



2021i South Dakota Legislature

Senate Resolution 703

Introduced by: **Senator Schoenbeck**

1 **A RESOLUTION, Memorializing the proceedings of the Senate Court of**
2 **Impeachment.**

3 WHEREAS, on April 12, 2022, the House of Representatives, during the Second Special
4 Session of the Ninety-Sixth Legislature of the State of South Dakota, issued articles of
5 impeachment against Jason Ravnsborg, attorney general of the State of South Dakota, which
6 were then transmitted by the Chief Clerk of the House to the Secretary of the Senate; and

7 WHEREAS, the Senate has the sole power to try an impeachment pursuant to S.D. Const.,
8 Art. XVI, § 2; and

9 WHEREAS, the Senate adopted Senate Resolution 701 on April 26, 2022, resolving itself
10 into a Court of Impeachment and designated Tuesday, June 21, 2022, at 8:00 a.m., as the
11 day and hour for the beginning of the trial; and

12 WHEREAS, the Senate, acting as the Court of Impeachment, adopted Senate Resolution
13 702 on April 26, 2022, establishing the rules governing the impeachment trial of Attorney
14 General Jason Ravnsborg; and

15 WHEREAS, on April 26, 2022, the Secretary of the Senate informed the House of
16 Representatives that the Senate resolved itself into a Court of Impeachment; and

17 WHEREAS, pursuant to Senate Resolution 702, Rule 1-2, the Senate served Attorney
18 General Jason Ravnsborg with a true and correct copy of the summons requiring the Attorney
19 General to file a written answer to the articles of impeachment and to appear personally or
20 by counsel on June 21, 2022, in the Senate Chambers; and

21 WHEREAS, on May 5, 2022, the President Pro Tempore of the Senate, pursuant to Senate
22 Resolution 702, Rule 2-11, appointed Mr. Mark Vargo and Ms. Alexis Tracy to conduct the
23 prosecution of the articles of impeachment; and

1 WHEREAS, on May 31, 2022, Attorney General Jason Ravnsborg filed a written answer to
2 the articles of impeachment, denying each allegation contained therein; and

3 WHEREAS, the Court of Impeachment convened on Tuesday, June 21, 2022, at 8:00 a.m.,
4 to conduct the trial of impeachment of Attorney General Jason Ravnsborg; and

5 WHEREAS, the prosecution and respondent were provided equal amounts of time for
6 opening statements, case presentations, and closing statements; and

7 WHEREAS, the following prosecution witnesses testified at the Court of Impeachment:
8 Kevin Kinney (South Dakota Highway Patrol), Joe Arenz (North Dakota Bureau of Criminal
9 Investigation), Cassidy Halseth (North Dakota Bureau of Criminal Investigation), Brent
10 Gromer (South Dakota Division of Criminal Investigation, retired), and Arnie Rummel (North
11 Dakota Bureau of Criminal Investigation); and

12 WHEREAS, pursuant to Senate Resolution 702, Rule 5-2, the presiding officer stated the
13 following question to the Senate: "Shall the Senate sustain the first article of impeachment,
14 crimes causing the death of Joseph Boever, against Attorney General Jason Ravnsborg and
15 remove him from the office of Attorney General?"; and

16 WHEREAS, the Senate sustained the first article of impeachment by at least two-thirds of
17 the members-elect of the Senate, convicting Attorney General Jason Ravnsborg of the first
18 article of impeachment and removing him from office; and

19 WHEREAS, pursuant to Senate Resolution 702, Rule 5-5, the presiding officer pronounced
20 a judgment of conviction and stated the following: "The Attorney General of the State of South
21 Dakota is convicted of the first article of impeachment and removed from the office of Attorney
22 General"; and

23 WHEREAS, pursuant to Senate Resolution 702, Rule 5-2, the presiding officer stated the
24 following question to the Senate: "Shall the Senate sustain the second article of impeachment,
25 malfeasance in office following the death of Joseph Boever, against Attorney General Jason
26 Ravnsborg and remove him from the office of Attorney General?"; and

27 WHEREAS, the Senate sustained the second article of impeachment by at least two-thirds
28 of the members-elect of the Senate, convicting Attorney General Jason Ravnsborg of the
29 second article of impeachment and removing him from office; and

1 WHEREAS, pursuant to Senate Resolution 702, Rule 5-5, the presiding officer pronounced
2 a judgment of conviction and stated the following: "The Attorney General of the State of South
3 Dakota is convicted of the second article of impeachment and removed from the office of
4 Attorney General"; and

5 WHEREAS, pursuant to Senate Resolution 702, Rule 5-7, the presiding officer stated the
6 following question to the Senate: "As a result of being convicted of the first article of
7 impeachment, shall Jason Ravnsborg be disqualified from holding any office of trust or profit
8 under the state?"; and

9 WHEREAS, at least two-thirds of the members-elect of the Senate voted in favor of
10 disqualification, thereby disqualifying Jason Ravnsborg from holding any office of trust or
11 profit under the state; and

12 WHEREAS, pursuant to Senate Resolution 702, Rule 5-9, the presiding officer pronounced
13 a judgment of disqualification and stated the following: "The Attorney General of the State of
14 South Dakota is disqualified from holding any office of trust or profit under the state as a
15 result of being convicted of the first article of impeachment"; and

16 WHEREAS, pursuant to Senate Resolution 702, Rule 5-7, the presiding officer stated the
17 following question to the Senate: "As a result of being convicted of the second article of
18 impeachment, shall Jason Ravnsborg be disqualified from holding any office of trust or profit
19 under the state?"; and

20 WHEREAS, at least two-thirds of the members-elect of the Senate voted in favor of
21 disqualification, thereby disqualifying Jason Ravnsborg from holding any office of trust or
22 profit under the state; and

23 WHEREAS, pursuant to Senate Resolution 702, Rule 5-9, the presiding officer pronounced
24 a judgment of disqualification and stated the following: "The Attorney General of the State of
25 South Dakota is disqualified from holding any office of trust or profit under the state as a
26 result of being convicted of the second article of impeachment"; and

27 WHEREAS, on June 21, 2022, after the completion of the impeachment trial by the Court
28 of Impeachment, the Court of Impeachment dissolved itself;

1 NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Second Special Session of the
2 Ninety-Sixth Legislature of the State of South Dakota, that it hereby recognizes and ratifies
3 the proceedings of the Court of Impeachment; and

4 BE IT FURTHER RESOLVED, that the Secretary of the Senate is directed to file a copy of
5 this resolution with the secretary of state and transmit a copy to the Chief Clerk of the House
6 of Representatives.