

Wagner Police Department Officer Involved Shooting Summary Detailing the Events That Took Place on 9/20/2026.

On September 20th, 2026, the South Dakota Division of Criminal Investigation (DCI) was requested by the Wagner Police Department to investigate an officer involved shooting that occurred outside the Wagner Police Department building. The suspect, Travis James Six Toes Jr., was shot at by a Wagner Police Officer after confronting the officer with a weapon. The following is a synopsis of the events that occurred on 9/20/2026, and the investigation that was conducted by the South Dakota DCI.

SYNOPSIS

On September 20th, 2026, at approximately 5:15 PM, the Wagner Police Department responded to a request for a welfare check on a male that had been seen walking around without a shirt. The male was reportedly last seen in the lot located to the south of the Wagner Police Department building. An officer conducted a welfare check on the male who was identified as Travis Six Toes Jr. During this contact, the well-being of Six Toes Jr. was assessed with no further law enforcement action taken.

At approximately 5:48 PM, Wagner Police Officer #1 and Wagner Police Officer #2 noticed Six Toes Jr. across the street from the Wagner Police Department pacing, moving his arms around, and behaving erratically. Officer #1 and Officer #2 stood outside the entrance to the police station to monitor Six Toes Jr. who was in the lot across the street. Six Toes Jr. noticed the officers and quickly crossed the street to confront the officers. Officer #1 noticed Six Toes Jr. holding a pointed spike in his hand and drew his service pistol while ordering Six Toes Jr. to drop the weapon. Officer #2 responded by drawing a Taser. Six Toes Jr. stopped in front of a patrol vehicle, still holding the spike in his hand. Officer #1 communicated with Six Toes Jr., attempting to deescalate the situation and encourage Six Toes Jr. to drop the weapon.

Six Toes Jr. told the officers several times to shoot him and "take me out." Officers attempted to speak with Six Toes Jr. for over one minute, asking him numerous times to put the weapon down. Six Toes Jr. bladed his body toward Officer #1 in a fighting stance while holding the metal spike in his right hand. Six Toes Jr. proceeded to yell, lowered his body, raised his right arm while holding the spike, and rushed directly at Officer #1.

Officer #2 responded by deploying a Taser at Six Toes Jr., impacting him with the Taser probes. Officer #1 responded by discharging a single round at Six Toes Jr from his duty pistol. The projectile did not impact Six Toes Jr. but struck the police department building. Six Toes Jr. fell to the ground due to the Taser deployment and dropped the spike. Six Toes Jr. was taken into custody, and medical aid was immediately rendered. A long rusty metal spike / nail with a sharp pointed end was located on the ground where Six Toes Jr. was taken into custody. Six Toes Jr. was transported to the Wagner hospital for treatment of minor injuries.

INTERVIEW: WAGNER POLICE OFFICER #1

On September 24th, 2026, a DCI Special Agent conducted an interview with Officer #1. Officer #1 stated he began his regularly scheduled shift on September 20th, 2026, at 6:00 PM and was scheduled to end on September 21st, at 6:00 AM. On this shift, Officer #1 was assigned to work as a patrol officer in a marked Wagner Police Department patrol vehicle in the City of Wagner.

Officer #1 advised that upon arriving to the Wagner Police Department for the shift he noticed a shirtless man in the lot across the street from the police station. Officer #1 recognized the man as Travis Six Toes Jr. from previous police contacts. The officer observed erratic and

unpredictable behavior from Six Toes Jr. and believed Six Toes Jr. was likely under the influence. Officer #1 noted the day shift officer spoke about the welfare check conducted on Six Toes Jr. earlier in the day.

Officer #1 noted he and Officer #2 were standing outside near the entrance to the police station monitoring Six Toes Jr.'s behavior. Officer #1 recalled Six Toes Jr. noticed the officers, then quickly crossed the street directly confronting the officers. Officer #1 recognized pre-assault indicators and observed Six Toes Jr. had what appeared to be a railroad spike in his right hand. Officer #1 responded by unholstering his duty weapon and began to give loud verbal commands for Six Toes Jr. to drop the weapon. Officer #1 indicated he attempted to speak with Six Toes Jr. to calm him down and gain control of the situation.

Officer #1 identified that Six Toes Jr. became aggressive while positioning himself in an attack stance. Officer #1 advised that Officer #2 was holding a Taser, pointed at Six Toes Jr. Officer #1 recalled Six Toes Jr. told officers to kill him and Six Toes Jr. suddenly rushed directly at him. Officer #1 stated he responded by firing once at Six Toes Jr. Officer #1 noticed that Six Toes Jr. fell to the ground, dropped the spike, and was being affected by the Taser deployed by Officer #2. Officer #1 ordered Six Toes Jr. to roll onto his stomach and Six Toes Jr. was secured in handcuffs. Officer #2 secured the weapon that had been dropped by Six Toes Jr.

Officer #1 indicated he believed he had struck Six Toes Jr. with gunfire. Officer #1 began to render aid to Six Toes Jr. and called for an ambulance. Officer #1 indicated he later determined Six Toes Jr. was not struck by gunfire but had suffered minor injuries from the Taser deployment. Officer #1 noted that Six Toes Jr. was taken to the hospital, treated, and discharged.

