

**Pennington County Sheriff's Department and South Dakota Highway Patrol
Shooting Summary detailing events that took place on June 17, 2013**

On 6-17-13, the South Dakota Division of Criminal Investigation (DCI) was called by the Pennington County Sheriff's Office and the South Dakota Highway Patrol to conduct an investigation into an officer involved shooting that occurred on Highway 1416, just East of New Underwood, SD. The shooting resulted in the suspect, Travis Ross, being shot at least 4 times. Ross was transported to Rapid City Regional Hospital where he was treated for his injuries. Officers involved in the shooting were Pennington County Deputy Jamin Hartland, Pennington County Deputy Robert Schoeberl, and South Dakota Highway Patrol Trooper Clayton Heinrich. The following information is a synopsis of the events that occurred on 6-17-13 and the investigation that was conducted by the DCI.

Synopsis

On 6-17-2013 at approximately 4:20 pm, Pennington County Dispatch received a call from a motorist on Interstate 90. This motorist wanted to report that a maroon GMC pickup driving westbound near mile marker 93 was driving erratically and had thrown a beer can out the window of the vehicle. Pennington County Dispatch put out a notification to attempt to locate the vehicle to law enforcement in the area.

The following information is a compilation of interviews from officers and their in-car video. Each video captures a different angle of the events as well as different portions of the assault on officers.

At approximately 4:32 pm, Deputy Robert Schoeberl located the maroon GMC pickup, SD license 67B L34, driving westbound on I-90 at mile marker 77. Deputy Schoeberl followed and observed the vehicle break the fog line several times at speeds between 60-65 mph. Deputy Schoeberl then initiated a traffic stop near mile marker 72.

At approximately 4:37 pm, Deputy Schoeberl approached and made contact with the lone occupant of the GMC pickup, a male driver wearing a cowboy hat, who was later identified as Travis Ross. Deputy Schoeberl immediately noticed an open beer can, a cooler and a lever action rifle on the front seat next to the Ross. Deputy Schoeberl explained to Ross why he had pulled him over and asked Ross several times to step out of the vehicle and have a seat in his patrol car. Ross refused Deputy Schoeberl's request. Ross then asked Deputy Schoeberl, "Do you have a family and kids?" Deputy Schoeberl responded "yes". Ross then made threatening comments towards Deputy Schoeberl's family. Ross immediately put the GMC vehicle in gear and did a U-turn, crossing the median and began heading eastbound on I-90.

At approximately 4:38 pm, Deputy Schoeberl called dispatch and stated, "He's running, extremely intoxicated and heading eastbound". Deputy Schoeberl also requested for a second unit to assist him and advised that the driver also has a rifle in the vehicle. The pursuit continued eastbound on I-90 at which time the Ross took exit 78 and turned south on the New Underwood Road. The vehicle then turned eastbound on Highway 1416.

At approximately 4:43 pm, Trooper Clayton Heinrich joined the pursuit on Highway 1416. Trooper Heinrich continued to provide dispatch information as to the location and speed of the pursuit. The speed of the pursuit varied from 20 mph to 45 mph with Ross' vehicle driving partially in both lanes of traffic.

At approximately 4:52 pm, Deputy Schoeberl called dispatch and advised that Ross pointed the rifle out the driver's side window.

At approximately 4:54 pm, Ross turned his vehicle around and began driving westbound on Highway 1416, driving past both Deputy Schoeberl and Trooper Heinrich, who were stopped along the side of the road. Both officers continued to give commands to Ross to stop the vehicle, with no response. Trooper Heinrich advised dispatch that he observed Ross holding a 30-30 lever action rifle.

Trooper Heinrich and Deputy Schoeberl continued to pursue Ross westbound on Highway 1416 with Trooper Heinrich taking the lead in the pursuit.

At approximately 5:01 pm, vehicle spikes were deployed at the intersection of Highway 1416 and 164th Avenue with Ross' vehicle running over the spikes and deflating three of the vehicle's tires. As Ross drove over the spikes, he again points his rifle out of the driver's side window.

