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HEADLINE: GRAND JURY FAILS TO INDICT IN JONBENET MURDER CASE

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BODY:

TOM BROKAW, anchor:

And in Boulder--Boulder, Colorado tonight, there are late developments in the JonBenet Ramsey murder case. The six-year-old beauty contest winner was killed three years ago this Christmas. The district attorney, Alex Hunter, now talking live about what the grand jury has decided.

Mr. ALEX HUNTER (Boulder, Colorado District Attorney): ...will not return. No charges have been filed. The grand jurors have done their work extraordinarily well, bringing to bear all of their legal powers, life experiences, and shrewdness. Yet, I must report to you that I and my prosecution task force believe we do not have sufficient evidence to warrant a filing of charges against anyone who has been investigated at this time. Under Colorado law the proceedings of the grand jury are secret. Under no circumstances will I or any of my advisors, prosecutors, the law enforcement officers working on this case, or the grand jurors discuss grand jury proceedings, today, or ever, unless ordered by the court. However, that might help, in you and in the public understanding, all of the events of today. I want to thank you for attending this speedily-called press conference. Tomorrow at 12:30, at an area that I think...

BROKAW: That is Alex Hunter, who is the Boulder, Colorado district attorney, reporting tonight that the grand jury and Mr. Hunter have decided not to press charges against anyone under investigation in the murder of JonBenet Ramsey three years ago this Christmas. Standing by right now, NBC's Roger O'Neil.

Roger, what's the latest going on there?

ROGER O'NEIL reporting:

Tom, the failure of the grand jury to indict anyone at this time is certainly the clearest indication yet just how weak the police case against an--they--who they've been investigating really is. There are fresh roses on the li--grave of the little girl in Atlanta, Georgia, where she is buried. But the special grand jury here in Boulder, after meeting for more

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than a year, and hearing every bit of evidence the police have assembled, is saying tonight, 'the evidence is stale.' Sources close to the investigation tell NBC News prosecutors wanted an indictment, and they wanted an indictment against the parents, John and Patsy Ramsey. Despite three years of intensive police work, though, there are still big holes in the case. The DA in Boulder tonight insists this doesn't end the investigation, but all of this began a very long time ago, three years almost.

It was the day after Christmas, almost three years ago, when the body of the six-year-old was taken from her home down a sidewalk of candy canes. A mysterious killing which soon captivated the nation.

JONBENET RAMSEY (Singing in home video): I want to be a cowboy sweetheart...

O'NEIL: Pictures of JonBenet performing in beauty pageants, fully made-up in provocative clothing, fueled a "whodunit" media frenzy. First reported as a kidnapping the mother, Patsy Ramsey, calls police. There's a ransom note. Addressed to Mr. Ramsey, it demanded an unusual sum of \$ 118,000. It warned, your daughter will be beheaded if police are called, and it declared, 'Don't underestimate.' Police are in the Ramsey home when, that afternoon, the alleged kidnapping becomes a murder case. The father, John Ramsey, finds his daughter in the basement. He carries the lifeless body of JonBenet upstairs, laying it on the living room floor in front of the family Christmas tree. The parents now become the focus of the investigation. They hire attorneys, deny involvement, and four months later the parents say it publicly.

Mr. JOHN RAMSEY: I did not kill my daughter, JonBenet.

Ms. PATSY RAMSEY: I did not kill JonBenet.

O'NEIL: Whoever did, according to the autopsy report, bound and gagged the girl, hit her over the head, and strangled her. There were even indications of possible sexual abuse. The Ramsey's leave Boulder, move to Atlanta, where they live now. Months drag into years. Almost \$ 2 million spent on the police investigation, never an arrest, just a promise to JonBenet's killer by District Attorney Alex Hunter, made two and a half years ago.

Mr. HUNTER: (From file footage) We will see that justice is served in this case, and that you pay for what you did. And we have no doubt that that will happen.

O'NEIL: In the last year, NBC News has learned grand jurors have raised questions about the evidence, calling on police investigators to re-interview witnesses, re-test evidence from the crime scene. Most important, DNA samples from JonBenet's fingernails, and a stain on her clothing, which sources say do not match the DNA of either parent.

And that may have been the straw that broke the camel's back. We can tell you that NBC News has learned that both parents were with their attorneys today. They were convinced, as their attorneys were, that they would be indicted. No doubt an enormous relief for them tonight. Tom:

BROKAW: Roger, Mr. Hunter says the investigation will go on. But the fact is, they're at one more dead end here aren't they?

O'NEIL: It's a very big dead end, and most people close to this case, including sources very close to the investigation, are convinced that unless there is a big break in the case, and that can only be somebody confessing, there will never be an indictment, there will never be a trial. And as Alex Hunter unfortunately said, there will never be justice for JonBenet.

BROKAW: Thanks very much. NBC's Roger O'Neil tonight in Boulder, Colorado. I'll be back in a moment.

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