

THE ASPEN INSTITUTE

ASPEN IDEAS FESTIVAL 2016

CRIME AND PUNISHMENT: A CONVERSATION ON 21ST CENTURY
POLICING, CIVIL RIGHTS, AND CRIMINAL JUSTICE REFORM

Greenwald Pavilion
Aspen, Colorado

Friday, July 01, 2016

LIST OF PARTICIPANTS

LORETTA LYNCH
US Attorney General, Department of Justice

JONATHAN CAPEHART
Writer and Editorial Board Member
The Washington Post

* * * * *

CRIME AND PUNISHMENT: A CONVERSATION ON 21ST CENTURY
POLICING, CIVIL RIGHTS, AND CRIMINAL JUSTICE REFORM

(9:00 a.m.)

MR. ISAACSON: Welcome everybody to our newsmaker session of the morning. I'm very pleased to welcome back to the Aspen Institute Attorney General Loretta Lynch. She was our wonderful guest last year at the Aspen Security Forum and now she is coming back to Aspen Ideas Festival. She is a native of North Carolina, for many years the U.S. attorney for the southern district of New York and led many successful prosecutions on numerous corrupt public officials, terrorists, cyber criminals and human traffickers.

She was sworn in the first day of April of last year. And on that day is the day that Baltimore erupted over the riot in the -- over the death of Freddie Gray. She visited Baltimore a week later and ever since then has been very involved in the implementation of justice and community policing in this country. On issues like corporate malfeasance, crime and gang violence in our cities she has been very bold and outspoken.

And I want to personally attest because it's been talked about in recent days that Loretta Lynch is a person of utmost, absolute and unquestionable integrity.

(Applause)

MR. ISAACSON: My honor to introduce the attorney general of the United States.

(Applause)

MR. CAPEHART: -- I'll introduce myself.

MS. LYNCH: Thank you, Walter, for that introduction. Good morning.

MR. CAPEHART: Good morning --

(Applause)

MS. LYNCH: Good morning. So good morning everyone.

MR. CAPEHART: By the way, I'm Jonathan Capehart of *The Washington Post* and also an MSNBC contributor. Thank you all for being here this morning. Attorney General, thank you very much for being here.

MS. LYNCH: Thank you for having me.

MR. CAPEHART: So as Walter said, you have a reputation of having the highest integrity, utmost solid judgment. So when people heard what went down in Phoenix a lot of people are like, I mean, friends, supporters, backers are saying what on earth was she thinking talking to Bill Clinton. So what on earth were you think? What happened?

MS. LYNCH: Well, I think that's the question of the day, isn't it?

MR. CAPEHART: Yes, yes.

MS. LYNCH: And I think that's a perfectly reasonable question. I think that's the question that is called, you know, by what happened in Phoenix because people have also wondered and raised questions about my role in the ultimate resolution of matters involving the investigation into the State Department e-mails.

And to the extent that people have questions about that, about my role in that, certainly my meeting with him raises questions and concerns. And so, believe me, I completely get that question. And I think it is the question of the day.

Well, I think the issue is, again, what is my role in how that matter is going to be resolved. And so let me be clear on how that is going to be resolved. I've

gotten that question a lot also over time, and we usually don't go into those deliberations but I do think it's important that people see what that process is like. As I've always indicated, the matters is being handled by career agents and investigators with the Department of Justice, they've had it since the beginning, they are independent --

MR. CAPEHART: Which predates your tenure as attorney general.

MS. LYNCH: It predates my tenure as attorney general, it is the same team. And they are acting independently, they follow the law, they follow the facts. That team will make findings, that is to say they will -- they will come up with a chronology of what happened, the factual scenario. They will make recommendations as to how to resolve what those facts lead to. The recommendations will be reviewed by career supervisors in the Department of Justice and in the FBI, and by the FBI director. And then, as is the common process, they present it to me, and I fully expect to accept their recommendations.

MR. CAPEHART: Now, what's interesting here is you say you fully expect to accept the recommendations. One thing people were saying this morning when the news broke was that you were "recusing yourself" from having any kind of role in the final determination. Is that the case, is that what you're saying?

