



Oregon State Police

Incident: SP16255992

Incident details:

Incident Type: FICS - Felon/Other Prohibited Persons

Incident time: 08/04/2016 12:05 - 08/04/2016 12:05

Reported time: 08/04/2016 12:05

Incident location: (PPO) (Beat: PPO, Region: NWR)

Incident status: Inactive

Summary: On August 4, 2016, approximately 9:00am, I was forwarded information from Lieutenant Andy McCool regarding a possible private party transfer of a firearm without doing a background check. Further investigation into this matter has not resulted in any physical evidence that supports the criminal accusation.

Involved Persons:

Name: LUCAS, JEREMY PIERCE @

Gender:

Classification: Suspect

DOB:

DL:

Address:

Telephone:

Telephone:

Height: 6'3"

Weight: 205lb

Build: Tall

Race: White

Hair Color: Gray or partially gray

Eye Color: Blue

Name: PASSMORE, SIOBHAN @

Gender:

Classification: Witness

DOB:

DL:

Address:

Telephone:

Involved Officers:

- Reporting Officer/Case Lead / CLARK, TRACY / #49426 / OSP / Officer / PORTLAND PATROL
- Dispatcher/TC2 / CARR, CHRISTY / #42278 / OSP / Non sworn / DISPATCH

Reports:

General report:

Author: #49426 CLARK, TRACY

Report time: 08/04/2016 12:13

Entered by: #49426 CLARK, TRACY

Entered time: 08/04/2016 12:13

Narrative:

DISTRIBUTION:

- Clackamas County District Attorney's Office

TELETYPES:

- None

SUBJECT OF THIS REPORT:

Clackamas County Criminal Charge:

- ORS 166.435 – Firearm transfers by unlicensed persons

REFER:

- The Portland Tribune, news article, dated 7/26/2016
- The Review, Lake Oswego news article, dated 7/28/2016
- The Review, Lake Oswego news article, dated 7/31/2016
- The Washington Post news article, dated 7/28/2016
- Text message from Jeremy Lucas on 8/10/2016

PRIOR DENIALS:

- A data base check of the OSP Records Management System shows the suspect has no prior contacts for a firearms purchase denial.

MENTIONED OTHER:

Don Johnson, Chief of Police

City of Lake Oswego

380 "A" Avenue

Lake Oswego, OR 97034

Phone: [REDACTED]

Pastor Jeremy Lucas

Christ Church Episcopal Church

1060 Chandler Road

Lake Oswego, OR 97034

Phone: [REDACTED]

Janet Hoffman

1000 SW Broadway #1500

Portland, OR 97205

Ph: [REDACTED]

SUMMARY:

On August 4, 2016, approximately 9:00am, I was forwarded information from Lieutenant Andy McCool regarding a possible private party transfer of a firearm without doing a background check. Further investigation into this matter has not resulted in any physical evidence that supports the criminal accusation.

ACTION TAKEN:

On August 4, 2016, I was on duty, in uniform, displaying a badge, and driving an Oregon State Police marked patrol car.

At approximately 9:00am, I was forwarded information from Lieutenant Andy McCool regarding a possible private party transfer of a firearm without doing a background check. Lt. McCool told me the following: The Department was notified by the Chief of Police of the Lake Oswego Police Department, Don Johnson, about a pastor in his city, Jeremy Lucas with the Christ Church Episcopal Parish, who had won an AR-15 rifle from a local girls' softball league raffle on or around June 28, 2016. It was reported that pastor Jeremy Lucas passed a background check, as required by state law, and then immediately

drove the AR-15 over to another parishioner's house and transferred the AR-15 into their possession without doing a private party background check.

At approximately 9:18am, I contacted Chief Johnson, by telephone [REDACTED]. Johnson told me he had received an anonymous email from a concerned citizen regarding the news article that was printed, on July 28, 2016, in their local newspaper, The Lake Oswego Review. Johnson told me the police department was aware of questions that the City Council had received related to a Lake Oswego Pastor's possession and/or transfer of a rifle. Chief Johnson told me he then contacted the Oregon State Police for further investigation into this matter. Chief Johnson said he does not know the identity of the email sender and unless the person comes forward to be identified, there is no way to identify them or contact them for an interview. Chief Johnson also told me the email the city received was directing their attention to the published news article.

