

Sioux Falls Police Department Officer Involved Shooting Summary Detailing the Events that Took Place on April 4, 2024

On April 4, 2024, the Sioux Falls Police Department (SFPD) and Minnehaha County Sheriff's Office (MCSO) contacted the South Dakota Division of Criminal Investigation (DCI) to investigate an Officer Involved Shooting (OIS), which occurred at the Cayman Court Assisted Living Center, 4101 W. Cayman Street, Sioux Falls, SD. During the encounter, the suspect, Daniel Kevin McKillip (DOB 1/17/1982), armed himself with two knives after learning that the Minnehaha County Sheriff's Office was there to serve a mental health detention warrant on him. McKillip was shot three times by two Sioux Falls Police Officers after moving toward law enforcement while armed with two knives. The shooting occurred after negotiations and the use of a less lethal round. McKillip was transported to the hospital and has been subsequently released to a mental health facility. The following information is a synopsis of the events which occurred on April 4, 2024, and the subsequent investigation conducted by the South Dakota DCI. The South Dakota DCI was assisted at the scene by the South Dakota Highway Patrol.

Synopsis

On April 4, 2024, Deputies with the MCSO received a mental health detention warrant for Daniel K. McKillip, issued by the Minnehaha-Lincoln County Board of Mental Illness earlier that same day. MCSO serves mental health detention warrants for the Minnehaha-Lincoln County Board of Mental Illness. Following the receipt of the mental health detention warrant, the task to serve the warrant was assigned to two (2) MCSO Deputies.

MCSO Deputies responded to McKillip's residence at the Cayman Court Assisted Living Facility, 4101 W. Cayman Street, Sioux Falls, SD. The call for service time was 1:42 PM.

When MCSO Deputies arrived, they located McKillip sitting on a couch in the common area, near the front entrance. Deputies approached McKillip and explained that they were there to place him on a mental hold. Deputies spoke with McKillip and attempted to gain his compliance by asking him to stand up and leave with them. After several minutes of negotiating with him, McKillip refused to get up from the couch and comply with deputies' commands. McKillip then produced a knife, causing the deputies to back up and away from the threat. Once deputies were further away, they continued negotiating with McKillip. McKillip refused to comply with orders to drop the knife and produced a second knife. McKillip then had a knife in each hand. Deputies also stated one of the knives appeared to be attached to McKillip's wrist with a lanyard.

Deputies on scene continued negotiations and requested backup officers to respond. Multiple officers with the Sioux Falls Police Department responded to the deputies' call for assistance. Law enforcement continued to provide verbal commands for McKillip to drop the knives for approximately 28 minutes, but he refused to comply.

At that time, a less lethal 40mm round was fired at McKillip to get him to drop the weapons. There was little to no effect on McKillip after being struck with the less lethal round. McKillip then began to stand up with the knives in his hand. At that time, two (2) Sioux Falls Police Officers fired a total of three (3) rounds at McKillip from their duty issued .223 caliber semi-automatic rifles. At the same time, two more less lethal 40mm rounds were fired at him. This caused McKillip to fall back onto the couch he was initially sitting on. After being struck, McKillip continued holding the knives. Another less lethal 40mm round was fired at McKillip in an attempt to gain compliance.

At that time, it was apparent to officers that McKillip was no longer able to attack the officers on the scene. Officers were able to move up to McKillip, secure the knives, and render medical aid. McKillip was later transported to Sanford Hospital in Sioux Falls to be treated for his injuries.

Following the shooting, the Division of Criminal Investigation was called to investigate what occurred. DCI agents processed the officers involved in the shooting, collected evidence from the scene, and conducted the follow up investigation.

Shooting Scene Investigation

The shooting scene investigation was conducted by the SD DCI. Items of evidence were collected and were consistent with law enforcement statements as well as video which captured the event.

The officer involved shooting occurred at the Cayman Court Assisted Living Facility, located at 4101 W. Cayman Street in Sioux Falls SD. This is a multi-unit, single level, residential building. The facility is a staffed, access controlled assisted living residential facility, which houses several residents and staff members. The main entry door opens to a large common area which includes a cafeteria and a TV area. The same common area contains staff offices and provides access to hallways extending to the east and west. The hallways provide access to resident living quarters. The dining commons and TV commons are divided by a half wall. McKillip had been located by law enforcement, seated on a couch in the TV commons area, which faces the dining area. The TV commons area is accessed near the main entry door and the end of the half wall.

