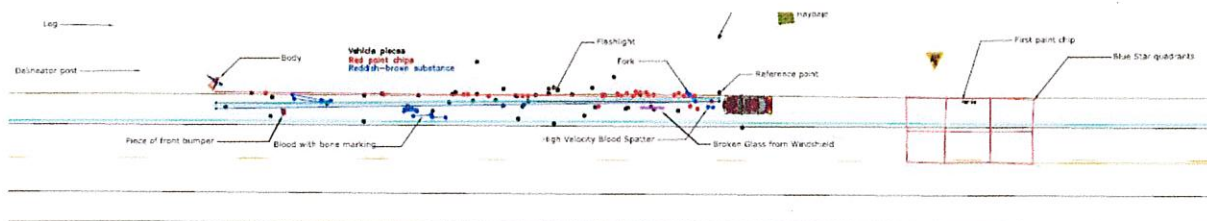


AG Crash Supplemental (Quadrants Described)

During my testimony before the Legislative Review Committee (LRC), Head Chair Representative Spencer Gosch, asked me about the quadrants where “BlueStar” was sprayed, specifically why was that location selected as the area. I did not recall why that area was selected during my testimony. The next morning, I reviewed the case information in an effort to recall why we selected the area that was sprayed with BlueStar. In review of that information, I did recall why we sprayed that area.

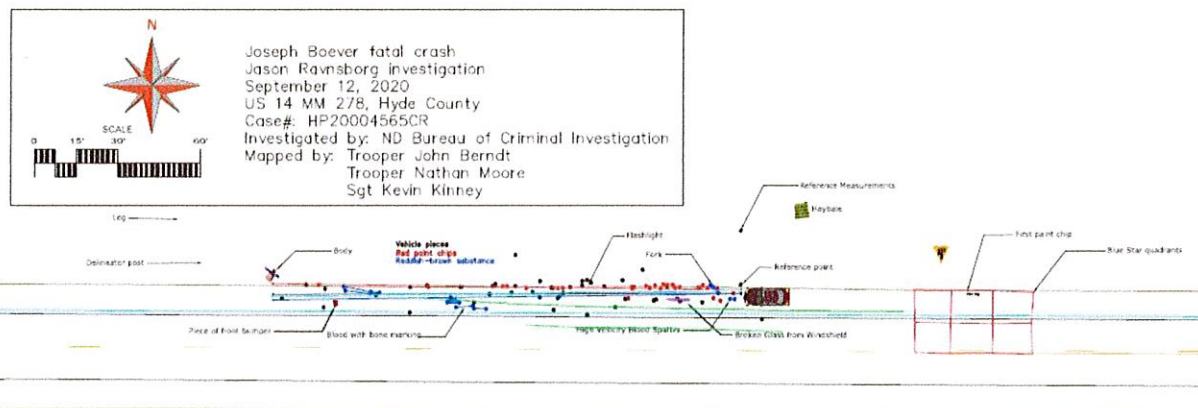
During the LRC hearing on 01/19/21 and during the testimony of BCI Agents Arenz and Rummel, the topic was addressed to the BCI Agents. The BCI Agents did not provide a clarification. Since I was not recalled to clarify this, I would like to provide more insight to the “paint chip” and what effect it had on our investigation.

The determination of AG Ravnsborg’s vehicle was discussed at length during the LRC hearing. One of the main parts of the investigation used to determine the location of AG Ravnsborg’s vehicle was the trend lines. I will not go into detail about the use of the trend lines as that has already been presented to the LRC. What has not been presented in detail is the fact one paint chip was located east of the area of impact on September 13, 2020 – the day after the crash. This single paint chip was located approximately 80 feet east of the area of impact. This paint chip was recorded and document in the same manner as other evidence. This single paint chip was also referred to in my crash reconstruction report and can be found on page 30 – “*location (first paint chip). It should be noted the actual area of impact is approximately 80 feet west of the “first paint chip” location*”. The below picture shows the exact area in which the paint chip was located, you will notice the paint chip lies in the immediate area of the previously discussed quadrants.



The LRC was provided with a mapping file, in the description of the file it informed the LRC they would need the CAD mapping program (IMS Map360) to view the information. The CAD mapping file contains the mapping point (402) of the first paint chip, the same manner every other piece of evidence was documented. If it would please the LRC, the data collector containing the raw data file (mapping points) could be provided. The raw data file could be downloaded with the CAD mapping program by the LRC for their review. The LRC was also provided files titled Forensic map evidence log and Forensic map measurement log. Within those files you will find point 402 is listed as “1ST CHIO”, this is in fact the paint chip shown within the mapped quadrants. I would also like to note item 376 labeled “PAINT”, this is the mark I created on September 13, 2020 identifying the first location of any evidence (east of the crash location). This paint mark was used to identify the area when setting up the BlueStar testing quadrants.

A second reason we selected this area was due to the skid marks that have been previously described. At the time of the paint chip discussions, conversations regarding the skid marks that were located on September 13, 2020 were still taking place. A view of those skid marks (green lines) is shown in the diagram below.



The beginning of the skid marks was approximately 22 feet west of the single paint chip. With the location of the skid marks and the paint chip it was questioned they may have been related. As previously discussed, the skid marks were determined to not be related to AG Ravensborg's vehicle in three separate areas of our investigation –

- LT Stahl's patrol video of the area on September 4, 2020
- The ABS skid testing
- The track width difference between AG Ravensborg's vehicle and the skid marks

I believe the previous information explains why we picked the quadrant area to conduct the BlueStar testing. The next portion of this document will describe why we conducted the BlueStar testing.

All of the previous information was presented to the prosecutors (Sovell, Moore, Vargo and Johnson) during the investigation. When the information of the trend lines was presented, we were asked why the first paint chip was not included in the trend lines. The simple answer was - you would not find one piece of evidence 80 feet away from the other evidence. That paint chip was not there at impact, the description of it sticking to AG Ravensborg's shoe as he walked through the area traveling east was the most plausible answer, but speculation. Some prosecutors believed Mr. Boever may have been struck in the area of the single paint chip and that was the only piece of debris left where the impact occurred, that is not possible and was described to them as such.

The question of the single paint chip remained. ND BCI proposed the idea of spraying BlueStar in the area of the first paint chip to determine if any other evidence existed in that area. This also eliminated the skid marks in a fourth manner as the quadrants were at the immediate beginning of the skid as it began. That was why we sprayed the area in question. It was near the end of the skid marks and was focused around the area of the single paint chip. Once the area surrounding the paint chip was determined to be irrelevant the use of the trend lines was accepted by the prosecutors in identifying the area AG Ravensborg's vehicle struck and killed Mr. Boever.

Trooper John Berndt
South Dakota Highway Patrol

March 9th, 2022