

Rapid City Police Department Officer Involved Shooting Summary Detailing Events That Took Place on March 26th, 2022

On March 26, 2022, the Rapid City Police Department (RCPD) requested the South Dakota Division of Criminal Investigation (DCI) investigate an officer involved shooting that occurred at 720 James Warren Drive, Rapid City, SD. The suspect, Barney Leroy Peoples Jr., was shot multiple times by two RCPD Officers. Peoples died as a result of these injuries. The following is a synopsis of the events that occurred on March 26, 2022, and the investigation that was conducted by the DCI.

SYNOPSIS

On March 26, 2022, at about 1:34 PM, the Emergency Services Communications Center in Rapid City received a 911 call regarding a burglary in progress at 720 James Warren Drive. The reporting party was the homeowner, who had returned to his residence after being out of state for several days. The reporting party observed indicators that the residence had been broken into. The reporting party entered the residence and suspected that an unknown person was still inside the residence. The reporting party withdrew from the residence and called 911.

Five uniformed RCPD Officers initially responded to the call and were later joined by a sixth uniformed RCPD Officer who was a canine (K9) handler. The initial responding officers met with the homeowner outside of the residence. The homeowner informed the officers that he believed someone was inside his residence, specifically on the upper level (top floor). The homeowner described the residence as containing three floors with internal stairwells between each floor. The homeowner described the residence as "trashed". The homeowner informed law enforcement there were several firearms kept in the top floor area of the house.

Officers entered the residence through an open doorway on the ground level of the residence. Officers announced themselves as police and issued verbal commands for anyone inside to make themselves known. Officers moved up a stairwell to the main level of the residence. Officers believed someone was in the upper level of the residence and could hear movement. Officers continued to announce their presence and asked anyone inside to make themselves known. Officers staged near the stairwell leading to the upper level while awaiting the presence of the K9 Officer. Once the K9 Officer joined the group, the officers moved up the stairwell.

The first two officers reached a landing midway up the staircase and held their position. It was apparent to the officers that someone was in the upper level of the residence. Officers described hearing footsteps and music. Officer #1 issued multiple clear and concise commands from the stairwell landing, identifying themselves as police and for anyone upstairs to show themselves. Officer #1 also announced the presence of a police K9 and that it would be deployed. Officer #1 described seeing a shotgun resting against a doorway at the top of the stairs.

The intruder did not comply or acknowledge the officer's commands. Officer #1 then deployed their K9. The K9 moved to a closed door at the top of the stairs leading to the master bedroom. Officer #1 moved behind the K9 and secured the shotgun resting on the wall beside the doorway. Officer #1 used their foot to push the door open, exposing the bedroom.

As the door swung open, the officers saw an armed subject, later identified as Barney Peoples Jr., seated on the floor, a few feet inside the doorway, with his back up against the bed and a scoped rifle already pointed at Officer #1. Peoples told officers, "Hold it right there."

As Officer #1 moved to a position of cover beside the doorway, they commanded Peoples to put the gun down. When Officer #1 moved to cover, Officer #2 was exposed from his position in the stairwell. Peoples redirected his aim of the rifle toward Officer #2 who subsequently discharged their duty pistol at Peoples who continued to aim the rifle toward the officers. Officer #1 discharged his duty pistol multiple times from around the threshold of the door. Peoples was struck by multiple bullets, incapacitating him. At 1:37 PM, the involved officers reported shots fired and requested medical units respond.

Peoples died at the scene as a result of his injuries.

DCI Agents and an Investigator from the Meade County Sheriff's Office made contact with the RCPD Officers. DCI Agents documented that the officers were wearing their Rapid City Police Department issued uniforms. Officer's duty firearms were documented and inventoried. The inventory was documented as follows:

- Officer #1's duty issued Glock 9mm handgun contained one unspent round in the chamber
- Officer #1's 17 round capacity duty magazine contained 13 unspent rounds
- Officer #1's two spare 17 round capacity magazines contained 17 unspent rounds each
- Officer #1's backup Glock 9mm handgun which was not used in the shooting incident. This firearm's 15 round capacity magazine contained 15 unspent rounds and no round in the chamber.

- Officer #2's duty issued Glock 9mm handgun contained one unspent round in the chamber
- Officer #2's 17 round capacity duty magazine contained 17 unspent rounds
- Officer #2's spare magazine contained 6 unspent rounds and his additional spare magazine contained 17 unspent rounds.

SCENE INVESTIGATION

The shooting scene investigation conducted by DCI produced items of evidence that confirmed statements given by the officers and video from their body worn cameras.

