

Gunman was facing years in state prison - Patriot-News, The (Harrisburg, PA) - January 21, 2018 - page A10

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Court records suggest one possible explanation for why **Kevin Sturgis**, who was shot and killed Thursday in a gun battle with police, acted so rashly.

After a lifetime of relatively short stints in jail, the 31-year-old charged with killing Deputy U.S. Marshal Christopher Hill, might have known he was facing significantly harder prison time than he'd ever served before if captured.

The document, by itself, can't be conclusive. Attempts to reach Sturgis's family were not successful, and investigators have thus far not released their own conclusions about a motive.

Several neighbors have said that, in their sidewalk encounters with Sturgis, he was very polite and friendly during the brief time he lived in the neighborhood.

He drove a car and otherwise did not act like a man on the run.

But a sentencing memorandum filed by Philadelphia assistant district attorney Robert Wainwright the day before Sturgis was to be sentenced in January 2017 for illegal possession of a handgun might be instructive.

The gun case, which dates to April 8, 2014, city police officers stopped a car for a stop sign violation. Officers said they saw the driver, later identified as Sturgis, move something.

They recovered a .40-caliber semi-automatic handgun from the car's center console.

Philly prosecutors wanted Common Pleas Judge Giovanni Campbell to sentence Sturgis to five to 10 years in state prison.

It was time, the prosecutor suggested, to hew to state sentencing guidelines and teach a man who regularly faced criminal charges a lesson.

His argument was based on a record that showed 11 arrests and six convictions for Sturgis as an adult, plus an attempted rape case that Sturgis was found delinquent on — tantamount to a conviction in adult court — as a juvenile in 2004, when he was 17.

It was not immediately clear what kind of sentence Sturgis received as a juvenile.

The adult convictions included a theft by receiving stolen property case in which Sturgis was found at the wheel of a stolen car; a drug dealing charge in 2008; and the gun charges in 2014.

Those were all Philadelphia cases.

There was also an incident in Myrtle Beach, S.C., during which Sturgis was found guilty of a December 2008 theft charge and sentenced to a 30-day maximum prison term.

And a variety of probation violations or missed court appearances that landed Sturgis behind bars for several weeks at a time.

Sturgis also was arrested on drug charges in Harrisburg in 2013, though most of those counts were dismissed at the district justice level, and a remaining conspiracy charge, records show, was dropped.

Dauphin County District Attorney Fran Chardo said in that case, after a co-defendant took full responsibility for the drugs and pleaded guilty, prosecutors eventually recognized they had no case left against Sturgis.

According to Philadelphia's prison records, Sturgis had been in and out of city jails on nine separate occasions between January 2007 and October 2015.

The longest stint was from July 14, 2011 to May 17, 2012, after his arrest for an earlier set of gun charges that were ultimately dropped.

Sturgis also served more than seven months after his 2014 arrest, which resulted in his conviction at trial for unlawful possession of a firearm in 2016.

It was sentencing for that case that generated Wainright's memo, in which the prosecutor argued Sturgis's "lengthy criminal history in multiple states" and his prior probation violations warranted five to 10 years behind bars.

Campbell, the sentencing judge, never got to make that call.

At the time of Sturgis's sentencing on Jan. 5, 2017 the defendant, who had been on house arrest, was a no-show. "He didn't show up for sentencing, and I hadn't heard from him since," Sturgis's attorney, Gerald Stein, said Friday.

Sturgis had apparently stayed off police radar ever since, until Thursday.

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