

Sioux Falls Police Department Shooting Summary Detailing Events from July 3, 2022

On July 3, 2022, the South Dakota Division of Criminal Investigation (DCI) was requested by the Sioux Falls Police Department to investigate a shooting that occurred in Sioux Falls, SD at 1806 East 29th Street North. The suspect, Glenn Scott Nisich, was fatally shot by a Sioux Falls Special Weapons and Tactics (SWAT) team designated marksman after firing a shot from his backyard in a residential neighborhood. The following is a summary of the events that occurred, and the results of the investigation conducted by the DCI.

Synopsis

On July 3, 2022, at approximately 2 AM, the Sioux Falls SWAT team was called out to assist with a Search Warrant and the apprehension of Glenn Scott Nisich at a residence in Sioux Falls. Nisich was wanted in connection to a homicide that occurred at a rural Minnehaha County residence on July 2, 2022.

The Crisis Negotiations Unit (CNU) was on scene speaking with Nisich. During the negotiations, Nisich made several admissions to the homicide that had occurred in rural Minnehaha County. Nisich made several comments about not coming out without being in a body bag. He also made several comments about shooting in the direction of deputies to force them to shoot him. During negotiations, Nisich talked about coming out of the backyard gate and having a shootout with the police.

Officer #1 and Officer #2, both of which are marksmen for the Sioux Falls SWAT team, were able to set up in a location northeast of Nisich. They were able to observe him sitting in a chair, talking on a cell phone, and holding a pistol in his right hand. Just to the north of this area were additional occupied residences. During the incident, Nisich had ended his call with the negotiations unit and was speaking with a family member. During this call to a family member, Nisich made comments about having bullets waiting for the police. He made comments to this family member about leaving in a body bag.

At approximately 6:18 AM, Nisich pointed his firearm in a northern direction and fired one round in the general direction of a police drone, the marksmen's area, and occupied houses to the north. Nisich lowered his handgun briefly then raised the firearm up a second time at which time Officer #1 fired one round at Nisich from approximately 59 yards. Officer #1, who was viewing Nisich through a scope, did not see his shot hit Nisich. After this shot, Nisich put his cellular phone down and gripped his handgun with both hands. Officer #1 immediately reloaded his bolt action rifle, reacquired his target, and fired a second round at Nisich, which fatally struck him in the upper chest area. Nisich fell to the ground and the SWAT team made entry and secured the scene. Nisich was later found to be deceased by medical personnel.

Shooting Scene Investigation

The shooting scene was processed by the DCI, which produced items of evidentiary value that corroborated statements from the Sioux Falls SWAT team marksmen.

Two spent .308 casings were located just below Officer #1's .308 rifle. The rifle was still attached to the tripod in the same location as described by Officer #1, with one live round in the chamber and 3 rounds located in the magazine. This was consistent with the statement given by Officer #1.

There were two defects in the siding on the north side of the Nisich residence. These were in an area directly behind where Nisich was seated in a chair in the backyard. Two bullet projectiles were recovered from within the Nisich residence, directly in line with the two defects seen on the exterior of the residence. One of the defects was recovered from within the bathroom wall and the other was recovered from the clothes dryer.

There was a black .45 caliber handgun located in the backyard a short distance from Nisich's body. There was one live round in the chamber and six live rounds in the magazine. One spent .45 caliber casing was located near the seating position of Nisich when he fired a shot. This is consistent with video footage taken by the Sioux Falls PD drone.

Interview with SWAT Team Marksman (Officer #1)

Officer #1 was interviewed on 7-6-22 by DCI Special Agents at the Sioux Falls Law Enforcement Center. Officer #1 advised that they were contacted by Minnehaha County Sheriff's Deputies at approximately 2 AM on 7-3-22 and notified of the incident in rural Minnehaha County. Officer #1 was advised that the SWAT team was being requested to assist with a Search Warrant and apprehension of a suspect at 1806 East 29th Street North in Sioux Falls.

Officer #1 and Officer #2 set up in a position to the west of the Nisich residence. While in this location, Officer #1 said they and Officer #2 heard what they believed to be a gunshot coming from the area of the Nisich residence.

After hearing what they believed to be a gunshot, Officer #1 and Officer #2 went to a different location which was directly north of the Nisich residence. At this location, the officers were close enough to smell cigarette smoke from Nisich and hear him talk.

Officer #1 and Officer #2 moved a third time to a location northeast of the Nisich residence where they were able to see Nisich. Officer #1 saw Nisich sitting in a chair in the backyard of the residence, smoking cigarettes and talking on a cell phone.

