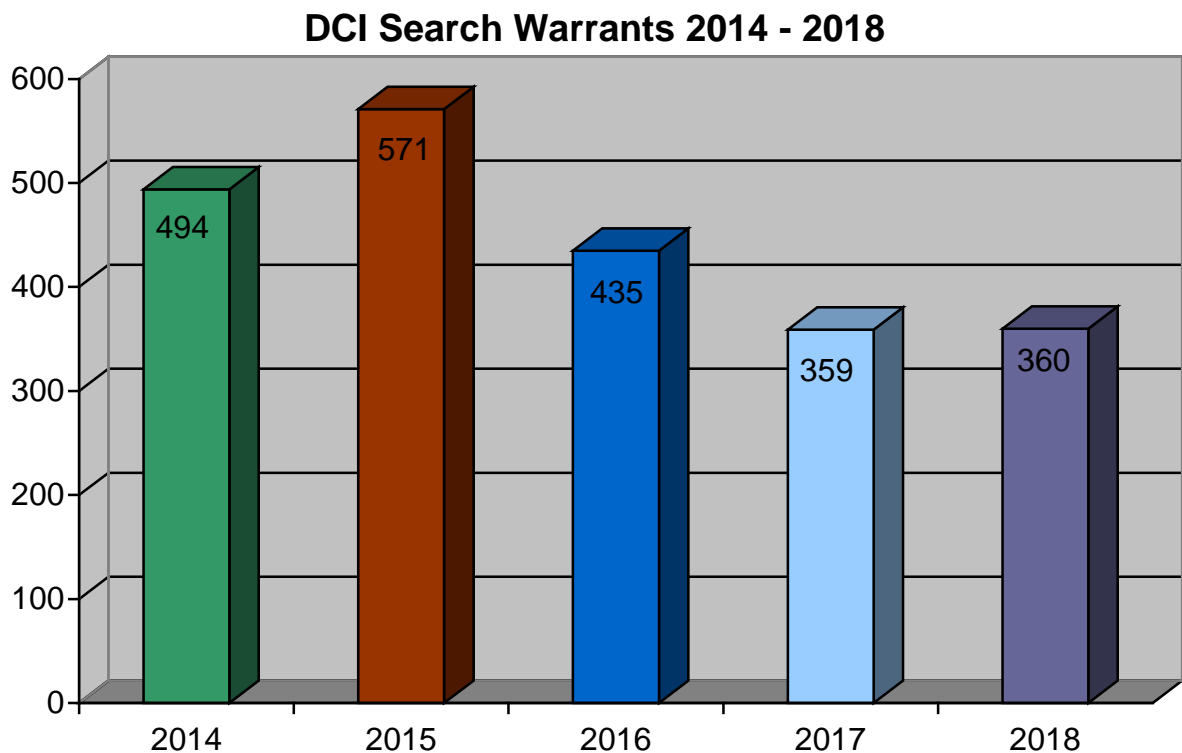
The Division of Criminal Investigation is a comprehensive statewide law enforcement agency made up of the Division of Criminal Investigation (DCI), State Forensic Laboratory (SDFL), and Law Enforcement/911 Training (LET). The Division of Criminal Investigation oversees an operation of about 120 employees and approximately \$17.9 million in expenditures.

Forty-seven Special Agents located in 16 field offices and 5 regions throughout the state assist local law enforcement agencies and prosecutors in the investigation of major crimes. These Agents are certified law enforcement officers and provide expertise in the investigation of homicides, rapes, dangerous drugs, child abuse, arson, digital evidence, white collar crime, explosives, outlaw motorcycle gangs, CDI Social Security fraud, insurance fraud, elder abuse, and burglaries. DCI also provides specialized service in the area of polygraph examination, crime scene documentation, hostage negotiations, accelerant detection canine, and expert courtroom testimony.

The graph below represents the number of DCI Agent case investigations from 2014 through 2018.



