

Rapid City Police Department Shooting Summary Detailing Events That Took Place on May 13, 2020

On 05-13-20, the Rapid City Police Department (RCPD) requested that the South Dakota Division of Criminal Investigation (DCI) conduct an investigation into an officer involved shooting that occurred near the intersection of East Highway 44 and East St. Patrick Street in Rapid City, SD. The suspect, Anthony Angel, was shot twice by a Rapid City Police Officer. Angel died as a result of his injuries. The following information is a synopsis of the events that occurred on 05-13-20, and the investigation that was conducted by the South Dakota DCI.

Synopsis

On 05-13-20, the Rapid City Police Department received information regarding illegal drug activity taking place at 1914 Pecan Lane in Rapid City. Officers from Rapid City Police Department's Street Crimes Unit (SCU) set up surveillance on that residence.

While on surveillance, RCPD Officers witnessed three individuals exit the residence and get into a white Chevrolet Impala with dealer plates. RCPD Officers followed the vehicle from the residence.

At approximately 6:14 PM, RCPD Officers pulled over the white, 2006 Chevrolet Impala for a headlight violation. The traffic stop occurred near the intersection of East Highway 44 and East St. Patrick Street. Officers made contact with the driver and two passengers inside the vehicle. The officers were able to identify the driver and front seat passenger. The backseat passenger, later identified as Anthony Angel, provided various names to the officers, preventing them from positively identifying him.

Due to traffic noise, a RCPD Officer asked Angel to accompany him back to his patrol car to better hear him and identify Angel properly. Angel exited the backseat of the Chevrolet Impala. The officer asked Angel if he had any weapons on him. The officer told Angel that he was going to pat him down for weapons prior to Angel getting into the patrol car.

Angel became argumentative and backed away from the officers toward the south ditch of Highway 44. The officers continued talking to Angel trying to obtain information regarding his true identity. As one of the officers walked toward Angel, Angel backed up, reached into the front of his waistband, and pulled out a handgun.

One of the RCPD Officers withdrew their duty weapon and fired at Angel, striking him two times. One of the rounds struck Angel in the head and the other grazed his right leg. Angel was able to fire two rounds from his handgun before becoming disabled. One of those rounds struck the windshield of the patrol car, located near the RCPD Officers. Another round struck the ground in front of the officers. It appeared that both the RCPD Officer and Angel fired simultaneously.

RCPD Officers rendered first aid to Angel. Angel was transported to Monument Hospital in Rapid City where he died from his injuries the following day.

A DCI Agent and Meade County Sheriff's Office Investigator made contact with the RCPD Officer. A DCI Agent documented that the RCPD Officer was wearing his Rapid City Police Department issued uniform. His duty firearm and magazine were secured and inventoried. The inventory was documented as follows:

- The officer's duty issued Glock 9mm handgun contained one round in the chamber.
- The officer's duty magazine contained 12 unspent rounds.
- Two spare magazines associated with the officer's handgun contained 17 unspent rounds each.

The Unified Narcotics Enforcement Team (UNET) continued the investigation into the reported drug activity from 1914 Pecan Lane. Another traffic stop on a vehicle leaving the residence and subsequent search warrant of the residence led to the seizure of illegal drugs and paraphernalia.

Shooting Scene Investigation

The shooting scene investigation conducted by DCI produced items of evidence that confirmed statements given by the RCPD Officer, video from the RCPD Officers' body-worn cameras and patrol car cameras, as well as witnesses present at the time of the shooting. Specifically, there was a Smith and Wesson 9mm handgun with one round in the chamber and 9 rounds in the magazine found where Anthony Angel had fired at the RCPD Officers. DCI Agents learned that the Smith and Wesson 9mm handgun was reported stolen from a motor vehicle in Rapid City on April 14, 2020.

Two 9mm shell casings were found on scene; consistent with where Angel had fired at the RCPD Officers.

There were also five spent 9mm shell casings found on scene; consistent with the area where the RCPD Officer fired his handgun.

A search of Anthony Angel's person revealed a pouch containing a loaded syringe with suspected methamphetamine, a snort tube, and other drug paraphernalia. Angel also had an unspent 9mm round in his pocket.