MS. LYNCH: Well, a recusing would mean that I wouldn't even be briefed on what the findings were or what the actions going forward would be. And while I don't have a role in those findings, in coming up with those findings or making those recommendations as to how to go forward, I'll be briefed on it and I will be accepting their recommendations.

MR. CAPEHART: And when you say -- again, this must be the journalist in me and the linguist in me, accepting to me means, here, Madam Attorney General, here

are our findings and you completely accept them wholeheartedly and then issue them to the public or you accept them, look them over and then make your own determination as to what the final determination will be?

MS. LYNCH: No, the final determination as to how to proceed will be contained within the recommendations and the report in whatever format the team puts it together, that has not been resolved, whatever report they provide to me. There will be a review of their investigation, there will be review of what they have found and determined to have happened and occurred. And there will be their determinations as to how they feel that the case should proceed.

MR. CAPEHART: And when you say there will be a review, you mean the review will be done by you once you accept the recommendations and determinations or you're talking about the process of the review getting to that point?

MS. LYNCH: I'm talking about the initial process --

MR. CAPEHART: Got it.

MS. LYNCH: -- of how this case will be resolved. This case will be resolved by the team that's been working on it from the beginning. Supervisors always review matters. In this case that review will be career people within the Department of Justice and also the FBI will review it up to and including the FBI director. And that will be the finalization of not just the factual findings but the next steps in this matter.

MR. CAPEHART: And I find it interesting, several times now you've made a point of saying career prosecutors, career officials within the justice department, why are you making that very hard distinction of that description?

MS. LYNCH: I think a lot of the questions that I've gotten over the past several months, frankly, about my role in this investigation and what it would likely be was a question over concern about what if someone who was a political appointee would be involved in deciding how to investigate a matter or what something meant or how should the case proceed going forward.

And as I've always said that this matter will be handled by the career people who are independent. They live from administration to administration. Their role is to follow the facts and follow the law and make a determination as to what happened and what those next steps should be. But, you know, in my role as attorney general there are cases that come up to me. I am informed of them from time to time. This case, as you know, has generated a lot of attention. I will be informed of those findings as opposed to never reading them or never seeing them. But I will be accepting their recommendations and their plan for going forward.

MR. CAPEHART: So *The New York Times* reported this morning that the Justice Department officials said back in April that what you're talking about right now was already being considered. And so the question is before President Clinton boarded your plane in Arizona had you already made the determination that what you're announcing today was indeed what you were going to do?

MS. LYNCH: Yes, I had already determined that that would be the process. And in large part it's because as you -- as I'm sure you know, as a journalist, I do get this question a lot. And as I've said on occasions as to why we don't talk about ongoing investigations in terms of what's being discussed and who is being interviewed is to preserve the integrity of that investigation. And we also typically don't talk about the process by which we make decisions. And I've provided that response too.

But in this situation, you know, because I did have that meeting it has raised concerns, I feel. And I feel that, well, I can certainly say this matter is going

to be handled like any other as it has always been, it's going to be resolved like any other as it was always going to be.

I think people need the information about exactly how that resolution will come about in order to know what that means and really accept that and have faith in the ultimate decision of the Department of Justice.

MR. CAPEHART: So back to my first question, what were you thinking question. But let me put a different spin on it and ask, when you're -- you're on your plane, now, from what I -- having been in Washington a while and knowing how the protocol works, you land, folks get off, you get off, for all sorts of reasons, but it's very fast. You're on your plane and in walks the former president of the United States, what were you thinking at that moment?

MS. LYNCH: Well, as I've said, you know, he said hello and we basically said hello and I congratulated him on his grandchildren, as people tend to do. And that led to a conversation about those grandchildren who do sound great. And that lead to a conversation about his travels. And he told me what he had been doing in Phoenix and various things. And then we spoke about, you know, former attorney general, Janet Reno. But it really was a social meeting. And it was -- it was -- it really was in that regard. He spoke to me, he spoke to my husband for some time on the plane and then we moved on.

And as I've said before though, I do think that no matter how I viewed it, I understand how people view it. And I think that because of that and because of the fact that it has now cast a shadow over how this case may be perceived not matter how it's resolved it's important to talk about how it will be resolved.

