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Remarks as prepared for delivery regarding the hiring of  
a Special Prosecutor in the Philando Castile case  
July 29, 2016  
9:45AM

Good Morning.

Thank you for being here today as I want to share a recent development with the public about how this office will handle the prosecution review of the police-involved shooting incident that resulted in the death of Philando Castile.

On July 8<sup>th</sup>, I said I would reserve my decision as to whether I would forgo this office's long-standing policy of presenting police-involved shooting incidents to a Grand Jury and make the decision myself.

I remain firmly committed to being thoughtful and deliberate about how I make this decision.

I recognize that the transparency and legitimacy of this process is absolutely necessary to ensure public trust and confidence.

I will continue to be actively engaged in this case as the BCA investigation proceeds and will inform the public of my decision with respect to a Grand Jury at a later date.

Since July 8<sup>th</sup>, I have been asked by multiple individuals and representatives, including the ACLU and the attorney for Philando Castile's family, to request the Attorney General and the Governor appoint a special prosecutor.

While some have been careful to point out that their requests are not about me, personally, or my office, they see this suggested route as a way to engender the public's trust and confidence in how we arrive at our decisions relative to a Grand Jury and whether to bring charges in this case.

I have spent much of the past two weeks contemplating these requests and concerns expressed by members of our community and I have come to a conclusion.

When our Ramsey County residents elected me County Attorney, they entrusted me with upholding the laws of our state and the values of our community and I took an oath to do so. This is what I signed up for when I took this job.

I understand there is distrust of the system and some may question the ability of prosecutors to hold police accountable when we rely on them to present cases to our office.

However, if I handed this case off to any other person outside of the duties and authority of my office, I would not only be abdicating my responsibility, but potentially creating additional mistrust.

A standalone, un-accountable special prosecutor, without an election certificate, would not be beholden to any of these values or obligations and would fail to provide the legitimacy this case requires and deserves.

With every decision I make in this case, I am firmly committed to upholding the interests of justice, public transparency, and ensuring the absolute integrity of this case.

The most important role of a chief prosecutor is to ensure the public's trust and confidence in the legal process.

Therefore, in light of these considerations, I have chosen to incorporate a special prosecutor into our team to provide independent perspective, bolstered by the authority of this office.

I have not come to this decision lightly, nor do I expect that this decision will satisfy all of the concerns raised by some members of our community.

In determining whom to appoint, it was important for me to select:

- someone who doesn't have any connection to law enforcement interests in Ramsey County;

- someone who doesn't have any personal or professional connection to this case, who has not publicly weighed in on any aspects of it, and who can remain fair and impartial;
- someone who has extensive legal experience and background, who fundamentally understands the complex challenges ahead of us and who will help ensure faithful adherence to the law in the pursuit of justice; and
- someone who is competent, fair and ethical, who will bring fresh eyes and an independent perspective to our work.

This independent perspective can only enhance the integrity and legitimacy of our decisions in this case.

This is ultimately what justice requires.

With all of this in mind, I have asked Don Lewis to serve as a Special Prosecutor to enhance our team. Don has great credibility in the legal profession. He has a wealth of investigative and prosecutorial experience and he has roots in the Rondo community of Saint Paul.

Don truly embodies the spirit of public service. After graduating from Harvard Law School, he spent the following decade working for the United States Department of Justice. His first three years were with the Civil Rights Division in Washington D.C. where he worked on desegregation and other civil rights cases in the South. He then returned to Minneapolis and worked for nearly seven years as a federal criminal prosecutor in the U.S. Attorney's Office.

Since leaving the Department of Justice, Don has spent 28 years in private law practice, and is a founding shareholder of what is now Nilan Johnson Lewis. His private practice has included criminal defense and he has served as a special investigator on several high profile matters. In addition, Don served as the Dean of Hamline University School of Law for over five years.

As a founding member and leader in the Minnesota Association of Black Lawyers, Don now devotes much of his time to teaching and mentoring the next generation of attorneys.

Don will be a significant asset to our team. His experience and reputation in our legal community are second to none.

I want to be clear – and this is an important point – Don has not merely been retained as a consultant. I am not simply asking for his advice or approval of decisions that others have made.

As an appointed Special Prosecutor, Don will be an integral member of our team who will review this case with me and be substantially involved in our decision to charge, decline or present the BCA investigation to a Grand Jury.

In the event that we present the case to a Grand Jury, Don will be a valued member of our prosecution team who will help present the case to the Grand Jury.

I am honored that Don has accepted this important assignment and that he will work alongside me as we undertake this critical effort on behalf of our community.

Thank you.