



STATE OF MINNESOTA

Office of Governor Tim Walz
Lt. Governor Peggy Flanagan

130 State Capitol ♦ 75 Rev. Dr. Martin Luther King Jr. Blvd. ♦ Saint Paul, MN 55155-1611

April 6, 2023

Via email

The Honorable Keith Ellison
Attorney General
102 State Capitol
Saint Paul, Minnesota 55155

Re: Murder of Zaria McKeever

Dear Attorney General Ellison:

I am writing in response to the letter that you sent to me earlier today seeking authority to prosecute individuals responsible for the murder of Zaria McKeever. I grieve for Ms. McKeever and her family, and I am committed to seeing justice served in this matter.

Minnesota Statutes 2022, section 8.01, provides: “Whenever the governor shall so request, in writing, the attorney general shall prosecute any person charged with an indictable offense, and in all such cases may attend upon the grand jury and exercise the powers of a county attorney.” As the Minnesota Supreme Court has explained, this language means that a governor may authorize the attorney general to prosecute a case “if a person is charged with an indictable offense” and also “to attend upon the grand jury and exercise the powers of a county attorney” in other cases. *State ex rel. Graham v. Klumpp*, 536 N.W.2d 613, 616 (Minn. 1995).

This authority is rarely used, and it should remain an option of last resort. As I have discussed with you, I have determined to exercise this authority only upon your formal written request. Your letter makes clear that you are requesting the authority to prosecute individuals responsible for the murder of Zaria McKeever.

This letter serves as my request, under Minnesota Statutes 2022, section 8.01, for you to exercise the powers of a county attorney to prosecute any persons responsible for or involved in the murder of Zaria McKeever. Thank you for taking on this important work.

Sincerely,

A handwritten signature in black ink that reads "Tim Walz".

Tim Walz
Governor

cc: The Honorable Mary Moriarty, Hennepin County Attorney