Officer #1 described being concerned for the safety and well-being of nearby bystanders, Officer #2, and himself. Officer #1 advised that when Six Toes Jr. rushed toward him, he thought about his family because he believed he could have been killed. Officer #1 recognized that Six Toes Jr. could have stabbed him. Officer #1 noted that the situation could have resulted in both Six Toes Jr. and Officer #1 being killed.

INTERVIEW: WAGNER POLICE OFFICER #2

On September 20th, 2026, a DCI Special Agent conducted an interview with Officer #2. Officer #2 stated he began his regularly scheduled shift on September 20th, 2026, at 6:00 PM and was scheduled to end on September 21st, at 6:00 AM. On this shift, Officer #2 was assigned to work as a patrol officer in a marked Wagner Police Department patrol vehicle in the City of Wagner.

Officer #2 indicated he observed a shirtless man in the lot across the street from the police station. Officer #2 reported the man appeared to be looking for someone, constantly fidgeting, and possibly talking, though nobody else was there. Officer #2 asked the man what he was doing and received no response. Officer #2 met with other officers and learned the man was recognized as Travis Six Toes Jr. and a welfare check had been conducted.

Officer #2 and Officer #1 began to watch Six Toes Jr. outside the police station. Officer #2 described seeing Six Toes Jr. reaching toward the front of his shorts. Officer #2 said Six Toes Jr. began walking across the street then accelerated his pace toward the officers. Officer #2 described Six Toes Jr. as appearing angry as he advanced toward the officers. Six Toes Jr. was observed holding an object, described by Officer #2 as a barn spike, in his right hand.

Officer #2 indicated that officers backed away from Six Toes Jr. with Officer #1 drawing his duty pistol and Officer #2 drawing his Taser. Officer #2 recalled Six Toes Jr. told officers, "Shoot me, shoot me, kill me, kill me." Officer #2 indicated Officer #1 was speaking with Six Toes Jr. to develop rapport. Officer #2 witnessed Six Toes Jr. crouch in a fighting position and began running at Officer #1. Officer #2 indicated he deployed the Taser at Six Toes Jr. and almost simultaneously heard Officer #1 fire the duty pistol.

Officer #2 assessed the Taser deployment was effective initially as Six Toes Jr. fell to the ground, however, Six Toes Jr. was combative and additional Taser exposures were utilized before Six Toes Jr. was secured in handcuffs. Officer #2 explained he recovered the "shank" from within the reach of Six Toes Jr. and secured it in a patrol vehicle. Officer #2 noted that officers rendered aid and called for an ambulance. Officer #2 asked Six Toes Jr. about any alcohol or drug use and Six Toes Jr. admitted he took "something."

Officer #2 identified his primary concern during this incident as the safety of Officer #1. The concern existed because Six Toes Jr. was near Officer #1 and was locked in on that officer while armed with a weapon.

INTERVIEW: TRAVIS SIX TOES JR.

On September 23rd, 2026, DCI Special Agents conducted an interview with Travis Six Toes Jr. During the interview, Six Toes Jr. admitted using methamphetamine approximately one (1) hour before the confrontation with Wagner Police Officers. Six Toes Jr. advised hearing voices telling him to go after the officers. He admitted that his substance use heightens the voices he perceives.

Six Toes Jr. advised officers were standing at the Wagner Police Department across the street and he went after them. He admitted telling the officers that he wanted to die and stated he wanted the officers to kill him. Six Toes Jr. admitted that he used a metal bar when he confronted the officers. He admitted going after or lunging at Officer #1 with the metal bar to illicit a response; hoping the officer would shoot and kill him. Six Toes Jr. acknowledged the incident was an attempt at suicide by cop. He also indicated he had climbed some grain bins earlier that same day with the intent of jumping off and killing himself.

Six Toes Jr. had bruising which he stated came from an assault by another individual approximately one week prior. He refused to provide additional information about the assault and did not want the matter investigated.

SCENE INVESTIGATION

The shooting scene was processed by the DCI, which produced items of evidentiary value that corroborated statements from the Officers, as well as Police cameras and surveillance video footage.

A long rusty nail with a pointed end, approximately 6 inches in length, was found and recovered from the scene. One (1) spent 9mm casing was recovered as well as a spent Taser cartridge. A defect located in the brick near the entrance to the Wagner Police Department was identified. The location of the defect indicated the shot was fired at a slight downward angle.

DCI agents processed Wagner Police Officer #1 and Officer #2. Both officers were wearing a full police uniform complete with police patches, a badge, and a vest. The words "POLICE" were clearly visible on the back of each officer's duty vest. Officer #1 was carrying a Glock 45, chambered in 9mm, with a fully loaded magazine (17 round capacity), and one round loaded in

the chamber for a total of eighteen (18) rounds. A round count was conducted with seventeen (17) rounds found in Officer #1's Glock, confirming only one round had been fired. Officer #1 also carried a Taser 7 which remained holstered and was not utilized.