It's important to make it clear that that meeting with President Clinton does not have a bearing on how this matter is going to be reviewed, resolved and accepted by me because that is the question that it

raises. So again, now matter how I viewed it, how I view the meeting I think what's important to me is how do people view the Department of Justice because of that meeting. How do people view the team that's working on this case and has from the beginning because of that meeting? How do people view the work that we do every day on behalf of the American people, which we strive to do with integrity and independence. So that's the question for me, and that's why I felt it was important to talk about what impact that meeting would have on the case, which it won't. But in order to explain that we have talk about how it will be resolved.

MR. CAPEHART: Now, you've known President Clinton for a long time. He is the one who nominated you and appointed you to U.S. attorney for the eastern district in 1999. So I'm wondering, do you have -- so you have a relationship is what I'm trying to get to in terms of just long-standing professional relationship. So you're well within your right to say get off my plane, what are you doing here? Do you regret not telling the former president of the United States to leave the premises?

MS. LYNCH: So, well, look, as I've said, you know, just -- I may have viewed it in a certain light but the issue is how does it impact the work that I do and the work what the Department of Justice does. And I certainly wouldn't do it again. And, you know, because I think it has cast a shadow over what it should not, over what it will not touch, that's why, as I said, I think it's important to talk about how this matter will be resolved and how the review and how the determinations and decisions will be made.

You know, I can say, as I have said, it's going to be handled by career people and then we can make an announcement as to what it is. But unless people have some insight into that process, you know, they're not going to be able to evaluate that. And the most important thing for me as the Attorney General is the integrity of this Department of Justice and the fact that the meeting

that I had is now casting a shadow over how people are going to view that work. It's something that I take seriously and deeply and painfully. And so I think it's important to provide as much information as we can so that people can have a full view of how we do our work and why we do our work and how this case is going to be resolved as well as how all the cases that we look at are going to be resolved.

MR. CAPEHART: And so of course what's happened as a result of this, there are people out there in the world who are saying, see, this is an example of the system that's rigged against the rest of us. And you just said that this whole incident has been painful, is one of the words you used. What would you say to the American people who might, who believe that, yes, indeed, this is an example of Washington rigged against them.

MS. LYNCH: Now, I think that people have a whole host of reasons to have questions about how we in government do our business and how we handle business and how we handle matters. And I think that again I understand that my meeting on the plane with former president, Clinton, could give them another reason to have questions and concerns also. And that is something that - - and that's where I fought -- that's why I said it's painful to me because the integrity of the Department of Justice is important.

And what I would say to people is to look at the work that we do, look at the matters that we work on every day whether they involve a high-profile matter or a matter where you've never heard of the person. Look at the victims that we deal with every day, look at the people that we protect every day because that's our mission. And to the extent that this issue has overshadowed that mission, yes, that's painful to me. And so I think it's important that we provide as much information as we can so people can have faith and confidence in the work of the Department and the work of the people who carry on this work every day.

MR. CAPEHART: And last question on this. So when might we expect your acceptance of these findings and determinations?

(Laughter)

MR. CAPEHART: Are we talking about weeks, months, days?

MS. LYNCH: So in terms of timing, I actually don't know that because again I don't have that insight into this, I'd say the nuts and bolts of the investigation at this point in time. They are working on it, they are working on it very hard. They are working on it to make sure that they are as thorough as they can be, that they have covered every angle, that they have looked at every issue. They are doing the work that the people in the Department of Justice do every single day. And I could not be more proud of that work and I could not be more proud to present that work to the American people when this matter is resolved and we can let people know the conclusion to this investigation.

MR. CAPEHART: Moving on.

(Laughter)

(Applause)

MR. CAPEHART: Keep in mind, this sit-down has been on the books for several weeks, few months. And we were here because you were going to talk about criminal justice performance. You've been out west and making your way back east, going to various communities, talking about some of the findings and things that people are doing vis-à-vis the president's taskforce and 21st century policing. And in reading the report -- I actually read it, there is a quote in there that I think captures why this commission was important. And it came from a commission member, Susan Lee Rahr. She is Executive Director, Washington State Criminal Justice Training Commission.

