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District of Arizona*

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Public Affairs
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JARED LEE LOUGHNER CHARGED FOR MULTIPLE MURDERS, ATTEMPTED ASSASSINATION

Superseding Indictment Unsealed, Arraignment set for March 9

TUCSON - A federal grand jury yesterday returned a 49-count superseding indictment against Jared Lee Loughner of Tucson for the murder of a federal judge and a Congressional staff member, as well as for causing the deaths of four other participants and injuries to many more during his alleged attempt to assassinate U.S. Representative Gabrielle D. Giffords at her Congress on Your Corner event held on Jan. 8.

Loughner, 22, is charged with the murder of U.S. District Judge John M. Roll and Gabriel M. Zimmerman, a staff member and Director of Community Outreach for Rep. Giffords, according to the new indictment. Loughner will also face charges for causing the death of participants at a federally provided activity, namely the killings of Dorothy J. Morris, Phyllis C. Schneck, Dorwan C. Stoddard, and a child, referred to in the indictment as C-T G., who were shot while waiting to see Rep. Giffords at the Congress on Your Corner event.

“This was an attack on Congresswoman Giffords, her constituents, and her staff,” said U.S. Attorney Dennis K. Burke. “We will seek justice for the federal officials, Judge Roll and Gabriel M. Zimmerman, and for Dorothy J. Morris, Phyllis C. Schneck, Dorwan C. Stoddard, and C-T G. These final four Arizonans’ lives were extinguished while exercising one of the most precious rights of American citizens, the right to meet freely and openly with their Member of Congress. The deceased are not the only ones whose rights are being defended. Those citizens who were peaceably assembled to speak to their Member of Congress are also named victims in this indictment. This indictment involves potential death-penalty charges, and Department rules require us to pursue a deliberate and thorough process. That process is ongoing, and we will continue to work diligently to see that justice is done.”

The indictment also includes allegations brought forward in a previous indictment in January that Loughner attempted to assassinate Rep. Giffords, who was shot in the head and is undergoing rehabilitation in Houston, and attempted to murder two federal employees who worked for Giffords, District Director Ronald S. Barber and Community Outreach Coordinator Pamela K. Simon, who were both shot multiple times and are recovering.

Loughner will be arraigned on the new charges at a hearing on Wednesday, March 9, in Tucson before U.S. District Judge Larry A. Burns. Loughner has been held in federal custody since Jan. 8. As stated previously, the Pima County Attorney’s Office intends to pursue all state charges against Loughner.

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.

In determining an actual sentence should Loughner be convicted, Judge Burns will also consult the U.S. Sentencing Guidelines, which provide appropriate sentencing ranges. The judge, however, is not bound by those guidelines in determining a sentence.

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, including aggravating and mitigating evidence, and consultation with all the law enforcement agencies investigating the case.

Also, in order to pursue the death penalty the U.S. 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 H. Kleindienst, Beverly K. Anderson, Christina M. Cabanillas and Mary Sue Feldmeier of the District of Arizona, Tucson.

RELEASE NUMBER: 2011-032(Loughner) Superseding Indictment

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

SUMMARY OF CHARGES

Charge	Count(s)	Maximum Penalty
Attempted Assassination of a Member of Congress <i>18 U.S.C. § 351(c)</i>	1	Life in prison, a \$250,000 fine, or both
Attempted Murder of a Federal Employee. <i>18 U.S.C. §§ 1114 and 1113</i>	3,11,13	20 years in prison, a \$250,000 fine, or both.
Use, Carry, Brandish and Discharge of a Firearm in Relation to a Crime of Violence. <i>18 U.S.C. § 924(c)(1)(A)(i), (ii) & (iii)</i>	2, 4, 6, 9, 12, 14, 16, 19, 22, 25, 28, 31, 33, 35, 37, 39, 41, 45, 47, 49	10 years, in addition to the punishment provided for the crime of violence, a \$250,000 fine, or both.
Murder of a Federal Employee. <i>18 U.S.C. §§ 1114 & 1111</i>	5,8	Death or life imprisonment, a \$250,000 fine, or both.
Causing Death Through Use of a Firearm. <i>18 U.S.C. § 924 (j)(1)</i>	7, 10, 17, 20, 23, 26, 29	Death or imprisonment for any term of years or for life, where the killing is first-degree murder, a \$250,000 fine, or both.
Causing Death to Participants at a Federally Provided Activity. <i>18 U.S.C. § 245(b)(1)(B)</i>	15, 18, 21, 24, 27	Death or imprisonment for any term of years or for life, a \$250,000 fine, or both.
Injuring Participants at a Federally Provided Activity. <i>18 U.S.C. § 245(b)(1)(B)</i>	30, 32, 34, 36, 38, 40, 42, 44, 46, 48	10 years, a \$250,000 fine, or both.