

Sioux Falls Police Department/Minnehaha County Sheriff's Office Shooting Summary Detailing Events from August 9, 2022

On August 9, 2022, the South Dakota Division of Criminal Investigation (DCI) was requested by the Sioux Falls Police Department and the Minnehaha County Sheriff's Office to investigate a shooting that occurred in Sioux Falls, S.D. at 2507 West 12th Street. The suspect, Jacob Michael James, was fatally shot by a Sioux Falls Police Department (SFPD) Detective and a Minnehaha County Sheriff's Office (MCSO) Investigator after he (Jacob Michael James) pointed a firearm and shot at the MCSO Investigator multiple times. The following is a summary of the events that occurred, and the results of the investigation conducted by the DCI.

Synopsis

On August 9, 2022, the Sioux Falls Area Drug Task Force was conducting a drug investigation on the west side of Sioux Falls, S.D. While conducting their investigation, surveillance units witnessed a Pontiac Bonneville containing four (4) occupants arrive at a known drug area and conduct what appeared to be illegal drug activity.

A traffic stop was later conducted on this vehicle by a Drug Task Force Detective in a marked patrol vehicle near 12th Street and Williams Avenue. The Pontiac Bonneville came to a stop in the parking lot at 2507 West 12th Street and two males exited the vehicle and ran southbound.

Another Drug Task Force Investigator arrived on scene to assist with the stop. This Investigator gave commands for the two males that ran, to get on the ground. One male continued running south and the other male, Jacob Michael James, pulled a firearm from his waistband and fired shots at the Investigator. Both the Detective and Investigator returned fire on Jacob Michael James and Jacob Michael James continued to shoot at them. Jacob Michael James was shot multiple times by the Detective and Investigator and later died as a result of those injuries.

Shooting Scene Investigation

The shooting scene was processed by the DCI, which produced items of evidentiary value that corroborated statements from the Sioux Falls Drug Task Force Detectives and Investigator.

The Detective and Investigator involved in the shooting were processed at the Sioux Falls Law Enforcement Center. Detective #1 was wearing their duty issued vest displaying a police badge on the front of the vest. The vest also displayed "Police" on both the front and the back. Detective #1 was also wearing a Sioux Falls Police issued ball cap.

Investigator #1 was wearing a duty issued vest displaying "Sheriff" on the front and back. Investigator #1 was also displaying their duty issued badge on the exterior of their vest.

Detective #1 and Investigator #1's gear included their duty issued Glock 9MM handguns and magazines with remaining ammunition.

During the shooting scene investigation, Detective #1's patrol vehicle was still parked and running in the parking lot with the emergency red and blue lights still activated. Investigator #1's vehicle was still parked in the southwest corner of the lot. There were two (2) apparent bullet defects in the front driver's door of Investigator #1's unmarked police vehicle. From the investigation, it appeared that one of the defects was from Investigator #1 shooting at Jacob Michael James and the other defect was from Jacob Michael James shooting at Investigator #1.

Twenty-one (21) spent 9MM casings were located from the area where the Detective and Investigator were shooting. One magazine containing nine (9) 9MM rounds was found on scene. This was consistent with the statement given by Detective #1 about dropping one magazine on scene and reloading.

There were several defects on the southwest corner of the Burger King building. There were two (2) apparent bullet defects in an unoccupied bystander vehicle parked near the southwest corner of the building. There were two bullet projectiles recovered in a nearby business as well, to the east of Burger King.

A Smith & Wesson .40 caliber semi-automatic handgun was located near the parked bystander vehicle, a short distance from where Jacob Michael James laid. The handgun slide was jammed with a live .357 Sig round, which was partially loaded into the barrel, preventing the slide from closing. The magazine contained two (2) live .357 Sig rounds and five (5) live .40 rounds. There were two (2) spent .357 Sig casings and one (1) live .357 Sig round near the area where the pistol was located. One (1) spent .40 casing was located where Jacob Michael James' body had been.

Interview with Detective #1:

Detective #1 was interviewed on 8-16-22 by a DCI Special Agent at the Sioux Falls Law Enforcement Center. Detective #1 was working a drug investigation on the west side of Sioux Falls on 8-9-22. Investigator #1 and other surveillance units advised Detective #1 of a Pontiac Bonneville that arrived at the known drug area. Suspicious activity was seen by surveillance units from the Pontiac Bonneville.

Detective #1 later conducted a traffic stop on the Bonneville after multiple traffic violations were seen by other detectives. The Bonneville pulled into the Burger King parking lot near West 12th Street and Williams Avenue. Detective #1 pulled in behind the vehicle with the red and blue emergency lights on. As Detective #1 placed the vehicle into park, the front and back passenger side doors opened on the Bonneville, and two males were seen exiting the vehicle.

Detective #1 gave loud verbal commands for the two males to stop, and they took off running southbound. Two other occupants remained in the vehicle at this time. Detective #1 ran around the back of the patrol vehicle and saw the two males continue running southbound. The Bonneville then began to move so Detective #1 directed their attention back to the vehicle.

