

## **Exhibit E**



August 22, 2025

**BY EMAIL TO:**

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[mlemon@rankincounty.org](mailto:mlemon@rankincounty.org).

Rankin County District Attorney's Office  
Attn: District Attorney John Bramlett, Jr. and  
Assistant District Attorney Kathryn Newman  
215 E Government St (2nd Floor)  
Brandon, MS 39042

**Re: ACLU and CCR Reply to DA's Second Public Records Response on July 22, 2025**

Dear District Attorney Bramlett and Assistant District Attorney Newman:

We appreciate the supplemental response the Rankin County District Attorney's Office sent on July 22, 2025 in regard to our public records request of June 16, 2025. Thank you for the additional information and explanations you have provided. However, we remained concerned that the answers given by your office violate the Mississippi Public Records Act of 1983 ("MPRA"). Miss. Code Ann. §§ 25-61-1, *et. seq.* We therefore write in the hope of understanding whether your office will reconsider its positions or whether, instead, we are at an impasse that may have to be resolved by the Mississippi Ethics Commission or Chancery Court through civil litigation. Miss. Code Ann. § 25-61-13; Miss. Ethics Commission R. 2.10.

In response to our request, you have disclosed a total of **zero** documents. That is troubling. The Goon Squad's behavior is one of the worst scandals to hit Mississippi's justice system in recent memory. District Attorney Bramlett has reportedly acknowledged that these officers "violated the public trust and shook the foundation of our justice system."<sup>1</sup> The public trust and the justice system's foundation cannot be repaired, in our view, by telling Mississippians that they are not entitled to see even a single piece of paper your office has written or received concerning the Goon Squad.

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<sup>1</sup> Jerry Mitchell, *Rankin County DA reviewing 'Goon Squad' cases*. Legal experts say that's not enough, Mississippi Today (March 11, 2024), <https://mississippitoday.org/2024/03/11/goon-squad-cases-need-independent-review-legal-experts-say/>.

This letter explains (1) the legal principles that govern our request, (2) the specific shortcomings of your office’s response to each of the six numbered categories in our original request, and (3) the additional steps we believe must be undertaken to comply with the MPRA.

## I. Legal Principles

The Mississippi Public Records Act makes clear that public records belong to the people unless the Act specifically exempts them from disclosure. *See* Miss. Code Ann. § 25-61-5(1)(a). It states that, subject to certain exceptions, “all public records are hereby declared to be public property.” *Id.* As the Mississippi Supreme Court has held[:]

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.

*Mississippi Dep’t of Wildlife, Fisheries and Parks v. Mississippi Wildlife Enforcement Officers’ Ass’n, Inc.*, 740 So.2d 925, 936 (¶32) (Miss. 1999); *see* 73 Am.Jur.2d Statutes § 313, at 463-64 (1974).

When a public body receives a request under the MPRA, it must conduct a good-faith, reasonable search for responsive documents and produce all non-exempt portions of those documents. *See American Public Media v. Office of the District Attorney*, 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. Code Ann. § 25-61-5(2); Mississippi Model Public Records Rule 4 cmt. 4.3(9) (Mar. 5, 2010).<sup>2</sup>

This includes public records relating to criminal justice. For example, the Attorney General’s Office has opined that “criminal records for felony convictions would be considered public records and as such are subject to the Public Records Act.” Letter to Lucy Carpenter re: Circuit Clerk Fees, 96-0003, at \*2, Op. Miss. Att’y Gen. (Feb. 7, 1996).

The MPRA does not contain a general exemption for records held by law enforcement agencies. Thus, the default rule—that public records must be disclosed unless specifically exempted—applies fully to law enforcement. *See generally* Miss. Code Ann. § 25-61-5(1)(a).

In two respects, though, Mississippi law allows law enforcement entities to withhold documents under carefully delineated circumstances. First, public bodies, including district attorneys and prosecuting attorneys, may withhold certain records that constitute attorney work product. Miss. Code Ann. § 25-1-102. Specifically, they may withhold records “which represent and constitute the work product” of attorneys relating to or in anticipation of litigation, including “all communications between such attorney made in the course of an attorney-client relationship.” *Id.*

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<sup>2</sup> Mississippi Model Public Records Rules will hereinafter be cited as “Miss. Model Pub. Rec. R.”.

