

Union County State's Attorney

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Press Release - For Immediate Release

Defendant's Name: Christopher Heuer
Age: 23
City and State of Residence: Beresford, SD
Criminal File Number: 15-008
Convicted of: Aggravated Assault Against A Law Enforcement Officer, (F2), 22-18-1.05
Sentencing Date: June 22, 2015

Case Synopsis:

Beresford City Police Officer, Sgt. David Steckelberg responded to a person attempting suicide call on January 15, 2015. Heuer's mother had found her son, Christopher Heuer, in her parents garage emotionally upset and holding a rifle in a manner indicating to her that Christopher intended to do harm to himself. Sgt. Steckelberg responded to the call and attempted to reason with Christopher. Heuer's mother approached Sgt. Steckelberg behind the patrol car. Christopher Heuer did not comply with any of Sgt. Steckelberg's directions to put the rifle down so that he and the other people who care about him could get him the help that he needed. Instead, Christopher Heuer made a slow and calculated approach on Sgt. Steckelberg while armed with the rifle. At each step Heuer exposed Sgt. Steckelberg and his mother. Heuer then began to bring the barrel of the rifle from the ground deliberately pointing the rifle at Sgt. Steckelberg and his mother when Sgt. Steckelberg fired three rounds at Christopher Heuer. Heuer was struck in the arm, which caused Heuer to eventually drop the firearm and submit to being arrested. A South Dakota Division of Criminal Investigation investigated the shooting and ruled that that Sgt. Steckelberg discharged his firearm consistent with standard police procedures.

The State, the defendant and the defense attorney came to the court with an agreed upon plea agreement which was approved by the victims in this case. The plea agreement was for all parties to recommend a 50-year sentence with 45 years suspended which would have Christopher Heuer serving approximately 39 months of his 5 year sentence to the penitentiary. The Court, in this case, did not follow the recommendation of the parties and the Court ordered the following sentence.

Sentencing Synopsis:

Heuer had plead guilty to Aggravated Assault Against A Law Enforcement Officer which is a class 2 felony carrying a maximum potential sentence of 25 years in the penitentiary and / or a fine of \$50,000 or both. Heuer also admitted to part two habitual offender information filed by the state increased the class 2 felony to a class 1 felony offense. The maximum sentence on a class 1 felony is a potential sentence of 50 years in the penitentiary and / or a fine of \$50,000 or both.

The Court ordered that Heuer serve a 30-year sentence with 22 years suspended. Heuer was Ordered to remain in the custody of the Sheriff until transported to the penitentiary. Heuer received credit for the 130 days he spent incarcerated towards his 8 year sentence. It is anticipated that Heuer will spend 62.4 months incarcerated before he is eligible for parole.

The court stated that while Heuer may not have intended to harm either Sgt. Steckelberg or Heuer's own mother on January 15, 2015, because only he knew that the rifle was not loaded, however, the fact remains that Heuer's actions were deliberate and spanned a significant period of time. Heuer was given several chances to stop his actions. The Court also cited Heuer's criminal record of assault for shaking his own child (as detailed in a Minnehaha County felony file). The Court reasoned that a sentence of 30 years would provide for supervision until Heuer was in his fifties. The Court also cited the need to send a message to the community through this sentence that this type of behavior of suicide by law enforcement is not acceptable and that by and through his actions, his behavior warranted punishment to protect society and the public.

The Court further ordered that the Heuer pay the following:

- Prosecution Costs of \$231.32;
- Court Costs of \$104.00;
- Court Appointed Attorney Fees of \$1732.50.

Criminal History:

This is Christopher Heuer's second career felony conviction. Heuer also has a felony conviction in Minnehaha County for the assault upon his child (a shaking baby case).