

Rapid City Police Department Shooting Summary Detailing Events That Took Place on December 29, 2019

On 12-29-19, the Rapid City Police Department (RCPD) called the South Dakota Division of Criminal Investigation (DCI) to conduct an investigation into an officer involved shooting that occurred at 851 East Minnesota Street in Rapid City, SD. The shooting resulted in the suspect, Patrick Alden, being shot multiple times. Alden died as a result of his injuries. The RCPD Officer involved in the shooting will be referred to as RCPD Officer #1. The following information is a synopsis of the events that occurred on 12-29-19, and the investigation that was conducted by the South Dakota DCI.

Synopsis

At approximately 5:02 PM on 12-29-19, RCPD Officers were dispatched to the apartment building located at 851 East Minnesota Street for a report of gunshots. The reporting party called to report hearing 5 to 6 gunshots and a lot of screaming coming from a male in the area. RCPD Officers arrived on scene within minutes. Upon arrival, RCPD Officers heard multiple gunshots coming from 851 East Minnesota Street. Officers were able to determine that the gunshots were coming from the second floor of the apartment building. Patrick Alden fired multiple rounds at RCPD Officers as they arrived on scene. One round struck a patrol car.

As officers made their way to the second floor of the apartment building, Alden fired at them multiple times with an older, military style rifle. Alden continued to converge on officers staged at the north stairwell. Alden had a rifle in his hands and was sweeping it back and forth as he moved toward the officers in the north stairwell.

RCPD Officer #1 saw Alden move toward him and fellow officers. RCPD Officer #1 engaged Alden with his patrol rifle, firing seven times and striking Alden four times. Officers administered first aid to Alden, but Alden was later pronounced dead at the scene.

Officers continued making their way through the apartment building, checking for other potential suspects and/or victims. As they cleared the second floor of the apartment building, they discovered an injured male lying near an apartment door. This male had suffered multiple gunshot wounds. Officers administered first aid to this victim and carried him to an ambulance staged in the parking lot. This male, later identified as David Iron Horse, died as a result of his injuries.

DCI Agents made contact with RCPD Officer #1. A DCI Agent documented that RCPD Officer #1 was wearing his RCPD issued uniform. His patrol rifle and magazine were secured, documented, and inventoried. The inventory showed the following:

- RCPD Officer #1's Sig Sauer .223 caliber patrol rifle contained 17 rounds in the magazine. One unspent round was collected from RCPD Officer #1.
- RCPD Officer #1's duty issued handgun was not fired during the incident.

Shooting Scene Investigation

The shooting scene investigation conducted by DCI produced items of evidence that confirmed statements given by RCPD Officer #1 and witnesses present at the time of the shooting. Specifically, there were seven spent .223 caliber shell casings found on scene, consistent with the area where RCPD Officer #1 fired his patrol rifle.

A US Rifle Springfield Armory, .30 caliber M1 rifle was seized as evidence. The front wooden foregrip of the rifle was damaged and a piece was missing when seized. That missing piece of the foregrip was later collected as evidence near the location where RCPD Officer #1 engaged Alden with his patrol rifle.

Eight spent .30-06 shell casings were recovered on scene, consistent with the area where Alden was reported to have fired the rifle. Multiple bullet holes, consistent with a large caliber rifle, were documented throughout the second floor of the apartment building; including near the area where David Iron Horse was injured. Iron Horse died after suffering injuries consistent with a large caliber rifle.

A Glock 9mm handgun was seized from Patrick Alden's apartment, #203. Multiple shell casings and spent rounds were also recovered inside the apartment. The recovery of the spent casings and rounds is consistent with the area where Alden was reported to have fired a weapon. One round, consistent with a 9mm handgun round, penetrated a patrol car parked on the northeast side of the apartment building. This was consistent with the area where officers and witnesses reported seeing gunfire coming from Alden's apartment directed at officers in that area.

Interview of RCPD Officer #1

On 12-30-19, DCI Agents interviewed RCPD Officer #1. RCPD Officer #1 said that he was on duty on 12-29-19. As he was leaving the police department to begin his shift, dispatch had advised of a weapons call. The reporting party had called dispatch to report hearing gunfire from a highly populated apartment complex. RCPD Officer #1 said that as officers arrived on scene, they reported hearing gunfire and confirmed that someone was shooting from within the apartment building. Officers continued to report gunfire coming from the second story of the apartment building.

RCPD Officer #1 said that he traveled to the scene. He parked on the northeast side of the apartment building (851 East Minnesota Street). As he exited his vehicle, he heard a gunshot coming from the building. RCPD Officer #1 believed that the gunshot was directed at him, so he took cover behind a patrol car parked in the parking lot.

