



FOR IMMEDIATE RELEASE
Wednesday, January 19, 2011

*Office of the United States Attorney, Dennis K. Burke
District of Arizona*

Public Affairs
MANNY TARANGO
Telephone: (602) 514-7456
Cell: (602) 799-8322

JARED LEE LOUGHNER INDICTED

TUCSON, Ariz. - A federal grand jury in Tucson today returned an initial three-count indictment against Jared Lee Loughner for attempting to kill U.S. Rep. Gabrielle Giffords, and two of her aides, Ron Barber and Pamela Simon.

"Today, the Grand Jury returned an initial three-count indictment against Jared Lee Loughner in the Tucson shooting case. We are in the early stages of this ongoing investigation. We have made considerable progress in a short period of time," said U.S. Attorney Dennis K. Burke. "This case also involves potential death-penalty charges, and Department rules require us to pursue a deliberate and thorough process. Today's charges are just the beginning of our legal action. We are working diligently to ensure that our investigation is thorough and that justice is done for the victims and their families."

The charges meet the requirement under the Federal Criminal [Code](#) which mandates that the United States bring an indictment within 30 days of arrest of the defendant.

The indictment alleges that Loughner, 22, of Tucson, attempted to assassinate Gabrielle Giffords, a Member of Congress, *18 USC 351(c)*, and attempted to murder two federal employees, Ron Barber and Pamela Simon, *18 USC 1114 and 1113*.

Loughner has been held in federal custody since Jan. 8.

A conviction for the attempted assassination of a Member of Congress carries a maximum penalty of life in prison, a \$250,000 fine or both. A conviction for attempted murder of a federal employee carries a maximum penalty of 20 years in prison, a \$250,000 fine or both.

In determining an actual sentence, United States District Judge Larry A. Burns will consult the U.S. Sentencing Guidelines, which provide appropriate sentencing ranges. The judge, however, is not bound by those guidelines in determining a sentence.

An indictment is simply the method by which a person is charged with criminal activity and raises no inference of guilt. An individual is presumed innocent until competent evidence is presented to a jury that establishes guilt beyond a reasonable doubt.

Burke emphasized that the procedure in any case which may result in a punishment of death requires a careful and deliberate process, and includes consultation with the victims of the crimes and their families, consideration of all evidence relevant to guilt and punishment, and consultation with all the law enforcement agencies investigating the case.

Also, in order to pursue the death penalty the United States Attorney's Office for Arizona must provide information to the Capital Review Committee. For more detailed information about this process, click [here](#).

The investigation preceding the indictment was conducted by a multi-jurisdictional law enforcement team led by the FBI. The prosecution is being handled by Assistant U.S. Attorneys Wallace Kleindienst, Beverly Anderson, Christina Cabanillas and Mary Sue Feldmeier of the District of Arizona, Tucson.

RELEASE NUMBER: 2011-007(Loughner) Indictment

#

For more information on the U.S. Attorney's Office, District of Arizona, visit <http://www.justice.gov/usao/az/>