Officer #1 advised that they took a position of concealment between two sheds. Officer #1 approximated that they were 50 yards from Nisich. Due to fencing, shrubbery and other obstacles, Officer #1 was only able to see the upper portion of Nisich sitting in the chair. Officer #3, also a Sioux Falls Police Department marksman, arrived at their location to assist with obtaining a visual on Nisich due to all the obstacles.

During the incident, the SWAT team attempted to open a gate to the backyard of the Nisich residence in preparation for a possible emergency entry. Officer #1 advised that Nisich appeared to hear this and moved from one chair to another chair closer to the back door. This movement allowed Nisich to view the back gate area. When Nisich stood up and changed locations, Officer #1 could see a black handgun in Nisich's right hand.

Officer #1 advised that while remaining at their post, there were ongoing negotiations with Nisich and the CNU team. The CNU team advised Officer #1 and other members of the marksmen team that Nisich was making claims of not coming out without a body bag and that he was going to shoot it out with police.

Officer #1 advised that there were several concerns with this incident. Officer #1 advised that they were close enough for Nisich to shoot them with a pistol and there were other occupied residences nearby. Due to the chain link fence, lattice fence, outdoor recreation items, trees and

other foliage, Officer's #1, #2 and #3 were unable to find protective cover and still keep Nisich in their sight. Therefore, the officer's utilized the concealment behind the trees and other foliage for their safety.

At approximately 6:18 AM, Nisich raised his handgun in a slightly upward and northern direction and fired one shot. Officer #1 advised that this was in the general direction of neighbors and where Officer #1, Officer #2, and Officer #3 were positioned. Officer #1 stated that Nisich slightly lowered his firearm and was then raising it back up toward the north. Officer #1 then fired one round at Nisich, which had no apparent effect on Nisich. Officer #1 spoke about Nisich still being an active threat and how they could still see Nisich with the firearm through their scope. Officer #1 believes Nisich was still a threat with lethal intent, so they quickly reloaded another round into the rifle, worked on finding a window to deliver a shot on target and fired another round at Nisich, which struck him in the upper chest area.

Officer #1 observed Nisich fall to his right side and no other movement was observed.

Interview with SWAT Team Marksman/Spotter (Officer #2):

Officer #2 was interviewed by a DCI Special Agent on 7-6-22 at the Sioux Falls Law Enforcement Center. Officer #2 advised that they were contacted at approximately 2:20 AM on 7-3-22 via a phone call from Officer #1. Officer #2 was advised that Nisich was a suspect in a homicide in rural Minnehaha County. The officers were advised that there was a Search Warrant for Glenn Nisich's residence and that Nisich was to be apprehended for the homicide.

Officer #2 met Officer #1 at the Sioux Falls Police Department. They arrived on scene together and set up in several different locations in an attempt to gain a visual on Nisich. Due to the property having several obstructions (vehicles, junk, shrubbery) they were unable to get a visual on Nisich from their first three or four locations.

Officer #2 advised that while at one of the first positions, they were located just west of the Nisich residence while it was still dark outside. Officer #2 advised that they and Officer #1 heard what they believed to be a gunshot coming from the east, from the general direction of the Nisich residence.

Officer #2 and Officer #1 then moved from that location to a position approximately 59 yards to the northeast of where Nisich was seated in the backyard of his residence. Prior to setting up in this position, the SFPD drone was in the air above the Nisich residence. The drone pilot gave them descriptions of Nisich's location and that Nisich was seated in a chair with a firearm in his hand.

Officer #2 advised that the Crisis Negotiations Unit was on scene attempting to negotiate with Nisich. The officers received information from CNU that Nisich was making comments about only leaving in a body bag and that he had no intentions of cooperating with police.

Officer #2 described that Officer #1 had their rifle on a tripod in order to see Nisich. Due to all the obstructions, Officer #3 was called to their area to assist with getting visual contact with Nisich.

Once Officer #3 arrived at their location to assist Officer #1, Officer #2 repositioned to find a better visual on Nisich. As Officer #2 was moving away, they heard a shot fired. Radio communications advised them that Nisich fired shots. Officer #2 then heard two more shots that

were coming from the direction of Officer #1. Radio communications then confirmed that Officer #1 had fired their weapon and that Nisich was down and not moving.

Due to Officer #1 just firing their weapon, Officer #2 returned to Officer #1's location and relieved them of their position. Officer #2 remained with Officer #1's duty weapon until DCI agents arrived on scene.

