



## OFFICE OF THE DISTRICT ATTORNEY

*State Of North Carolina*

*Fourteenth Prosecutorial District  
201 East Main Street, Sixth Floor  
Durham, North Carolina 27701*

*Michael B. Nifong  
District Attorney*

*Tel. (919) 564-7100  
Fax (919) 560-3220*

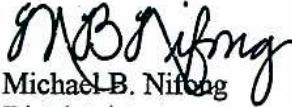
### MEDIA RELEASE

April 12, 2007

As you know, on yesterday, Attorney General Roy Cooper announced that his office had made the decision to dismiss the remaining charges in what has come to be known as the Duke Lacrosse Case. While I certainly take issue with some of Mr. Cooper's comments, I want to make it clear that I have every confidence in the investigation into the case that was conducted by his office. I have known Jim Coman and Mary Winstead for more than two decades. Both their legal abilities and their commitments to justice are beyond reproach. Obviously, they have had access not only to all the evidence that I had, but also to additional evidence that I have not seen which they developed during their twelve weeks of independent investigation. I have every confidence that the decision to dismiss all charges was the correct decision based on that evidence.

At the same time, it is important to remember that the Attorney General had the opportunity to review this investigation and to make this decision because I requested that he do so. [Copies of my letter making that request and the Attorney General's response thereto are attached.] It is also important to remember that I turned over to him every document, every photograph, every piece of evidence of any kind that had been turned up in the Durham Police Department's investigation of these cases and in my office's review of that investigation. If I did not want to subject either that investigation or my own performance to such scrutiny – if, in other words, I had anything to hide – I could have simply dismissed the cases myself. The fact that I instead chose to seek that review should, in and of itself, call into question the characterizations of this prosecution as “rogue” and “unchecked.”

Finally, it is, and has always been, the goal of our criminal justice system to see that the guilty are punished and that the innocent are set free. We all want that system to work perfectly. At the same time, we all know that no system based on human judgment can ever work perfectly. Those of us who work within that system can only make the best judgments we can based on the facts available to us with the understanding that those judgments may have to be modified as more facts become known. That is the process I used in these cases, and that is the process the Attorney General used in these cases. To the extent that I made judgments that ultimately proved to be incorrect, I apologize to the three students that were wrongly accused. I also understand that, whenever someone has been wrongly accused, the harm caused by the accusations might not be immediately undone merely by dismissing them. It is my sincere desire that the actions of Attorney General Cooper will serve to remedy any remaining injury that has resulted from these cases.

  
Michael B. Nifong  
District Attorney