The graph below represents the number of search warrants DCI Special Agents participated in from 2014 through 2018. The total warrants served in 2018 were 360. Most of the tactical warrants served were drug or violent crimes related and a joint collaboration with local and federal law enforcement.



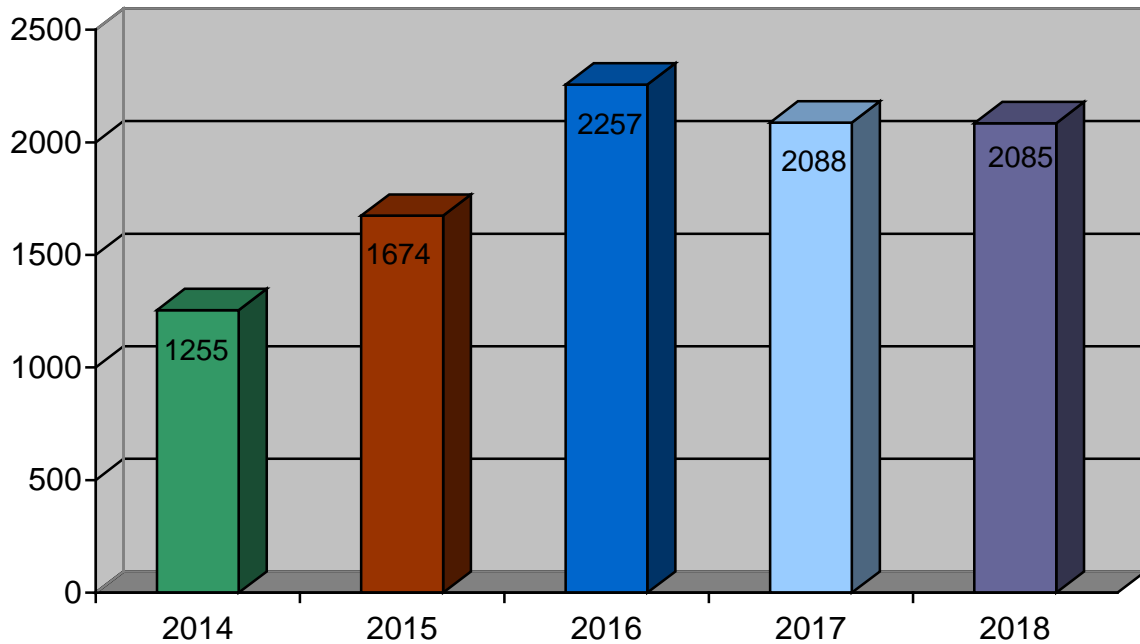
The Agents also fulfill many requests to provide training on a local level to police departments, sheriff's offices, and the public. Some of the topics include clandestine methamphetamine identification, drug identification, crime scene processing, and internet safety.

State Forensic Laboratory (SDFL)

With 15 FTE (including administrative staff), the SDFL provides scientific services in DNA/Serology, Fingerprint, Crime Scene, Firearms/Toolmark, and Trace Evidence (hair). The SDFL is ISO 17025 accredited in all forensic disciplines.

The graph below represents the number of assignments completed by SDFL Forensic Scientists from 2014 through 2018.

SDFL Completed Assignments 2013 - 2017



In 2018, there were 9,565 items of evidence submitted to the SDFL for forensic examination. The laboratory staff received 85 court subpoenas to provide testimony in cases across the state. The SDFL completed 3 crime scene examinations.

The SDFL manages the South Dakota Offender DNA database (SDCL 23-5-14 through 18A) by providing the Department of Corrections, regional jails, and law enforcement with directions and materials used in collecting biological samples – cheek (buccal swabs) – from arrested violent offenders and arrested sex offenders. These offenders will be tested for DNA profiles incorporated in the arrested offender DNA database.

In 2018, 4,274 samples were received from law enforcement and entered into South Dakota's Combined DNA Index System (CODIS), a computer database managed by the FBI. To date, there are approximately 69,980 offender DNA profiles that have been entered into CODIS.