And she wrote, in 2012 we began asking the question why are we training police officers like soldiers. Although police officers wear uniforms and carry weapons, the similarity ends there. The missions and rules of engagement are completely different. The soldier's mission is that of a warrior, to conquer. The rules of engagement are decided before the battle. The police officer's mission is that of a guardian, to protect, the rules of engagement evolve as the incident unfolds.

How did we get from police being guardians who protect to what many view as police being basically a domestic military force occupying neighborhoods?

MS. LYNCH: You know, I think it's going to be different in every community, but that's been one of the underlying concerns that I've heard as I've traveled the country on my community policing tour is community residents who say we don't have a connection to our local police force. They simply patrol and they don't connect with us. And so my goal on the tour that I just finished, both in 2015 and 2016, was to find those communities where communities and law enforcement were working together and were making positive change and were working on the format where the police are in fact the guardians of the community.

I think there is a whole host of reasons for why training went one way. I mean, certainly we were talking at some point in time and several years past about a huge influx of narcotics in our communities. And that has certainly led to a host of consequences that we are trying now to alleviate with criminal justice reform and sentencing reform. But it also led to a view that aggressive policing was really necessary in order to deal with not just narcotics but the violent crime that often comes along with it.

And there are those who said the pendulum swung too far in that direction. So I think we find ourselves now at a situation where to say that there is sort of a

frayed relationship of trust between law enforcement in many communities, particularly minority communities is the understatement of this generation. So what I've been working on and is in fact one of my priorities is looking at communities that have had that frayed relationship, that have had things break down, that have had the violence of Baltimore or a terrible incident involving someone losing their life at the hands of a police officer or even a Department of Justice case against them and looking at how they are a couple of years after that.

Have they managed to use the tools that we tried to provide to them and in fact create a positive working relationship between law enforcement and the community. And actually I have been very heartened by what I have seen across the country.

MR. CAPEHART: I was going to ask you, how have police departments been -- how receptive have they been to these recommendations, particularly the one that says that police departments needs to own their past, need to own the conflict that they have generated, that has generated the distrust between law enforcement and the community. How are police departments responding to that, owning their responsibility?

MS. LYNCH: Yes, that's an excellent point because I often talk to community members who will say, you know, things are great with this police chief, we're actually making very positive strides. But community members will say, but, you know, five years ago this incident happened to me or even 10 years ago I saw this happen to my older sibling or parent, and that remains in people's consciousness and effects how they interact with the police.

MR. CAPEHART: Couple of the jurisdictions that I visited was actually in Los Angeles just yesterday and I also went to Miami and I was in Portland. And I was visiting those jurisdictions because they actually were still in the middle of resolving problems. I mean, the Los Angeles Police Department's history I think is well

documented, and the issues that they had, the warrant or a consent decree in the 2000s, they have come out of that now. But I think certain residents still recall those days. And so I was very heartened to see in my discussions both with police leadership and community members that no one was ignoring the past, that people were saying, you know, we have to own the past and we have to acknowledge that we have contributed, we, law enforcement, have contributed to these problems and here is what we are doing to be accountable, to be transparent, to be responsible to pull community members in, because without that acceptance of responsibility there won't be trust in the new either regime or policies going forward.

Now, few years ago FBI Director James Comey gave -- delivered a speech on race, pretty spectacular speech on race where he talked about how law enforcement needed to own its past. One of the things -- another thing that FBI Director Comey has said on several occasions is that he believes that there is a so-called Ferguson effect on law enforcement jurisdictions.

Do you agree with him, is there a Ferguson effect, meaning that as a result of what happened in Ferguson and Charleston where people are videotaping what police -- law enforcement actions that police officers are not wary to actually do their jobs, for lack of a better description, but to patrol neighborhoods and to continue to make them safe, and that's resulted in a spike in crime.

MS. LYNCH: Well, the FBI director has spoken about that and he has spoken about it in the context of things that people have relayed to him. And so, you know, and he has spoken about it in that context. I have not seen that. In fact we had a recent DOJ study that looked at that issue and the conclusion was we need more information as most studies are. But I think -- but -- and that's statistics for you. But I think what I've seen, you know, as I've talked to police departments across the country and community members across the country is lot of change in law enforcement. A lot of

change at the level of training, a lot of change in the level of community involvement, a movement away from over-policing, a movement towards getting to know members of the community, getting to understand people and their problems. And certainly I think it is the hope of all of us in law enforcement that that will lead to not only a reduction in crime but it certainly could lead to a reduction in the number of arrests.

