

PRESS RELEASE

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District Attorney
Mecklenburg County
26th Prosecutorial District**

December 3, 2009

I have been privileged to serve as Mecklenburg County District Attorney for 35 years. Today I met with my staff to announce that my current term, ending December 31, 2010, would be my last term, and that I will not file for reelection in February 2010.

I am proud of the many outstanding attorneys and staff members who have worked in this office through those years to carry out our responsibility: representing the State of North Carolina in criminal prosecutions in Mecklenburg County. Seventeen of my former assistant district attorneys later became judges in Federal or State courts. Many other former assistants have been selected to work for the U.S. and N.C. Departments of Justice, the City of Charlotte, Mecklenburg County, other public agencies and private practice. All carried with them the mantra of the District Attorney's Office: "do the right thing."

In an office with such broad responsibility, our goal has always been to do what is right based on the evidence and the law in each individual situation. We have looked at the evidence objectively in each case and have avoided making rash or rushed judgments or promises. The District Attorney's responsibility in felony cases is to review the results of investigations by law enforcement officers and agencies to decide what charges, if any, will be presented to the grand jury. There is an important distinction between what is required to make a lawful arrest and to support a verdict of guilty. Arrests are based on "probable cause" – that is, a crime "probably" has been committed and a particular defendant "probably" committed it. Convictions in our courts require a finding of "beyond a reasonable doubt."

Currently we have 79 assistant district attorneys daily making decisions on the 12,000 felonies and over 200,000 other filings in the criminal district courts of this county each year. With such an enormous number of cases and a finite amount of resources, we have to make difficult decisions every day. Which cases will meet the higher "beyond a reasonable doubt" standard for conviction? Which cases should we try even if the evidence is not as strong because the defendant represents a clear danger to the community? Of course, we need to – and have – constantly pushed for more resources. But there will never be enough prosecutors, judges or jail cells, to have jury trials in anywhere near all of the cases brought to the District Attorney's Office.

For the past 35 years I have worked to ensure this office carries out its responsibility to our community. I am proud of our accomplishments. While we still have our challenges, I believe the District Attorney's Office now has the best staffing and is in the best shape ever. It is time for someone else to assume its leadership.

I believe the upcoming election will present an opportunity for the citizens of Mecklenburg County to reflect on the role of the District Attorney and to learn more about the statutory regulations that create and govern the position, so that each citizen can make an informed choice. I hope voters look for candidates who understand the statutory, ethical and practical boundaries of the job – and are wary of headline-grabbing and unrealistic campaign promises. In my last year in office, particularly over the next few months before the election filing deadline, I would welcome the opportunity to discuss the office, its duties and its challenges.

Most of all, I would like to thank the citizens of Mecklenburg County for reelecting me for the last nine terms as your District Attorney. It has been my honor to serve you.