Five (5) unfired .223 rifle rounds were located on the floor, near the south side of the half wall in the dining commons area. These unfired .223 rifle rounds were found to be from Principal Officer 1's duty issued Colt M-4 Carbine. One (1) of the unfired .223 rifle rounds had a dent on the casing. Three (3) spent rifle casings were located near the south side of the half wall in the carpeted TV commons area. One (1) of the spent casings was identified as being fired from Principal Officer 1's duty issued Colt M-4 Carbine, and two (2) spent casings were identified as being fired from Principal Officer 2's duty issued Colt M-4 Carbine. Four (4) spent 40mm less lethal projectiles were located throughout the carpeted TV commons area. Damage to a glass window near the couch was found to have been caused by a .40mm less lethal projectile.

Two knives were located resting on top of each other on a small end table near the couch where McKillip had been seated. The investigation revealed that the knives were placed on the end table by law enforcement after the shooting. One knife, black in color, had a serrated top portion of the blade, and a smooth cutting portion. This knife was approximately five inches in length and had a section of string attached to it. The other knife was consistent with a smooth kitchen knife, approximately four inches in length. The smooth blade was stainless steel in color, while the handle was black. A black knife sheath was observed on the floor of the carpeted TV commons area as well as medical artifacts.

The distance between McKillip's location on the couch and the half wall where Principal Officer 1, Principal Officer 2, and Less Lethal Officer 2 were located was measured at approximately fourteen feet. The distance between McKillip's location on the couch and the TV common's area access point, near the main entry, where Less Lethal Officer 1 and additional Officers were located was measured at approximately fourteen feet as well.

Interview: Principal Officer 1

On April 12, 2024, DCI Special Agents conducted an interview with Principal Officer 1.

On April 4, 2024, Principal Officer 1 was working his normal scheduled patrol shift when he overheard radio traffic from units asking for a supervisor to respond to the Cayman Court Living Facility for a subject armed with knives. Principal Officer 1 was wearing his duty issued uniform and badge. Once he arrived at 4101 W. Cayman Street, Principal Officer 1 retrieved his Colt M-4 Carbine .223 patrol rifle from his vehicle.

Principal Officer 1 saw McKillip sitting on the couch on the north side of the open day room area (TV commons). The area had a half wall to the south of the couch McKillip was sitting on. Principal Officer 1 observed several other law enforcement officers on the south side of the half wall. Principal Officer 1 described this area as a confined space, with a relatively close distance for McKillip to close the gap if he were to execute a knife edged attack.

Principal Officer 1 coordinated the evacuation of offices in the common area and residential rooms to the east of the common area for safety reasons.

Less Lethal Officer 1 briefed Principal Officer 1 on the plan to get McKillip into custody. That plan was to use 40mm less lethal force, followed by possibly pinning McKillip to the ground with a shield.

At one-point, Principal Officer 1 was informed that a cane McKillip was in possession of is "for show" and that McKillip is fully mobile and does not need the cane to walk.

Principal Officer 1 approached the half wall and stood on the west side of the half wall. Principal Officer 1 heard dialogue between law enforcement and McKillip and remembered McKillip saying something like "just put your weapons away and leave and we won't have a problem." At this point, Less Lethal Officer 1 gave commands to McKillip to put the knives down and that he was under arrest. McKillip did not comply, and Less Lethal Officer 1 fired a 40mm less lethal round at him.

Principal Officer 1 saw the 40mm less lethal round strike McKillip's thigh but observed that there was no change in McKillip's compliance. McKillip maintained possession of both knives. Principal Officer 1 saw that when McKillip stood up and stepped forward he was still armed with knives in both hands. Principal Officer 1 was concerned over the close quarters setting and believed McKillip could lunge at officers in the room quickly and cause injury to them. Principal Officer 1 was also concerned for the safety of the other civilians in the facility should McKillip make it past law enforcement.