Second, the MPRA exempts certain specified law enforcement records due to their subject matter: (1) records containing personal information about law enforcement officers and others; (2) records constituting “investigative reports”; and (3) “[p]ersonal information of victims.” Miss. Code Ann. § 25-61-12(1)-(3). In explaining the exemption for “investigative reports,” the law makes clear that “incident reports,” containing a “narrative description” of an alleged offense, do not constitute investigative reports and are thus not exempt from disclosure. *Id.* §§ 25-61-2(e), 25-61-12(2). Whether a record is an “investigative report” or an “incident report” is a question of fact, to be answered on a case by basis. *See Letter to Mark Sorrell re: Public Records Request for Municipal Law Enforcement Records, 2010-00381, at \*2, Op. Miss. Att'y Gen. (Sept. 8, 2010).* But of course, if a record held by a law enforcement agency is not a “report” at all, and is not otherwise exempt from disclosure, then it must be disclosed as a public record.

Your office’s response to our request appears to rest on a sweepingly broad assertion of the work-product and investigative-report exemptions. For the reasons we explain below, we believe your office’s positions are mistaken as a matter of law.

## II. The Requests

### ***Request 1: Case List for Matters Involving Goon Squad Deputies***

We requested a list or other record showing the names and docket numbers of Goon Squad cases from the last four years. Your supplemental response states that your office “does not have a compiled case list or similar record,” that it “has no duty to create a new record,” and that the underlying files are exempt as work product or investigative records. Respectfully, we disagree.

This response is not only at odds with public statements from your office<sup>3</sup> but also statements within your July 22nd letter itself. The letter claims that your office has undertaken “an extensive review to identify all [Goon Squad] cases” and that “[t]he identification of cases was exhaustive.” It seems unlikely that your office could have completed such an exhaustive identification process without ever writing down the cases you reviewed.

But even supposing your office never wrote down the Goon Squad cases you identified, it would not follow that your office could deny our request in its entirety. That’s because the MPRA “provides broad access to public records regardless of form.” *Letter to Joseph Shepard, 2011-00027, at \*2, Op. Miss. Att'y Gen. (Feb. 4, 2011).* So, if your office has indeed identified Goon Squad cases, it can provide copies of, or allow us to search, records in those cases. Those records would include, at a minimum, incident reports from the underlying criminal cases and documents sufficient to identify the relevant case numbers. Such records are neither your attorney work

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<sup>3</sup> *See Jerry Mitchell, Rankin County DA reviewing ‘Goon Squad’ cases. Legal experts say that’s not enough, Mississippi Today (March 11, 2024),* [\*https://mississippitoday.org/2024/03/11/goon-squad-cases-need-independent-review-legal-experts-say/\*](https://mississippitoday.org/2024/03/11/goon-squad-cases-need-independent-review-legal-experts-say/) *(“[M]y office immediately conducted an extensive review to identify any and all cases in which these officers were involved . . . . We then reviewed each of those identified cases to determine if their testimony would be essential in the prosecution of that case.”).*

product nor investigative records. And factual and public information such as docket numbers and case names are not exempt from disclosure.<sup>4</sup>

We further note that, although the MPRA generally doesn't *require* public bodies to create new documents, your office can choose to compile a list responsive to our request; that may be the least burdensome approach for your office. In fact, the Mississippi Model Public Rules on the MPRA recommend that "sometimes it is easier for a public body to create a record responsive to the request rather than collecting and making available voluminous records that contain small pieces of the information sought by the requestor or find itself in a controversy about whether the request requires the creation of a new record." Miss. Model Pub. Rec. R. 4.3(5).

Accordingly, we respectfully ask that your office produce a list or other record showing the names and docket numbers of Goon Squad cases, or a set of records sufficient to identify the relevant case numbers. If your office refuses to produce these records, we ask that you provide a summary description of each search conducted by the office including what custodians in which offices were searched, and the search methodology (search terms for electronic searches and how any manual, non-electronic searches were conducted). *See* Miss. Model Pub. Rec. R. 4.3(9).<sup>5</sup>

***Request 2: Policies, Memoranda, or Guidelines on Brady/Giglio Compliance***

We requested all policies, memos, and internal guidelines concerning your office's obligation to disclose exculpatory and/or impeachment evidence to criminal defendants. Your supplemental response states that "the DA's Office does not maintain a formal written policy outside existing case law and ethical obligations."

Particularly given the gravity of the Goon Squad scandal, we are alarmed to learn that your office has never written a policy—or, apparently, a single memo—concerning its constitutionally-mandated disclosure obligations. Nonetheless, we accept your representation that this is the reality. If we have misunderstood your response, please let us know.

***Request 3: Records Reflecting the Office's Review of Goon Squad Cases***

Our request asked for "All policies, emails, memos, or other records between 2022 and 2024 reflecting actions taken by the Rankin County District Attorney's Office in response to revelations regarding the Goon Squad's misconduct." Your office's response states that either "[t]here was not a written policy, emails, memos, or other records," or the records are protected from disclosure by the attorney work product or exempt from disclosure as investigative records.