Interview with SWAT Team Marksman/Spotter (Officer #3)

Officer #3 was interviewed by a DCI Special Agent on 7-6-22 at the Sioux Falls Law Enforcement Center. Officer #3 was contacted on 7-3-22 at approximately 5 AM and advised of the incident with Nisich. They were advised that there was a homicide in rural Minnehaha County and that Nisich was the suspect. They were advised that Nisich was located back at his residence and was sitting in the backyard with a gun making threats toward law enforcement.

Officer #3 made contact with other SWAT team members at the scene and took up a position on the south side of the Nisich residence. Officer #3 was called to Officer #1 and Officer #2's location at approximately 6 AM to assist with getting visual contact on Nisich. This position was between two sheds approximately 50 yards northeast of Nisich's location.

Officer #3 advised that they observed Nisich sitting in a chair on the north side of the Nisich residence facing north. Officer #3 was forced to stand behind Officer #1 to avoid being seen by Nisich. Officer #3 was relaying communications over the radio from Officer #1 to the remainder of the SWAT team members.

Officer #3 was aware that the SFPD drone was flying above monitoring Nisich's movement. From the drone footage, the officers were able to determine that Nisich had a firearm in his right hand. This information was relayed to Officer #3 by radio.

At approximately 6:19 AM, Officer #3 heard multiple shots come from the direction of where Nisich was located. Officer #3 relayed over the radio that Nisich was firing his handgun. Officer #3 saw Officer #1 reload the rifle. Officer #3 then realized that Officer #1 had fired as well. Officer #1 then fired a second shot at Nisich.

Officer #3 saw that Nisich was struck by the marksman's second shot. Nisich slumped over in his chair and eventually fell to the ground. Officer #3 relayed information over the radio that shots were fired and that Nisich was down. Officer #3 remained with Officer #1 until they were relieved by other officers and command staff.

Other SWAT Team Member Statements

Several other SWAT team members were also on scene. These SWAT team members, who were in various locations around the Nisich residence, confirmed hearing 3 to 4 gunshots at approximately 6:19 AM. Many of the SWAT team members recalled hearing what they believed to be a gunshot sometime around 4 AM, which was consistent with statements from Officer #1 and Officer #2.

None of these other SWAT team members were able to see Nisich or Officers #1, #2, and #3. The other SWAT team members were informed via radio communications that Nisich had shot in a northern direction and that Officer #1 had shot and struck Nisich. SWAT team members then made entry into the backyard where Nisich was lying on the ground. As they approached Nisich, a SWAT team member fired one 40mm less lethal round that struck Nisich in the left side of his chest area. This was done to gain compliance from Nisich due to him still having a

firearm in his right hand. After the SWAT team observed no movement from Nisich, they moved to Nisich's body to render aid.

Review of Video from Sioux Falls PD Drone

The Sioux Falls PD drone was deployed at approximately 3 AM on 7-3-22 to the area of the Nisich residence. The drone hovered above the Nisich residence and backyard area until this incident was completed. The video was later reviewed by DCI agents.

Drone footage showed Nisich sitting in a chair in his backyard with a handgun in his right hand for several hours. After daylight, Nisich moved to a different chair in his backyard, closer to the back door of his residence. Nisich sat in this chair for the remainder of the incident. Shortly after sitting in this chair, Nisich grabbed his cell phone and appeared to be talking for several minutes.

Approximately 2½ minutes after picking up his cell phone, Nisich is seen pointing the handgun upward in the general direction of the drone. Nisich then placed the handgun back down to his lap. Approximately 10 seconds later, Nisich again raised the handgun in the general direction of the drone and fired one shot.

Nisich placed the firearm back down momentarily and then began to raise the firearm back up toward the general direction of the drone. As he is seen raising the firearm again, he appeared to flinch his head. Nisich looked toward the west and lowered the firearm to his lap. The video shows a defect in the siding behind Nisich that was not present prior to the first shot. This matched evidence found during the DCI investigation that Officer #1 fired one shot that missed.

Nisich leaned forward and set his phone down on the table. Nisich then grabbed the firearm with both hands and leaned forward. Nisich did not appear to be pointing the firearm in any particular direction at that time. Nisich was then struck by the shot from Officer #1. Nisich fell back in his chair and eventually fell to his right side out of the chair and onto the steps.

The SWAT team then made entry into the backyard and moved toward Nisich. As the SWAT team started their approach to Nisich, they fired one 40mm less lethal round at Nisich. A slight movement on the left side of Nisich's shirt was seen as this shot was fired. This is consistent with statements from SWAT team members and injuries found during the investigation, showing the less lethal round striking his left side. A short time later, the SWAT team moved to Nisich's body and pulled him away from the step, moving him away from the handgun that was previously in his right hand.