At this time, Detective #1 heard multiple gunshots to the right (south) of where they were standing. Detective #1 looked to the south to see Jacob Michael James standing and holding a black gun in his hand, pointing it in the direction of Investigator #1 who had arrived on scene to assist. Jacob Michael James shot in the direction of Investigator #1 and Investigator #1 returned shots at Jacob Michael James. Detective #1 was in fear for their partner's life at this point, as well as in fear for bystanders since it was around 5 PM.

Detective #1 got behind a bystander vehicle for cover in an area where they could see Jacob Michael James. Jacob Michael James was on the ground, upright, pointing the gun at Investigator #1 and was still actively shooting at them. Detective #1 then shot at Jacob Michael James multiple times.

Jacob Michael James then dropped the firearm and fell back on the ground. Detective #1 and Investigator #1 ceased fire and awaited the arrival of Detective #2. All three (3) task force

officers then approached Jacob Michael James to render aid. A black handgun was located a few feet from Jacob Michael James.

Interview with Investigator #1:

Investigator #1 was interviewed by a DCI Special Agent at the Sioux Falls Law Enforcement Center on 8-16-22. Investigator #1 was working a drug investigation on 8-9-22 on the west side of Sioux Falls. Investigator #1 was assigned as a surveillance unit in a known drug area.

Investigator #1 witnessed a Pontiac Bonneville arrive in this area and conduct a short-term stop. Investigator #1 witnessed one (1) female and three (3) males in the vehicle. Investigator #1 witnessed activity that led them to believe a drug transaction had taken place with the individuals from the Bonneville.

Investigator #1 advised Detective #1 and other detectives of the suspicious activity. Detective #1 later conducted a traffic stop on the Bonneville in the Burger King parking lot near West 12th Street and Williams Avenue after multiple traffic violations were seen. Investigator #1 parked their unmarked patrol vehicle in the southwest corner of the parking lot to be able to assist Detective #1 if needed.

As Detective #1 initiated the traffic stop, Investigator #1 saw the front and back passenger side doors open and two males exit the vehicle. The two males started walking and then running away from the stop to the south. As the two males ran to the south, Investigator #1 witnessed Jacob Michael James grabbing his waistband area.

Investigator #1 gave loud verbal commands for the males to get on the ground. Jacob Michael James then lifted his shirt, pulled out a pistol, pointed it at Investigator #1 and then began to fire shots at Investigator #1. Investigator #1 was in fear for their life, so they returned shots at Jacob Michael James.

Jacob Michael James fell to the ground but continued to fire shots at Investigator #1. Investigator #1 took cover behind the patrol vehicle and shot again at Jacob Michael James. Detective #1 then got to the area and also shot at Jacob Michael James. Jacob Michael James fell to the ground and stopped shooting. Moments later, Detective #1, Investigator #1 and Detective #2 moved to Jacob Michael James to render aid.

Interview with Detective #2:

Detective #2 was interviewed by a DCI Special Agent at the Sioux Falls Law Enforcement Center on 8-9-22. Detective #2 advised they were assisting other drug detectives with an active investigation on the west side of Sioux Falls on 8-9-22. Detective #2 was assigned as a surveillance unit.

Detective #2 was informed by Investigator #1 that a Pontiac Bonneville arrived in this known drug area and conducted what they believed to be illegal drug activity. Detective #2 assisted with following the Bonneville away from the area. The vehicle was occupied by at least four (4) people. Detective #2 witnessed multiple traffic violations with the vehicle and relayed this information to Detective #1.

Detective #2 witnessed the vehicle pull into the Burger King parking lot near West 12th Street and Williams Avenue and park in a parking spot. Detective #2 went down the road a short distance to turn around as Detective #1 conducted a traffic stop on the Bonneville. Detective #2 was able to see at least one person who had a ponytail run from the vehicle during the stop.

Just prior to Detective #2 arriving in the Burger King parking lot, they heard several rapid gun shots. Detective #2 arrived in the lot to see a male, Jacob Michael James, laying on the ground and saw that Jacob Michael James had been shot. Detective #2, Investigator #1 and Detective #1 then moved to Jacob Michael James and rendered aid until other units arrived on scene. As they approached Jacob Michael James, Detective #2 saw a black handgun laying between two bystander vehicles, just a few feet from Jacob Michael James.

Review of Video

Detective #1's marked patrol vehicle was equipped with a dash camera and Detective #1 was also wearing a body camera which were both reviewed for this case. The dash camera recording has video but no audio. The video showed Detective #1 pulling into the Burger King parking lot behind the Pontiac Bonneville. As the patrol vehicle came to a stop, both the front and back passenger side doors opened on the Bonneville and two males were seen exiting the vehicle with one of them being Jacob Michael James.

