

**Blevins Charging Decision Speech**  
**July 30, 2018**  
**Michael O. Freeman Hennepin County Attorney**

Good morning. I am Hennepin County Attorney Mike Freeman. We have a good deal of very important information to share and I ask for your patience and cooperation during the next 20 minutes.

I want to start by extending my personal condolences to the Blevins Family. To lose a family member, especially at Thurman Blevins young age, is always a tragedy.

Second, let me thank the BCA for a very thorough, professional and expedited investigation. In addition, Minneapolis Police Officers cooperated by promptly being available for interviews including the two officers directly involved in the shooting. This is a very complete job done in an expedited manner of only five weeks.

After this introduction, I will share a brief summary of the legal standard by which we must evaluate the evidence in this or any other homicide.

Second, I will share a chronology of the events that occurred on June 23, 2018. This will be followed by a detailed review of the evidence concerning whether the police officers violated the criminal law in their use of deadly force.

Third, I will announce my decision whether there is probable cause to criminally charge Officers' Kelly and Schmidt.

Fourth, we will then show key parts of the relevant videos.

Fifth, I will take questions – first from the media and then from the community.

Finally - Every governmental entity, especially those in public safety and justice, must continually evaluate their procedures to make sure they meet the challenges of today and not merely reflect how we have done things in the past. This office did that and two years ago decided not to use the grand jury in police-involved shootings to make charging decisions. By making these difficult charging decision ourselves, we are increasing the level of accountability and transparency our community deserves from us. Moreover, everyone involved has worked overtime to gather the evidence necessary to make a decision and announce it as soon as possible.

These cases tear apart our community. No one wins today: A young man is dead, our officers face increasing criticism and scrutiny, and the community is devastated.

It must be emphasized once again the limited role the criminal justice system and prosecutors play in police conduct. The law permits us to charge police officers criminally in only the most egregious cases of misconduct. We are not the guardians for enforcing or making police policy. We do not have jurisdiction or authority to discipline police officers who act in a

manner which we dislike. What we are assigned to do is make decisions based on whether there is sufficient evidence to charge a police officer with criminal conduct.

As has been shown in the past, this office has charged officers and convicted them for violating the criminal law. We have also declined to charge police officers when the evidence does not support criminal charges. That is our job and I will do that to the best of my ability.

I will begin with the controlling Minnesota Statutes and case law.

## **I. LEGAL STANDARD – POLICE USE OF DEADLY FORCE**

In order to bring charges against a police officer for using deadly force, the State must be able to prove beyond a reasonable doubt that the officer's use of deadly force was not authorized. This legal standard remains the same, regardless of whether the factual determination is made by a county attorney or a grand jury.

In order to charge second-degree manslaughter, the State must be able to prove beyond a reasonable doubt that the accused person acted with "culpable negligence" in creating an unreasonable risk of death or great bodily harm. "Culpable negligence" has been defined by Minnesota courts to mean acts that are grossly negligent combined with recklessness.

Under Minnesota Statute § 609.066, subdivision 2, police officers in Minnesota may use deadly force in the line of duty when it is necessary to protect the officer or another person from apparent death or great bodily harm. This statute provides a significant defense to criminal charges against an officer for use of deadly force.

Reasonableness of police use of force cannot be evaluated from the perspective of a civilian nor can it be evaluated with the more clear vision afforded by 20/20 hindsight under the U.S. Supreme Court ruling in *Graham v. Connor*. The Court further stated that the fact that law enforcement officers often are required to react quickly in tense, uncertain, and rapidly evolving situations needs to be taken into account in determining reasonableness.

If the evidence in a particular case shows that the officer's use of deadly force was permitted by the statute and under the *Graham* analysis, criminal charges against that officer for manslaughter or murder cannot be brought. The only time manslaughter or murder charges can be filed against a police officer, regardless of who makes the charging decision, is when the use of deadly force is not reasonable.

To repeat, the evidence must show unreasonable conduct by the police officer utilizing the perspective of a police officer and that the use of deadly force was not necessary to protect the officer or the public from a threat of great bodily harm or death.

## **II. STATEMENT OF RELEVANT FACTS**

### **A. The 911 Call**

On Saturday, June 23, 2018, at 5:26 p.m., Minneapolis Emergency Communications Center (MECC) received a 911 call reporting a person with a gun. The caller stated he was in the area

of 46<sup>th</sup> and Lyndale North. He reported that there was a man who looked intoxicated walking around shooting off his gun. The caller said the man had fired one shot in the air and one shot in the ground and that it is “just not safe around here”. The caller said the man with the gun was in the area of 46<sup>th</sup> and Bryant, walking back and forth to Lyndale.