The scene investigation revealed evidence of forced entry through a window on the main level of the residence.

There were fifteen (15) spent 9mm casings on scene, consistent with the location of the involved officers.

Multiple firearms and ammunition were located and documented in the upper level of the residence, staged in different locations around the master bedroom.

A semi-automatic .22 caliber scoped rifle that Peoples had in his possession during the shooting incident was recovered and found to contain 18 .22 caliber rounds with one round chambered inside the weapon.

The South Dakota Highway Patrol mapped the incident scene. A copy of the map has been included with this report

An Agent with the Federal Bureau of Investigation utilized a biometric fingerprint scanner to identify the deceased as Barney Peoples Jr.

OFFICER INTERVIEWS

- **Interview of Officer #1**

On March 28, 2022, a DCI Agent and Meade County Sheriff's Office Investigator interviewed Officer #1. Officer #1 described their involvement and thought process during the shooting incident.

Officer #1 said that they were specifically requested by a supervisor to respond to a burglary call at 720 James Warren Drive. When they arrived on scene, other officers were already in the process of searching the residence for an intruder. Officer #1 harnessed their K9 and entered the residence at the request of other officers inside the residence. Officer #1 joined the other officers on the main floor of the residence.

Officer #1 said they heard Officer #2 giving clear and loud verbal commands toward the upper level of the residence. Officer #1 joined Officer #2 in the stairwell, along with other RCPD Officers. Officer #1 said that they observed a shotgun leaning against the door jamb of the room directly in front of them. Officer #1 gave verbal commands from the stairwell landing toward the upper level of the residence. After three commands indicating they were a police officer with a K9, Officer #1 deployed the K9 up the remaining stairs to the upper level of the residence.

The K9 came to a closed door at the top of the stairs which Officer #1 noticed was unlatched. Officer #1 had their duty pistol drawn in their right hand and secured the shotgun with their left hand. At the same time, Officer #1 kicked the door open to allow their K9 access to the room. As the door swung open, Officer #1 observed Peoples sitting on the floor with a firearm pointed at them. Officer #1 recognized that they were exposed and in mortal danger. Officer #1 took cover at adjacent doorway while loudly announcing to other officers that Peoples had a gun.

Officer #1 could hear gunfire in the stairwell and was unsure if it was reciprocal gunfire. Officer #1 said that they could see gasses and propellant coming from Officer #2's pistol.

Officer #1 recognized they were in a perilous position and was fearful, not only for their own safety, but also for the safety of their K9 and Officer #2. Officer #1 recognized that Peoples was set up to "ambush" officers. Peoples was seated on the floor, approximately 4 to 5 feet in front of them, pointing a scoped rifle at their (Officer #1's) head. Officer #1 believed the only way to survive the situation was to engage in lethal force. Officer #1 leaned around the threshold of the doorway and fired their duty pistol 3 to 4 times.

After the shooting, Officer #1 located their K9. Officer #1 checked the K9 for injury and restrained him. Officer #1 also requested that medical personnel respond to the scene.

- **Interview of Officer #2**

On March 28, 2022, a DCI Agent and an Investigator from the Meade County Sheriff's Office interviewed Officer #2. Officer #2 detailed their actions and thought process during the shooting incident.

Officer #2 said they were on patrol when they were dispatched to a burglary in progress at 720 James Warren Drive. Officer #2 arrived on scene along with three other uniformed RCPD Officers. Officer #2 said that the homeowner was on scene and advised that he had recently arrived home and found a broken window. The homeowner said he heard someone inside the

residence. The homeowner informed the officers there were several guns and ammunition inside the residence. The homeowner said that he kept the guns unloaded, but someone could have easily found the ammunition and loaded them.

Officer #2 observed the broken window and directed Officers on scene to each side of the house to secure doorways. Officer #2 entered the residence from the lower level and announced themselves as police. Officer #2 gave loud verbal commands for anyone inside to comply. Officer #2 had their duty pistol drawn at the time they entered the lower level and began "clearing" the area. Officer #2 was joined by other officers. Officer #2 said they heard footsteps or scuffling coming from the upper level and communicated this to the other officers.

After the main level of the residence was secured, Officer #2 moved to the stairwell leading to the upper level. Officer #2 said that they continued giving loud verbal commands and announced themselves as police. Officer #2 awaited the presence of Officer #1 and their K9 before proceeding up the stairs. Officer #1 arrived and moved to the front. Officer #1 began giving commands.

