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Michael Hart receives prison sentence for shooting child, police officer with BB gun

Today, Multnomah County District Attorney Rod Underhill announced that 45-year-old Michael Hart received a 42 month prison sentence for shooting an 11 year old boy and a Gresham Police officer with a BB gun.

“The facts of this case are especially alarming given the seriousness of the injuries to both the 11 year old boy and the police officer,” said Multnomah County Deputy District Attorney Nicole Hermann, who prosecuted this case. “This case involved very complex legal issues. We had multiple judicial settlement conferences with Mr. Hart, his attorney and the court to analyze those complexities. By resolving this matter through pretrial negotiations, we are ensuring Mr. Hart is held accountable for these two random and violent acts in our community.”

This investigation started on April 24, 2019 when the boy was climbing a tree with his younger brother in the 800 block of Southeast 187th Avenue in Gresham, Oregon.

While outside playing, the boys heard something rapidly hit the tree. Moments later, the boy was shot in the back. At the hospital, doctors determined a BB pellet had traveled through the victim’s clothing, skin and muscle tissue and lodged in his kidney. Doctors deemed it too dangerous to remove the pellet.

The next day, on April 25, 2019, a Gresham Police officer and his partner were conducting a traffic stop near the entrance to an apartment complex in the 800 block of Southeast 187th Avenue. As one of the officers was outside the patrol vehicle, both officers reported hearing a loud pop and whistling noise.

One of the officers was then struck in his elbow by a pellet, which tore a hole through his uniform. The pellet lodged into the officer’s arm and rested on a nerve, which made it too dangerous to be surgically removed.

During the investigation, law enforcement executed a court-authorized search warrant on Hart’s trailer and located a .177 caliber pellet air rifle and a separate black powder rifle. Officers also located a bedroom window that was open and directly faced both the climbing tree and the location of the traffic stop. The window was covered by a screen that had several pellet-sized holes.

After changing his plea, the court convicted Hart of one count of assault in the third degree and one count of being a felon in possession of a firearm.

Upon his release, Hart will be on 36 months of post-prison supervision.

The Multnomah County District Attorney’s Office was in regular contact with the family of the boy and the Gresham Police officer. All are supportive of today’s pretrial resolution.

The Multnomah County District Attorney’s Office recognizes the Gresham Police Department and Gresham Fire Department for their dedicated efforts investigating this case.

#MCDA#

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