The caller described the gun as a silver 9 millimeter, “chrome at the top”. He described the man shooting the gun as: six feet tall; 180 pounds; 35-36 years old; light skinned; bald head taper with designs; no facial hair. He reported that the man was wearing a white or gray tank top, was carrying a black backpack, and had a big bottle of Amsterdam vodka and a cup of green Four Loko alcohol.

#### **B. Response to 911 Call by Officer Ryan Kelly and Officer Justin Schmidt**

Officer Ryan Kelly and Officer Justin Schmidt were on routine patrol in the 4<sup>th</sup> Precinct in Squad Car 420 at the time dispatch aired the information in the 911 call. The officers activated the emergency equipment of their squad car and began to drive to the area where the man with the gun was reported last seen. Both officers activated their body worn cameras at this time. Their body worn cameras captured all of the subsequent events.

As can be seen on the officers’ body worn cameras, when they were in the area of 48<sup>th</sup> and Camden, a man was sitting on the sidewalk, by a black backpack, with a bottle in his hand. The man, later identified as Thurman Blevins, matched the physical description of the person with the gun.

The body worn cameras captured Officer Schmidt’s immediate response as he yelled “he’s got a gun”. The video shows the gun protruding from Mr. Blevins’ right pants pocket. Both officers got out of the squad car with their guns drawn. They ordered Mr. Blevins to drop his gun and put his hands up; similar orders were repeated throughout the subsequent pursuit.

Thurman Blevins did not comply with the officers’ orders and instead got up and ran, carrying the bottle in his hand. The video from the body worn cameras captured the pursuit as the two officers chased Mr. Blevins as he ran down 48<sup>th</sup> Avenue, with Officer Schmidt slightly ahead of Officer Kelly. Officer Kelly used his radio to notify police dispatch of their pursuit of the person with a gun and of their location. The audio from the officers’ body worn cameras documents their repeated orders to Mr. Blevins to stop, drop his gun and put his hands up, as well as their threats to shoot if he did not comply. Mr. Blevins refused to comply with the officers’ orders and, as can be seen in the videos, frequently looked back over his shoulder at the officers during the pursuit.

As he crossed Aldrich Avenue, Mr. Blevins dropped his liquor bottle on the street. Mr. Blevins continued to run down 48<sup>th</sup> Avenue, with the officers in pursuit. Mr. Blevins then turned into the alley between Aldrich and Bryant Avenues and 48<sup>th</sup> and 47<sup>th</sup> Avenues.

The body worn cameras show Mr. Blevins take his gun from his pocket with his right hand and turn toward his left in the direction of Officer Schmidt and Officer Kelly. Officer Schmidt moved to the right and fired his gun at Mr. Blevins. Officer Kelly, who was further back in the alley, also fired his gun at Mr. Blevins.

Mr. Blevins was struck by bullets from both officers' guns and he fell to the ground. The gun he was holding dropped from his hand after he fell. Officer Kelly immediately radioed that shots had been fired and requested emergency medical responders to the scene.

Multiple Minneapolis Police squads quickly responded to the scene after Officer Kelly notified dispatch that they were in pursuit of a person with a gun and, subsequently, that shots had been fired. The gun was near Mr. Blevins' hand as he lay on the ground and, initially, officers were unable determine if he was still a threat to use his gun. As can be seen from the body worn cameras, several officers maintained their distance from Mr. Blevins with their guns drawn, while Officer William Gregory approached Mr. Blevins and kicked his gun some distance away.

### **C. Minneapolis Police Initial Response**

In the moments following the shooting, the responding Minneapolis Police officers called for medical assistance, maintained the integrity of the scene, located potential witnesses, conducted public safety statements with the officers and called in the BCA to investigate.

#### **1. Potential Evidence Marked and Potential Witnesses Located**

Minneapolis Police officers observed multiple cartridge casings in the alley where the shooting took place. Officer Andrew Reed saw a brass colored cartridge case near the gun by the body of Mr. Blevins. Officers also observed multiple silver colored cartridge cases at two other locations in the alley. All identified cartridge cases were marked with MPD evidence cards.

#### **2. Minnesota Bureau of Criminal Apprehension Investigation Requested**

The Minneapolis Police Department asked the Minnesota Bureau of Criminal Apprehension (BCA) to conduct the investigation. Special Agent in Charge Scott Mueller from the BCA, as well as their Crime Scene Team, arrived at the scene shortly after the shooting.