This cannot be right. We address each separate section of Request 3 below.

**Request 3a: Records between 2022-24 of Process for Identifying Cases Affected by Goon Squad Misconduct**

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<sup>4</sup> Additionally, Mississippi Public Records law allows law enforcement agencies discretion to release records. *See* Miss. Code Ann. § 25-61-12(2)(a).

<sup>5</sup> [Mississippi Model Public Records Rules](#)

Your office's response:

*After a reasonable search, the DA's Office does not possess the records you seek. If these records were to exist, then they are exempt from a public records request under Miss. Code Ann. § 25-61-3(b) and (f)(i), (iii), (v), (viii) and/or § 25-1-102.*

This response does not make sense. Is the District Attorney's position that, faced with revelations which were so widely reported—revelations which purportedly initiated an “exhaustive and time consuming” search by your office—not one email or memo was sent? Is it the District Attorney's position that no instructions on how to review the identified cases were documented?

As an initial matter, we do not understand why your office asserts bases for withholding these records “if [they] were to exist” when your letter says your office conducted a search and “does not possess the records.” Exemptions are only applicable to actual records. Your office's response regarding potentially exempt records therefore raises the possibility that there may in fact be responsive records in existence. Since your office says it conducted a “reasonable search,” we request the details of that search. *See* Miss. Model Pub. Rec. R. 4.3(9). We ask that you provide more details about what electronic and non-electronic files and/or data systems you searched, what custodians within the office were searched, who conducted the search(es), and if any search terms were used, what they were.

At a minimum, given your statement that your office's review process resulted in motions to dismiss filed in court, the public filings in those cases are responsive to our request and not conceivably covered by any exemption. We would not be able to identify the relevant public filings because your office has not provided the names and docket numbers of affected cases.

Moreover, it is doubtful that either the work-product or investigative-records exemption could apply, wholesale, to all emails, memos, and other documents produced during that review process. The incident reports in the underlying cases are, of course, not exempt. Miss. Code Ann. § 25-61-12(2). Nor are case numbers. Nor are any communications between your office and people outside your office. *See Haynes v. Anderson*, 597 So. 2d 615, 623 (Miss. 1992) (explaining that, with respect to specific documents, “[a]n attorney or client waives work product by giving the documentation to a third person.”) (McRae, J., specially concurring). For example, a news article from 2024 reports that your office sent Mississippi Today “a statement” purporting to describe your office's “extensive review to identify any and all cases in which these officers were involved.”<sup>6</sup> A “statement” sent to a journalist concerning your identification process is an example of a document that is responsive to our Request 3a.

### **Request 3b: Records Regarding Process for Resolving Goon Squad Cases**

Your office's response indicates that “dismissal orders publicly filed during this period may be obtained through the Rankin County Circuit Court Clerk's Office.” While dismissal orders

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<sup>6</sup> Jerry Mitchell, *Rankin County DA reviewing ‘Goon Squad’ cases. Legal experts say that's not enough*, Mississippi Today (March 11, 2024), <https://mississippitoday.org/2024/03/11/goon-squad-cases-need-independent-review-legal-experts-say/>

may have been entered publicly with the court, no information about when the orders were entered or a case list or the District Attorney’s process in reviewing these cases have been produced. This effectively makes these cases unavailable to the public, which is in conflict with the inherent purposes of the MPRA.

Your supplemental response also makes a wholesale assertion of work product protection. That assertion is mistaken. The work product doctrine “protects an attorney’s thoughts, mental impressions, strategies, and analysis from discovery by opposing counsel.” *Flechas v. Pitts*, 138 So.3d 907, 911 (¶11) (Miss. 2014) (quoting *Hewes v. Langston*, 853 So.2d 1237, 1245 (Miss. 2003)) (citation omitted). Records reflecting policies and procedures, as well as concrete actions your office took to dismiss cases, applying the standards you crafted, do not necessarily involve the thoughts, mental impressions, or strategies of any attorney. *See Webster v. City of Southaven*, R-10-008 (Miss. Ethics Op. Oct. 8, 2010) (public records opinion).