In 2018, 252 DNA profiles from crime scene evidence were entered into CODIS. There were 167 CODIS hits in 2018.

Internet Crimes Against Children (ICAC) Task Force and Digital Evidence Section

The South Dakota ICAC Task Force is comprised of 14 affiliate agencies. The Task Force is primarily focused on the investigation of children who are exploited via the internet or electronic means. The affiliate agencies include the Sioux Falls Police Department, Minnehaha County Sheriff's Office, Brookings Police Department, Watertown Police Department, Aberdeen Police Department, Mitchell Police Department, Rapid City Police Department, Pennington County Sheriff's Office, Pierre Police Department, Huron Police Department, Yankton Police Department, Lake County Sheriff's Office, United States Homeland Security Investigations and Air Force Office of Special Investigations. The ICAC Task Force is also in the process of adding several other agencies in South Dakota as ICAC affiliates. The DCI currently has eight agents assigned to the Task.

In 2018, new computers and forensic software continued to be purchased with ICAC funding. All the Task Force members were trained in the use of forensic examination software so examinations of digital evidence could be conducted on computers, cell phones and other mobile devices, GPS units, and gaming devices to name a few. In 2018, the ICAC Task Force conducted approximately 1,724 forensic examinations consisting of over 272,000 gigabytes of data, served 277 subpoenas, executed 150 search warrants, and investigated 304 cases concerning the exploitation of children.

The ICAC Task Force was also responsible for undercover operations around the state including a week-long operation at the Sturgis Motorcycle Rally. The Sturgis Rally undercover operation led to the arrest of five individuals for Solicitation of a Minor and four individuals were

arrested for Attempted Sex Trafficking of a Minor, all of which were prosecuted in the federal court system. The undercover operation was a joint effort with federal law enforcement and led to the identification of countless other suspects throughout the nation. The ICAC Task Force continues to look for “new avenues” of investigation for these proactive-type cases.

Starting in 2010, the ICAC Task Force also began and continues to improve on a more concentrated effort in working proactive cases regarding the sexual abuse and trading of images of sexual abuse by persons worldwide. All ICAC Task Force members received specific training in undercover techniques and the prosecution of the undercover cases.

Criminal Intelligence

The DCI assists local, state, tribal, and federal law enforcement by collecting, analyzing, and disseminating criminal intelligence information to support investigative functions. The DCI has analysts and intelligence personnel stationed in the agency headquarters in Pierre, the Rapid City field office and in the multi-agency FUSION Center in Sioux Falls.

The DCI Intelligence Unit provides criminal statistical data to serve the needs of investigators and policymakers. The Senior Criminal Analyst, located at the headquarters, provides investigative services such as major case analysis, graphical displays, and courtroom testimony on a case-by-case basis.

Technical Service Unit

The Technical Service Unit is in its eighth year of service. The unit uses advanced investigative tools to capture evidence to disrupt and dismantle mid and high-level multi-jurisdictional organizations involved in the sale of methamphetamine and other controlled substances.

The use of technical surveillance equipment such as that utilized by the Surveillance Operations Groups generates intelligence that otherwise would not or could not have been obtained. The information might be a description of contraband from one jurisdiction captured by Electronic Video Surveillance Equipment (EVSE) in another, or it might be images of individuals transporting contraband from one jurisdiction to another and photographed by EVSE during transit.

These surveillance records can be used by investigators to exploit tactical intelligence to generate additional evidence, leads, or criminal intelligence. In 2018, the Surveillance Operations Group continued to provide DCI Special Agents and other law enforcement officers statewide with EVSE and Electronic Tracking Surveillance Equipment (ETSE).

A Pen Register/Trap Trace (PRTT) collects the dialing/routing information of phone calls as they occur in addition to corresponding tower locations of calls. Investigators using PRTT tools can quickly and consistently identify higher level co-conspirators based upon not only how often co-conspirators speak but when they speak with one another.