### **D. Minnesota Bureau of Criminal Apprehension (BCA) Investigation**

#### **Eyewitness Reports**

Minneapolis Police officers identified several potential eyewitnesses in the minutes following the shooting. The BCA investigators questioned those witnesses and also canvassed the area for other potential witnesses.

Several civilians in the neighborhood reported that they saw and/or heard portions of the incident as it unfolded from the officers' arrival at 48<sup>th</sup> Avenue and Camden Avenue North to the shooting in the alley behind 4746 Bryant Avenue North. No witness was identified who reported seeing or hearing the entire sequence of events. The interviews from the following witnesses were determined to be the most relevant to the investigation.

#### *a. Witnesses near 48<sup>th</sup> and Camden Area – initial encounter*

##### *i. Olya Weseman*

Ms. Weseman is seen on the body worn cameras standing next to Mr. Blevins when the police arrive. Ms. Weseman said Thurman Blevins is the father of one of her children. According to

Ms. Weseman, Mr. Blevins had a bottle of Amsterdam alcohol and also a cup of “Four Loko” liquor sitting on the sidewalk. Ms. Weseman said the officers jumped out of their car with their guns drawn. She said Mr. Blevins put his hands in the air and said he had nothing. Ms. Weseman said that Mr. Blevins then started running with the liquor bottle in his hand. According to Ms. Weseman the officers chased Mr. Blevins. She said Mr. Blevins did not have a gun that day. The body worn cameras show Mr. Blevins sitting near a backpack when the officers first encountered him. Several witnesses later reported that they saw Ms. Weseman throw a backpack over the fence at 4834 Camden. Later attempts to find the backpack were unsuccessful.

ii. James Lark

Mr. Lark was at the corner of 48<sup>th</sup> and Camden when Squad 420 arrived. He saw the officers get out of the squad car and tell Mr. Blevins to get his hands up. Mr. Lark said he thought he heard Mr. Blevins initially get “tased” and heard gunshots as Mr. Blevins started to run. He thought that Mr. Blevins was drunk. He did not see Mr. Blevins with a gun.

iii. Latrice Young

Ms. Young saw Mr. Blevins on the corner of 48<sup>th</sup> and Camden with a woman and a baby. Ms. Young saw the police get out of the squad car with their guns drawn and told Mr. Blevins to get on the ground. She said that Mr. Blevins stood up, put his hands up, and then took off running with the police officers chasing him. “Ten seconds” later she heard gunshots.

*b. Witnesses in the alley between Bryant and Aldrich where the shooting occurred.*

i. Chris Case

Mr. Case saw Mr. Blevins pull out a handgun just before the officers shot. Mr. Case was in the alley between Bryant and Aldrich standing outside of his red Malibu, parked about mid-block approximately three or four garages down from where Mr. Blevins was shot.

Mr. Case saw Mr. Blevins running with two police officers behind him, saying, “stop, stop, stop.” Mr. Case saw Mr. Blevins pull a gun out from his waistband with his right hand. Mr. Case saw Mr. Blevins turn around to his left and the officers opened fire. Mr. Case did not see Mr. Blevins shoot his gun. Mr. Case’s Malibu was hit by gunfire.

ii. Robert Lang

Mr. Lang lives at 4746 Bryant and was in his backyard. Mr. Lang heard the police say “at least four maybe five times ‘drop the gun.’” Mr. Lang then heard gunshots. After the gunshots ended, Mr. Lang stepped out from behind his garage and saw a black man lying in the alley face up. He saw a handgun about a foot and a half from the man. Mr. Lang said the officers had not yet approached the black man when he saw the gun. Mr. Lang then saw a tall officer approach and kick the gun away.

1. Neighborhood Canvass

Beginning June 23<sup>rd</sup> and continuing through July 3<sup>rd</sup>, BCA conducted a comprehensive canvass of the neighborhoods in the area of the shooting to identify witnesses to the incident. The area

canvassed included 424 addresses between the blocks 46<sup>th</sup> Avenue North to 49<sup>th</sup> Avenue North and Lyndale Avenue North to Dupont Avenue North.

## 2. Interviews with Involved Officers

Each of the officers who shot Mr. Blevins was interviewed by BCA Special Agents Michelle Frascone and James Reyerson. Pursuant to MPD policy the officers were permitted to watch their body worn camera video prior to being interviewed.