I have not seen police officers shirking their responsibilities. I have not seen police officers backing away from the hard issues that come from patrolling very difficult and often very dangerous communities. I've seen them moving towards that. I've seen them come to the Department of Justice and say, you know, I have a use of force policy that's really old, can you help me make sure mine is up to date.

I've seen them come to the Department and say I want to set up a community board, do you have some example that I can look at so that I don't have a situation like I've seen in other police departments. So I've seen a lot of positive action from both community members and law enforcement in this regard.

MR. CAPEHART: So on this trip you went to San Bernardino.

MS. LYNCH: Yes.

MR. CAPEHART: Was that yesterday, two days ago?

MS. LYNCH: Well, I was in Los Angeles but I met with a team --

MR. CAPEHART: You met with the team --

MS. LYNCH: -- of agents, investigators, police officers and lawyers who had worked on the San Bernardino investigations and are continuing to work on.

MR. CAPEHART: And as we recall, that was December mass shooting, 14 people were killed. A couple of currents in that shooting. Also if you tie in Orlando and what happened last month where 49 people were killed, you've got folks who had high-capacity weapons to kill lots of people, but you also had people who from reports are inspired by ISIS. So can you talk about the challenge that those twin things caused for you and the department, mass shootings but also terrorism.

MS. LYNCH: Yes, yes. You know, I think with the challenges that we've been talking about for some time now as we looked at how the threat to our homeland has changed and morphed over the year since 9/11, obviously we still are looking and investigating at the orchestrated attacks like that. But what we are seeing now are more the home-grown extremists, those individuals often who are born here who become radicalized usually online and act out that radical ideology. The challenge is not only finding those individuals, investigating and preventing their actions, but we also have a dual challenge which is how do we break that chain of the violent ideology that people consume online.

The Internet is free and open and it should remain free and open. But it is the place where many people go and find information that dates back years. And you will see the tracking in many of the investigations that we have of people who start at looking at Al-Qaeda types of videos and documentaries move into ISIS-supported ideology and videos as well. How do we reach those individuals and either give them an alternative reason for their thought processes or -- and break that chain of violent ideology. So those are the twin challenges that we face.

MR. CAPEHART: All right. So I'm looking at the clock, we've got less than 7 minutes left. So I've got lots of stuff to cram in here.

On May 9th you announced that the Justice Department was suing North Carolina for its so-called

bathroom bill. And at one point a very powerful moment in your remarks you directed them directly to the transgender community. And I won't read the entire quote but one piece of it jumped out at me, and that was when you said that we see you to transgender Americans. Why did you feel it was important to say those words to that community in such a public form?

MS. LYNCH: Because when we talk about different groups in this country who are victimized and who are marginalized, the way in which it often happens is people are made to feel or to be invisible because if someone is invisible you don't have to look at their concerns or their issues. If they're invisible you don't have to hear about the problems that they have.

And I think this a time of great social change in this country I think for the good, I think for the better. I think we are moving towards what Dr. King called the beloved community. But with change often comes a lot of uncertainty and fear on the part of other people who find it challenging to say the least. And I think there is often a desire to deal with someone or some issue that you find different by showing it out of sight. And if we really are going to have the open and free society that is the birth right of every American, that is the right of everyone who comes here and lives here in this country, then everyone deserves the right to stand in the light.

You know, it has been my concern also with respect to the Orlando shooting that members of the LGBT community may feel that maybe it's safer for me if I don't come out, maybe it's safer for me if I stay in the shadows. You know, that's not the country that we live in, it's not the America that we've chose over 200 years ago, it's not the one that any of us want. And so everyone deserves to stand in the light and to be truly seen for who they are. That's what diversity is and to me that's what America is.

(Applause)

MR. CAPEHART: What didn't Eric Holder tell you about this job? What's the one thing you wish he had told you?

