

FILED
JAN 22 2026

IN THE CHANCERY COURT OF RANKIN COUNTY, MISSISSIPPI
TWENTIETH JUDICIAL DISTRICT

MARK S. SCARBOROUGH
Chancery Clerk, Rankin County

AMERICAN CIVIL LIBERTIES UNION OF
MISSISSIPPI and CENTER FOR
CONSTITUTIONAL RIGHTS,

Plaintiffs,

vs.

RANKIN COUNTY DISTRICT
ATTORNEY'S OFFICE,

Defendant.

Civil Action No. 26-93(M)

COMPLAINT

INTRODUCTION

1. This is a public records lawsuit challenging the Rankin County District Attorney Office's decision to withhold from the public all records in its possession—aside from a self-serving press statement—concerning one of the worst criminal justice scandals in Mississippi history.

2. In 2023, public reporting revealed that deputies in the Rankin County Sheriff's Office had been terrorizing residents of this County for almost twenty years.¹ The deputies—who called themselves the “Goon Squad”—used torture, violence, and other abusive practices to coerce confessions and extract or manufacture evidence for criminal cases prosecuted primarily by the Rankin County District Attorney Office (“RCDAO”).² Due to that misconduct, the Goon Squad was responsible for profound suffering by community members, including numerous wrongful convictions.

¹ Brian Howey & Nate Rosenfield, *How a ‘Goon Squad’ of Deputies Got Away With Years of Brutality*, N.Y. Times (July 10, 2025), <https://www.nytimes.com/2023/11/30/us/rankin-county-mississippi-sheriff.html>.

² *Id.*

3. For example, Ronald Shinstock is serving a 40-year prison sentence after he was convicted at trial based in part on the testimony of Chief Inspector Brett McAlpin, the leader of the Goon Squad. Ex. G (Declaration of Ronald Shinstock) ¶¶ 2–3, 14–15. During Mr. Shinstock’s arrest, McAlpin and other deputies beat him, threatened him with sexual abuse, and told him he would be raped in prison. *Id.* ¶¶ 3–13. They also beat Mr. Shinstock’s friend so severely that he was bleeding from his ears. *Id.* ¶¶ 7–8.

4. The RCDAO prosecuted criminal cases in which one or more members of the Goon Squad provided evidence or other support for the prosecution. In every one of those cases, the RCDAO had a legal duty to disclose misconduct by those officers to the people being prosecuted as well as those who had been convicted, because it was potentially exculpatory evidence.

5. According to a media report, a member of the Goon Squad has stated that the RCDAO learned of at least some of the deputies’ unlawful conduct before it was publicly exposed.³

6. Yet, so far as Plaintiffs are aware, the massive misconduct committed by the Goon Squad was not contemporaneously disclosed to criminal defendants or the public.

7. To this day, neither criminal defendants nor the public have been informed of the full scope and gravity of the Goon Squad’s misconduct.

8. The RCDAO has subsequently conceded that it “does not maintain a formal written policy” concerning its obligations to disclose potentially exculpatory evidence. Ex. D.

9. In early 2024, after some of the Goon Squad’s actions had finally been revealed to the public, the Rankin County District Attorney told a journalist that the deputies “violated the public trust and shook the foundation of our justice system.”⁴ He also announced that the RCDAO

³ Jerry Mitchell, Brian Howey, and Nate Rosenfield, *Former Mississippi Sheriff’s Deputy Describes Rampant Violence by ‘Goon Squad’*, Miss. Today (Feb. 21, 2025), <https://mississippitoday.org/2025/02/21/ex-deputy-describes-rampant-violence-by-goon-squad/>.

⁴ Jerry Mitchell, *Rankin County DA Reviewing ‘Goon Squad’ Cases. Legal Experts Say*

had “immediately conducted an extensive review to identify any and all cases in which these officers were involved.”⁵

10. But, beyond this statement, the RCDAO has not disclosed any details about what it has done, or not done, in the wake of the Goon Squad revelations. It has not said when it first learned that members of the Goon Squad were committing misconduct. It has not said what it did after learning of the misconduct. And although the RCDAO has told the press that it has conducted an “extensive review” of Goon Squad cases, it has not disclosed which Goon Squad cases it reviewed, how numerous they are, how it decided whether to dismiss those cases, how many cases it dismissed, or how many cases it chose to keep on the books.

