



## John S. Foote, District Attorney for Clackamas County

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September 14, 2016

### **PRESS RELEASE**

Re: Jeremy Pierce Lucas

After a careful review of all the investigatory material from the Oregon State Police and all of the applicable statutes, the Clackamas County District Attorney's Office has determined that there is simply not enough evidence to initiate a criminal prosecution.

On August 25, 2016 the case was sent back to the Oregon State Police for further investigation. An initial review had determined that there was simply not enough evidence to prosecute, but that there might be additional avenues of investigation which might make a prosecution possible. The request for further investigation focused on the lack of information about the identity of the person to whom the AR-15 weapon was allegedly transferred. Without that information it was impossible to prosecute under ORS 166.435. Under the statute the state must prove that a transfer has in fact taken place, that the person to whom the weapon was transferred exercised dominion and control over the gun and that the person was not someone excluded under the statute (such as a gun dealer, someone who repairs or customizes firearms, a spouse, parent, stepparent, child, stepchild, sibling grandparent, grandchild, aunt, uncle, first cousin, niece or nephew).

Since this investigation was initiated no one at the church where the defendant is a pastor nor the defendant has been willing to talk to investigators. Therefore, all available avenues of investigation have failed to identify the person to whom the transfer was completed and without that information it is simply impossible to initiate a prosecution.

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