The E911, sometimes commonly referred to as a “phone ping,” provides a much more accurate location of the “pinged” device. It provides investigators with an invaluable tool from which they can locate source vehicles known to be carrying methamphetamine, cash, or other contraband in the absence of an ETSE.

Missing Persons

The Division of Criminal Investigation is responsible for preparing guidelines and uniform procedures for the reporting and investigation of missing persons in the state and manages the Missing Persons Clearinghouse. The Missing Persons Clearinghouse is a liaison between South Dakota and the National Center for Missing and Exploited Children (NCMEC). The DCI also provides training in the area of missing persons investigation and facilitates the distribution of information to law enforcement and the public on missing persons in South Dakota. The Senior Criminal Analyst serves as the Missing Persons Clearinghouse Manager for missing children and adults in South Dakota and as the state Amber Alert Coordinator.

The DCI's primary role in the Amber Alert, Endangered Missing Advisory and Blue Alert plans is to act as the liaison with law enforcement agencies who request statewide plan activation and determine if the circumstances of the missing/abducted person meet criteria for plan activation. In the event of a plan activation, the DCI gathers the needed information from law enforcement and creates the posters that are disseminated to the media and public.

In 2003, the statewide Amber Alert plan began in South Dakota. Amber Alerts are only activated for abducted children under the age of 18 years old, who are considered to be at risk for serious bodily injury or death. The DCI's Missing Persons Clearinghouse continues to participate in quarterly drills and training scenarios with the other state agencies who make up the Amber Alert plan in order to maintain preparedness for activation. There were no activations of the Amber Alert plan in 2018.

In 2006, the DCI organized a multi-jurisdictional team to attend Child Abduction Response Team (CART) training in Seattle, Washington. The South Dakota CART team was formed as a result of that training. The team locates resources and responds onsite to assist child abduction investigations that occur anywhere in the state. The nationally certified SD CART promotes a unified and standardized law enforcement model response to all South Dakota missing children investigations. The team is comprised of South Dakota law enforcement professionals from local, state, and federal agencies. The CART team holds quarterly meetings and trainings and also performs an annual field training exercise to assist in maintaining operational readiness. Individual members continued to attend specialized missing children's training.

In May 2008, the Attorney General's Office initiated a second statewide alerting plan designed to augment and compliment the Amber Alert plan. The Endangered Missing Advisory (EMA) allows rapid notification to law enforcement and the media of missing persons considered to be endangered and at significant risk of great bodily harm or death. The EMA allows for activation for people of all age groups in a broad variety of circumstances such as age, health, mental or physical disability, environment or weather conditions in the company of a potentially dangerous person, or some other factor that may put the person at risk for serious bodily injury or death. The EMA does not utilize as many resources as an Amber Alert activation, but it is used more frequently due to broader activation criteria. The EMA was activated four times in 2018 and all of the endangered persons were safely recovered. The activations were for an endangered juvenile runaway, and three cases of endangered adult males with dementia.

In the fall of 2017, work was begun on adding a third public alert plan. On January 4, 2018, South Dakota became the 29th state in the nation to implement a Blue Alert plan. The purpose of the Blue Alert plan is to rapidly notify law enforcement, the media, and the public to aid in the apprehension of violent criminals who have threatened a law enforcement officer with a deadly weapon, used a deadly weapon against a law enforcement officer, caused a law enforcement officer to suffer serious bodily injury or death in the line of duty and the individual has left the scene of the offense. Blue Alerts may also be issued when a law enforcement officer has been abducted or is missing while on duty.

Criminal Statistical Analysis Center (SAC)

The SAC's primary function is to serve as the clearinghouse in South Dakota for criminal justice statistical data. This includes collecting, analyzing, and reporting statistics on crime and related issues. The information is then shared with local, state, and federal agencies and other interested parties. *Crime in South Dakota* is the annual publication that presents the compiled crime data. Other information gathered includes police and sheriff management studies, updates for the Criminal Justice Directory, number of full-time law enforcement employees, and reports from the Criminal History database.