11. Accordingly, in June 2025, Plaintiffs submitted a request to the RCDAO pursuant to the Mississippi Public Records Act (“MPRA”), Miss. Code Ann. §§ 25-61-1, *et seq.*, seeking materials concerning the RCDAO’s response to the Goon Squad’s misconduct. Among other things, the request sought records reflecting how the RCDAO had addressed Goon Squad cases and its correspondence with or about Goon Squad members.

12. In July 2025, the RCDAO responded by stating that it would refuse to produce any documents whatsoever.

13. Plaintiffs sent the RCDAO two letters explaining that its response did not comply with the MPRA. But the RCDAO maintained its position. Ultimately, the RCDAO refused to produce any documents except one: an email exchange between the RCDAO and a journalist from early 2024 in which the District Attorney provided his public statement asserting that the office was conducting an “extensive review” of cases involving the Goon Squad.

That’s Not Enough., Miss. Today (Mar. 11, 2024), <https://pulitzercenter.org/stories/rankin-county-da-reviewing-goon-squad-cases-legal-experts-say-thats-not-enough>.

⁵ *Id.*

14. If the RCDAO’s response is allowed to stand, it will mean that the public has no right of access to any documents—beyond the self-serving press statement—concerning the RCDAO’s response to the Goon Squad’s misconduct.

15. That response should not be allowed to stand. The RCDAO’s refusal to produce the requested records violates the MPRA. Plaintiffs seek an order from this Court directing the RCDAO to comply with its statutory obligation, make the requested records available for in camera inspection, and then disclose them to the public.

PARTIES

16. Plaintiff the American Civil Liberties Union of Mississippi (“ACLU-MS”) is a non-profit, non-partisan organization dedicated to protecting the civil rights and civil liberties of all Mississippians. It has long worked to promote fairness in the criminal justice system, prosecutorial accountability, and government transparency. ACLU-MS is based in Jackson, Hinds County, Mississippi.

17. Plaintiff the Center for Constitutional Rights (“CCR”) is a non-profit organization committed to advancing and defending the constitutional and civil rights of communities across the country, with particular emphasis on the South. Its work includes advocating against unlawful police practices and for government accountability. CCR’s Southern Office has a focus on Mississippi and includes staff based in Jackson, Hinds County, Mississippi.

18. Defendant the RCDAO is a public body within the meaning of the MPRA. *See* Miss. Code Ann. § 25-61-3 (defining “public body” to include “any . . . entity of the state or a political subdivision thereof”). It is the recipient of the public records request at issue in this lawsuit and possesses the requested records. The RCDAO maintains its primary place of business in Rankin County, Mississippi.

JURISDICTION AND VENUE

19. The Court has jurisdiction over this action pursuant to Miss. Code Ann. § 25-61-13.

20. Venue in this Court is proper under Miss. Code Ann. §§ 11-5-1 and 25-61-13 because the RCDAO is in Rankin County.

FACTUAL ALLEGATIONS

21. In March 2024, after the Goon Squad’s actions were publicly exposed, the RCDAO announced that it had “immediately conducted an extensive review to identify any and all cases in which these officers were involved.”⁶

22. The RCDAO’s March 2024 statement reflects the office’s legal duty to disclose misconduct by Goon Squad members to people being prosecuted in cases involving Goon Squad members, as well as those who had been convicted—whether or not the RCDAO knew about the misconduct when it was happening. *See Brady v. Maryland*, 373 U.S. 83, 87 (1963) (requiring prosecutors to disclose material exculpatory evidence to defendants); *Giglio v. United States*, 405 U.S. 150, 154–55 (1972) (holding that *Brady* encompasses impeachment evidence); *Kyles v. Whitley*, 514 U.S. 419, 437–38 (1995) (holding that the duty to disclose exculpatory evidence known to anyone “acting on the government’s behalf in the case, including the police,” does not depend on whether prosecutors contemporaneously knew about the evidence).

23. On June 16, 2025, Plaintiffs submitted to the RCDAO a written request for six categories of records:

⁶ Jerry Mitchell, Brian Howey, and Nate Rosenfield, *supra* n.3.

