

UPDATE: Three law enforcement officers cleared in - Jamestown Sun, The (ND) - March 20, 2018

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March 20--Three local law enforcement officers who shot and killed a Jamestown man after he fired a weapon at them last month will not face criminal charges.

Stutsman County State's Attorney Fritz Fremgen determined Friday that Jamestown police officer Logan Hord and Stutsman County deputies Daniel White and Casey Yunck will not be charged after firing their weapons when suspect **Michael Schieffer** fired a gun at them at the end of the pursuit.

Fremgen made his decision to not seek criminal charges against the law enforcement officers after reviewing a report about the incident done by North Dakota Bureau of Criminal Investigation. Jamestown Chief of Police Scott Edinger released the memo on Fremgen's decision to The Sun on Monday.

"Schieffer had committed a felony involving violence and the officers were justified in using deadly force to effectuate Schieffer's arrest," Fremgen said in the memo.

Stutsman County Sheriff Chad Kaiser said White and Yunck should return to work on Wednesday. Edinger said Hord was back to work on administrative duty and should be back to full duty in the near future. Kaiser and Edinger both said the officers involved in the shooting were cleared of any policy violations through separate agency internal investigations and by the BCI investigation.

Kaiser said Monday that having White and Yunck out essentially left the office short one shift for almost a month.

"It's awesome to have them back," he said.

Edinger said Monday, based on the internal reviews, that he couldn't see how the officers could have taken any other action.

"They really did everything they could to avoid a shooting," he said.

On Feb. 21 a Jamestown police officer saw Schieffer driving and knew Schieffer's driver's license was suspended. After confirming there was a warrant for his arrest, the officer attempted a traffic stop. Schieffer did not stop and a pursuit began. During the pursuit, Schieffer fired a handgun four times at pursuing law enforcement vehicles.

The pursuit that began in Jamestown ended near Woodworth when Schieffer's car got stuck in a snowbank.

Schieffer got out of his vehicle holding a handgun and cellphone and walked toward the officers. The BCI report stated the officers yelled to Schieffer to drop the gun. At one point, Schieffer had the gun pointed toward his head. As he got closer to the officers he pointed the gun at the officers and fired his weapon. The officers returned fire, killing Schieffer.

In Fremgen's memo, he said during the pursuit Schieffer was talking with a friend on a cellphone. In an interview with Schieffer's friend on Feb. 22, the friend said Schieffer sounded frantic and told the friend he was not going back to prison.

"...(Schieffer) had a firearm and had shot at police in an attempt to get the police to shoot him," Fremgen wrote in the memo.

The pursuing law enforcement vehicles had stopped about a half mile back from Schieffer. The officers used a public address system and yelled, telling Schieffer to drop the gun. Fremgen said in the memo that Schieffer also yelled at the officers to shut up as he was talking on the phone.

"It is clear Schieffer heard and considered the pleading of the officers," Fremgen said in the memo.

Hord, Yunck and White waited for backup to arrive after shooting Schieffer and administered first aid to Schieffer. He died at the scene.

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