### *Officer Justin Schmidt*

Officer Schmidt has been a police officer with the Minneapolis Police Department since March of 2014. Officer Schmidt said that on June 23, 2018 he was wearing his body worn camera and that the squad camera was operational. On that evening he was assigned with his partner Officer Ryan Kelly to patrol in the 4<sup>th</sup> Precinct.

Officer Schmidt said they responded, with lights and sirens, to a call about a person with a gun near 46<sup>th</sup> and Lyndale. Officer Schmidt said he activated his body worn camera.

Officer Schmidt recalled that there was a man and woman at the intersection of Camden and 46<sup>th</sup> that matched the description from the 911 call.

Officer Schmidt said he saw the man, later identified as Mr. Blevins, wearing shorts. Officer Schmidt said he saw the handle of a firearm in Blevins' right pocket – the handle was black with grooves for the fingers. Officer Schmidt said he quickly yelled out to Officer Kelly that “this guy’s got a gun,” drew his own firearm, got out of the squad, and yelled “put your fucking hands up.” Officer Schmidt said Mr. Blevins looked surprised, grabbed the bottle in front of him and took off running.

Officer Schmidt said they got into a foot chase. Officer Schmidt said he kept yelling for Mr. Blevins to put his hands in the air. Mr. Blevins dropped the bottle and Officer Schmidt said that as soon as he dropped the bottle, Mr. Blevins reached into his pocket. Officer Schmidt said he threatened to use deadly force. Officer Schmidt recalled Mr. Blevins saying something like “I didn’t do anything wrong” and Officer Schmidt replying “You have a gun.”

Officer Schmidt said that about one-third of the way down the alley he could see Mr. Blevins’ firearm in his hand and clearing his pocket. Officer Schmidt said that “when the gun came out I feared for my life. I feared for my partner’ life.” At that point, Officer Schmidt said he stopped, planted, aimed at “center mass,” and fired multiple rounds until Mr. Blevins fell. Officer Schmidt said he saw the gun lying next to Mr. Blevins’ right hand.

### a. *Officer Ryan Kelly*

Officer Kelly joined the Minneapolis Police Department in October of 2013. Officer Kelly said that on June 23<sup>rd</sup>, he and Officer Schmidt were on routine patrol when they received a call about a person with a gun near 47<sup>th</sup> and Lyndale and the person was “firing a gun into the air and shooting down on the ground.” Officer Kelly remembered that the caller gave a “very good” description of the person shooting the gun. Officer Kelly, who was driving the SUV squad, said he activated the lights and sirens and activated his body worn camera as he sped up to get there quickly.

Officer Kelly said that as they stopped at 48<sup>th</sup> and Camden, he saw a man, later identified as Mr. Blevins, who matched the description. Officer Kelly said his partner yelled “he’s got a gun” and got out of the squad. Officer Kelly said that he slammed the squad in park, jumped out, and pulled his gun out because he could see the man had a gun in his pocket. Officer Kelly said he joined the chase with his partner ahead of him. Officer Kelly said he noticed that the man did not seem to be running in a dead sprint but instead kept turning around, looking over his left shoulder.

Officer Kelly said he thought every time the man turned around he was going to pull the gun out so Officer Kelly kept yelling for the man to stop or he would shoot. Officer Kelly slowed down as he radioed in the chase. Officer Kelly said he could see his partner a short distance behind the man.

Officer Kelly said he heard the man shoot, then saw the silver handgun pointing directly at him. At that point, Officer Kelly said he shot, and the man went down. Officer Kelly said he was “pretty sure” Mr. Blevins fired his gun. He didn’t know how many times he shot. Officer Kelly said he saw the gun come out of the man’s hand and yelled at Officer Schmidt to get back. Officer Kelly said he immediately radioed for EMS and fire code 3 and declared “shots fired.”

### 3. Scene Processing

The BCA Crime Scene Team processed the scene of the shooting. The scene was primarily limited to the alley where the shooting took place, although other items of evidence were recovered nearby.

- a. *46th and Bryant* (the location where the 911 caller reported Mr. Blevins fired his gun into the ground)
  - i) One cartridge case (later determined to have been fired by Mr. Blevins’ gun).
- b. *Alley between Aldrich and Bryant* (Location of the shooting)
  - i) 6 silver cartridge cases were recovered in the middle of the alley (later determined to have been fired by Officer Kelly’s gun)
  - ii) 8 silver cartridge cases were recovered further south and on the west side of the alley (later determined to have been fired by Officer Schmidt’s gun)
  - iii) 1 brass cartridge case was recovered near Mr. Blevins’ body (later determined to have been fired by Mr. Blevins’ gun)
  - iv) A Smith & Wesson pistol with one cartridge in the chamber and 11 cartridges in the magazine was recovered by Mr. Blevins’ body

### 5. Other Officer Interviews

In addition to those written reports, 46 officers were interviewed by the BCA.