Jacob Michael James and the other male took off running southbound around vehicles. Jacob Michael James was seen grabbing his waistband area as he ran south. Jacob Michael James was seen pulling a black object from his waistband area in his right hand as he continued running south. As Jacob Michael James got to the southwest corner of the Burger King building, he looked to the southwest, pointed a firearm to the southwest and fired at least one (1) shot. This was in the direction of where Investigator #1 was located. Jacob Michael James then went out of view of the camera to the south side of the Burger King building.

The body camera has audio and video. From review of this video, Detective #1 made the traffic stop. As Detective #1 exited the patrol vehicle, they yelled for the subjects to stop. Detective #1 ran behind the patrol vehicle and started to run southbound.

At this time, eight (8) consecutive shots were heard being fired. As Detective #1 got closer to Investigator #1, one (1) single shot was heard fired, followed by seven (7) more rapid shots fired. From the video, the seven (7) rapid shots were fired by Investigator #1, who was standing at the rear driver's side of the unmarked patrol vehicle.

Another shot was then heard fired while Investigator #1 was taking cover behind their patrol vehicle. Detective #1 then fired seven (7) shots. A short time later, Detective #2 arrived on scene. All three task force officers later approached Jacob Michael James to render aid.

A bystander video was reviewed and showed Jacob Michael James sitting on the ground, appearing to throw something from his right hand. There was a total of eight (8) shots heard from the bystander video, one (1) single shot then seven (7) rapid fired shots. Detective #1 was seen standing to the rear of a parked bystander vehicle and Investigator #1 was seen standing to the rear driver's side of an unmarked patrol vehicle.

During a review of all videos, significant bystander traffic was observed throughout this incident.

South Dakota Forensic Lab Testing

The South Dakota Forensic Laboratory conducted testing on both task force officers' firearms and Jacob Michael James' firearm. Testing was also conducted on shell casings and bullets recovered from the area near Jacob Michael James' body and on scene. All three firearms were found to be functioning properly.

Through the testing, it was found that Detective #1 fired seven (7) shots, Investigator #1 fired fourteen (14) shots and Jacob Michael James fired three (3) shots. The information found in the ballistics testing results is consistent with information noted during the involved task force officers' gear processing.

Medical Reports

An autopsy was conducted on Jacob Michael James on 8-10-22. From the autopsy report, Jacob Michael James was found to have been shot four (4) times. One bullet entered his right elbow area and was lodged in his upper arm. One bullet entered the left side of his abdomen and exited through the right side of his abdomen. One bullet entered through the back side of his right upper thigh area and exited through his right hip area. One bullet entered through his right upper chest area, exited through the left side of his chest area, and then reentered into the inner part of his left bicep and was lodged in the left bicep.

Toxicology results showed Jacob Michael James' blood to be positive for alcohol. Jacob Michael James' urinalysis test results showed positive for Norfentanyl, Fentanyl, Fluorofentanyl and Methamphetamine.

Blood and urine sample testing was conducted on both task force officers. The testing results showed neither the Detective nor the Investigator had any amount of alcohol in their blood. The testing results also showed neither had any illegal drugs in their urine samples.

Criminal History/Previous Incidents

A review of Jacob Michael James' criminal history showed multiple felony and misdemeanor arrests dating back to 2019. The arrests were for possession of illegal drugs, motor vehicle thefts, assaults, robbery and possession of a firearm while intoxicated.

Conclusion

Based on the totality of the circumstances, two reasonable task force officers present at the scene utilized deadly force in a situation that was tense, uncertain and rapidly evolving. Jacob Michael James was in possession of a firearm and fired that firearm at a law enforcement officer. Jacob Michael James demonstrated the ability to use deadly force and was a clear and present danger to law enforcement officers on scene, as well as nearby bystanders and bystander vehicles. Detective #1 and Investigator #1 observed Jacob Michael James holding what they recognized as a deadly weapon, which was pointed and fired in the direction of Investigator #1.

This information is based on the investigation conducted by the DCI, crime scene processing, task force officers' statements and lab results. All the information is consistent with the described events that occurred on August 9, 2022, in Sioux Falls, S.D.

It is the conclusion of this report and the South Dakota Attorney General that Detective #1 and Investigator #1 were justified in firing their weapons and using lethal force.



A still image from a Sioux Falls Police Department Detective's dashboard video camera shows Jacob Michael James of Sioux Falls, 21, left, exiting a vehicle on August 9, 2022, after the vehicle was pulled over in a traffic stop.



A still image from a Sioux Falls Police Department Detective's dashboard video camera shows Jacob Michael James of Sioux Falls, 21, raising his arm to fire in the direction of a Minnehaha County Sheriff's Office Investigator on August 9, 2022.



This August 9, 2022, photograph of the front driver's side door of a Minnehaha County Sheriff's Office Investigator's unmarked vehicle shows evidence of damage from gun shots. SOURCE: South Dakota Division of Criminal Investigation.



The Smith & Wesson .40 caliber semi-automatic handgun that Jacob Michael James fired at officers lies on the ground near where James laid on August 9, 2022. SOURCE: South Dakota Division of Criminal Investigation.