



2021i South Dakota Legislature

House Resolution 7002

ENROLLED

AN ACT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Article I: Crimes Causing the Death of Joseph Boever

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

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

- (1) On the evening of September 12, 2020, Attorney General Ravnsborg failed to operate his vehicle within its proper lane, crossed outside such lane, diverted his attention from the road, and struck pedestrian and Highmore, South Dakota, resident Joseph Boever;
- (2) Joseph Boever died immediately from the collision; and
- (3) Attorney General Ravnsborg pleaded no contest and was found guilty of two separate crimes, including illegal lane change, the crime that caused the death of Joseph Boever.

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

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

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

Attorney General Jason Ravnsborg committed the following wrongful deeds:

- (1) Immediately following the collision, Attorney General Ravnsborg identified himself by his official title and made a direct misrepresentation to the dispatch officer, misleading first responders as to the crime he had just committed;
- (2) During the investigation, Attorney General Ravnsborg made numerous misrepresentations and misstatements of fact to law enforcement and to the public regarding his conduct surrounding his criminal acts; and
- (3) Attorney General Ravnsborg used assets of the Office of the Attorney General to benefit himself personally with respect to the investigation into his criminal activity.

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

Adopted by the House of Representatives,

April 12, 2022

Spencer Gosch
Speaker of the House

Patricia Miller
Chief Clerk