Principal Officer 1 recalled firing one (1) .223 rifle round from his patrol rifle at McKillip. Principal Officer 1's rifle experienced a malfunction after firing the first round. This caused Principal Officer 1 to clear the malfunction.

Standing next to Principal Officer 1 was Principal Officer 2. Principal Officer 1 recalled that he and Principal Officer 2 fired at McKillip almost simultaneously. Principal Officer 1 recalled McKillip falling back onto the couch and yelling that his arm was broken. During this time, McKillip maintained control of the knives. Eventually, McKillip dropped the knives and rolled onto the ground. Principal Officer 1 provided aid to McKillip in the form of a chest seal. After rendering aid, Principal Officer 1 placed his rifle in his patrol vehicle and secured the vehicle.

Interview: Principal Officer 2

On April 12, 2024, DCI Special Agents conducted an interview with Principal Officer 2.

On April 4, 2024, Principal Officer 2 was working his normal assigned shift. He was also riding with Less Lethal Officer 2. At the beginning of their shift, they were assigned to the northwest part of town in the area where the incident occurred. Early in their shift, Principal Officer 2 heard radio traffic from the Minnehaha County Sheriff's Office requesting additional resources at 4101 Cayman Street. The call was for a weapons violation and the subject was said to be armed with knives. He was also aware that some negotiations were in progress with the subject, identified as Daniel McKillip. Principal Officer 2 responded to the call. Upon arrival, Less Lethal Officer 2 retrieved a 40mm less lethal launcher and Principal Officer 2 retrieved his patrol rifle.

When Principal Officer 2 arrived on scene, he observed McKillip with a knife in each hand seated on the couch. Deputies on scene were already negotiating with McKillip. McKillip was heard saying that law enforcement was infringing on his liberty and happiness. McKillip was noncompliant with commands to put the knives down. McKillip was telling law enforcement to put their weapons down and leave. Principal Officer 2 felt this was not an option as there were other patients and staff inside of the facility.

Principal Officer 2 stated the ongoing negotiations were unsuccessful. Law enforcement on scene made a tactical plan to get McKillip safely into custody. As the tactical plan was taking place, McKillip continued to ignore commands to put the knives down. McKillip was seen moving and shifting on the couch while being told not to stand up. Less Lethal Officer 1 was then heard giving the command, "40 up", before deploying a 40mm less lethal round at McKillip. After McKillip was struck, he appeared to flinch, but the round was ineffective in gaining any compliance. McKillip began to uncross his legs and move on the couch. McKillip was still holding the knives in each hand.

Other law enforcement on scene were in the opening/threshold to the area where McKillip was. Those officers were not behind the half wall and were the most vulnerable. Principal Officer 2 was concerned for their safety due to their proximity to McKillip. Principal Officer 2 knew that McKillip could cover the distance and attack the other officers extremely fast.

McKillip was then observed coming forward and starting to stand up. He was given commands not to stand up but ignored them. McKillip was told by other officers, "don't stand up". McKillip did not comply with any of the commands. McKillip then stood up, holding the knives in each hand. Principal Officer 2 thought he heard another less lethal round being fired at McKillip as he was standing up. Principal Officer 2 observed the less lethal force options to be ineffective at stopping McKillip. Principal Officer 2 then fired two (2) rounds at McKillip from his .223 caliber patrol rifle.

After firing, McKillip stopped his forward movement and sat back down on the couch. McKillip was now in possession of one knife in his hand. McKillip eventually complied with verbal commands and was able to lay down on the floor. Officers on scene were able to tactically advance to McKillip, secure weapons, and provide medical aid.

Interview: Less Lethal Officer 1

On April 16, 2024, DCI Special Agents conducted an interview with Less Lethal Officer 1.

On April 4, 2024, Less Lethal Officer 1 was working his normal assigned shift wearing his full duty uniform. While on patrol, Less Lethal Officer 1 heard an alert tone over the radio requesting assistance at 4101 Cayman Street for an armed subject with multiple knives. He learned that Minnehaha County Sheriff's Office Deputies were attempting to serve a mental health hold/warrant on a subject at that address. The subject was later identified as Daniel McKillip. When Less Lethal Officer 1 arrived, he retrieved his 40mm less lethal launcher.