DCI agents later learned that Nisich was on the phone with a relative during this time frame. That relative informed an agent that Nisich was talking about being sorry, that he was not going back to prison and that he would be leaving in a body bag. He also talked about a drone flying above him. The relative then heard what they believed to be 3 shots fired, and then there was no response from Nisich. The relative attempted to call back and did not receive an answer from Nisich.

South Dakota Forensic Lab Testing

The South Dakota Forensic Laboratory (SDFL) conducted testing on the .308 rifle fired by Officer #1, the spent casings located near that firearm, and the bullet fragment recovered from the bathroom wall inside the Nisich residence. The testing concluded that the two spent .308 casings located near the rifle were fired from Officer #1's .308 rifle. The testing concluded that

the bullet fragment recovered from the bathroom wall in the Nisich residence was fired from Officer #1's .308 rifle.

The SDFL conducted testing on the .45 caliber Hi-Point handgun located near Nisich and the spent .45 casing located in the same area. The testing concluded that the spent .45 casing was fired from the .45 caliber Hi-Point handgun recovered from Nisich.

Medical Reports

An autopsy was performed on Nisich on 7-5-22. Medical records obtained from the Sanford Health Pathology Clinic indicated that Nisich was shot one time in the right upper chest. The fired bullet traveled through both lungs and the heart. The fired bullet exited through Nisich's rear left shoulder area.

Toxicology reports showed Nisich's blood to be positive for alcohol. There were no illegal drugs found in Nisich's blood or urinalysis tests.

A urinalysis drug screen and blood alcohol test were conducted on Officer #1 and were found negative for any drugs or alcohol.

Criminal History/Previous Incidents

A criminal history report was run on Nisich which showed multiple arrests dating back to 1984 and as recent as 2021. These arrests were for several DUI's, multiple assaults, and multiple disorderly conducts. Many of these incidents also involved charges for resisting arrest.