At approximately 5:02 pm, Ross' vehicle stopped in the middle of the road on Highway 1416. Trooper Heinrich and Deputy Schoeberl stopped their patrol cars approximately 43 yards behind Ross' vehicle. The driver's side door of Ross' vehicle then opened. At that time Trooper Heinrich, Deputy Schoeberl and Deputy Hartland took cover behind Trooper Heinrich's patrol vehicle. All officers present immediately begin giving commands to Ross requesting him to drop the gun and step out of the vehicle with his hands up.

At approximately 5:03 pm, officers continue to give commands to Ross and order him to drop the gun and put his hands in the air. Ross can be heard yelling at the officers, specifically telling them to shoot him. Ross continues to yell and swear at the officers. The video footage depicts Ross exiting the driver's side of the vehicle and standing next to the open driver's door. The officers again commanded Ross to drop the gun.

At approximately 5:05 pm, Ross turns to face the officers and at the time points a rifle at them. Trooper Heinrich, Deputy Schoeberl and Deputy Hartland begin firing their duty issued rifles at Ross. The shooting lasts approximately 4.5 seconds. Officers call out "shots fired" and request medical assistance to the scene. Ross then leans into the pickup cab and continues to stand next to the pickup. He is partially inside of the pickup cab with the driver's door open. The officers continue to request Ross to drop the gun and lay on the ground. A short time later Ross drops to the ground with the rifle still next to him. Ross continually ignores commands to lay down flat on the ground.

At approximately 5:18 pm, the officers approach Ross, who is still sitting on the ground next to the pickup. Upon making contact with Ross, he makes several statements saying, "I'm dead, I'm dead, just shoot me in my head". Ross is then secured and ambulance personnel begin administering first aid.

Deputy Robert Schoeberl, Trooper Clayton Heinrich, and Deputy Jamin Hartland were contacted by DCI investigators. All three officers were wearing their issued law enforcement uniforms. Their duty weapons and magazines were secured, documented and inventoried. The inventory showed the following:

- Deputy Schoeberl was missing 10 rounds of ammunition from his AR-15 duty rifle and magazine.
- Trooper Heinrich was missing 20 rounds of ammunition from his M-16 duty rifle and magazine.
- Deputy Hartland was missing 17 rounds of ammunition from his AR-15 duty rifle and magazine.
- None of the three officers fired their duty issued handgun.

On 6-17-13, Deputy Robert Schoeberl, Trooper Clayton Heinrich and Deputy Jamin Hartland were interviewed individually by DCI. The information provided by these officers, was consistent with the in-car video cameras as well as the shooting investigation scene. A drug screen and blood alcohol test was conducted on all three officers with negative results.

Crime Scene and Witness Interviews

The shooting scene investigation conducted by the DCI produced items of evidence that confirmed the in-car camera video footage. Specifically, there were 43, .223 caliber shell casings found on scene; with 4 shell casings not recovered. The location and caliber of the shell casings found are consistent with the video, interviews, and the types of rifles at the scene. There were no bullets recovered at shooting scene and no bullets recovered from Ross' body by hospital personnel. Also recovered from the scene was the following:

- 30-30 lever action rifle with one round in the magazine and one round in the chamber. The lever action rifle was cocked.
- 44 rounds of unspent 30-30 caliber ammunition
- 14 rounds of spent 30-30 caliber ammunition
- 5 rounds of unspent .243 caliber ammunition
- beer and alcohol in Ross' vehicle

Deputy Hartland told investigators that he fired when Ross's rifle came up because it was pointed right at them and they were all in danger. Deputy Hartland said he thought that Ross' intent was to shoot at the officers.

Deputy Schoeberl said that he felt it was imminent that Ross was going to shoot him or fellow law enforcement officers.

Trooper Heinrich told investigators that he thought Ross was going to shoot at them and that he was concerned with the threat to his safety and the safety of the other law enforcement officers with him. When Ross pointed the gun at him, he had no other choice but to protect himself and the deputies with him.

There were no civilian witnesses to the shooting incident.

Toxicology results showed that Travis Ross was negative for controlled substances and marijuana. The blood alcohol content was estimated at the time of the incident to be .196.

The DCI conducted a criminal history check on Travis Ross. The criminal history reveals prior arrests for Driving under the Influence, Possession of a Firearm while Intoxicated, Possession of Marijuana. Ross was sent to the state penitentiary on two different occasions for DUI 3rd. Ross was a parole absconder at the time of this incident and did have a warrant for his arrest.