When Less Lethal Officer 1 entered the building, he observed McKillip inside holding two knives. Less Lethal Officer 1 thought the knives appeared to be strapped to McKillip's wrists. McKillip was holding the knives in a boxing or ice pick grip. Less Lethal Officer 1 then positioned himself near the entrance/opening to the area McKillip was seated in. This was because he knew there were still employees and clients in the facility that needed to be protected in case McKillip tried to escape.

Less Lethal Officer 1 heard deputies attempting to negotiate with McKillip, but those efforts were unsuccessful. Deputies continued negotiating while other resources were on the way. McKillip did say that if law enforcement dropped their weapons, he would not hurt them. While this was happening, McKillip continued to hold the knives near his waist.

Less Lethal Officer 1 communicated a tactical plan to get McKillip safely into custody. Less Lethal Officer 1 was planning to use his 40mm less lethal launcher on McKillip to gain compliance. As the tactical plan was taking place, officers were waiting for an officer with a shield to arrive so they could pin or detain McKillip. This tool would also help officers secure and remove the knives tied to McKillip.

Less Lethal Officer 1 then took over verbal commands with McKillip, telling him to drop the knives. He also told McKillip he was under arrest. McKillip refused to comply and was asking law enforcement to drop their weapons.

At that time, Less Lethal Officer 1 announced, "40 up", and fired one (1) 40mm less lethal round at the side of McKillip's right leg. McKillip was hit but there was very limited effect on him. McKillip then looked toward him and began to uncross his legs and move around on the couch with the knives still in his hands. Less Lethal Officer 1 said due to the distance, and the fact that people were still in the building, the 40mm projectile was used to try and get compliance to make the arrest.

Less Lethal Officer 1 reported that McKillip continued to remain seated but moved around in the couch and seemed to be judging or accessing time and distance. McKillip also continued making confrontational and threatening remarks. Less Lethal Officer 1 again gave a verbal announcement of "40 up" and fired a second 40mm round at McKillip's right thigh. After being struck again, McKillip was observed moving around more than before.

A short time later, McKillip was seen starting to stand up with the knives still in his hands. Less Lethal Officer 1 heard other officers giving verbal commands like, "No, no, no" and "sit down". When McKillip stood up Less Lethal Officer 1 reported he fired a 3rd less lethal projectile at McKillip. This was also when other Officers used lethal force on McKillip.

After lethal and less lethal force was used, McKillip laid back on the couch. Less Lethal Officer 1 observed McKillip to still be holding a knife in each hand. Less Lethal Officer 1 told McKillip that if he would drop the knives, medical aid would be provided. McKillip eventually complied

and was able to lay down on the floor. Officers were able to move up and provide medical aid to McKillip.

It should be noted that video review of the incident shows that Less Lethal Officer 1 fired the second 40mm less lethal round when lethal force was used. After lethal and less lethal force was used, McKillip laid back on the couch. Less Lethal Officer 1 observed McKillip to still be holding a knife in each hand. Less Lethal Officer 1 again gave a verbal announcement of "40 up" and fired the third 40mm round at McKillip.

Interview: Less Lethal Officer 2

On April 16, 2024, DCI Special Agents conducted an interview with Less Lethal Officer 2.

On April 4, 2024, Less Lethal Officer 2 was working his regular scheduled shift. He was assigned as a two-person unit and was riding with Primary Officer 2. Less Lethal Officer 2 and Primary Officer 2 were dispatched to the Caymen Court Assisted Living Facility to assist MCSO on a mental illness call and were aware of the report of a male armed with knives.

While traveling to the call, Less Lethal Officer 2 and Primary Officer 2 discussed tactics and had made the decision that upon arrival, Primary Officer 2 would take his patrol rifle and Less Lethal Officer 2 would take the 40mm less lethal launcher into the scene/ facility.

