

NEWS RELEASE

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**DA DECLINES TO FILE CHARGES AGAINST RAY MCDONALD:
INSUFFICIENT EVIDENCE**

The Santa Clara County District Attorney's Office has found insufficient evidence to criminally charge Ray McDonald. The decision follows a comprehensive police investigation and legal review of an alleged act of domestic violence by the professional football player earlier this year.

McDonald was arrested in late August on suspicion of committing domestic violence against his fiancée, hereafter referred to as "Jane Doe." Conflicting versions of the incident, a lack of verifiable eyewitnesses, and a significant lack of cooperation by Jane Doe, left investigators uncertain exactly what happened. Left with insufficient evidence, it is not permissible - by policy or law - to charge a crime.

"All domestic violence complaints deserve our concern, sensitivity and careful review," District Attorney Jeff Rosen said. "After our thorough review of all the facts, we do not have evidence sufficient to convince a jury beyond a reasonable doubt that Mr. McDonald committed a crime against Jane Doe."

The incident happened in the early morning of August 31 during a birthday party McDonald threw for himself at his San Jose home. An investigation determined that, during an argument, Jane Doe struck McDonald, who then tried to physically restrain her. The two scuffled. McDonald then forcibly attempted to remove her from the home. At 2:39 a.m. McDonald called a San Jose police officer, saying he needed to get "a female" out of his house. Two minutes later, Jane Doe called 911, resulting in McDonald's arrest.

The legal and factual analysis by the District Attorney's Office, fully described in a public memo included with this release, determined the incident consisted of a physical struggle between two parties, each party blaming the other, no verifiable eyewitness accounts, and no one left with significant injuries. The only prior police-involved incident between the couple was an unsubstantiated report in May that Jane Doe fired a weapon into the ground during an argument with McDonald.

The memo concludes: "It is our solemn duty to analyze this case based on the evidence and triability and not based on politics or public sentiment unrelated to the likelihood of prevailing before a jury, and that we have done."