Officer #2 was carrying a Glock 45, chambered in 9mm, with a fully loaded magazine (17 round capacity), and one round loaded in the chamber for a total of eighteen (18) rounds. A round count determined eighteen (18) rounds in Officer #2's Glock, confirming no rounds had been fired. An examination of Officer #2's Taser 7 indicated the cartridge had been deployed, indicating the Taser had been utilized.

Photographs of the scene were collected including evidence items. Video footage was also collected from police body worn cameras, an in-car dash camera, and an exterior building surveillance camera. The footage captured the sequence of events that transpired.

VIDEO EVIDENCE

Digital evidence was reviewed in the forms of officer body worn camera, patrol vehicle dash camera, and police station building camera recordings. Additionally, videos from witnesses were also collected and reviewed.

The dash camera from Officer #2's patrol vehicle captures Six Toes Jr. arrive and position himself between the front of the patrol vehicle and the Wagner Police Department building. The video shows Six Toes Jr. confronting the officers in a threatening manner while holding the metal spike in his right hand. Also captured is the moment when Six Toes Jr. raises his arm with the weapon in hand and charging at Officer #1. This camera does not capture any other events related to the shooting.

The body worn cameras from Officer #1 and Officer #2 capture Six Toes Jr. standing in a lot across from the police department walking around and engaging in odd behaviors. The footage shows Six Toes Jr. crossing the street directly toward the officers while holding the metal spike in his right hand. Six Toes Jr. positions himself in front of Officer #2's patrol vehicle, establishes an aggressive stance, and is armed with the metal spike. Officer #1 draws his duty pistol while Officer #2 draws a Taser.

Officer #1 is heard telling Six Toes Jr. to show his hands and to "drop it." Six Toes Jr. appears focused on Officer #1 and tells officers "Shoot me" several times during the brief standoff. Officer #1 attempts to deescalate the situation by speaking with Six Toes Jr., telling him to "drop it" and to "calm down" several times. Six Toes Jr. raises his arm holding the weapon and directly tells Officer #1 "take me out! Right here in the heart" as he points to his chest. Six Toes Jr. continues intimidating the officers telling them, "I bet you won't kill me" and "you guys probably want to."

Six Toes Jr. is observed lowering his body, clenching his fists, and then yells out that he is going to miss his children as he suddenly rushes directly at Officer #1. Six Toes Jr. raises the arm holding the metal spike as he begins to run at the officer. Officer #2 deploys a Taser at Six Toes Jr. immediately followed by Officer #1 firing a single shot at Six Toes Jr. The footage shows the building was impacted by a projectile following the gunshot.

Six Toes Jr. falls to the ground and is moving about. The sound of the activated Taser is heard as well as Officer #1 giving commands to Six Toes Jr. to get onto his stomach. The metal spike is visible, lying on the ground next to Six Toes Jr. Officers approach Six Toes Jr. and proceed to handcuff him. The metal spike is secured by Officer #2. The footage shows officers immediately

begin to render aid to Six Toes Jr. and discover he was not hit by gunfire. During this process, Six Toes Jr. continues to make comments including telling Officer #1 “oh you missed me” and “you’re supposed to shoot me better than that.”

SOUTH DAKOTA FORENSIC LAB TESTING

The South Dakota Forensic Laboratory conducted testing on Officer #1’s 9mm handgun. Results show the firearm was operable and functional as intended by the manufacturer. The fired casing recovered from the scene was determined to have been fired from Officer #1’s duty weapon.

MEDICAL / LAB REPORTS

Blood and urine sample testing was conducted on Officer #1 and Officer #2. The testing results showed that the Officers did not have any presence of drugs or alcohol in their samples.

Blood and urine testing was conducted on Travis Six Toes Jr. The test results determined alcohol was not present in Six Toes Jr.’s system; however, the presence of cannabinoids, amphetamine and methamphetamine were detected.

Medical records indicate that Six Toes Jr. was not struck by gunfire but did sustain minor injuries due to the Taser deployment. Six Toes Jr. did have bruising on his body, but those injuries were determined to be pre-existing and unrelated to the investigation.

CRIMINAL HISTORY

A criminal history review on Travis James Six Toes Jr. was conducted and showed that he was currently on probation for charges including Possession of Controlled Substances. Six Toes Jr.’s criminal history shows other prior offenses including Trespassing, Driving Under the Influence, Obstructing Law Enforcement, and Vandalism.

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. Travis Six Toes Jr. had the means and opportunity to use deadly force and was a clear and present danger to law enforcement on scene. The investigation revealed that Six Toes Jr. confronted law enforcement while armed with a metal spike utilized as a deadly weapon. Six Toes Jr. actively attacked a police officer with the intent to illicit a deadly force response.

This information is based on the investigation conducted by the DCI, crime scene investigation, law enforcement statements, video review, and lab results. All the information is consistent with the events described that occurred on September 20th, 2026, in Wagner 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.

INVESTIGATION PHOTOS

Below: Dash Cam image of Six Toes Jr. with metal spike



Below: The metal spike recovered from the scene