- (1) [T]he case list or similar record showing the case names and docket numbers of all cases that any member of the Goon Squad⁷ has been involved in, whether by investigating or testifying, in the last four years.
- (2) All policies, memos, and internal guidelines within the Rankin County District Attorney's Office for disclosing exculpatory and/or impeachment evidence.
- (3) All policies, emails, memos, or other records between 2022 and 2024, inclusive, reflecting actions taken by the Rankin County District Attorney's Office in response to revelations regarding the Goon Squad's misconduct, including, but not limited to:
 - a. Records regarding the Rankin County District Attorney's Office's process for identifying cases affected by the Goon Squad's misconduct;
 - b. Records regarding the Rankin County District Attorney's Office's process for determining whether to dismiss or otherwise resolve cases that have been affected by the Goon Squad's misconduct; [and]
 - c. Records regarding actions taken by the Rankin County District Attorney's Office to prohibit or deter misconduct by law enforcement.
- (4) All policies and internal guidelines regarding the Rankin County District Attorney's Office's process for evaluating plea offers or plea deals with defendants (other than identifying, disclosing exculpatory and impeachment evidence in, and dismissing or otherwise resolving cases affected by such misconduct).
- (5) Communications between the Rankin County District Attorney's Office and members of the Goon Squad between 2022 and 2024, inclusive, including but not limited to communications to or from Chief Investigator Brett McAlpin regarding the use of warrantless raids.
- (6) Communications to or from the Rankin District Attorney's Office between 2022 and 2024, inclusive, referring to any member of the Goon Squad.

⁷ The request explained that "Goon Squad" refers to "any member of the 'Goon Squad' and includes but is not limited to, Chief Investigator Brett McAlpin, Christian Dedmon, Jeffrey Middleton, Hunter Elward, and Daniel Opdyke; Richland police officer Joshua Hartfield; and James Rayborn, Luke Stickman, and Cody Grogan." Ex. A at 2 n.6.

A true and correct copy of the request is attached as Exhibit A.

24. On June 27, 2025, in response to Plaintiffs' request, the RCDAO produced no documents. Instead, it made the blanket assertion that the requested "information . . . either does not exist, is not in the [RCDAO's] possession and/or is exempt from a public records request under the [MPRA] and applicable law." The RCDAO did not specify which records it claimed to not exist, which it claimed to not be in its possession, and which it claimed to be exempt from disclosure. A true and correct copy of the RCDAO's June 27 response is attached as Exhibit B.

25. On July 8, 2025, Plaintiffs submitted a follow-up letter to the RCDAO asking that it provide an itemized list of exemptions or reasons for denial" so that Plaintiffs could "properly evaluate the response." Plaintiffs also requested that the RCDAO produce the non-exempt portions of any records that it claimed contained exempt portions, as required by Mississippi law. A true and correct copy of Plaintiffs' July 8 letter is attached as Exhibit C.

26. On July 22, 2025, in response to Plaintiffs' July 8 letter, the RCDAO again produced no documents. Its response cited the following bases for denying each category of Plaintiffs' request:

- (1) Request 1: The RCDAO "does not have a compiled case list or similar record," and the "underlying case files" are exempt pursuant to Miss. Code Ann. §§ 25-1-102 and § 25-61-3(f)(i), (ii), (viii).
- (2) Request 2: The RCDAO "does not maintain a formal written policy" for disclosing exculpatory and/or impeachment evidence.
- (3) Request 3: The RCDAO has no "written policy, emails, memos, or other records." "If these records were to exist, then they are exempt" under Miss. Code Ann. §§ 25-1-102, 25-61-3(b), and 25-61-3(f)(i),

(iii), (v), (vi), and (viii).

- (4) Request 4: The RCDAO does not maintain “written policies or internal guidelines” for evaluating plea offers or plea deals with defendants.
- (5) Request 5: No responsive communications exist. “If any such communications were to exist, they would constitute investigative or attorney work product records” that are exempt under Miss. Code Ann. §§ 25-1-102 and 25-61-3(f)(i), (ii), (iv), (vi), and (viii).
- (6) Request 6: “[I]f [communications referencing Goon Squad members] were to exist, [they] are embedded within privileged prosecutorial discussions or investigatory material” and are exempt under Miss. Code Ann. §§ 25-1-102 and 25-61-3(f)(i), (ii), (iv), and (viii).