At approximately 9:25am, I ended my contact with Johnson.

There were several news articles that resulted in the email to Lake Oswego PD. In one of the articles, Pastor Lucas is reported as saying he passed a background check and lawfully took possession of the AR-15 assault rifle. He then is reported as saying he drove it to the home of a parishioner, whom he described as "a responsible gun owner" who "offered" to keep the gun locked in a safe. The implication is the weapon was actually transferred to the possession of this parishioner for safe keeping, although that is not specifically stated in the article. Also unstated is whether a second background check was performed before this transfer took place. (Refer to all the news articles attached for further details.)

If the second transfer happened, as suggested in the articles, it appears Pastor Lucas was in violation of ORS 166.435 due to the second background check was not completed before transferring the AR-15 to the parishioner.

At approximately 10:18am, I contacted Oregon State Police Firearms Instant Check System (FICS) regarding Jeremy Lucas' initial purchase transaction for the AR-15 from the girls' softball team. I was told by the FICS Unit since Lucas was approved to possess the AR-15 that day, they (FICS) were prohibited by law from providing any further information regarding the transfer, including the Federal Firearms License (FFL) dealer who originally submitted the application for review.

I then reviewed ORS 166.435, which passed May 11, 2015. In essence, this law states a person cannot sell, gift or loan a gun to anyone but a direct family member without first doing a background check through a licensed gun dealer.

ORS 166.435 - Firearm transfers by unlicensed persons. (1) As used in this section:*(Refer to the attached ORS for further details.)*

(a) Transfer means the delivery of a firearm from a transferor to a transferee, including, but not limited to, the sale, gift, loan or lease of the firearm. Transfer does not include the temporary provision of a firearm to a transferee if the transferor has no reason to believe the transferee is prohibited from possessing a firearm or intends to use the firearm in the commission of a crime, and the provision occurs:

(b) Transferee means a person who is not a gun dealer or licensed as a manufacturer or importer under 18 U.S.C. 923 and who intends to receive a firearm from a transferor.

(c) Transferor means a person who is not a gun dealer or licensed as a manufacturer or importer under 18 U.S.C. 923 and who intends to deliver a firearm to a transferee.

The details of the case are as follows: Lucas won the District Two Big League Softball Team AR-15 assault rifle raffle on June 28, 2016. Lucas went to a local gun store with one of the coaches from the softball team and completed the ATF Form #4473 (Firearms Transaction Record Part I-Over-the-Counter), as part of the transfer transaction. Lucas' application was submitted to the Oregon State Police Firearms Instant Check Systems (FICS) for review. The FICS Unit approved Lucas' application for the transfer of the AR-15 rifle. Lucas then took possession of the AR-15. These facts can be verified through records and independent witness accounts.

What happened to the AR-15 after that is factually unknown. All that is known is that, according to published news articles, Lucas told at least two reporters that he, after leaving the federal firearm license dealer (FFL), drove the weapon to the home of a parishioner who offered to keep the rifle locked up in a gun safe until Lucas was ready to destroy it. According to those same articles, Lucas claimed he made substantially the same statement to his congregation.

On August 10, 2016, at approximately 2:30pm, I arrived at the Christ Church Episcopal Church located at 1060 Chandler Road, in the Lake Oswego for an interview with Pastor Jeremy Lucas. I spoke with someone at the front desk and was advised that Pastor Jeremy Lucas was currently unavailable and was given his telephone number to contact him. At approximately 2:45pm, I left the Christ Church Episcopal Church.

At approximately 3:54pm, I received a text message from Jeremy Lucas. The text message reads as follows: "Hi Trooper Clark, this is Jeremy Lucas from the Christ Church. Thank you for coming by the office today. I wanted to let you know that I am represented by attorney Janet Hoffman in Portland and she asked that I give you her number to talk. Her office number is [REDACTED] Thanks again" (refer to the attached text message).

At approximately 4:00pm, I left Janet Hoffman a voicemail to return my telephone call regarding the private party transfer of the AR-15.