The SAC also functions as the FBI clearinghouse for the National Incident Based Reporting System (NIBRS). The SAC rolled out a new web-based NIBRS program in 2006, which allows for easier reporting by local agencies and removes the difficulty of updating the software for the end-user. South Dakota became a NIBRS-certified state with the FBI in early 2001.

Starting in 2008, the SAC only accepted NIBRS data. NIBRS is an incident-based reporting system designed to collect data on each incident and arrest within that occurrence. The most significant difference between NIBRS and the traditional UCR system is the degree of detail in reporting. Unlike the summary UCR system that collects data on only eight Part I crimes, NIBRS collects 24 crime categories made up of 52 specific crimes called Group A offenses. In addition to the Group A offenses, there are 11 Group B offense categories for which only arrest data are

collected. The Hierarchy Rule is not used in NIBRS. Therefore, if more than one crime was committed by the same person or group of persons and the time and space intervals separating them were insignificant, all of the crimes are reported as offenses in the same incident.

Crime in South Dakota 2018 will be electronically published in 2019. This issue is the tenth time the crime book was electronically published in a NIBRS-only format. A press release was issued along with the URL for the direct link where the book can be downloaded off the SAC web page.

Grants Administration

This office serves as the administering entity of federal grant monies primarily from the U.S. Department of Justice. The DCI manages approximately \$5.7 million dollars in federal grant money on an annual basis. Grant activity in 2018 included application and coordination of the following:

- Edward Byrne Memorial State and Local Justice Assistance Grant Program in coordination with the Governor's Office and Department of Public Safety;
- National Institute of Justice programs to enhance forensic lab services: 1) Paul Coverdell National Forensic Sciences Improvement Act; and 2) Forensic Casework DNA Backlog Reduction Program;
- Victim Witness Assistant Grant from the South Dakota Department of Social Services through the Violence Against Women Grant Program to provide funding for three Victim Assistant positions to provide services to victims of crimes in jurisdictions that currently have no services;
- South Dakota Internet Crimes Against Children Continuation Program to continue to conduct forensic analysis of computer systems and serve as the contact point for ICAC affiliates in South Dakota and ICAC stimulus;
- Grants to Encourage Arrest Policies and Enforcement of Protection Orders in collaboration with the South Dakota Network Against Family Violence and Sexual Assault to:
 - 1) assist in the development of and continue to provide for six education programs and training sessions for the three law enforcement jurisdictions regarding cross training with law

enforcement, 911 dispatchers, and nongovernmental victim advocates; 2) continue to centralize and coordinate police enforcement for domestic violence, sexual assault, and stalking in a team involving a nongovernmental victim advocate; 3) contractual attorneys will provide resources and technical assistance to 66 state and 9 tribal prosecutors to assist with the prosecution cases of stalking, sexual assault, and domestic violence and the enforcement of full faith and credit protection orders; 4) the contractual attorneys and South Dakota Attorney General will spearhead the development and implementation of the danger risk assessment tool with prosecutors and judges; and 5) continue to support the development of SARTs and support the established SARTs statewide (rural areas);

- NCHIP (National Criminal History Improvement Program) to assist in providing with immediate accessibility of criminal history and related records to authorized users;

- Sex Offender Sentencing, Monitoring, Apprehending, Registering and Tracking (SMART) Office support for the Adam Walsh Act Implementation Grant Program to help ensure compliance with the Sex Offender Registration and Notification Act. The DCI's goal is to complete programming changes and upgrades to provide needed equipment to further its aggressive pursuit of noncompliant offenders and those individuals who have failed to provide the state with a DNA sample as required by law;

- BJA John R. Justice Student Loan Repayment Program is a federally-funded incentive program for prosecutors and public defenders to remain in public service.

- COPS – Anti-methamphetamine Program (CAMP) is a federal grant program that advances public safety by providing funds directly to state law enforcement agencies to investigate illicit activities related to the manufacture and distribution of methamphetamine.

