



City of Asheville, NC

Police Department

March 17, 2005

Honorable Ronald L. Moore
District Attorney
28th Prosecutorial District
P. O. Box 7158
Asheville, NC 28802-7158

Dear Ron:

Please find attached the case file on the missing weapon from the office area of our Property Room. This case was thoroughly investigated and we were unable to identify anyone responsible for this missing weapon.

This case began when the police department took two weapons from Travis Lummus that were owned by his father. Once the case was disposed of, these two weapons were to be returned to Mr. Gene Loomis, the owner of the weapons. In preparation to turn these weapons over to Mr. Lummus, the two weapons were taken out of the property room and placed on a table. Travis Lummus, the son, showed up to retrieve the weapons and was told that that these weapons could only be turned over to his father. He left and said he would return to retrieve them with his father. It is my understanding that the weapons sat on the table for a period of two weeks waiting for Mr. Lummus to come in and retrieve these weapons. In the course of that time, the 45 cal. Glock ended up missing.

The department reviewed video tapes, took fingerprints and did a complete investigation, including interviews with a number of employees. Unfortunately, in the course of the investigation we have determined that it would be possible to walk down the hallway and enter this office and remove this weapon without the knowledge of the Property Control employees. There was no breach to our property room since this was sitting out in the office area.

I have taken steps to ensure that no property comes out of the Property Room until it is to be turned over to the rightful owner. Should there be a case, as in this situation, where the rightful owner is not present the property will be returned and locked down in the Property Room. This was clearly a breach of policy but it in no way affected any criminal case and it did not jeopardize the integrity of the Property Room.

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I am very concerned for the employees we identified as being in the vicinity of this weapon. To our knowledge they were not involved in this criminal activity as a result of our interviews and I do not want their reputations sullied and their credibility irreparably damaged simply because they were in the property room conducting business. You can rest assured had we been able to identify the person(s) responsible for this weapon being missing, be it a citizen or an employee of our department, we would have arrested that individual and sought full prosecution of this individual.

For the above reasons I ask that you handle this information in a professional and confidential manner. I will be glad to meet with you and anyone related to the Buncombe County Bar to resolve any concerns they may have about the integrity of the Property Room and our evidence handling procedures. I want to thank you for your cooperation and I look forward to working with you in the months and years ahead.

Sincerely,

William. A. Hogan
Chief of Police

WAH/ghm