

BENTON COUNTY SHERIFF'S OFFICE

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Troy Heck, Sheriff

Neal Jacobson, Chief Deputy

PRESS RELEASE

DATE:10-30-18

AUTHORITY OF SHERIFF TROY HECK

Today, the case involving the reported assault of Minnesota House of Representatives candidate Shane Mekeland was forwarded to the Benton County Attorney's Office for the consideration of criminal charges. Minnesota law continues to classify our investigative report as confidential information until the Benton County Attorney's Office either declines charges or until the prosecution against a person charged in this matter has been completed in the courts.

On October 13th, Mekeland reported to our office that he had been assaulted the previous day at an establishment in St. George Township. The incident described by Mekeland constituted, at the least, a misdemeanor assault under Minnesota law. The injuries Mekeland reported suffering as a result of this alleged assault indicated that this incident had the potential to be a felony level assault. For the assault to qualify as a felony, the investigation would need to prove that Mekeland suffered "substantial bodily harm." Proving this level of harm in this case required obtaining medical records documenting the extent of Mekeland's injuries.

Minnesota law prohibits peace officers from making custodial arrests in cases of misdemeanor assaults committed outside an officer's presence. Because Mekeland's medical records were not immediately available, the only enforcement action available to our office during the course of this investigation would have been to issue the suspect a citation for a misdemeanor assault. Issuing a citation to the suspect could have removed the possibility for the filing of felony charges. Had a citation been issued, the suspect may have been able to appear in court on the misdemeanor charge and plead guilty before the County Attorney had the opportunity to amend the charges, thereby ending the state's case against the suspect. In order to ensure the County Attorney's Office had the information they would need to charge the proper level of crime, deputies interviewed the victim and all identified witnesses, interviewed the suspect, gathered Mekeland's medical records, and sought any other relevant evidence. Now that this investigation has been completed, the County Attorney's Office will review the information and determine the proper course for this prosecution.

Troy Heck

Benton County Sheriff