A true and correct copy of the RCDAO’s July 22 response is attached as Exhibit D, and a chart summarizing the RCDAO’s withholding claims as to each disputed request is shown in the Appendix.

27. On August 22, 2025, Plaintiffs submitted a second follow-up letter providing detailed explanations as to why the RCDAO’s responses were deficient. Specifically, Plaintiffs explained that the RCDAO’s denial of Requests 1, 3, 5, and 6 was contrary to law. Plaintiffs emphasized that they were “committed to a constructive dialogue” and asked “whether [the RCDAO would] reconsider its positions or whether, instead, we [were] at an impasse that may have to be resolved” through litigation. A true and correct copy of Plaintiffs’ August 22 letter is attached as Exhibit E.

28. On September 9, 2025, the RCDAO wrote that it “st[ood] by our [previous] responses.” It produced a single document—a January 2024 email communication with a reporter conveying a public statement by the District Attorney.⁸ Otherwise, the RCDAO provided no records. *See id.* A true and correct copy of the RCDAO’s September 9 response is attached as Exhibit F.

29. As of the filing of this Complaint, other than the single public statement it had previously provided to the press, the RCDAO has produced no documents relating to its purportedly “extensive review to identify all [Goon Squad] cases.”

30. Plaintiffs have served written notice of this complaint upon the Mississippi Ethics Commission in accordance with Miss. Code Ann. § 25-61-13.

LEGAL PRINCIPLES

31. The MPRA provides that “all public records are hereby declared to be public property,” subject to limited exceptions set forth in the statute. Miss. Code Ann. § 25-61-5(1)(a). The Mississippi Supreme Court has held that “there is to be a liberal construction of the general disclosure provisions of [the MPRA], whereas a standard of strict construction is to be applied to the exceptions to disclosure [and] any doubt concerning disclosure should be resolved in favor of disclosure.” *Miss. Dep’t of Wildlife, Fisheries and Parks v. Miss. Wildlife Enforcement Officers’ Ass’n, Inc.*, 740 So. 2d 925, 936 (¶ 32) (Miss. 1999). Moreover, the public body claiming an exemption bears the “burden . . . to prove by clear and convincing evidence that the claimed exemption applies.” *Davis v. City of Bay St. Louis*, No. R-13-015 (Miss. Ethics Comm’n Mar. 7, 2014).

32. When a public body receives a request under the MPRA, it must conduct a good-

⁸ Jerry Mitchell, *supra* n.4.

faith, reasonable search for responsive documents and produce all non-exempt portions of those documents. *See Am. Pub. Media v. Off. of the Dist. Att'y*, No. R-20-028 (Miss. Ethics Comm'n Oct. 15, 2020) ("The District Attorney's Office had a legal obligation to make a reasonable search for any responsive documents."); Miss. Model Pub. Records Rule 4 cmt. 4.3(9) (Mar. 5, 2010) ("A public body must conduct an objectively reasonable search for responsive records."); Miss. Code Ann. § 25-61-5(2).

33. The MPRA does not contain a general exemption for records held by law enforcement agencies. Thus, by default, those records must be disclosed unless specifically exempted.

34. Here, the RCDAO's withholding of the requested records rests on a factual claim and a legal claim. The factual claim is that some records (sought in Requests 1, 3, and 5) do not exist at all. *See Appendix*. For example, the RCDAO asserts that it has no records documenting its review of Goon Squad cases. *See Ex. D at 1*. The legal claim is that other records (sought in Requests 1, 3, 5, and 6) are exempt from disclosure as investigative reports or attorney work product. *See Appendix*.

35. When a public body claims that requested records do not exist, it must provide evidentiary support for that claim in the form of an affidavit or sworn testimony at an evidentiary hearing. *See Humphrey v. Holts*, 369 So. 3d 997, 1003–04 (¶ 15) (Miss. Ct. App. 2023).

36. The MPRA's investigative-report exemption is carefully delineated. *See Miss. Code Ann. §§ 25-61-3(f), 25-61-12(2)(a)*. It does not apply to records that are not "reports" at all, such as policies or procedure manuals. *See Webster v. City of Southaven Police Dep't*, No. R-10-008 (Miss. Ethics Comm'n Oct. 8, 2010). It also does not apply to "incident reports" that contain "a narrative description . . . of an alleged offense," including "the name and identification of each

person charged.” Miss. Code Ann. § 25-61-3(e); *see id.* § 25-61-12(2)(c) (“An incident report shall be a public record.”).