When Less Lethal Officer 2 entered the facility, he could see that McKillip was sitting on the couch with knives in his hands. Less Lethal Officer 2 observed MCSO Deputies attempting dialogue with McKillip but were not gaining compliance. Less Lethal Officer 2 and Primary Officer 2 set up in the area adjacent to McKillip. A half wall was between McKillip's location and the location of Less Lethal Officer 2 and Primary Officer 2.

Less Lethal Officer 2 reported that McKillip remained non-compliant and did not drop the knives, despite officer commands to do so. This led to the final orders being issued by Less Lethal Officer 1, who then deployed a 40mm less lethal round at McKillip. The 40mm less lethal had no effect on McKillip and he maintained possession of the knives. McKillip was holding the knives, which appeared to have lanyards on them, affixed to McKillip's wrists. Less Lethal Officer 2 was unsure if he or Less Lethal Officer 1 fired the next 40mm less lethal round but said that he (Less Lethal Officer 2) fired his 40mm less lethal round when McKillip began to stand up from the couch. When McKillip started to stand, Less Lethal Officer 2 believed McKillip was a threat to officers and was concerned that he might charge at them. Less Lethal Officer 2 reported that he did not hear any rifle shots, but recalled a MCSO Deputy ask, "Did you shoot?" and Primary Officer 2 replied, "Yes." It was at that point that Less Lethal Officer 2 smelled gun powder and realized that shots were fired.

Law enforcement continued to give verbal commands to McKillip to drop the knives. McKillip eventually went down to the ground after disarming himself. At this point, other law enforcement rendered aid to McKillip. Less Lethal Officer 2 helped make sure that everyone was safe.

Less Lethal Officer 2 fired one (1) 40 mm less lethal projectile at McKillip. Less Lethal Officer 2 believes that the round hit McKillip in his right thigh but was uncertain.

Interview: Daniel McKillip

DCI Special Agents conducted an interview with McKillip on April 15, 2024.

McKillip stated he was involved in an altercation with two individuals beginning on April 30, 2024. He stated he had some money stolen from him and water poured on him. When asked if those altercations had anything to do with the events on April 4th, he said yes.

On April 4, 2024, while McKillip was sitting on a couch in the common area, two deputies approached him and told him he was going to be placed on a mental health hold. McKillip repeatedly said when he has been placed on holds before, the officers say the exact reason for the hold. McKillip said "the issue" was that officers didn't state their reason for the mental health hold. McKillip said he was "very infuriated". McKillip reported he "refused to cuff up" and told agents, "I pulled a knife on them".

McKillip said after he pulled the knife out, officers started arguing and backup was called. He said once backup arrived, he told them, "There is no reason for my mental health hold." McKillip stated he pulled the knife out "because it was an unjustified mental health hold".

McKillip told agents he pulled out a second knife when additional officers arrived. When asked what he was going to do with the knives, McKillip stated he wanted to know why he was being placed on a mental health hold. McKillip reported that he wanted the officers to tell him why he was being placed on a hold, and if they couldn't, he wanted them to leave. McKillip said the officers refused to negotiate and fired a 40mm less lethal round at him. After being struck, McKillip said he lifted the couch cushion up in pain. He said, "They will state to you that I lunged at them." "I did not lunge at them." McKillip denied that he was "lunging" at officers.

After being shot, McKillip said he did not recall any officer telling him not to stand up. McKillip did recall the officers telling him to drop the knives. McKillip stated he recalled officers repeatedly telling him to drop the knives. McKillip stated he told the officers to drop their weapons. McKillip told agents he had no intention of "attacking" the officers.

McKillip reported he is "scared to death of people" and that he is scared about the "death of society". During the interview, McKillip made mention of a recent headline about an Australian person who stabbed five people. McKillip said that to prevent this from happening, he diligently carries knives.

McKillip acknowledged that he knows what law enforcement officers look like in uniform, and said he understood that he was under arrest. McKillip stated that after he was shot, he did comply with officers' commands to drop the knives.

Witness Officers

As part of the investigation, DCI Agents conducted interviews with additional law enforcement that were present during the officer involved shooting. The witness officers and deputies on scene observed McKillip armed with two knives. They also reported that McKillip was non-compliant with law enforcement's commands.

