

Our client would like to share her story – which starts with plans for a lunch date with Winston Smith. They had met through mutual friends, known each other for over six months, and had been dating for several weeks. Mr. Smith met her at another parking lot so she would not have to pay for parking when they went to Stella's. Mr. Smith changed his shirt because it was hot and his shirt was sweaty. They drove to the top of the ramp, walked downstairs, had lunch, laughed, had a couple drinks, and enjoyed each other's company. They walked back to the car, entered the car, and were suddenly surrounded by unmarked cars and people with guns.

These people were dressed in neither sheriff nor peace officer uniforms. They yelled commands and did not announce themselves as law enforcement of any kind. While yelling commands for them to put their hands up, multiple armed people targeted their weapons upon her and Mr. Smith.

Our client complied with their commands scared for her life. Mr. Smith had a mobile device and began to Facebook Live. As he raised the phone all she could hear was gunfire and saw Winston Smith slump over.

After the barrage of bullets, they pulled her out of the car, handcuffed her, and placed her into the back of an unmarked car. She remained handcuffed until an ambulance arrived to provide her medical attention. An officer later asked her how her date was.

Besides the trauma of having her lunch date shot to death while seated immediately next to her, our client was sprayed with broken glass shot out by law enforcement. Glass that, even today she is taking out of her skin. Our client continues to heal. She is experiencing a roller coaster of emotions related to this case and even being in a car brings significant anxiety.

Our client *never* saw a gun in the car and to be clear she never saw Winston Smith in possession of a gun. She was unaware of the contents of his music videos or social media post containing his music videos until after the events of June 3.

What we know today.

The agencies involved and our elected officials have shown zero interest or have demonstrated no political appetite for requiring transparency or accountability from law enforcement.

Furthermore, the BCA claims they cannot release the names of the sheriffs involved as they were undercover officers.

Law enforcement has a duty to announce themselves and the selection of undercover officers to execute a warrant knowing they are required to announce themselves is a clear display of incompetence.

The BCA has informed us that they failed to take gun shot residue samples from the body of Mr. Smith and that the body of Mr. Smith was washed by the Hennepin County medical examiner.

Such evidence would exonerate Mr. Smith from any wrong-doing at the time of the attempted arrest and would also be an indictment of the tactics, methods, training, and supervision—or lack thereof, of the agents tasked with serving the public.

Given the public's significant investment of resources in money, training, equipment, and policy creation to implement body-worn cameras into law enforcement, the effort to circumvent these transparency and accountability measures is an affront to the rule of law and the work so many have put forward to help create an environment of trust and confidence from community members in their law enforcement agencies. We ask the public to join us in demanding better and holding law enforcement to a higher standard because all Minnesotans deserve to have trust and confidence in law enforcement agencies and agents.

We are bringing a lawsuit on behalf of our client and the underlying cause of action is a violation of her civil rights.

Thank you and we'll stand for questions,