



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

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### **PRESS RELEASE**

**August 15, 2016**

**Re: State vs Gerald Miller: Grand Jury Votes to “Not True Bill”**

Today, Monday, August 15, 2016, the case of State vs. Gerald Miller was presented to the sitting Clackamas County Grand Jury. This grand jury, like all Oregon grand juries, was a group of seven residents of the county selected at random by the Presiding Judge of Clackamas County. This grand jury reviews the evidence in every felony case filed in the county during their month long term. The case of State vs. Gerald Miller was just one of these cases.

The grand jury considered all of the evidence that would be admissible in court that was gathered during the criminal investigation by the Clackamas County Sheriff's Office detectives assigned to the case. In total the grand jury heard from seven witnesses, including Nancy Nhek who was in the home when the shooting occurred as well as Laural Johnson the Defendant's daughter. Further the Defendant's video-recorded interview in which he claimed that he fired in self-defense was presented to the Grand Jury. At the completion of the presentation of the evidence, the grand jury was instructed on the applicable law by the Senior Deputy District Attorney handling the case. The Senior Deputy acted as the legal advisor for the grand jury. However, all deliberations by the grand jury were conducted in secret, as is done by all grand juries in Oregon. At the conclusion of the

deliberations the grand jury voted to not charge the defendant Gerald Miller with any crimes. Their decision is called a “Not True Bill.”

The vote by the grand jury means the charges pending in the case will be dismissed and the defendant released from custody. Under Oregon Law the case can only be resubmitted to the Grand Jury if new evidence is uncovered and with the court’s permission.

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