Video Evidence

Body worn camera footage (BWC) from the SFPD and MCSO were reviewed during this investigation. The following was clearly observed through audio and video recordings.

At approximately 1:43 PM, MCSO Deputies contacted McKillip in the lobby / living area of the Cayman Court Assisted Living Facility and notified him that there is a mental health hold warrant for him. McKillip was seated on a couch along the north wall of the room.

At approximately 1:44 PM, MCSO Deputies explained to McKillip that they have a warrant to take McKillip in to get checked out. They further explained that a petition was filed because someone was concerned about McKillip. Deputies advised McKillip that the petition was granted and there was now a warrant to take McKillip to Avera Behavioral Health. McKillip responded by telling MCSO Deputies that they need to have a reason for him to go, and that he needs to be a danger to himself or others. For several minutes, the Deputies and McKillip went back and forth regarding the grounds of the order. McKillip stated that he was not currently a danger to himself or others. Deputies inform McKillip that he can see the paperwork regarding the hold once he gets to their vehicle. At one-point Deputies asked McKillip if he would go with them willingly if they brought the hold paperwork inside so that McKillip could look at it. McKillip did not directly answer them and kept arguing with Deputies about the validity of the warrant.

At approximately 1:52 PM, McKillip produced, and brandished a knife from the front pocket of his hooded sweatshirt. Deputies gave verbal commands to drop the knife, but McKillip refused, and deputies retreated, creating space.

At approximately 1:54 PM, McKillip produced and brandished a second knife from his right pants pocket. This knife is in a makeshift sheath and has a lanyard type rope/string attached to it, which McKillip placed around his right wrist. MCSO Deputies requested mutual aid assistance and backup from SFPD. MCSO Deputies gave clear orders for McKillip to “drop the knives.” McKillip was non-compliant and argumentative. Negotiations with McKillip lasted approximately twenty-eight (28) minutes.

At approximately 2:21 PM, Less Lethal Officer 1 gave a final warning to McKillip to drop the knives and notified McKillip that he was under arrest. McKillip remained non-compliant. At approximately 2:22 PM, Less Lethal Officer 1 said, “40 up”, and deployed one (1) round of a 40mm less lethal at McKillip’s right thigh. McKillip showed minimal to no reaction.

After the 40mm less lethal round was fired, McKillip started moving on the couch, as he maintained control of the two knives. He then uncrossed his legs and stood up. Simultaneously, multiple law enforcement officers were continuing commands for McKillip to drop the knives and to not stand up.

At approximately 2:22 PM, McKillip stood up. Simultaneously as McKillip stood, Principal Officer 1 and Principal Officer 2 each fired their patrol rifles at McKillip while Less Lethal Officer 1 and Less Lethal Officer 2 each fired one (1) 40mm less lethal round. Principal Officer 1 fired one (1) .223 round, and Principal Officer 2 fired two (2) .223 rounds.

At approximately 2:22 PM, McKillip fell back onto the couch and slumped to his right side. Law enforcement continued orders for McKillip to drop the knives so that aid could be rendered. McKillip remained non-compliant laying on the couch, armed with the knives. McKillip sat up on the couch, still armed with both knives, while law enforcement told him not to get off the couch with the knives.

At approximately 2:24 PM, Less Lethal Officer 1 launched a 40mm less lethal round at McKillip. McKillip said something unintelligible and “stop”. He could be seen dropping the knife in his right hand at 2:24 PM.

At approximately 2:25 PM, McKillip rolled to his side, partially on the couch and partially on the floor. McKillip rolled onto the ground, laid on his back, and was now compliant and unarmed.

At approximately 2:25 PM, law enforcement approached and rendered aid to McKillip. Sioux Falls Fire Rescue rendered further aid and McKillip was transported to Sanford Hospital at approximately 2:26 PM.

Forensic Firearm Examinations

Primary Officer 1 fired a duty issued Colt M-4 Carbine .223 patrol rifle one (1) time. Primary Officer 1 then experienced a malfunction with the rifle causing Primary Officer 1 to take remedial action to clear the malfunction. Primary Officer 1 did not fire any additional rounds.

