

April 4, 2022:

Press Conference held by US Attorney General Merrick Garland and Assistant Attorney General Kristen Clark



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CLEAN VERBATIM TRANSCRIPT OF THE CSPAN VIDEO:

[Speaker 1: US Attorney General Merrick Garland 00:00]

Good morning, everyone. Earlier today, I spoke with the family of Breonna Taylor. This morning, they were informed that The Justice Department is charged four current and former Louisville Metro Police Department officers with federal crimes related to Ms. Taylor's death. Those alleged crimes include Civil Rights offenses, unlawful Conspiracies, unconstitutional Use of Force and Obstruction offenses. The four Defendants were charged through two separate indictments and one information. I'm going to begin today by discussing the Civil Rights offenses that stem from the falsification of a search warrant. We alleged that these offenses resulted in MS Taylor's death. These charges focused on the conduct of the Louisville Metro Police Departments Place-Based Investigations Unit. In the 1st indictment filed today, we alleged that in early 2020, that unit was investigating suspected drug trafficking in the west end of Louisville. On March 12, 2020, Officers from that unit sought five search warrants they claimed were related to the suspected drug trafficking. Four of those warrants targeted properties in the West End, where that activity was allegedly occurring. A 5th search warrant was for Breanna Taylor's home, which was approximately 10 miles away from the West End.

The Federal Charges announced today allege that members of the Place-Based Investigations Unit, falsified the affidavit used to obtain the search warrant of Ms. Taylor's home. That this act violated Federal Civil Rights laws, and that those violations resulted in Miss Taylor's death.

Specifically, we alleged that Ms. Taylor's Fourth Amendment rights were violated when defendants Joshua Jaynes, Kyle Meany, and Kelly Goodlett sought a warrant to search Miss Taylor's home knowing that the officers lacked probable cause for the search. We alleged that the defendants knew the affidavit in support of that warrant contained false and misleading information, and that it omitted material information. Among other things, the affidavit falsely claimed that officers had verified that the target of the alleged drug trafficking operation had received packages at Ms. Taylor's address. In fact, defendants Jaynes and Goodlett knew that was not true.

We further alleged that defendants Jaynes and Meany knew the search warrant would be carried out by armed LMPD Officers and that conducting that search could create a dangerous situation for anyone who happened to be in Miss Taylor's home. As outlined in the charging documents, the officers who ultimately carried out the search at Ms. Taylor's apartment were not involved in the drafting of the warrant and were unaware of the false and misleading statements it contained. When those officers executed the search warrant, Miss Taylor was at home with another person who was in lawful possession of a handgun. When officers broke down the door to Ms. Taylor's apartment, that person believing that intruders were breaking in, immediately fired one shot, hitting the first officer at the door. Two officers immediately fired a total of 22 shots into the apartment. One of those shots hit Miss Taylor in the chest and killed her.

We alleged that The Defendants knew their actions in falsifying the affidavit could create a dangerous situation, and we alleged these unlawful acts resulted in MS Taylor's death. The charges announced today also alleged that the Officers responsible for falsifying the affidavit that led to the search took steps to cover up their unlawful conduct After Ms. Taylor was killed. We alleged that Defendants Jaynes and Goodlett conspired to knowingly falsify an investigative document that was created after Ms. Taylor's death. We also alleged that they conspired to mislead Federal, State and Local Authorities who are investigating the incident. For example, we alleged that in May 2020, those two defendants met in a garage where they agreed to tell investigators a false story. This indictment separately alleges that defendant Meany lied to the FBI during its investigation of this matter.

Another indictment filed today alleges that after Ms. Taylor was shot, another LMPD officer, Defendant Brett Hankison, moved from the doorway to the side of her apartment and fired 10 more shots through a window and a sliding glass door, both of which were covered with blinds and curtains. Defendant Hankison has been charged with two Civil Rights Offenses, alleging that he willfully used unconstitutionally excessive force while acting in his official capacity as an officer. Assistant Attorney General Kristen Clark will speak more about that aspect of the case. As in any case, the charges we announced today are allegations and all defendants are presumed innocent until proven guilty beyond a reasonable doubt in a court of law. Before I close, I want to thank Assistant Attorney General Clark, her team and the Civil Rights Division, and the Case Agents at the FBI for their tireless work on this case. We share but we cannot fully imagine the grief felt by Breonna Taylor's loved ones and all of those affected by the events of March 13 2020. Breonna Taylor should be alive today. The justice department is committed to defending and protecting the Civil Rights of every person in this country. That was this department's founding purpose, and it remains our urgent mission. Assistant Attorney General Clark:

[Speaker 2: Assistant US Attorney General Clark 06:13]

Since the Founding of Our Nation, the Bill of Rights to the United States Constitution has guaranteed that all people have a right to be secure in their homes, free from false warrants unreasonable searches and the use of unjustifiable and excessive force by The Police. Breonna Taylor should have awakened in her home as usual on the morning of March 13, 2020. Tragically, she did not. She was just 26 years old. As Attorney General Garland just stated, today's indictments allege that Louisville Police Detective Joshua Jaynes and Sergeant Kyle Meany drafted and approved what they knew was a false affidavit to support a search warrant for Ms. Taylor's home. That false affidavit set in motion events that led to Ms Taylor's death, when other LMPD officers executed that warrant. The Fourth Amendment of the Constitution ensures that people are subject to searches only when there is probable cause supporting a search warrant.