(Laughter)

MS. LYNCH: Where the lock on the plane door was.

(Laughter)

(Applause)

MR. CAPEHART: Good answer. So I understand that every AG leaves a letter for his or her successor.

MS. LYNCH: Yes.

MR. CAPEHART: What did Attorney General Holder leave for you? What did he say in his letter?

MS. LYNCH: Well, those letters are private.

MR. CAPEHART: Oh, come on, just a little.

MS. LYNCH: So I won't go into the exact letter but what I will say is that AG Holder has been a friend for some time. And I've had the privilege of working with him both as a U.S. attorney in two separate administrations. And working for him as attorney general was a pleasure and a privilege. And he has been supportive, he has always talked to me about the privilege of being the attorney general and the privilege of serving the American people and working to ensure that in every way in which the Department of Justice works that the highest standards of integrity are upheld. That's something that's been a part of my career since I joined the Department, and he has always been that voice of that for me as well.

MR. CAPEHART: So being AG, is it harder to be black or harder to be a woman in your job?

MS. LYNCH: You know, I'm not sure how you separate the two for me. You know, I think that for me this is the greatest job that I've had and it's such a tremendous privilege to sit in that chair and try and do justice and try and do the right thing every day. And so I approach it from that perspective.

I think if people want to look at it and say do I make a decision based on my background in some way, I think all of us are a combination of all of our experiences. And I think that when I look back on my experiences growing up in the South and what my parents went through and how important it was for them to stand up for equal rights and how important it was for them to make it clear that everyone has a place in society. I look back on my years as a prosecutor and my years of dealing with victims and who often feel like there is no one to speak for them and I think of how important it is that everyone know that the Department can be their voice.

So I think that everything that I am and everything that I've done combines and comes together in me as I do this job.

MR. CAPEHART: Well, you know, what's interesting as a -- you know, general perception as, you know, a woman and a woman of color, you know, you're supposed to be a leftie and you're supposed to be someone who is actually a defense person, not a prosecutor, how did you gravitate towards being a prosecutor?

MS. LYNCH: You know, for me the prosecutor's role is the protector of people. And I've always felt that there are many communities out there and many of them are minority communities who either feel rightly -- and sometimes rightly that they don't get the full benefit of the protection of the law, that maybe crime in a certain neighborhood isn't always as aggressively pursued as in others. And it was very important to me to be part of a

system that protected everyone equally and fairly. So I view it very, very important to me that we take this, that I take this job as one as extending the protections of law enforcement to everyone that deserves it.

MR. CAPEHART: Now, if I remember correctly, you became interested in the law because you watched your grandfather go to -- you went with him to go to court to watch people, he defended them, and so when you talk about your grandfather and how he basically helped people get over the unconstitutional Jim Crow laws --

MS. LYNCH: Yes. Well, this was a story that, actually that -- this was a story that my father told me as my grandfather passed away when I was very young. And my grandfather grew up in Eastern North Carolina. And he --

MR. CAPEHART: What town? My family is from Eastern North Carolina.

MS. LYNCH: He was -- he is from a small town called Oak City, North Carolina.

MR. CAPEHART: I'm going to have to look that up. My aunt is from --

MS. LYNCH: And --

MR. CAPEHART: -- North Carolina, small city. Go on.

MS. LYNCH: Yes. And my grandfather was a minister but he was also a sharecropper, you know, which meant he didn't own the farms that he actually worked on, they were owned by other people. And he and his sons, including my father and his brothers would work those fields for pay. But he had a very strong sense of justice.

In the 1930s in North Carolina when my dad was very, very young, you know, we're talking about a time

before Miranda warnings, you know, before the guarantee of the right to counsel, before so many of the things that we take for granted in our criminal justice system now that are guaranteed to us in our constitution. And so many times when people found themselves, as my grandfather used to say, in the clutches of the law, and fairly so, they would come to him for help. And because they did not have the view that there could be a fairness in their procedure, they would literally leave town. And my grandfather would help hide them until they could in fact move away.

And my father has told me a story of being at home and the sheriff coming by and talking to my grandfather and asking has he seen a particular person and do you know where so and so is. And the person might be actually hiding under the floorboards and my grandfather would say, well, I haven't seen him lately.