Interview of RCPD Officer

On 05-15-20, a DCI Agent interviewed the RCPD Officer. The RCPD Officer said they were on duty with the Rapid City Police Department on 05-13-20. The Officer was the driver of a two-officer patrol unit. The RCPD Officer said that the Officer and their partner received information from their sergeant about illegal drug activity reportedly taking place at 1914 Pecan Lane. The Officer said that the Officer and their partner set up surveillance on the residence by parking across the street and watching foot traffic come and go from the residence.

The RCPD Officer said that they witnessed an individual exit the residence and enter the backseat of a vehicle. The Officer and their partner followed the vehicle (white 2006 Chevrolet Impala) as it left the residence. The RCPD Officer said that they eventually followed the Chevrolet Impala eastbound on East Highway 44. The RCPD Officer said that the Chevrolet Impala was missing a headlight. The Officer made a traffic stop on the vehicle on Highway 44, near East St. Patrick Street.

The RCPD Officer said that they made contact with the female driver. The Officer identified the driver and front seat male passenger. Officers were unable to identify the backseat passenger. The Officer said the names the backseat passenger provided did not come back on file when the Officer ran the names through dispatch.

The RCPD Officer said that they and their partner asked the backseat passenger, later identified as Anthony Angel, to exit the car so they could better hear him and obtain his identity. The Officer said that they opened the door for Angel, who exited the car and began walking back to the patrol car. As they were walking toward the patrol car, the Officer asked Angel if he had any weapons on him. The Officer told Angel that they needed to pat him down prior to getting into the patrol car. The Officer said that at first, Angel seemed to be cooperative and put his hands up. At about the time the Officer mentioned weapons, Angel kept his hands up, spun away from the Officer, and asked if he could just talk to him.

The Officer said they thought they were approximately 6 feet behind Angel as they walked back to the patrol car. The Officer said that Angel spun around quickly and seemed to be back pedaling to get away from the Officer and their partner.

The Officer said they kept telling Angel to stay calm. The Officer told Angel that they were just trying to identify him. The Officer said Angel was in a very excitable state.

The RCPD Officer said that Angel was offset to the Officer's left. The Officer was still standing on the road. Angel was to the Officer's left and backing up from the Officer. The Officer said that the Officer was at the passenger side of the trunk of the stopped vehicle. Angel was several yards from the Officer.

The RCPD Officer said that their partner took a couple steps toward Angel. That was when Angel quickly turned back away from the Officer. As Angel was moving away from the Officer, they observed Angel digging in his waistband. The Officer said that they immediately saw a black object. The Officer said that they then drew their gun on Angel.

The RCPD Officer said that another officer had arrived on scene. They remembered hearing the officer yell at Angel to not dig in his waistband. The Officer said that they told Angel to get his hands up before they shot. The Officer said that Angel continued to shift away from them. The Officer said that Angel had drawn a gun from his waistband. The Officer described the gun as a pistol, black in color.

The RCPD Officer said they saw the gun as Angel pulled it from his waistband. Angel had his left shoulder toward the Officer. The Officer said the gun was in Angel's right hand.

The RCPD Officer said that as the gun came out, it was pointed in the Officer's direction. That was when the Officer fired their duty weapon. The Officer thought they fired three or four times.

The RCPD Officer said that they were not sure who fired first. The Officer remembered hearing one gunshot. The Officer said when they saw the gun, the Officer was worried about their fellow officers' safety who were out in the open.

The RCPD Officer said that Angel fell backward. The Officer radioed dispatch that shots were fired and maintained cover on Angel. The Officer and their partner approached Angel. The Officer's partner rendered first aid until medical personnel arrived.

Witness Interviews

The female driver of the vehicle said she and her boyfriend (front seat passenger) and another male she only knew as Angel, left a residence to purchase cigarettes. She did not know Angel very well. Angel was a friend of a friend.

The driver said that shortly after leaving a convenience store, they were pulled over by police. The driver said that the officers were having a difficult time identifying Angel, so they asked Angel to step out of the vehicle. The driver said that she had her head down because she was tired from working all day. The driver's front seat passenger then jumped on top of her. She heard several noises that sounded like firecrackers. Her boyfriend told her not to look over.

The driver said that she was unaware that Angel had a gun. She claimed to have not witnessed the shooting.

The front seat passenger immediately told the DCI Agent that he knew what happened. The front seat passenger said that Angel pulled a gun on police and police shot him. The passenger said that police were not able to identify the other male in the car (Angel). The police had Angel exit the vehicle. The passenger described Angel's posture as "defensive". The passenger believed Angel was going to run. The passenger said that he witnessed Angel pull a gun from his waistband. The passenger said that he was not sure who fired first.