On August 11, 2016, at approximately 2:27pm, I left Janet Hoffman a voicemail to return my telephone call regarding the private party transfer of the AR-15.

On August 17, 2016, at approximately 4:48pm, I contacted to Janet Hoffman by telephone. I was advised Jeremy Lucas does not want to give a statement at this time. At approximately 4:54pm, I ended my contacted with Janet Hoffman.

Based on the totality of the circumstances in this investigation and without further evidence to support an AR-15 was actually transferred to another party by Lucas, probable cause does not exist at this time to prove the firearm was transferred by an unlicensed person (private party) to another.

This case will be inactive until additional information or evidence becomes available.

RECOMMENDATION:

This case will be submitted to the Clackamas County District Attorney for review.

CASE STATUS:

Open/Inactive

Supplemental:

Author: #49426 CLARK, TRACY

Report time: 09/08/2016 12:09

Entered by: #49426 CLARK, TRACY

Entered time: 09/08/2016 12:09

Narrative:

DISTRIBUTION:

- Clackamas County District Attorney's Office – DDA Bryan Brock

SUBJECT OF THIS REPORT:

Clackamas County Criminal Charge:

- ORS 166.435 – Firearm transfers by unlicensed persons

REFER:

- INITIAL INCIDENT REPORT DATED, AUGUST 4, 2016

MENTIONED OTHER:

Siobhan Passmore

Date of birth: [REDACTED]

[REDACTED]

Phone: [REDACTED]

ACTION TAKEN:

On August 25, 2016, approximately 2:42pm, I was on duty, in police uniform, displaying a badge and driving a marked Oregon Police patrol car.

I was requested by the Clackamas County District Attorney's Office to conduct some additional follow up on the District Attorney Case Number 005-284402, Jeremy Pierce Lucas.

On August 17, 2016, at approximately 5:40pm, I contacted Robert Patterson, Vice President with the Centennial Little League Association regarding the AR-15 raffle. This contact was made by telephone [REDACTED]. Robert told me their softball association had nothing to do with the AR-15 raffle.

Robert told me it was a mis-print in the newspaper.

On August 26, 2016, approximately 9:41am, I contacted Georgia Herr, District Manager with the Oregon District Two Little League Association regarding the AR-15 raffle. This interview took place by telephone [REDACTED]. I introduced myself and explained to her why I was contacting her. I asked Georgia if the Oregon District Two Little League was the organization that raffled off the AR-15 and she said, "Yes." Georgia told me the association had met with all the parents before the raffle even started. Georgia told me one of the league parents, Sage Stewart, handled the AR-15 raffle paperwork. I asked Georgia if she had a telephone number for Sage Stewart. Georgia gave me the telephone number [REDACTED]. Georgia told me Sage handled the gun transfer paperwork to Jeremy Lucas after he won the raffle on July 18, 2016.

I asked Georgia if she knew a Ron Brown. Georgia told me she did and that he left the association under pressure due to the backlash from the AR-15 raffle. I asked Georgia if she had a telephone number for Ron Brown. Georgia gave me the telephone number [REDACTED].

At approximately 10:00am, I ended my contact with Georgia.

At approximate 10:06am, I contacted Sage Stewart by telephone regarding the AR-15 raffle. I introduced myself and explained to him why I was contacting him. Sage told me he had contacted the Department of Justice prior to AR-15 raffle to make sure they were following all the rules and procedures required by State law. Sage told me he was responsible for the sale and making the gun transfer arrangements with the winner. Sage told me the raffle was to help the girls with all the tournament fees when they traveled to California. I asked Sage when the raffle was held. Sage told me the raffle was held on July 18, 2016. Sage told me he had contacted Jeremy Lucas by telephone that night and told him he had won the AR-15. Sage told me he had to wait until July 27, 2016 to complete the gun transfer paperwork since Jeremy Lucas had been on vacation. Sage told me the AR-15 was one of his personal guns that he had donated it to the softball league to help raise money for the girls. Sage told me he held the AR-15 in his gun safe until the gun could be properly transferred to Jeremy Lucas. (This was a private party transfer as required by ORS 166.435 so he was going to use NW Armory to do the background check.) Sage told me he met Jeremy Lucas at NW Armory in Milwaukie, with the AR-15. Sage told me Jeremy Lucas completed all the necessary paperwork at the gun shop prior to taking ownership of the AR-15. Sage told me once Jeremy Lucas had been "Approved" for the private party transfer, he gave him the AR-15. I asked Sage if he knew where Jeremy Lucas had taken the AR-15 after they left NW Armory and he said, "No." Sage told me he had idea where Jeremy Lucas took the gun after they left NW Armory.

