



2021i South Dakota Legislature House Resolution 7002

Introduced by: **Representative** Mortenson

1 **A RESOLUTION, Providing for the impeachment of Jason Ravensborg, Attorney**
2 **General of the State of South Dakota, for certain crimes and for malfeasance**
3 **in office.**

4 WHEREAS, the attorney general of the State of South Dakota is a state officer subject to
5 impeachment pursuant to S.D. Const., Art. XVI, § 3; and

6 WHEREAS, the House of Representatives has the sole power of impeachment pursuant to
7 S.D. Const., Art. XVI, § 1; and

8 WHEREAS, it is the sense of the House of Representatives that its sole power of
9 impeachment should only be exercised in grave and exceptional circumstances; and

10 WHEREAS, pursuant to S.D. Const. Art. III, § 31, the Legislature called itself into special
11 session on November 9, 2021, for the purpose of investigating and evaluating whether the
12 conduct of Jason Ravensborg, Attorney General of the State of South Dakota, surrounding the
13 death of Joseph Boever, involved impeachable offenses, under S.D. Const. Art. XVI, § 3; and

14 WHEREAS, in recognition of the gravity of an impeachment inquiry, the House of
15 Representatives made a thorough investigation by holding hearings and taking evidence; and

16 WHEREAS, the House of Representatives provided Attorney General Ravensborg the
17 opportunity to participate in the House's impeachment proceedings, including the opportunity
18 to provide testimony and to submit factual and legal arguments; and

19 WHEREAS, the House of Representatives developed an extensive record of documentary
20 evidence; and

21 WHEREAS, Attorney General Ravensborg committed certain crimes while operating a motor
22 vehicle, which led to and directly caused the death of South Dakota resident Joseph Boever,
23 and which Attorney General Ravensborg pleaded no contest to at his criminal trial; and

1 WHEREAS, in Attorney General Ravensborg's conduct following the criminal acts, he, acting
2 in his individual capacity and as attorney general, made numerous misrepresentations and
3 misstatements of fact to law enforcement and the public and misused the assets of his office;
4 and

5 WHEREAS, the attorney general of the State of South Dakota has a duty to serve and
6 support law enforcement, a duty to serve the executive branch of the State of South Dakota,
7 and a duty to hold himself to a high standard of personal and professional conduct for the
8 benefit of the public and the criminal justice system of the State of South Dakota; and

9 WHEREAS, as a result of his criminal acts and his wrongful deeds, Attorney General
10 Ravnsborg has lost the faith of law enforcement, the executive branch, and the people of
11 South Dakota; and

12 WHEREAS, it is the sense of the House of Representatives that criminally causing the
13 death of a citizen of the State of South Dakota, committing wrongful deeds following such
14 criminal acts, and losing the faith of law enforcement and the executive branch represent
15 grave and exceptional circumstances meriting impeachment of Attorney General Ravensborg:

16 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Second
17 Special Session of the Ninety-Sixth Legislature of the State of South Dakota, that Jason
18 Ravnsborg, attorney general of the State of South Dakota, is impeached for crimes and for
19 malfeasance in office.

20 BE IT FURTHER RESOLVED, that the following articles of impeachment are adopted by the
21 House of Representatives in the name of the people of the State of South Dakota and must
22 be exhibited to the Senate.

23 BE IT FURTHER RESOLVED, that, in accordance with S.D. Const., Art. XVI, § 5, Attorney
24 General Ravensborg must not exercise the duties of attorney general from the time this
25 resolution is adopted and may resume the duties of attorney general only if acquitted by the
26 Senate of the State of South Dakota.

27 BE IT FURTHER RESOLVED, that, in accordance with S.D. Const., Art. XVI, § 7, the
28 Speaker of the House shall ensure that Attorney General Ravensborg is served with a copy of
29 the articles of impeachment as expeditiously as possible.

1 BE IT FURTHER RESOLVED, that the Chief Clerk of the House of Representatives is directed
2 to prepare an enrolled copy of this resolution, to be authenticated by her signature and that
3 of the Speaker, and transmit it to the Secretary of the Senate.

4 The following articles of impeachment are exhibited by the House of Representatives of the
5 State of South Dakota against Jason Ravnsborg, attorney general of the State of South
6 Dakota, in maintenance and support of impeachment for crimes and for malfeasance in office.

7 Article I: Crimes Causing the Death of Joseph Boever

8 S.D. Const., Art. XVI, § 3 provides that the House of Representatives may impeach "state
9 and judicial officers," for "drunkenness, crimes, corrupt conduct, or malfeasance or
10 misdemeanors in office."

11 Attorney General Jason Ravnsborg committed crimes causing the death of Joseph Boever,
12 specifically:

13 (1) On the evening of September 12, 2020, Attorney General Ravnsborg failed to operate
14 his vehicle within its proper lane, crossed outside such lane, diverted his attention from
15 the road, and struck pedestrian and Highmore, South Dakota, resident Joseph Boever;

16 (2) Joseph Boever died immediately from the collision; and

17 (3) Attorney General Ravnsborg pleaded no contest and was found guilty of two separate
18 crimes, including illegal lane change, the crime that caused the death of Joseph
19 Boever.

20 Wherefore, this Article of Impeachment for crimes causing the death of Joseph Boever is
21 hereby adopted, and Attorney General Jason Ravnsborg must face trial for impeachment in
22 the Senate of the State of South Dakota pursuant to S.D. Const., Art. XVI, § 2.

23 Article II: Malfeasance in Office Following the Death of Joseph Boever

24 S.D. Const., Art. XVI, § 3 provides that the House of Representatives may impeach "state
25 and judicial officers," for "drunkenness, crimes, corrupt conduct, or malfeasance or
26 misdemeanors in office." Attorney General Jason Ravnsborg committed malfeasance in office
27 following the death of Joseph Boever.

28 Attorney General Jason Ravnsborg committed the following wrongful deeds:

1 (1) Immediately following the collision, Attorney General Ravnsborg identified himself by
2 his official title and made a direct misrepresentation to the dispatch officer, misleading
3 first responders as to the crime he had just committed;

4 (2) During the investigation, Attorney General Ravnsborg made numerous
5 misrepresentations and misstatements of fact to law enforcement and to the public
6 regarding his conduct surrounding his criminal acts; and

7 (3) Attorney General Ravnsborg used assets of the Office of the Attorney General to
8 benefit himself personally with respect to the investigation into his criminal activity.

9 Wherefore, the foregoing wrongful deeds amount to malfeasance in office as provided in S.D.
10 Const., Art. XVI, § 3. Accordingly, this Article of Impeachment for malfeasance in office
11 following the death of Joseph Boever is adopted, and Attorney General Jason Ravnsborg must
12 face trial in the Senate of the State of South Dakota pursuant to S.D. Const., Art. XVI, § 2.