A witness travelling westbound on East Highway 44 witnessed the incident. The witness said that as she was travelling in the inside lane of traffic, she saw the vehicle pulled over in traffic by police. She saw a male (Anthony Angel) wearing a blue shirt and baseball cap standing in the ditch. She saw a patrol officer standing between the patrol cars and Angel in the ditch. It did not appear that they were close to Angel.

The witness said that she saw Angel pull a gun out from his waistband and fire at the police. She believed Angel fired two rounds at the police. The witness said she saw smoke come from Angel's gun.

Video Evidence

Video/audio recordings from a RCPD patrol car camera and RCPD Officers' body-worn cameras captured the incident.

The video depicted officers approach the vehicle after the traffic stop and make contact with the vehicle's occupants. Officers were able to identify the driver and front seat passenger. The rear passenger provided officers with variations of different names. After the third attempt to identify the passenger (Anthony Angel), the RCPD Officer asked Angel to step out of the vehicle so they could try to identify him.

Angel exited the vehicle. The RCPD Officer asked Angel if he had any weapons on him. The Officer told Angel that they would like to pat Angel down to make sure he did not have any weapons on him. Angel immediately became defensive. Angel stepped back from the Officer and told the Officer to hold on. The Officer said that they were just going to pat Angel down prior to getting into the patrol car and out of the rain. Angel said that he had been treated badly in the past. The Officer responded that this was not the way they operated and asked Angel to step back up by the cars. Angel continued backing away from the officers.

The RCPD Officers continued engaging Angel in conversation. As the Officer took a step toward Angel, Angel backed up a few more steps while in the south ditch.

Angel then provided the officers with variations of a social security number. The officer ran the number, but it did not come back on file. Angel told the officers to back up from him. The RCPD Officer to Angel's left walked toward Angel. Angel backed up while still facing the officers. As Angel backed up, he reached into the right side of his waistband.

Angel continued to reach into the right side of his waistband while backing up from the officers. The RCPD Officer to Angel's right drew their duty weapon and told Angel to get his hands up. Angel shifted his body, so his left side was facing the officers. Angel then pulled out a handgun from inside his shirt on the right side of his waistband. Both Angel and the RCPD Officer fired their handguns. Video captured one of the rounds fired by Angel striking the ground in front of the officers.

The video depicted Angel go down to the ground. The RCPD Officer who fired their duty weapon immediately radioed dispatch, advising that shots had been fired. Both officers approached Angel. One of the officers placed Angel in handcuffs. The other called for medical personnel to arrive. An RCPD Officer rendered first aid to Angel immediately after securing Angel's hands.

South Dakota Forensic Lab Testing

The South Dakota Forensic Laboratory (SDFL) conducted testing on the two spent 9mm shell casings located on scene, near where Anthony Angel fired at RCPD Officers. The SDFL concluded that the spent casings matched the stolen Smith and Wesson 9mm handgun Anthony Angel used to fire at officers.

The South Dakota Forensic Laboratory conducted testing on the Rapid City Police Officer's duty weapon. They concluded that the 9mm shell casings found on scene matched the RCPD Officer's Glock 17, 9mm handgun.

Medical Reports and Criminal History

A drug screen and blood alcohol test were conducted on the Rapid City Police Officer with negative results.

Medical records obtained from Monument Hospital indicated that Angel had been shot two times. One round grazed Angel's right leg. Another round struck Angel in the head.

Toxicology results showed that Angel had methamphetamine and marijuana in his system. Angel's blood alcohol content (BAC) was negative. Angel tested positive for COVID-19.

Investigation Results

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 building. RCPD Officers received information about reported illegal drug activity coming from a residence where Anthony Angel was seen leaving. Anthony Angel was a passenger in a vehicle stopped after leaving that residence. Angel was noncompliant with RCPD Officers' requests for identification and search for weapons on his person. Angel retreated from officers as they approached him. Angel pulled a handgun from his waistband and fired on officers. The RCPD Officer observed what he knew was a deadly weapon directed at the Officer and their partner. Angel used deadly force and was a clear and present danger to RCPD Officers present at the scene.

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

The DCI crime scene investigation and review of the videos are consistent with statements received from the RCPD Officer and other witnesses.