



# JACKSON COUNTY

Oregon

**Jackson County District  
Attorney's Office**  
Criminal

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**MEDIA RELEASE**  
**for immediate release**

The Jackson County District Attorney's Office announced this morning that after a thorough review of the evidence collected by the Medford Police Department, concerning the death of pedestrian Jerry Mark Hughes (date of birth 10/06/57), no criminal charges will be filed. There is insufficient evidence to support proof beyond a reasonable doubt that Robert Freeman Smith, the driver of the vehicle that struck Mr. Hughes and caused his death, acted in a reckless or criminally negligent manner.

On February 8, 2016, at approximately 8:38 a.m. Mr. Smith was northbound on King's Highway in Medford. Mr. Smith was turning westbound onto Stewart. The northbound left turn lane at the intersection is controlled by a green arrow. Mr. Smith said that he had a green light, but it was unclear if he had the green arrow that controls the left turn at that intersection. Mr. Hughes was heading Southbound along King's Highway. Mr. Hughes was running through the cross walk when Mr. Smith's vehicle collided with him causing Mr. Hughes death. Mr. Smith immediately stopped his vehicle and remained on scene. Bystanders called 911 and provided CPR to Mr. Hughes. Medford Fire Department arrived on scene and attempted life-saving measures but were unable to save Mr. Hughes.

Mr. Smith was contacted by the initial officers on scene and told them what happened. Police also interviewed all available bystanders to determine what happened. Mr. Smith consented to an examination by a Drug Recognition Expert to determine whether Mr. Smith was under the influence of intoxicants. The Drug Recognition Expert determined that Mr. Smith was not under the influence of alcohol or a controlled substance. An officer specializing in traffic accident reconstruction examined and diagramed the scene. Both the witness statements and the reconstruction showed that Mr. Smith was not speeding or otherwise driving in an unsafe manner. It was unclear from the roadway evidence and witness statements whether Mr. Smith or

Mr. Hughes had the right of way.

Mr. Smith was the driver of a vehicle that struck Mr. Hughes, causing Mr. Hughes death. The event that day was a terribly unfortunate accident that will forever affect Mr. Hughes' family and Mr. Smith. However, Mr. Smith's actions that day do not rise to the level of criminal conduct.

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