At approximately 10:35am, I ended by contact with Sage.

At approximately 10:48am, I left Ron Brown ([REDACTED]) a voicemail to return my telephone call regarding the AR-15 raffle that had occurred on July 18, 2016.

At approximately 11:25am, I contacted store employee, Nichole Adams, at Guns Oregon LLC (NW Armory) located at 12632 SE McLoughlin Blvd, in Milwaukie. Nicole told me a subject who identified himself as **Jeremy Pierce Lucas** came into the *gun shop* and asked their store to facilitate a private party *transfer* of an AR-15 .223 caliber semi-auto rifle to Lucas. Nicole told me Lucas was identified

by an Oregon Driver's License # [REDACTED] and date of birth [REDACTED]. Nicole told me Lucas filled out and signed ATF Form #4473 (Firearms Transaction Record Part I-Over-the-Counter), as part of the *transfer* transaction. Nicole subsequently submitted Lucas' application to the Oregon State Police Firearms Instant Check System (FICS) for review. Nicole told me the FICS unit immediately gave an "Approved" response on Lucas' application regarding the *transfer* of the weapon.

Nicole gave me a photocopy of the transaction record Lucas had filled out, including the AFT Form 4473, and I left the store. That ended my contact with Nicole.

On August 27, 2016, at approximately 2:17pm, I left Ron Brown [REDACTED] a voicemail to return my telephone call regarding the AR-15 raffle that had occurred on July 18, 2016.

On August 31, 2016, at approximately 1:39pm, I arrived at the residence located at [REDACTED] to interview Lucas' wife, Siobhan Passmore. After knocking on the front door of the residence several times, no one came to the front door even though there were several lights on in the residence. I left my business card on Passmore's front door to call me regarding the AR-15 transfer that had occurred July 27, 2016.

At approximately 1:45pm, I left Passmore's residence.

On September 2, 2016, approximately 12:21pm, I arrived at the Christ Church Episcopal Church located at 1060 Chandler Road, in Lake Oswego, to interview any parishioner or employees of the church who would talk to me.

I asked Donna Lowe, Business and Building Manager, if I could speak to her regarding the AR-15 raffle that Reverend Jeremy Lucas had won in a raffle and she said, "Sure." I asked Donna if she knew about the gun raffle and she said, "Yes." I asked Donna if she knew the name of the parishioner who was holding the AR-15 for Lucas. Donna told me she had "No idea." Donna told me Lucas kept the gun issue separate from the church.

I asked Chelsea Paxon, Parish Administrator, if I could speak to her regarding the AR-15 raffle that Reverend Jeremy Lucas had won in a raffle and she said, "Yes." I asked Chelsea if she knew about the gun raffle and she said, "Yes." I asked Chelsea if she knew the name of the parishioner who was holding the AR-15 for Lucas. Chelsea told me she had "No idea." Chelsea told me Lucas kept the gun issue separate from the church. Chelsea referred me back to Jeremy Lucas for further details.

I asked Donna if there was anyone else in the office that might know the name of the parishioner who was holding the AR-15 for Lucas. Donna told me the Assistant Rector Alison Schutlz was in the office today, but she was currently in a closed door meeting. I left my business card for Rector Alison Schutlz, with Donna Lowe, to have her call me regarding the parishioner who was holding the AR-15 for Lucas.

At approximately 12:30pm, I left the Christ Church Episcopal Church.

As of September 8, 2016, at approximately 11:58am, Ron Brown, Siobhan Passmore, and Rector Alison Schutlz have not contacted me.

RECOMMENDATION:

This case will be submitted to the Clackamas County District Attorney for review.

CASE STATUS:

Open/Inactive