### 6. Analysis of Body Worn Camera Video

#### a. *Body Cameras from Officers Schmidt and Kelly*

As part of the investigation of this case, the video from the body worn cameras of Officer Schmidt and Officer Kelly were submitted by the BCA to National Center for Audio and Video

Forensics in California (the lab). This lab was asked to review and clarify video, audio, combine the enhanced audio back with the original video, to analyze video and audio to determine if the suspect was carrying a gun, when shots were fired and how many.

The two body worn cameras were first synchronized to each other and a uniform timer was added by the lab. The raw video evidence shakes significantly because the officers were running with their body cameras activated; therefore, the lab manually adjusted the video to reduce the shaky movements. Filters were applied to improve visibility and digital image zooming was used to enlarge details. Slow motion and freeze frames were used to allow the viewer to focus and identify detail. A time counter was also added as a reference.

The lab determined that when officers first arrived, video from the officer worn body cameras shows a weapon protruding from the suspect's right pants pocket. The lab used a red circle to mark this on a video. Later, at the time of the shooting, a weapon can be seen in the suspect's hands. This is also indicated with a red circle.

It is important to note that with the two body cameras, when audio is over a certain volume, the sound overwhelms the microphones creating audio distortion. The lab compared the sound of voice distortion to the sound of gunshot distortion and determined that the loud sounds at the initiation of the pursuit resulted from voice distortion and were not the result of gunshots.

Using both officer body camera recordings, the audio waveform for known single gunshots in this incident were compared to other gunshots in this incident. Due to the rapid overlapping gunfire and due to the audio over distortion, the lab determined that there are no less than 14 gunshots, but it is possible that additional gunshots are "hidden" within the sound of the known gunshots.

b. *Other relevant body cameras.*

In addition to the body worn cameras of Officer Schmidt and Officer Kelly, 60 body worn cameras of Minneapolis Police officers were recovered and reviewed by BCA agents. The body worn cameras from the following officers were determined to be the most relevant to the investigation.

1) Officer William Gregory

One of the first officers to arrive after the "shots fired" call. Officer Gregory asked other officers to cover him and he approached Mr. Blevins and kicked the gun away from his body. He later made contact with the 911 caller, who declined to talk or identify himself, but agreed to talk later with an investigator.

7. Squad Video

In addition to the squad video from Squad 420 (Officer Schmidt and Officer Kelly), 83 clips of squad videos from 23 squad cars were recovered and reviewed by BCA agents. None of these squad videos provided additional information relevant to the investigation.

## 8. Surveillance Video

Eleven surveillance videos were recovered from business and residential buildings in neighborhood; although a few of them captured either a small portion of the audio or visual aspects of the incident, they did not provide additional information relevant to the investigation.

## 9. Autopsy Report

An autopsy of Thurman Blevins was conducted by Assistant Hennepin County Medical Examiner Dr. Mitchel K. Morey on June 24, 2018. The cause of death was multiple gunshot wounds. Mr. Blevins was struck by four bullets. Two of the fired bullets were recovered:

- One from the right chest wall (later determined to have been fired from Officer Schmidt's gun)
- One from his right arm (later determined to have been fired from Officer Kelly's gun)

## Forensic Testing and Analysis

The BCA conducted fingerprint examination of the gun recovered by Mr. Blevins' body. The BCA also conducted DNA examination of the gun, the gun's magazine, cartridges and cartridge cases associated with the gun. These forensic examinations determined that Mr. Blevins' fingerprints were on the gun and his DNA was on the gun, as well as the magazine, cartridges and cartridge cases.

## **II. LEGAL ANALYSIS**

The BCA submitted the results of its investigation to the Hennepin County Attorney's Office for consideration of possible criminal charges.

Minnesota law permits a law enforcement officer to use deadly force when necessary "to protect the peace officer or another from apparent death or great bodily harm." The officers in this case discharging their weapons constitutes the use of deadly force.