37. The work-product exemption is also narrowly defined. It allows public bodies to withhold records “which represent and constitute the work product” of attorneys “related to litigation” or “in anticipation of prospective litigation.” Miss. Code Ann. § 25-1-102.

CLAIM FOR RELIEF

Count I—Violation of the MPRA

38. The RCDAO is unlawfully withholding public records that the MPRA requires it to produce. Those records are responsive to Requests 1, 3, 5, and 6.⁹ *See Appendix.*

39. The RCDAO’s claim that it has no records responsive to Requests 1, 3, and 5 violates the MPRA because it is not supported by an affidavit or sworn testimony. Moreover, that claim is contradicted by the RCDAO’s public statements. Most notably, the RCDAO told the public that it conducted “an extensive review” of cases potentially tainted by Goon Squad misconduct, but asserts in response to Request 1 that it has no records documenting that review.

See Ex. D at 1.

40. Further, the RCDAO’s withholding of records responsive to Requests 1, 3, 5, and 6, on the theory that those records are protected by the work-product doctrine or the investigative-report exemption, violates the MPRA. Its legal justifications for withholding the records are mistaken.

41. In fact, Plaintiffs have requested neither investigative reports nor attorney work product. As detailed below, even assuming some responsive documents have portions that are exempt from disclosure, the specific information Plaintiffs have sought is not exempt and must be

⁹ Requests 2 and 4 are not at issue in this lawsuit.

produced. *See* Miss. Code Ann. § 25-61-5(2) (requiring public bodies to produce non-exempt portions of records, even if other portions are exempt).

42. Request 1: records “showing the case names and docket numbers of all cases that any member of the Goon Squad has been involved in” within the last four years. This category does not seek investigative records or attorney work product. Case names and docket numbers are factual and public information commonly found in incident reports, which the MPRA specifies do not constitute investigative reports and must therefore be disclosed. *See* Miss. Code Ann. § 25-61-3(e) (noting that an “incident report” includes “the name and identification of each person charged with and arrested for the alleged offense,” among other factual information).

43. Request 3: records “reflecting actions taken by the [RCDAO] in response to revelations regarding the Goon Squad’s misconduct.” These records are not investigative records or attorney work product. For example, “actions taken by the [RCDAO] to prohibit or deter misconduct by law enforcement,” such as communications with law enforcement agencies, cannot be work product because they do not relate to litigation and were exchanged with third parties. *See Haynes v. Anderson*, 597 So. 2d 615, 623 (Miss. 1992) (McRae, J., specially concurring). And general policies governing how the RCDAO resolved cases affected by Goon Squad misconduct—as opposed to deliberations about how to resolve individual cases—are not investigative and do not constitute work product. Moreover, as discussed above, case names and docket numbers of cases that the RCDAO reviewed are factual and public information that is subject to disclosure.

44. Request 5: “[c]ommunications between the [RCDAO] and members of the Goon Squad between 2022 and 2024.” Such communications cannot be work product, given that they were exchanged with third parties; Goon Squad deputies are neither members of the RCDAO

nor represented by the RCDAO within an attorney-client relationship. With appropriate redactions, those communications also would not disclose any exempt investigatory materials.

45. Request 6: “[c]ommunications to or from the [RCDAO] . . . referring to any member of the Goon Squad between 2022 and 2024.” These communications cannot be investigative records because the RCDAO did not prosecute members of the Goon Squad and is no longer using evidence obtained by the Goon Squad to prosecute cases. And such communications cannot categorically be deemed work product. For example, communications describing Goon Squad misconduct would not necessarily be privileged, and any communications involving third parties outside of the RCDAO would not be privileged. Even assuming there are responsive communications “embedded within privileged prosecutorial discussions or investigatory material,” as the RCDAO asserts without evidentiary support, Ex. D at 2, the non-exempt portions of those records must be produced, *see* Miss. Code § 25-61-5(2).