Officer #2 advised they received no answer or act of compliance from the unknown person upstairs. Officer #1 said they saw a shotgun against the doorway at the top of the stairs. Officer #1 deployed their K9. Officer #2 followed Officer #1 to the top of the stairs. Officer #2 saw that the door was closed but not completely latched.

Officer #1 retrieved the gun resting against the doorway and kicked the door open. As the door opened, Officer #2 said they saw Peoples in a seated position on the floor, holding a firearm. Officer #2 heard Officer #1 yell, "gun", as Officer #1 took cover to the left of the doorway.

Officer #2 said that Peoples had a gun pointed at Officer #1 until Officer #1 moved to cover. Officer #2 said that Peoples then lowered the firearm and pointed it at their (Officer #2) head. Officer #2 said they were standing a couple of steps down the stairwell and attempted to step back, but they could not retreat due to other officers directly behind them.

Officer #2 said they were in fear for their life based upon Peoples pointing the rifle at their head. Officer #2 said they discharged multiple rounds from their duty pistol toward Peoples until they determined Peoples was no longer a threat.

After the shooting, Officer #2 checked on Peoples and determined he was no longer a threat. Officer #2 cleared the other two rooms in the upper level and conducted a tactical reload of his pistol.

Officer #2 observed Peoples' injuries and could tell Peoples was deceased. Officer #2 observed multiple firearms staged around the bedroom in a manner that Officer #2 believed was to defend his (Peoples) position.

- **Witnessing Officers**

Three other RCPD Officers were positioned in the stairwell at the time of the shooting. All reported hearing Officer #1 and Officer #2 giving loud verbal commands and announcements. The officer directly behind Officer #2 witnessed Peoples pointing a firearm at both Officer #1 and then Officer #2 prior to the shooting. The three officers said that they heard the involved officers give Peoples verbal commands to drop the gun prior to the shooting incident. DCI Agents processed the three officers. The officers' firearms were inventoried, and the loaded ammunition was documented. No discharged rounds were documented.

WITNESS INTERVIEW

DCI Agents interviewed the homeowner who reported the burglary. The homeowner said he had been out of state for several days. He arrived home on the afternoon of March 26, 2022 and noticed that the screen from one of his windows had been removed. The homeowner said he entered his residence and discovered that someone had broken into his house. He noticed his house was in disarray. The homeowner said he heard footsteps in the upper level of the residence and realized that someone was inside his house. The homeowner said he kept all of his firearms in the upper level of the residence. He believed that the intruder could have been armed.

The homeowner said he exited the residence and called 911. The homeowner was still on the phone with 911 Dispatch when RCPD Officers arrived on scene. The homeowner explained the situation to the responding officers provided a layout to his residence. He also told the officers there were firearms and ammunition in the main bedroom on the upper level. The homeowner waited outside while officers entered the residence.

The homeowner said that a short while later, he heard a loud bang followed by subsequent pops. The officer with the K9 came out of the residence and told the homeowner to seek cover behind one of the patrol vehicles.

The homeowner reported he did not know Barney Peoples.

VIDEO EVIDENCE

Video/audio recordings from the involved RCPD Officers' body worn cameras captured the incident. The video was reviewed and was found to be consistent with the statements provided by the involved officers, witnessing officers, and the homeowner.

The video depicts officers meeting with the homeowner and receiving information regarding the burglary. Five officers enter the residence with their duty weapons drawn. Multiple announcements identifying themselves as police can be heard in the video. Law enforcement made numerous commands for anyone inside the residence to surrender. Officer #2 provided Peoples with lawful commands to surrender five times. Officer #1 provided Peoples with lawful commands to surrender three times and to put down his weapon twice. Peoples did not comply with these commands.

The video depicts Officer #1 deploying their K9 to the top of the stairs. The K9 stops at a closed, unlatched door directly in front of the officers in the stairwell. Officer #1 secures a shotgun resting against the doorway while kicking the unlatched door open. The video depicts Peoples sitting on the floor in front of the doorway with a rifle pointed at Officer #1. Officer #1 seeks cover from their exposed position and commands Peoples to put the gun down.

Peoples does not comply, and both officers simultaneously fire their duty weapons multiple times. Officer #1 engages Peoples from the threshold of the doorway while Officer #2 engages Peoples from the stairwell. The video shows Peoples standing up with the rifle still in hand while the officers continue to discharge their pistols. Peoples then falls on the floor in the bedroom.

Officers assess Peoples' medical condition and request immediate medical assistance.