Law Enforcement Training / 911 Training

Law Enforcement Training (LET) operates on an annual budget of approximately \$2,690,027 with 12 full-time employees. LET provides basic and advanced training to South Dakota law enforcement officers and all 911 telecommunicators. LET also provides training to prosecutors,

correctional officers, terminal operators, and community members. The training office administers a grant program, which allows local law enforcement agencies to apply for funds to host specific training for officers in their area.

In addition, LET licenses and regulates the activities of private or law enforcement polygraph examiners, Computer Voice Stress Analyzer (CVSA) examiners, and certifies canine teams.

All South Dakota law enforcement officers and 911 telecommunicators must be certified within their first year of employment. Officer certification is usually achieved by completing the 520-hour basic certification course at the Academy; 911 telecommunicator certification requires an 80-hour course. Officers and 911 telecommunicators currently certified in another state may take a reciprocity exam. If successful, they need to attend only a portion of the basic course to obtain their South Dakota certification. LET currently offers three law enforcement and three 911 basic certification sessions per year. In 2018, there were 139 officers (basic and reciprocity) and 44 telecommunicators certified. Total training and grant-funded course attendance in 2018 was 2,708.

Advanced training covers the entire spectrum of law enforcement topics. Advanced training courses include, but are not limited to:

- Firearms and Concealed Carry Laws
- Instructor Development
- Civil Liability / Use of Force
- Terry Search and Seizure
- Advanced Crash Investigation
- Emotionally Intelligent Policing
- Investigative Statement Analysis
- Criminal Interdiction
- Crisis Intervention/De-escalation
- First Line Supervisor
- Situational Leadership II
- Detective & New Criminal Investigator
- D.A.R.E. Instructor

Identification Section (ID)

DCI maintains identification records and criminal history information for the state of South Dakota. All fingerprint cards/images (which include civil and law enforcement applicants, registered sex offenders, as well as criminals) are processed in the Identification Section.

Fingerprint Identification Technicians maintain the criminal records on 276,879 subjects. In 2017, the records for 31,737 arrests were processed in the Identification Section. In addition to criminal arrests, 33,073 fingerprint-based applicant background checks were conducted in 2017.

The DCI continues to upgrade the Identification Section by moving forward with a complete upgrade of the Automated Fingerprint Identification System (AFIS), which allows fingerprint technicians to receive fingerprint cards or images submitted electronically into a database for easy storage, retrieval, and comparison. An upgrade to the AFIS system is projected to be complete by April 2020.

AFIS gives DCI the capability of real time identification of a suspect in investigations based on fingerprints found at the scene of a crime. There is a total of 42 Livescans submitting prints electronically. Currently, 97% of all criminal fingerprints are submitted electronically.

DCI also maintains the South Dakota Sex Offender Registry (SOR) as well as the SOR public website. As of March 2019, there were 3,695 sex offenders registered in South Dakota. Currently, less than 1.5% of these offenders are noncompliant. In 2010, the South Dakota SOR became substantially compliant with the Adam Walsh Child Protection and Safety Act and remains substantially compliant to date.

Asset Forfeiture

Pursuant to SDCL 34-20B-70, approximately 70 vehicles were seized in 2018. Many of these vehicles were used in the transportation and distribution of controlled substances and/or marijuana. Most of the vehicles are sold back to the owner. These owners of vehicles contributed approximately \$110,501.40 to the Drug Control Fund by buying back their seized vehicles. If the forfeited vehicles are not initially bought back by the owner, they are sold at state auction. These auctions are held twice a year in Fort Pierre. A total of \$79,200 in revenue was generated as a result of 22 vehicles that were auctioned in 2018. The monies collected are deposited into the Drug Control Fund. The fund is then utilized to continue the battle of war on drugs in all areas of South Dakota. A breakdown of the 22 vehicles is as follows: 8 SUVs/trucks and 14 cars.

During the investigation of drug crimes in 2018, South Dakota law enforcement seized \$1,310,544 in U.S. currency, which is managed by the Drug Control Fund.