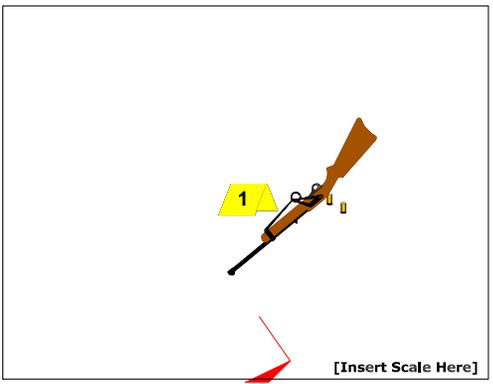
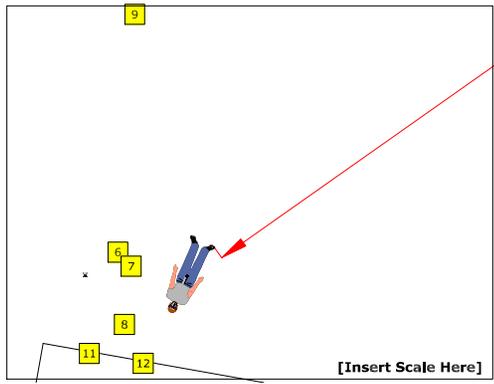
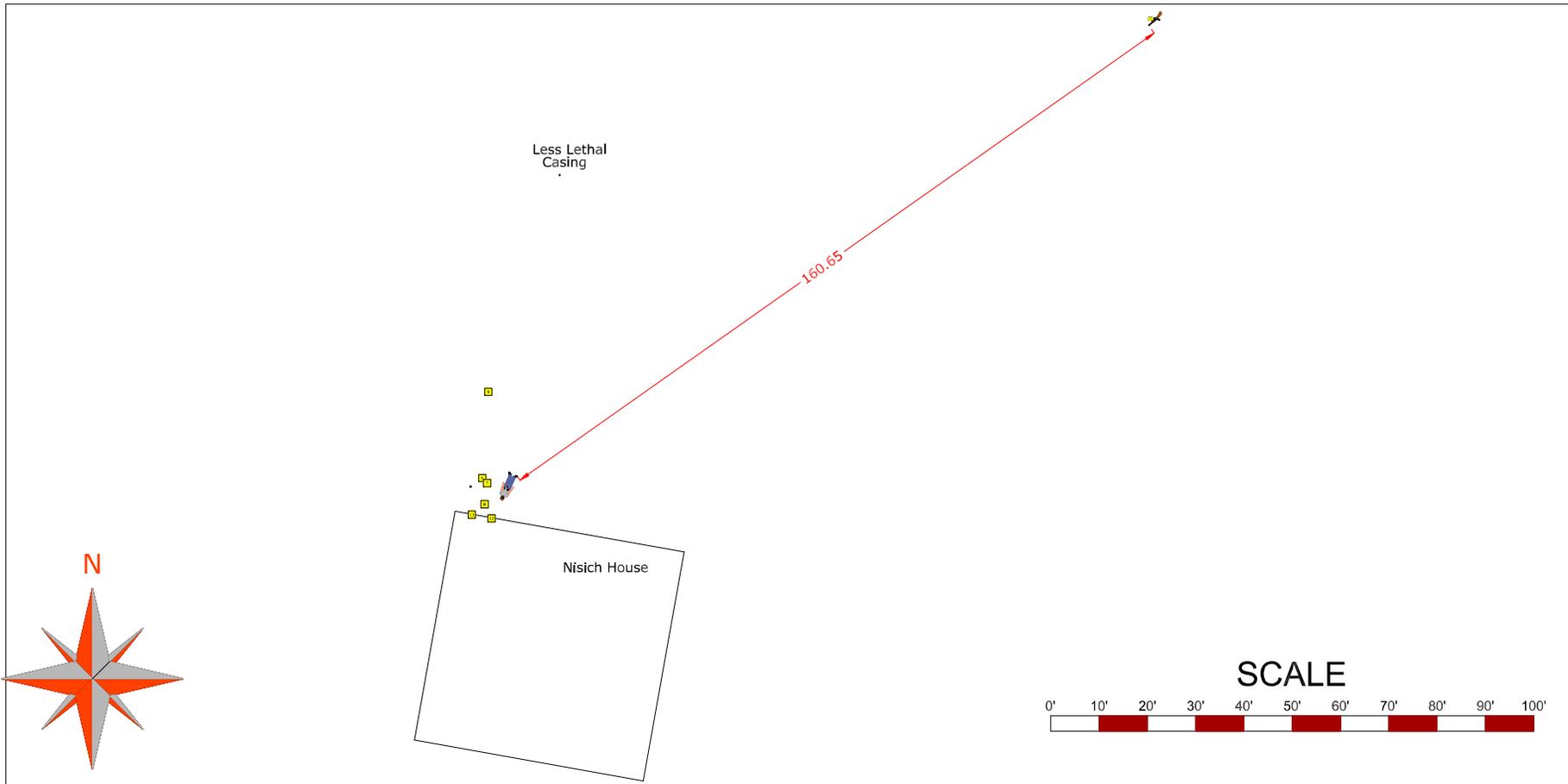
A check of Sioux Falls Police Department and Minnehaha County Sheriff's Office records show over 200 contacts with Glenn Scott Nisich dating back to 2001. These contacts showed various driving violations, thefts, resisting arrest/obstructing officers, many nuisance property issues, vandalisms and assaults.

Conclusion

Based on the totality of the circumstances, a reasonable officer present at the scene utilized deadly force in a situation that was tense, uncertain, and rapidly evolving. Glenn Scott Nisich was involved in an incident earlier the same day where he killed one male and injured another male by shooting them. Nisich was in possession of a firearm and fired that firearm in the general direction of law enforcement and neighbors. Nisich demonstrated the ability and willingness to use deadly force by having recently shot two men, killing one. He also demonstrated this through his overt action of discharging his firearm in the direction of law enforcement and neighbors, as well as expressing his intention to negotiators to use deadly force prior to ending his communication with the negotiators. Nisich was a clear and present danger to law enforcement officers on scene, as well as nearby neighbors. Officer #1 observed Nisich holding what they recognized as a deadly weapon point and fire in the direction of law enforcement and nearby neighbors.

This information is based on the investigation conducted by the DCI, crime scene processing, law enforcement officers' statements and lab results. All the information is consistent with the described events that occurred on July 3, 2022, in Sioux Falls, SD.

It is the conclusion of this report and the South Dakota Attorney General that Officer #1 was justified in firing their weapon and using lethal force.



Date of Occurrence: July 3, 2022	
Name: Glenn Nisich	
Location: 1806 E 29th St N	
City or Area: Sioux Falls, SD	
Investigating Agency: Division of Criminal Investigation	
Case Agent: Special Agent Brian Larson	
Mapper: Trooper Joseph Peterson	Date of Sketch: August 3, 2022
Drawn By: Trooper Joseph Peterson	File Number: HP22003308CR



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Casing

160.65

Nisich House

SCALE

