



R. SETH WILLIAMS
District Attorney

FOR IMMEDIATE RELEASE

Contact: Cameron Kline
Phone: 215-686-8711
Email: cameron.kline@phila.gov

**PHILADELPHIA DISTRICT ATTORNEY CONCLUDES
REVIEW OF RELEASED EMAILS**

PHILADELPHIA (September 4, 2015) – Philadelphia District Attorney R. Seth Williams today announced that he has concluded his review of the Aug. 26, 2015, released emails and is issuing the following statement:

I've looked at the e-mails released, and yes, like everyone else, I could see immediately that they are offensive. They contain numerous graphic images with captions that are derogatory towards women, a few that have racist connotations, and a smaller number with negative comments about gays. As the father of three daughters, as an African-American, as a law enforcement official, I was disappointed, and angry, that these messages were considered acceptable.

As I began my review, I found that many people I talked to in the community over the last few weeks didn't know all the facts – they assumed from press reports that hundreds of e-mails were released, and that they were generated by a small group of employees here in my office.

I take my responsibilities in this situation with gravity. The easiest reaction would have been just to fire anyone named in the press, without any inquiry. Instead I assembled my senior staff, consisting of blacks and whites, women and men, and we carried out a thorough process to make sure I got all the information necessary to make serious decisions.

In choosing what, if any, action to take, I considered my obligations. The first is to my conscience – to make the best decision possible. The second is to the citizens of Philadelphia – they deserve wise, well-reasoned actions by their elected officials, especially the chief law enforcement officer. The third is to the very hard-working women and men who seek justice every day as my colleagues in the District Attorney's Office. Finally, I have an obligation to the subject individuals – to fair and individualized treatment.

My process had several elements. The three employees in question – Pat Blessington, Marc Costanzo, and Frank Fina – were individually interviewed by a panel. We also questioned people they worked for, people they worked with, and people who worked for them, both in the District Attorney's Office and in the Attorney General's Office. We reviewed all e-mail communications still available from their time in my employment. We looked at the work of the Philadelphia investigating grand jury assigned to the "sting" case, which reviewed internal documents from the current attorney general's office relating to charges of racism, and which heard testimony from employees of the current attorney general. I personally contacted and spoke with prosecutors and other elected officials around the country, with Fortune 500 executives, and with leaders of non-profits and community groups.

We found that none of the e-mails in question were created or originated by these three employees, and none were circulated to or by them while employed in my office. The large majority of the released e-mails – there are 20 altogether – date from five to six years ago. They were part of address chains covering literally hundreds of employees in the Pennsylvania Attorney General's Office, who received and radiated the same images in widening circles.

None of those hundreds of employees – who were colleagues of the three prosecutors now working in my office – were ever disciplined for improper e-mail activity during the years in question, either by the previous or by the present attorney general. At least one AG employee, who served as a central hub for the e-mail distributions and who continued those activities even after the current AG took office, has actually been promoted and given a substantial raise.

We found no evidence or suggestion of any inappropriate e-mail behavior by these three employees during their time to date in my office, but if we did I would certainly terminate them.

We found that the derogatory elements appearing in the attorney general e-mail chains were not reflected in the work relationships of the three specific employees who have been the focus of the attorney general's filings. On the contrary, the employers, employees, and colleagues with whom we spoke – and who included both women and blacks – described these employees as hard-working, dedicated prosecutors who were never disrespectful to them as females or minorities.

We reviewed the findings of the Philadelphia grand jury investigating the “sting” case. Before deciding whether charges were appropriate, the grand jurors, who represent the diversity of Philadelphia's citizens, examined public claims that the original “sting” investigation was the product of racism on the part of the prosecutors now employed in my office. The grand jurors had access to internal documents generated under the current attorney general, and heard sworn testimony from many of the individuals who were involved in the original investigation. The grand jurors concluded that allegations of racism against these prosecutors “were simply false.”

Finally, I have spoken to the employees in question myself, face to face. I believe they have regret and remorse for the conduct of which they were a part. They recognize that the e-mail chains in which they participated were demeaning, unprofessional, and wrong.

In an ordinary situation, I would not publicly discuss these matters of employee conduct, but I recognize that we are not in an ordinary situation. So, I have described our process and conclusions, but will not broach the confidentiality of internal deliberations and discussions.

Under all the circumstances, I have chosen awareness and education over termination and am directing these employees to attend sensitivity training. Insensitivity often has its genesis in unfamiliarity. That's why diversity is so important. I have worked to make sure that my office reflects the diversity of the city we serve. We have strong human relations policies, more African-American attorneys than any law firm in the Commonwealth, and as many women as men both in the ranks and in leadership positions. In the year 2015, the times of winking at racism, sexism, or homophobia are over. On my watch, I won't tolerate it.

The Philadelphia District Attorney's Office is the largest prosecutor's office in Pennsylvania, and one of the largest in the nation. It serves the more than 1.5 million citizens of the City and County of Philadelphia, employing 600 lawyers, detectives and support staff. It is organized into seven divisions: Executive/Administration, Trials, Pre-Trial, Investigations, Juvenile, Law, and Special Operations. The District Attorney's Office is responsible for prosecution of over 75,000 criminal cases annually. The main office of the Philadelphia District Attorney is located in Center City Philadelphia at The Widener Building, Three South Penn Square. The Juvenile Court and Child Support Unit are located at 1501 Arch Street, and the Private Criminal Complaint Unit is located at 1425 Arch Street. Additionally, the Charging Unit is staffed around the clock in The Widener Building.

###