

News Release

For Immediate Release
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Solicitor Wilson's Statement Regarding the Death Penalty and Indictment Timeline in the Walter Scott Case

While it is extremely important to me that I be open and transparent with the public about the legal proceedings and the continuing investigation into this matter, as a lawyer and prosecutor, I am subject to special rules limiting my ability to make public comments about pending cases and defendants in criminal matters. For these reasons, my office cannot comment on the merits of the case. By law, defendants are presumed innocent unless and until proven guilty.

This case involves members of the North Charleston Police Department and the shooting death of Walter Scott which is being independently investigated by the South Carolina Law Enforcement Division (SLED).

My office has not received SLED's investigative file and I do not anticipate receiving it for many days or even weeks. SLED has briefed me continually throughout the investigation and we have met on multiple occasions. Based on the facts revealed thus far, it does not appear South Carolina's death penalty provision applies in this case because there are no statutory "aggravating circumstances" present. South Carolina's death penalty statute can be found at South Carolina Code §16-3-20.

We will continue to analyze and evaluate the evidence in this case, along with SLED. Unlike other states, South Carolina does not have an investigative grand jury system for counties. Our Charleston Grand Jury will not meet again until May. When we present indictments to the grand jury will depend upon when we receive the investigative file and the amount of time it takes to review it. South Carolina's Rules of Criminal Procedure and the common law provide that indictments should be sought within 90 days of my office receiving the warrant from the Clerk of Court.

My office is committed to notifying the public and the media if/when the Charleston County Grand Jury returns indictment(s) against the Defendant and when other court hearings are scheduled.

Because of the nature of the charge, South Carolina law requires that bond be set by a Circuit Court judge. At this time, we have not received a defense request for bond. When/if we do, the public will be notified as to the time and place of the hearing.

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