FORENSIC EXAMINATION

The South Dakota Forensic Laboratory (SDFL) tested the fifteen spent shell casings found on scene. The SDFL concluded that the spent casings matched the involved officers' duty weapons.

MEDICAL REPORTS AND CRIMINAL HISTORY

A drug screen and blood alcohol test were conducted on the RCPD Officers involved in the shooting, which showed negative results.

An autopsy was performed on Peoples. Medical records obtained from Western Pathology Consultants showed Peoples was shot six times. The first and second rounds struck Peoples in the neck. The third round struck Peoples in the left chest. The fourth round struck Peoples left posterior flank. The fifth round struck Peoples anterior left flank and the sixth round struck Peoples' left arm. A small bag of suspected methamphetamine was also located on Peoples' during autopsy.

A drug screen and blood alcohol test were conducted on Peoples. The drug screen results showed positive for methamphetamine and a blood alcohol content (BAC) of .053.

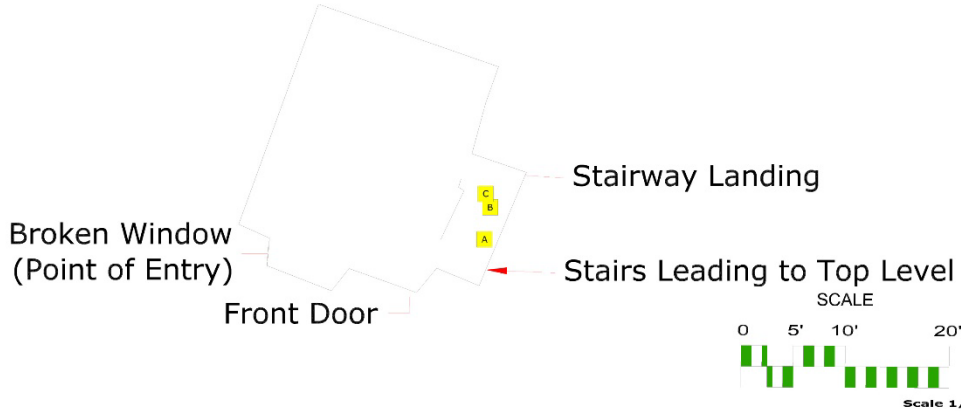
A criminal background check of Peoples shows an extensive history of offenses, including unlawful entry/trespassing, alcohol and drug offenses, domestic violence, and disorderly conduct.

INVESTIGATION RESULTS

Based on the totality of the circumstances, reasonable officers present at the scene utilized deadly force in a situation that was tense, uncertain, and building. RCPD Officers received information about a burglary in progress, in which a subject was still on scene and potentially armed. Peoples was noncompliant with the officers' requests and commands, which were loud, clear, repetitive, and offered ample opportunity for Peoples to surrender. Peoples pointed a loaded rifle at both officers. The officers saw what they knew was a deadly weapon directed at them and used deadly force. Peoples was a clear and present danger to the RCPD Officers present at the scene. It is the conclusion of this report and the Office of the Attorney General that the RCPD Officers were justified in firing their weapons and using lethal force.

The DCI crime scene investigation and review of the videos are consistent with statements received from the RCPD Officers involved.

Middle Level Top Down View



Date of Occurrence:
03/26/2022

Name:
Officer Involved Shooting

Location:
720 James Warren Dr

City or Area:
Rapid City

Investigating Agency:
South Dakota Division of Criminal Investigation

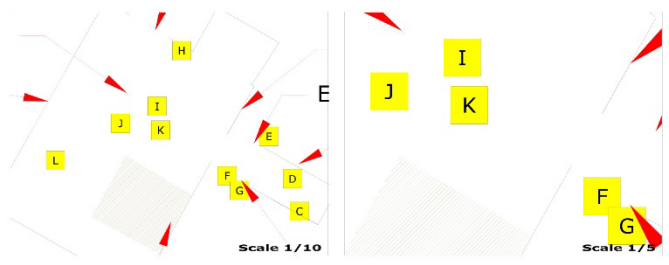
Mapped By:
Trooper Brandon Allen

Lead Investigator:
DCI

Date of Sketch:
03/27/2022

Drawn By:
Trooper Brandon Allen

File Number:
CR20220733



Date of Occurrence:
03/26/2022

Name:
Officer Involved Shooting

Location:
720 James Warren Dr

City or Area:
Rapid City

Investigating Agency:
South Dakota Division of Criminal Investigation

Mapped By:
Trooper Brandon Allen

Lead Investigator:
DCI

Date of Sketch:
03/30/2022

Drawn By:
Trooper Brandon Allen

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