Primary Officer 1's magazine was a twenty (20) round capacity magazine, loaded to eighteen (18) rounds. Following the shooting, the rifle had one (1) live .223 round in the chamber and eleven (11) live rounds in the magazine. Consistent with Primary Officer 1's statement, there were live rounds ejected/removed from the rifle when attempting to clear the rifle's malfunction. On scene, DCI Agents recovered five (5) live .223 rounds in the vicinity of where Primary Officer 1 was standing when his rifle was discharged.

The South Dakota Forensic Lab conducted testing on Primary Officer 1's patrol rifle. The lab concluded that one (1) of the spent casings found at the scene matched Primary Officer 1's patrol rifle used during the shooting. The lab also concluded that Primary Officer 1's patrol rifle was found to be functional as intended by the manufacturer.

Primary Officer 2 fired a duty issued Colt M-4 Carbine .223 patrol rifle two (2) times. The magazine was a thirty (30) round capacity magazine, loaded to twenty-eight (28) rounds. Following the shooting, the rifle had one (1) live .223 round in the chamber and twenty-five (25) live rounds in the magazine. Primary Officer 2 fired two (2) total rounds.

The South Dakota Forensic Lab conducted testing on Primary Officer 2's patrol rifle. The lab concluded that two (2) of the spent casings found at the scene matched Primary Officer 2's patrol rifle used during the shooting. The lab also concluded that Primary Officer 2's patrol rifle was found to be functional as intended by the manufacturer.

Less Lethal Officer 1 fired a total of three (3) 40mm less lethal rounds.

Less Lethal Officer 2 fired one (1) 40mm less lethal round.

Medical Reports and Criminal History:

McKillip sustained injuries from the gunshots. The injuries were to McKillip's left upper arm, left thigh, right thigh, and his abdomen. Drug and alcohol tests were conducted on McKillip following the shooting. Hospital lab tests were negative for alcohol and inhalants. The SD health lab report on McKillip did indicate positive tests for Opiates and Fentanyl. It should be noted that fentanyl and other medications were administered by hospital staff when McKillip was initially treated. McKillip was treated for his injuries at Sanford Hospital and has since been discharged. Following his discharge, he was placed on a mental health detention warrant by the Minnehaha-Lincoln County Board of Mental Illness.

Drug and alcohol tests were conducted on Primary Officer 1, Primary Officer 2, Less Lethal Officer 1, and Less Lethal Officer 2 following the shooting. All test results were negative for any drugs, alcohol or inhalants.

A criminal history check was completed for Daniel K. McKillip. McKillip had no wants or warrants and has no criminal history. McKillip does have a history of prior mental health holds.

Investigation Results

Based on the totality of the circumstances, officers present at the scene utilized less lethal force in a situation that was tense and uncertain. McKillip was non-compliant, argumentative, and located in an operating residential facility where other individuals' safety was at risk.

Following the use of less lethal force, McKillip's non-compliance escalated officers present at the scene to utilize deadly force. The escalation occurred when McKillip remained armed with two knives (one in each hand) holding them in an "icepick" style grip. He then stood up from the couch in a forward direction toward law enforcement, disregarding lawful orders to drop the knives and not stand up.

Even after the use of non-lethal and lethal deadly force, McKillip dropped back onto the couch, in a slouched/laying manner but continued to remain non-compliant and maintained control of both knives. McKillip made forward movements and raised from his slouched position to a forward sitting position as if preparing to stand up. Officers present at the scene utilized less lethal force again, leading to McKillip disarming himself. Ultimately, law enforcement gained compliance and rendered medical aid.

McKillip had the means and opportunity to cause bodily injury to all law enforcement present at the Cayman Court Assisted Living Facility and posed a safety risk to other resident's and staff inside the building.

It is the conclusion of this report and the South Dakota Attorney General that the Sioux Falls Police Department Officers were justified in firing their lethal and non-lethal weapons and using lethal and non-lethal force.

The DCI crime scene investigation and review of the videos were consistent with statements received from Principal Officer 1, Principal Officer 2, Less Lethal Officer 1, and Less Lethal Officer 2.



First Knife Pulled



Second Knife Pulled



Knives recovered from crime scene.