As stated above, in evaluating whether the use of deadly force was necessary, and therefore whether it was reasonable, the United States Supreme Court has outlined several non-exclusive factors to consider including: 1) "the severity of the crime at issue"; 2) "whether the suspect poses an immediate threat to the safety of the officers or others"; and 3) "whether he is actively resisting arrest or attempting to evade arrest by flight." When those factors are considered in this case, it is clear that the use of deadly force was permitted by Minnesota Statute.

### **A. The Severity of the Crime at Issue**

The 911 caller reported that a specifically described male was firing his gun in a residential neighborhood and that it was "just not safe around here". Officers Schmidt and Kelly were responding to the "person with a gun" as a Priority 1 call - which includes situations where there is an imminent threat to person safety. The severity of the crime the officers were responding to makes this a more dangerous situation going in and weighs in favor of the reasonableness of the use of deadly force.

### **B. Mr. Blevins Posed An Immediate Threat To the Officers' and others Safety**

Evidence presented in this case demonstrates that Mr. Blevins's possession of a loaded handgun and his decision to take that gun out of his pocket as he turned towards the officers posed an immediate threat to the safety of the officers and others.

The 911 caller provided MECC with a detailed physical description of Mr. Blevins, his handgun, his liquor bottle and his cup of liquor. Mr. Blevins' physical appearance matched the description and the gun found by his body matched the description provided by the caller. The cartridge case from the area where the caller saw Mr. Blevins matched the gun that was recovered near Blevins' body.

Officer Schmidt said he saw the handle of a handgun in Mr. Blevins' pocket as he was seated on the curb at 48<sup>th</sup> and Camden. Officer Schmidt immediately yelled "he's got a gun". The handle of the gun is visible on the body worn camera video from Officer Schmidt's camera.

Analysis of the body worn camera video shows the presence of the gun in Mr. Blevins' right pants pocket when he was on the corner of 48<sup>th</sup> and Camden and again in his hand when he was in the alley and turning towards the officers.

There is eyewitness corroboration that Mr. Blevins had a gun in his hand and was turning toward the officers. Chris Case, a civilian standing next to his car in the alley, reported that he saw the two officers in pursuit of Mr. Blevins in the alley. He saw Mr. Blevins pull a gun out from his right front pants pocket with his right hand and turn to his left before the officers fired their weapons.

Likewise there is eyewitness testimony from civilian Robert Lang who saw the handgun on the ground, about a foot and a half from Mr. Blevins. Mr. Lang said that the officers had not yet gotten up to Mr. Blevins until a tall officer approached the black male and kicked the gun away. This is confirmed by the body worn camera video from the officers that shows Officer Gregory kicking the gun away immediately after the shooting.

There is also strong forensic evidence that Mr. Blevins possessed the gun including his fingerprints and his DNA. The DNA is not only on the gun but on the magazine and the cartridges.

### **C. Mr. Blevins Was Actively Evading Arrest**

The other enumerated factor to be considered is whether the suspect was actively resisting or evading arrest. The body worn camera video makes it clear that Mr. Blevins began to flee almost immediately and refused to follow the commands of the officers to stop and show them his hands. By failing to follow the commands of the officers and running away with a loaded handgun in his pants, Mr. Blevins represented a greater danger to the officers and to the community.

### **D. Conclusion**

When Mr. Blevins fled from the officers with a loaded handgun, refused to follow their commands for him to stop and show his hands, and then took the gun out of his pocket and

turned toward the officers, Mr. Blevins represented a danger to the lives of Officer Schmidt and Officer Kelly and members of the community. Their decision to use deadly force against Mr. Blevins under those circumstances was authorized by Minn. Stat. § 609.066.

As such there is no basis to issue criminal charges against either officer.

As you depart, you may obtain a hard copy of my remarks. In the interest of transparency, by later today, our website [www.hennepinattorney.org](http://www.hennepinattorney.org) will post information related to this case that can legally and logistically be made available on this expedited basis. It will include my remarks and a more detailed factual report. Additional information less directly relevant will be released soon. This way, you can review virtually all the evidence we reviewed before making our charging decision and draw your own conclusions.

### **Conclusion**

Let me say one last thing. All of us have a role to play in reducing community violence. This responsibility rests with us individually and collectively. All of us—prosecutors, police and the community—have much work to do to reduce violence. Only by working together can we accomplish this critical goal. I look forward to this work.

Thank you.

Normally, at this point, we would play the 911 tape and show the three key videos – the body camera videos of Officers Kelly and Schmidt as well as the analyzed version by the California lab. But, these have all been made available through the media. Moreover, they will be on our website.

In the interest of time, we will move to questions next – from the media first please.