RCPD Officer #1 said that another officer identified the gunshots as coming from a specific apartment on the second floor. RCPD Officer #1 identified a male with a beard in that specific window prior to the male closing the blinds. RCPD Officer #1 said that more gunshots were fired in the apartment building. He knew there was only one officer located at the north side of the building, so he went to that location to assist. As he and the other officer reached the stairwell, they heard more gunfire. That gunfire appeared to be coming toward them.

RCPD Officer #1 said that he and other officers backed up to take cover. As they were backing up, they heard more gunfire coming closer in their direction. RCPD Officer #1 said that he backed up to the stairwell landing on the first floor. RCPD Officer #1 said that the shooter kept coming toward them. A window above the north entrance door was shot out and glass fell. RCPD Officer #1 said that the gunfire got closer and closer to the stairwell. RCPD Officer #1 said that another officer also identified the shooter as a white male with a beard.

RCPD Officer #1 said that he could hear footsteps coming down the stairs. He saw the barrel of a wooden rifle pivoting back and forth. It appeared that the shooter was sweeping for a person as he was coming around the corner. RCPD Officer #1 said that he saw the rifle and a white male with a beard. RCPD Officer #1 said that the male with the rifle pointed the rifle directly at

him. RCPD Officer #1 said that he engaged the shooter and fired his patrol rifle at him. The shooter dropped and the rifle fell to the floor.

RCPD Officer #1 said that he fired his patrol rifle because he was afraid of being shot and killed. He was afraid for the safety of other officers and the occupants of the apartment building. RCPD Officer #1 said that the male (Patrick Alden) had a rifle. Alden appeared to shoot at him as he first arrived on scene. Alden continued to fire at law enforcement officers, including shooting down the hallway in their direction. RCPD Officer #1 said that Alden continued to move forward in their direction. Once the barrel of the rifle was pointed at him, he felt he was in jeopardy and had no other choice but to use deadly force. RCPD Officer #1 said that he firmly believed that Alden was going to shoot him if he did not shoot first. RCPD Officer #1 said that he did not know exactly how many rounds he fired.

The information obtained from RCPD Officer #1 was consistent with the witness statements, video recordings of the incident, and the shooting scene investigation.

Witness Interviews

A resident of 851 East Minnesota Street reported being inside her apartment when she heard 5 to 6 gunshots fired in rapid succession. This witness called 911. While on the phone with dispatch, the witness said she heard yelling coming from apartment #203. Multiple residents of 851 East Minnesota Street heard gunshots coming from the apartment building prior to law enforcement's arrival. Those gunshots continued once officers arrived on scene.

A RCPD Officer arrived on scene. While speaking to the reporting party from the north parking lot of the apartment building, the officer heard several gunshots coming from the east side of the building. This officer said that he heard a male voice yell something to the effect of, "If you want to kill the bacteria, you have to kill it with a 9mm." He then heard more gunshots come from inside the building.

The RCPD Officer spoke to another resident who advised that the gunshots were coming from apartment #203. The officer said that as RCPD Officer #1 arrived on scene, the suspect fired a round toward RCPD Officer #1 east of the building.

The RCPD Officer said that he entered the building from the north entrance. As he entered the apartment building, gunfire erupted from the second-floor hallway. The officer said that RCPD Officer #1 and another RCPD Officer took positions at the bottom of the stairwell. He took a position allowing him to cover the north stairwell. From his position of cover, he saw Alden walking down the stairs. He advised officers over the radio that Alden was coming down the stairs. As Alden turned the corner in the stairwell on the landing between the first and second floors, he saw RCPD Officer #1 discharge his patrol rifle toward Alden. The RCPD Officer said that Alden immediately fell out of his view.

Another RCPD Officer said that when he arrived on scene, he parked his patrol car on the east side of the apartment building. He immediately heard yelling coming from a second-floor apartment. The officer said that a female tenant reported that there were gunshots coming from the second floor.

The RCPD Officer said that he ran toward the front (north) door of the apartment building. He and other officers heard a series of multiple gunshots coming from the apartment building. The officer positioned himself on the north side of the stairwell leading to the second floor. RCPD Officer #1 positioned himself on the other side of the stairwell. The RCPD Officer said that he

heard another gunshot coming from the second floor. This gunshot went through the second-floor window on the north side of the apartment building.

The RCPD Officer said that he took a kneeling position near the stairwell. He heard footsteps coming down the stairwell. The RCPD Officer said that he saw the front barrel of a dark colored rifle pointing down the stairwell toward RCPD Officer #1 and him. As soon as he saw Alden with the rifle, RCPD Officer #1 fired his patrol rifle at Alden. The RCPD Officer said that he did not have a clear shot at Alden.