Investigation Results

It is the conclusion of this report and the Attorney General that Deputy Robert Schoeberl, Deputy Jamin Hartland and Trooper Clayton Heinrich were justified in firing their weapon and using lethal force.

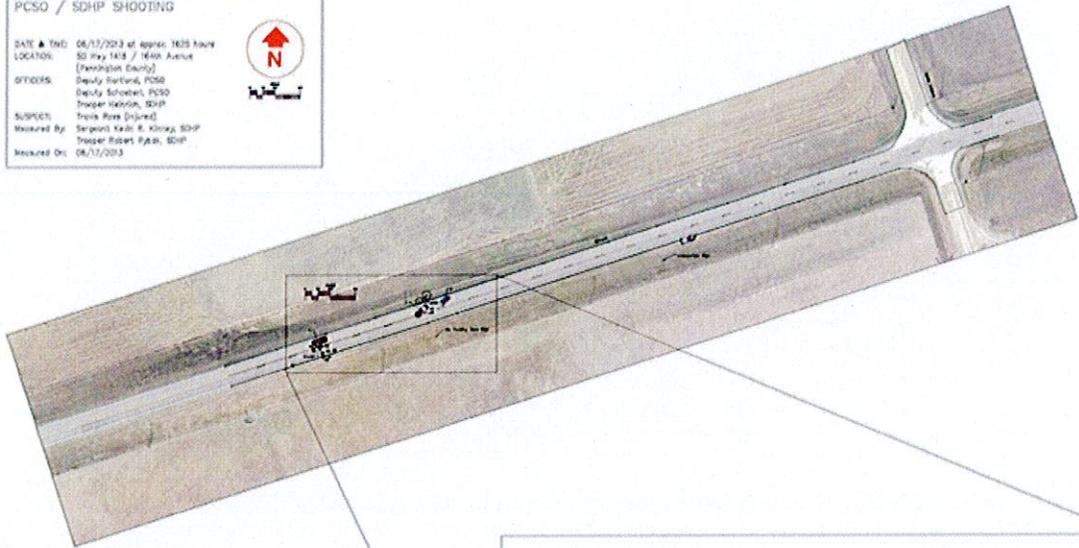
The crime scene investigation conducted by DCI is consistent with statements received from the officers present and the in-car video. The crime scene investigation was not able to determine if Ross fired his rifle at the officers.

Ross was taken into DOC custody as a result of being a parole absconder. Ross will be facing criminal charges in Pennington County.

DCI attempted to interview Ross, but he refused to talk.

PCSO / SDHP SHOOTING

DATE & TIME: 06/12/2013 at approx. 1625 hours
 LOCATION: 50 Hwy 1418 / 164th Avenue
 (Washington County)
 OFFICERS: Deputy Hartman, PCSO
 Deputy Schaefer, PCSO
 Trooper Harvick, SDHP
 SUSPECT: Travis Rose (injured)
 Measured By: Sergeant Karli K. Kinsey, SDHP
 Trooper Robert Pyle, SDHP
 Measured On: 06/12/2013



- EVIDENCE MARKER LISTING**
- 1 Suspect Vehicle (Truck Rear)
 - 2 SDHP Vehicle (Trooper Harvick)
 - 2-19 Spent Shell Casings --- 0.223cal
 - 2-20 Muck Print (Krust)
 - 3 PCSO Vehicle (Deputy Schaefer)
 - 4 Winchester 30-30cal M&S Rifle
 - 4-1 Stock of Winchester
 - 4-2 Butt Plate Fragment of Winchester
 - 4-3 Butt Plate Fragment of Winchester
 - 4-4 Stock Fragment of Winchester (40% 893)
 - 4-5 Butt Plate Fragment of Winchester
 - 5 Rifle w/Cartridge
 - 6 Spent Shell Casings --- 30-30cal Rem-UMC Round (40% 893)
 - 7 Unspent Shell Casings --- 30-30cal Rem-UMC Round (40% 893)
 - 8 Unspent Shell Casings --- 30-30cal Rem-UMC Round (40% 893)
 - 9-1 to 9-24 Spent Shell Casings --- 0.223cal

