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Phillips Questions Veracity of Heggen's Boating Death Plea Deal: Too Many Open Questions Remain

Yesterday, Saratoga County District attorney Karen Heggen announced a final disposition in the criminally negligent homicide charges originally filed against Blake Heflin, the then 19-year-old arrested in connection with boating accident death of 20-year-old Ian Gerber on July 4, 2021

Heggen allowed Heflin, who was at the boat's controls, to plead out to a misdemeanor assault charge, three years' probation and a one-year suspension of boating privileges, for boating while intoxicated last summer on Saratoga Lake and fatally striking, with the boat's propeller, the young man who was jumping off the boat.

In response to Heggen's plea deal announcement, Michael Phillips, the Democratic candidate for Saratoga County District Attorney made the following statement:

"We'll never know if this was the right way to dispose of this case for Ian Gerber and his family because of the incompetent way the criminal investigation was handled by the District Attorney's office. There are several fundamental problems with how this was handled:

First, Heggen should have made sure the Saratoga County Sheriff's office recused itself from the investigation because Blake Heflin is related to several Sheriff's office employees. The New York State Police should have conducted this investigation to avoid even the appearance of a conflict.

Second, the circumstances around this case are still murky at best. All the young people involved in this tragic accident were intoxicated. Heflin, who was driving the boat, was underage. Heggen's investigation did not uncover the basics of who purchased the alcohol he consumed? Why wasn't a Grand Jury convened by our own district attorney to compel witness testimony and to discover the facts, so we can know who else may have been complicit in this young man's death?

Third, the District Attorney's excuse for not fully prosecuting this matter was that 'the witnesses were uncooperative.' As our sitting District Attorney, Heggen should understand the function of subpoenas and grand jury testimony is to compel testimony in criminal matters in which witnesses are uncooperative. She either doesn't understand those basic case trial tenets or in her prosecutorial work one only investigates crimes in which witnesses cooperate. How is that effective law enforcement? How are the taxpayers and residents of Saratoga County being served by such negligence and incompetence?

The Heflin case is, yet another example of the Saratoga County District Attorney's fundamental inability to grasp the concept of the public trust placed in the office of a county prosecutor in New York State"