The RCPD Officer said that Alden fell on the stairwell landing. As he and other officers approached Alden, he saw the rifle lying on the ground next to him. The officer said that he and other officers continued up to the second floor. As he and other officers began clearing the second floor, he noticed a male lying against the doorway down the hall. This male was later identified as David Iron Horse. This officer said that Iron Horse appeared to have been shot multiple times. The RCPD Officer began life saving measures and eventually helped carry Iron Horse down to an awaiting ambulance.

Another RCPD Officer said that he responded to the north side of 851 East Minnesota Street. He heard several gunshots in the area. The officer said that he saw the suspect, Patrick Alden, step out onto the entryway of his balcony. Alden yelled something and then went back into his apartment.

The RCPD Officer said that he made his way to the second floor of the apartment building to get a view of apartment #203. This was the apartment identified by officers and witnesses as the apartment where gunshots were coming from. The officer said that he took cover behind the entryway wall of the hallway door. While in that position, he was able to safely evacuate many residents from the second floor.

The RCPD Officer said that he witnessed as a gunshot came from apartment #203 and traveled across the hall into the adjacent apartment. A short while later, he saw a white male with a beard looking at him from the recessed area of apartment #203. The officer said that he then heard what he described as several gunshots from a high-powered rifle. He said that he moved down to the first-floor vestibule. He heard the shooter walking toward the staircase.

The RCPD Officer said that he positioned himself behind another officer. He heard more loud gunshots. He described the shooter (Alden) to RCPD Officer #1 and other officers. He then heard more gunshots (from RCPD Officer #1). He saw as Alden's bare legs and rifle were exposed in the midway platform of the staircase. The officer said that he approached Alden with other officers and began performing CPR on Alden.

Video Evidence

Video/audio recordings from the patrol car cameras and officers' body-worn cameras captured the incident. Video from RCPD Officer #1's body-worn camera depicted RCPD Officer #1 as he exited his patrol car upon arrival on scene. A few seconds later, one gunshot appeared to be fired in RCPD Officer #1's direction. RCPD Officer #1 took cover behind another patrol car.

Video from another officer's body camera captured this officer staging in the second-floor landing on the north side of the building. This officer covered down the hallway as he was able to safely evacuate residents from the second floor. As this officer continued to cover down the hallway, he verbally identified Alden shooting out his apartment across the hall. This officer verbally identified Alden as he exited the apartment. As the officer began to seek more suitable

cover, Alden fired seven more rounds. Video captured the final round exiting the window near the stairwell landing between the first and second floors.

Video and audio captured officers verbally call out that they heard Alden walking down the hall in their direction. A few seconds later, RCPD Officer #1 fired his patrol rifle seven times. Officers then moved toward the landing between the first and second floors. Alden was seen lying on the landing. The rifle was lying right next to Alden.

South Dakota Forensic Lab Testing

The South Dakota Forensic Laboratory conducted testing on RCPD Officer #1's patrol rifle. They concluded that all seven of the .223 caliber shell casings found on scene matched RCPD Officer #1's duty Sig Sauer .223 caliber patrol rifle.

The South Dakota Forensic Laboratory also concluded that all eight of the .30-06 caliber shell casings found on scene matched the US Springfield Armory .30 caliber, M1 rifle fired by Patrick Alden.

Medical Reports and Criminal History

A drug screen and blood alcohol test were conducted on RCPD Officer #1 with negative results.

During the autopsy of Patrick Alden, DCI Agents documented that Alden had been shot four times. Two spent rounds were recovered from Alden's body. One of those rounds was of a quality to be tested. The round matched RCPD Officer #1's patrol rifle.

Toxicology results showed that Alden had multiple medications in his system to include Trazadone, Diphenhydramine, and Fluoxetine. A marijuana metabolite was also identified in Alden's system. Alden's blood alcohol content (BAC) was 0.242 gm/dl.

DCI conducted a criminal history check on Patrick Alden. Alden had no previous criminal history.

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. Patrick Alden had fired multiple rounds from multiple firearms. Alden had fired on police officers outside the apartment building as they arrived on scene. Alden fired at police officers inside the apartment building. Alden had also shot and killed an innocent resident outside that resident's apartment. Alden continued toward police officers in a threatening manner holding a high powered, military style rifle. RCPD Officer #1 observed what he knew was a deadly weapon directed at him. Alden had the means and opportunity to use deadly force and was a clear and present danger to RCPD Officer #1 and other law enforcement officers at the time.

It is the conclusion of the Attorney General that RCPD Officer #1 was justified in firing his weapon and using lethal force.

The information gathered for this report, including the DCI crime scene investigation and review of the available video footage, is consistent with statements received from RCPD Officer #1 and other witnesses.