(Laughter)

MS. LYNCH: And so, you know, for me when I was younger I always thought about that story as how does my grandfather, who was a very moral man, how do you reconcile that with what he was doing. And for him it was the concept of justice. And so justice, you know, justice is a process, you know, we like to think of it as a verdict or a decision, and if often is. But it also a process for people to know that if in fact you are pulled into the criminal justice system you do have protections.

And you will be held accountable for what you have done, I firmly believe that. I am a prosecutor. But we -- it will happen to you in a way that is consistent with the ideals of this country and not the kind of lack of justice that would be found on a dirt road in the dark of night in 1930s North Carolina.

(Applause)

MR. CAPEHART: So, you know, of course in preparing for this I reached out to lots of people to get

a sense of you. And I got a terrific question to ask you, and that is -- am I'm noticing you're wearing it, but from time to time you wear a charm, a butterfly charm.

MS. LYNCH: A bumblebee.

MR. CAPEHART: Oh, it's a bumblebee.

MS. LYNCH: Yeah.

MR. CAPEHART: What is the significance of that bumblebee?

MS. LYNCH: So the bumblebee is the insect that sort of keeps our planet alive, you know, with its work. But anatomically and in terms of the laws of physics it's not supposed to be able to fly. If you look at the shape of the body and the wings, it's not supposed to be able to fly and yet it does, and yet it does.

MR. CAPEHART: And so -- and how that translate to you and your trajectory?

MS. LYNCH: You know, there are so many times, not just for me but for everyone, where you're going through life and you have goals. And people will look at you and they will make a decision, like, no, you can't do that or you shouldn't be doing that or that isn't the place for you. And whether it's because, you know, I'm African America or a woman or southern, I mean, there are all kinds of issues that people face. And so to be able to say back, to wear a symbol that says I may not look like I can do this but yet I do is very important to me.

MR. CAPEHART: I'm going to go get myself a bumblebee --

(Applause)

MR. CAPEHART: All right. Now, we really do only have a couple of minutes left and this is where I get to have some fun. So what's guaranteed to get you on the

dance floor, Taylor Swift's Shake it Off? Wait, there is two more.

MS. LYNCH: I love that song.

MR. CAPEHART: Bruno Mars, Uptown Funk?

MS. LYNCH: Love that song too.

MR. CAPEHART: Boogie Wonderland by Earth, Wind & Fire? Come on now.

MS. LYNCH: I got to go old school and Earth Wind & Fire.

(Applause)

MR. CAPEHART: Somehow I knew you would say that because I would be out there with you because -- I mean, as soon as you hear that, the drums in the beginnings, oh. Anyway.

MS. LYNCH: Best band ever.

MR. CAPEHART: And so you were a U.S. attorney in New York City. Did you ever find yourself at home on a rainy, snowy night, pint of ice cream with *Law & Order* on, just watching the reruns and critiquing cases as they came in and came out?

MS. LYNCH: So the -- actually the benefit of being a prosecutor in New York City is that a lot of cases from New York make their way into shows like *Law & Order*. So a number of us would have a lot of fun watching the show and figuring out where they are drawing some inspiration from. And since -- a young woman that I used to work with in the U.S. attorney's office at one point in time was a writer on that show, I always felt I had the inside knowledge of what cases she was talking about and I just wanted to know who was going to play me, that was really the --

(Laughter)

MR. CAPEHART: Well, speaking of, who would you like to play you in the movie or the Lifetime series or Netflix, Amazon Prime show?

MS. LYNCH: Yeah, gosh. I have no idea, I have no idea, I'm drawing a blank. There is so many wonderful, talented black actresses out there who could, I think, hopefully portray what I have always felt to be my strong desire to make sure that justice is open for everyone. So anyone who could do that. And I think frankly we've got such talent out in Hollywood now one of the things I think is great again about how our society is changing and opening up is the recognition of black talent in the entertainment industry, the recognition in front of the camera, behind the camera, writing. That is something that I am just loving watching.

MR. CAPEHART: Loretta Lynch, 83rd attorney general of the United States. Thank you very much.

MS. LYNCH: Thank you.

* * * * *