

## Two Deary boys get 30 days

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By David Johnson of the Tribune

### **After time in detention, pair will be on probation for three years for highway shooting spree near Helmer**

MOSCOW - Austin Blake Medlock and Austin James Rickert, two 14-year-old Deary boys, stood before the court Monday morning, sobbed in front of family members and friends, and said they were sorry.

Afterward, both were taken to juvenile detention for 30 days before serving three years probation in connection with the January shooting spree near Helmer where several vehicles were struck - one with a bullet passing just inches between a driver and passenger.

"Over the years I've had the opportunity to hear a lot of people stand in court and say they're sorry, and shed tears and beg for forgiveness and whatnot," Magistrate Stephen L. Calhoun said. "And a lot of times it's hard to tell whether someone is sincere or not."

But Calhoun said he believed the boys' sincerity. So he went against Latah County Prosecutor William Thompson Jr.'s request for commitment to the Idaho Department of Juvenile Correction and opted for keeping Medlock and Rickert under close supervision within an environment where not only family and friends, but an entire community will be watching.

"I don't think these two individuals need treatment in a secured environment. Frankly it would be a waste of resources," Calhoun said. However, he issued a suspended commitment sentence, meaning that if either boy fails to meet conditions of detention or probation, they will be placed with juvenile corrections for an extended time.

Both Medlock and Rickert admitted to the shootings during a hearing last month, after being charged with amended felony complaints.

Why the boys spent literally hours shooting at vehicles, Calhoun said, may never be answered. The boys couldn't come up with the answer, according to records. Neither could police, counselors or doctors who interviewed them, the judge said.

"I guess maybe that's part of why we call them kids, rather than adults," Calhoun said. "I think everything in the record ... shows that these two individuals are sincere about their regrets."

Attorneys Charles Kovic and Robert Kwate, who represented Medlock and Rickert, respectively, told Calhoun the boys, and the community, would be best served with a short period of detention followed by probation. Neither of the boys had been in any trouble with the law before, according to records.

"There's no getting around that this was, well, I can't think of a more reckless scenario," Kwate told Calhoun. "The nature of the crime is horrendous. But I think everything else points towards, at most, detention."

Kovic said he visited his client in the county jail, where both Medlock and Rickert were kept initially. "I saw two scared kids. They were very scared. Tears in their eyes. They did not want to be there," Kovic said. "I personally live in Deary. I'm a member of the community. This isn't very easy. I know the victims. And I know the victims' mother."

Two girls, who were driving past, narrowly escaped death when a bullet crashed into the rear side window of their car and passed through the driver's seat headrest. At least two passenger vehicles and nine chip trucks were hit, according to court records. Thompson introduced photographs of the two girls sitting in their car with a ballistics rod penetrating through the passenger area to show the trajectory of the bullet.

"I didn't need that (the pictures) to realize how close this came to being an unimaginable tragedy," Calhoun said. "But for the grace of God, any leniency could have been taken away. If the bullet had been inches to the side, I wouldn't have been able to give mercy or leniency ..."

The boys, sitting with their attorneys at their sides and their parents behind them in the courtroom, held back tears throughout the hearing.

"So, you're both just fortunate that your reckless and irresponsible actions didn't take away somebody's life and your future," Calhoun said.

The judge gave each boy credit for time already served behind bars, leaving Medlock with 27, and Rickert with 23 more days. As part of their probation upon being released from detention, the boys will be prohibited from hunting or possessing any kind of weapon until their probation is completed.

According to court records, they used .22-caliber rifles to fire scores of shots and launched at least one arrow from a crossbow. Jack Buell, owner of the chip trucks that were hit, did not request any restitution, Thompson said.

Restitution amounts (for damage to vehicles) totaled around \$1,500, with payment to be split between the boys. Rickert has an additional \$1,783 to pay to the federal Department of Homeland Security after a Spokane bomb squad was called when an explosive device was found in his bedroom. The device turned out to be plastic pipe filled with fireworks.

Thompson said the boys' probation period, with details still to be worked out, will be under strict authority of state probation officers. He said officials will essentially become parents to the boys as far as curfews, activities and with whom they associate. The two must also follow all laws and be subject to announced visits, searches and substance abuse tests.

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*Johnson may be contacted at [djohnson@lmtribune.com](mailto:djohnson@lmtribune.com) or (208) 883-0564.*