Falsified warrants create unnecessary hazards for the public and for the police who rely on facts that fellow officers report in carrying out their public duties. The indictment alleges that by preparing a false affidavit to secure a search warrant for Breonna Taylor's homes, Defendants Jaynes and Meany willfully deprived Breonna Taylor of her constitutional right to be free from unreasonable searches and seizures. And we allege that Ms. Taylor's death resulted from that violation. In a separate indictment. The Grand Jury charges former LMPD detective Brett Hankison with using unconstitutionally excessive force during the raid on Ms. Taylor's home, without a lawful objective justifying the use of deadly force. Defendant Hankison traveled away from Ms. Taylor's doorway to the side of the building, and fire 10 shots into Breonna Taylor's apartment through a bedroom window and a sliding glass door that were both covered with blinds and curtains.

Community Safety dictates that Police Officers use their weapons only when necessary to defend their own lives or the lives of others and even then, that they must do so with great care and caution. Today's indictment alleges that Hankison's use of excessive force violated the rights of Breanna Taylor and her guest, and also of her neighbors whose lives were endangered by bullets that penetrated into their apartment. Attorney General Garland often underscores that at The Justice Department we are to follow the facts and the law. And today, after a full and comprehensive investigation, the facts and law have brought us here to these indictments. I want to commend our team who spent hundreds of hours gathering facts regarding this tragedy. No stone was left unturned. These indictments reflect The Department's commitment to preserving the integrity of the Criminal Justice System, and to protecting the constitutional rights of every American.

Independent from these criminal charges, a separate team from the Justice Department's Civil Rights Division is conducting a civil investigation into whether the Louisville Metro Police Department is engaging in a pattern or practice of law enforcement misconduct. We're looking at whether the LMPD uses excessive force, improper searches or racially discriminatory policing. That ongoing investigation is separate from today's charges.

In closing, I extend condolences to Breonna Taylor's family and loved ones. Today we acknowledge the loss of her life. We recognize her dignity and recommit ourselves to the pursuit of justice.

[Speaker 3: Un-named Reporter 10:53]

Two questions... really, just two. I was wondering if you could just elaborate a little bit on sort of the top line things that you're finding in the Pattern-of-Practice Investigation so far? And secondly, this question is for the AG. With Brittney Griners' trial likely wrapping up shortly in Russia. Do you expect Miss Griner and Trevor Reed to be traded for Victor Bout and do you support such an exchange? Do you expect other prisoner swaps? ...three questions.

[Speaker 1: US Attorney General Merrick Garland 11:20]

You know, I was counting. Yeah. I'll take the second question. All I can say is as Secretary of State has said that Ms. Greiner was unlawfully detained. And beyond that I really can't comment. I'm going to let Assistant Attorney General Clark answered the question about the Pattern-of-Practice Investigation

[Speaker 2: Assistant US Attorney General Clark 12:43]

Our Pattern-of-Practice Investigation into the Police Department is ongoing. Our team has been on the ground conducting interviews with Stakeholders, members of the Police Department engaging, in ride-alongs, and reviewing documents and data. We will share more once that investigation has concluded.

[Speaker 4: Un-named Reporter 12:05]

Yes, thank you. None of the... the only Officer in Louisville who has faced charges locally was acquitted, and that's Brett Hankinson. Did the Justice Department feel compelled to step in, in part because they do believe justice was not served on the local level? And do you believe the fact that the prosecutor just did not charge any of the officers except Hankinson and he was cleared of those charges will make your case more difficult?

[Speaker 1: US Attorney General Merrick Garland 12:29]

The Justice Department brings charges, including charges where they've been brought before when we believe substantial Federal interests have not been vindicated and need to be vindicated. This case charges violations of federal offenses, obviously the state did not, and that explains our determination in this case.

[Speaker 4: Un-named Reporter 12:53]

Do you think it will make it more difficult though, that Hankinson was acquitted, and the other folks were not charged?

[Speaker 1: US Attorney General Merrick Garland 13:03]

I have every degree of confidence in our Prosecutors and Investigators in this case.

[Speaker 5: Named Reporter 13:05]

Katherine here at CBS News. Attorney General, was there a piece of evidence or a witness that really drove the Department's decision to fast-track the Breonna Taylor case?

[Speaker 1: US Attorney General Merrick Garland 13:16]

This investigation that has been going on urgently. It's run by career prosecutors and investigators. It's a complex case. As you can even tell by the three charging documents we filed today, and today is the day when we were ready to bring those charges.

[Speaker 6: Un-named Reporter 13:33]

[inaudible] ...question. The Grand Jury here in Washington has issued subpoenas for top members of the Trump Administration. Is there a window to bring charges in that investigation before The Midterms?

[Speaker 1: US Attorney General Merrick Garland 13:36]

This is something I can't comment about, I'm sorry.

[Speaker 6: Un-named Reporter 13:38]

Mr. Attorney General, does Donald Trump, as a former President, have any ability to block testimony of witnesses who are testifying in a criminal Grand Jury investigation by asserting Executive Privilege?

[Speaker 1: US Attorney General Merrick Garland 14:01]

Well, I'm afraid I'm going to give you the same answer I just gave which is I'm not able to comment about that. Thank you.

[Speaker 6: Un-named Reporter 14:02]

Does any former President?

[Speaker 1: US Attorney General Merrick Garland 14:02]

[AG does not respond. Leaves podium.]

[Speaker 6: Un-named Assistant 14:02]

That's all. Thank you.