

Hines

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door of Knoll's home that Hines kicked in the morning of April 9 after a night of heavy drinking, the SKS Chinese assault rifle that was used to commit the crime and Knoll's car crashed into an apartment building after the fatal shooting. Sobs could be heard when photos showing Knoll lying dead inside the car were projected on the large screen.

Much of the hearing consisted of witnesses testifying to the characters of both Hines and Knoll, who by all accounts had a stormy relationship for more than five years prior to the shooting.

The prosecution called more than a dozen witnesses to the stand. They included Knoll's parents, sister and various other family members and friends.

Jeff Knoll, Brianna's father, recalled that the last words he heard from his daughter came during a phone call just moments before her death: "Dad, I really need your help."

"Those are the 12 words that ring in my head every day, over and over," Jeff said. "... My life has no normal anymore."

Bonnie Knoll, Brianna's mother, recalled how her daughter had helped care for her grandmother in her final days. Bonnie said she had hoped Brianna would be able to do the same for her in her old age.

Hines had been a pallbearer at the funeral of Bonnie's mother. "We feel so betrayed by him," she said.

Bonnie said Brianna cared for Hines emotionally and, at times, financially as he struggled with his mental illness and alcoholism.

After Hines kicked in Brianna's bedroom door in February 2011, she ordered him out of the house she had bought but they both shared, according to Bonnie. However, he was soon allowed to live in the basement, and eventually the two resumed their relationship. Bonnie said Brianna was worried about what Hines would do to himself if she left him.

Bonnie recalled the voice messages Hines left on Brianna's phone the night he shot her, wherein he threatened to drive his van into her home and said he wasn't sure if she would "make it."

Right up until the end, Bonnie said her daughter looked after Hines.

"He shot her, and she still wouldn't call the police," she stated. "She called (her father and I).

"Nick has no idea what he has done to us," Bonnie continued. "He has ruined everything."

Many of the witnesses for the prosecution asked that Eng sentence Hines to life in prison.

"I think the only justice would be to have Nick Hines spend the rest of his life behind bars," said Carly Knoll, Brianna's older sister, adding that she thought Hines would kill another girl if released from prison.

Contrasting with the dark picture painted of Hines by many of the prosecution's witnesses were the descriptions of his character by his family members and a friend.

Although largely motionless and staring at the floor during the first round of testimony on Knoll's behalf, Hines began to cry as his father, Stewart Hines, took the stand.

Stewart acknowledged the suffering of those who loved Knoll. He said his family has suffered, too.

"This tragedy was the biggest tragedy that hit the Hines family, too," he said. "Brianna was so pretty, bright, dependable and motivated."

Stewart said his son began acting up as a young teen shortly before his mother died. They didn't know then that their son had a bipolar disorder.

Nicholas would join the U.S. Navy, but the service eventually put him in a mental hospital and dismissed him, according to Stewart.

His son began to self-medicate his illness with alcohol. When Nicholas got a job, he would go from telling the boss how to run his or her company one day to not being able to get out of bed the next day, Stewart said.

Shortly before the shooting, Stewart said his son was doing well. He had a job at L&M Radiator and planned to pay off the money he owed Brianna with a paycheck he was about to receive that Friday.

However, Nicholas joined his co-workers in drinking alcohol at the end of his shift, and it continued until the bars closed. It was on that Saturday morning that he shot Brianna before he turned the gun on himself, doing permanent damage to his face.

Stewart said that, since being in the Yankton County jail, his son has shown remorse for his crime, become more mentally stable than he has been in 15 years and has turned to religion for solace.

"Nick has had an incredible spiritual rebirth," Stewart said.

Roberta Hines, Nicholas's younger sister, recited portions of letters she had received from her brother where he wrote of missing Brianna.

"His heart is so broken," she said. "Nick would do anything to get her back."

Roberta asked that her brother be given a sentence that would allow him some time with her and her father.

During closing arguments, Yankton County State's Attorney Rob Klimisch asked that Hines be given a life sentence.

Klimisch said Hines lacks remorse for his crime, evidenced in part by his claim that the gun had discharged accidentally. Klimisch said Hines had not been truthful with the court about the incidents that

occurred April 9. Hines told investigators that he had grabbed the gun only to "psychologically intimidate" Brianna after she refused to leave him in peace.

Finally, Klimisch stated that Hines had killed Brianna in cold blood. The evidence showed that Hines would have had to circle around the vehicle after Brianna backed away in order to shoot into the driver's side window and pierce the upper left corner of her back. Bullet fragments then hit her heart, and she died instantly, Klimisch said.

Defense attorney Dan Fox saw the events differently.

"I really do not believe that Nick had any intention of harming Brianna that day," he said.

Although Hines and Knoll had a "stormy relationship," Fox said the pre-sentence investigation found no

evidence that Hines had ever been physically abusive to Knoll. Despite his verbal threats the night of the crime, the autopsy showed no marks or bruises.

When Knoll did not back down from arguing with Hines, it was evidence that she was not scared of him, according to Fox.

Backing up the assertion that Hines grabbed the gun only to scare Knoll, Fox said, "If he wanted to harm her, he didn't have to grab a weapon."

When Hines underwent a blood test after the shooting, he had a blood-alcohol level three times above the legal limit.

Fox said neither he nor Hines knows how the gun went off accidentally, but it did.

At that point, the car kept driving away and Hines would have had no

reason to believe that Knoll was dead, he continued.

Still, Fox said Hines believed he would lose Knoll and his job, and face criminal charges, so he turned the gun on himself.

When Hines told authorities he had killed Knoll later that night, it was the result of his drunkenness, head trauma and overhearing people talk about Knoll being dead, Fox argued.

Since that time, Fox said he believes Hines has changed considerably. He has realized the only way to honor Knoll's memory is to become the person she always knew he could be.

Fox requested that Eng suspend a large enough portion of Hines' sentence so that he could make a positive contribution to society.

While giving his testimony to the

court, Hines said he would gladly change places with Knoll. He stated that he is truly sorry and ashamed of his actions.

"I am so far beyond sorry, I don't know what to say," Hines said. "This was an accident. No matter what, I claim all the responsibility and consequences. I will always live with this. It will always be fresh."

Having expressed his feelings of remorse, Hines said he was ready for his sentence.

Before handing down his sentence, Eng acknowledged Hines' bipolar disorder and alcoholism. He said some people might say that he is not fully responsible for his actions because of those factors.

"It may be a reason why a person is led to a certain point in their life, but it cannot be an excuse for the be-

havior," the judge stated. "If we excuse the behavior, it means that we let people go and hold them to no account. I don't think anyone in this room truly believes that Mr. Hines will not be held to account at some level. The question is, what level?"

Along with the 100-year sentence, Eng agreed to credit Hines for 408 days spent in the county jail.

"If you do what is required while you are in the penitentiary ... it means that in 50 years (from the time you entered the county jail), you would be eligible for parole. This court takes notice that the average lifespan of a man at this point is in the late 70s."

Hines was transported to the state penitentiary in Sioux Falls following the sentencing, according to Klimisch.

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