PRAYER FOR RELIEF

In light of the RCDAO’s violation of the MPRA, Plaintiffs respectfully request that this Court:

1. Conduct an in camera review, to the extent necessary, to resolve the RCDAO’s claims that certain records sought in Plaintiffs’ June 16, 2025 request are exempt from disclosure;
2. Declare that the RCDAO has improperly withheld the requested records in violation of the MPRA because the records are not exempt from disclosure;
3. Declare that the RCDAO’s bare assertion that certain records do not exist, unsupported by affidavit or sworn testimony, is insufficient as a matter of law to establish the non-existence of those records;
4. Order the RCDAO to produce the requested records;

5. Find the RCDAO liable in the amount of \$100.00 for each of its violations of the MPRA, as authorized by Miss. Code Ann. § 25-61-15;
6. Award Plaintiffs their reasonable expenses in bringing this proceeding, including their attorneys' fees and costs, as authorized by Miss. Code Ann. § 25-61-15; and
7. Award such additional relief as the Court deems just and proper.

DATED this 22nd day of January, 2026.

Respectfully submitted,

/s/ Ayanna Hill

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APPENDIX

Request	RCDAO's Claim(s) for Withholding Records
1 “[C]ase list or similar record showing the case names and docket numbers of all cases that any member of the Goon Squad has been involved in, whether by investigating or testifying, in the last four years.”	<p>Factual:</p> <ul style="list-style-type: none"> • No case list or similar record exists. <p>Legal:</p> <ul style="list-style-type: none"> • Any responsive records would be exempt as attorney work product per Miss. Code Ann. § 25-1-102. • Any responsive records would be exempt as investigative reports per Miss. Code Ann. § 25-61-3(f).
3 “All policies, emails, memos, or other records between 2022 and 2024, inclusive, reflecting actions taken by the [RCDAO] in response to revelations regarding the Goon Squad’s misconduct, including, but not limited to:	
(a) Records regarding the [RCDAO’s] process for identifying cases affected by the Goon Squad’s misconduct;	<p>Factual:</p> <ul style="list-style-type: none"> • No records exist. <p>Legal:</p> <ul style="list-style-type: none"> • Any responsive records would be exempt as attorney work product per Miss. Code Ann. § 25-1-102. • Any responsive records would be exempt as investigative reports per Miss. Code Ann. § 25-61-3(f). • Any responsive records would be exempt under Miss. Code Ann. § 25-61-3(b) (unexplained).
(b) Records regarding the [RCDAO’s] process for determining whether to dismiss or otherwise resolve cases that have been affected by the Goon Squad’s misconduct;	<p>Legal:</p> <ul style="list-style-type: none"> • “Internal deliberations, memos, and any dismissal evaluations” are exempt as attorney work product per Miss. Code Ann. § 25-1-102.

	(c) Records regarding actions taken by the [RCDAO] to prohibit or deter misconduct by law enforcement.”	<p>Legal:</p> <ul style="list-style-type: none"> • “[A] decision not to prosecute a matter due to misconduct of law enforcement . . . would be exempt.” (Basis for exemption not explained) • “[I]nternal actions or communications” would be exempt as attorney work product per Miss. Code Ann. § 25-1-102. • “[I]nternal actions or communications” would be exempt as investigative reports per Miss. Code Ann. § 25-61-3(f).
5	“Communications between the [RCDAO] and members of the Goon Squad between 2022 and 2024, inclusive, including but not limited to communications to or from Chief Investigator Brett McAlpin regarding the use of warrantless raids.”	<p>Factual:</p> <ul style="list-style-type: none"> • No written communications exist. <p>Legal:</p> <ul style="list-style-type: none"> • Any responsive records would be exempt as attorney work product per Miss. Code Ann. § 25-1-102. • Any responsive records would be exempt as investigative reports per Miss. Code Ann. § 25-61-3(f).
6	“Communications to or from the [RCDAO] between 2022 and 2024, inclusive, referring to any member of the Goon Squad.”	<p>Factual:</p> <ul style="list-style-type: none"> • Refusal to disclose whether responsive records exist (“These references, if they were to exist . . .”). <p>Legal:</p> <ul style="list-style-type: none"> • Any responsive records would be “embedded within privileged prosecutorial discussions” that are exempt as attorney work product per Miss. Code Ann. § 25-1-102. • Any responsive records would be “embedded within . . . investigatory material” that is exempt as investigative reports per Miss. Code Ann. § 25-61-3(f).