### **Request 3c: Records Regarding Measures to Deter Law Enforcement Misconduct**

Your office’s response:

*The DA’s Office has no authority over law enforcement. Rather through prosecutorial discretion and ethical determinations the DA’s Office actions are recorded in court filings or in certain situations the absence of same which could be indicative of a decision not to prosecute a matter due to misconduct of law enforcement. Any such records would be exempt; however, the resulting public court filings are found in the possession of the Circuit Court Clerk. The DA’s Office claims an exemption to the extent that internal actions or communications occurred, those would include sensitive deliberations and strategic responses to criminal misconduct. Miss. Code Ann. §§ 25-1-102 and 25-61-3(f)(iii), (vi), (viii).*

This response is in conflict with your office’s publicly available statements. First, whether or not the District Attorney’s Office has “authority over law enforcement” does not mean it lacks influence over the conduct of Rankin County police. For instance, your office’s public website states that District Attorney Bramlett “has lectured on various aspects of criminal law and procedure to law students, law enforcement officers and others,” and “currently provide[s] criminal law instruction at the Mississippi Law Enforcement Officers Training Academy.”<sup>7</sup> It would therefore be likely that responsive records could exist, especially in regard to such direct training by the District Attorney. Furthermore, such records would not necessarily be exempt for the same reasons as stated above with respect to Request 3b.

Additionally, in response to this request, your office “claims an exemption to the extent that internal actions or communications occurred.” This response is not proper under the MPRA. An agency cannot claim vague and sweeping exemptions for potential or non-existent records or presume to know many of those records would contain “sensitive deliberations and strategic responses to criminal misconduct.” Again, either the search produced records or it did not. Assuming that the “actions or communications” did occur, we request those records, some parts

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<sup>7</sup> Author Unknown, *District Attorney* (John Bramlett, Jr.,), Rankin County Mississippi (last viewed Aug. 20, 2025), <https://www.rankincounty.org/department/index.php?structureid=11>.

of which may be redacted under applicable exemptions, but non-exempt portions should be separated out and produced. *See* Miss. Code Ann. § 25-61-5(2); *see also* Miss. Model Pub. Rec. R. 4.4(4)(b)(i).<sup>8</sup>

***Request 4: Decisions to Dismiss or Otherwise Resolve Affected Cases***

We requested all policies and internal guidelines regarding your office's process for evaluating plea offers or plea deals with defendants. Your supplemental response states that your office has "no written policies or internal guidelines" on the subject, and if they existed they would constitute attorney work product exempt from disclosure under Miss. Code Ann. § 25-1-102.

Again, particularly given the gravity of the Goon Squad scandal, we are alarmed to learn that your office has never developed any written policies or guidance about making plea offers or plea deals. Nonetheless, we accept your representation that this is the reality. If we have misunderstood your response, please let us know.

***Request 5: Communications with Goon Squad Members***

We requested communications between your office and members of the Goon Squad between 2022 and 2024. Your office states that no such communications exist, and that if they existed they would be exempt as attorney work product or investigative reports.

That is hard to accept. Given that members of the Goon Squad were still employed with the Sheriff's Department during this time, and regularly working on criminal cases, we fail to understand how your office could have had no preserved communications with them. Nor do we understand how any such communications could be attorney work product; your office's attorneys did not, so far as we know, represent members of the Goon Squad, and any communications between your office and members of the Goon Squad would constitute communications with third parties.

Our records request defined "records" as all records "preserved in electronic or written form." While your response notes you searched "written communications," it does not say whether you reviewed voicemails or other electronic non-written communications that may be responsive to our request. Under the law, text messages, direct messages and other related communications from personal devices are also responsive records. *See NE Miss. Daily Journal v. City of Tupelo*, R-13-023 (Miss. Ethics Comm'n Apr. 11, 2014) (public records opinion) ("Any text message used

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<sup>8</sup> If a portion of a record is exempt from disclosure, but the remainder is not, a public body generally is required to redact (black out) the exempt portion and then provide the remainder. Withholding an entire record where only a portion of it is exempt violates the act. Some records are almost entirely exempt but small portions remain nonexempt. For example, information contained in a police report revealing the identity of a crime victim is exempt from disclosure. If someone requested a police incident report which contains information that would reveal the identity of the victim, the public body must redact the victim's identifying information but provide the rest of the report.

*Hendrix v. City of Jackson*, R-08-002 (Miss. Ethics Op. Sept. 12, 2008) (citing Miss. Code Ann. §§ 25-61-5(2), 25-61-12(2)(d)).

by a government official “in the conduct, transaction or performance of any business, transaction, work, duty or function of [the government]” is a public record, regardless of where the record is stored.”).

We therefore respectfully request that your office either conduct a new search for all types of applicable and responsive records or provide a summary description related to all searches conducted related to Request 5, including: what custodians in which offices were searched, and the search methodology (search terms for electronic searches and how any manual, non-electronic searches were conducted). *See* Miss. Model Pub. Rec. R. 4.3(9).

***Request 6: Communications about Goon Squad Members***

We requested communications to or from your office between 2022 and 2024 referring to any member of the Goon Squad. Your supplemental response does not dispute that such communications exist. But it declines to produce any of them, based on a blanket claim that they are all exempt. Respectfully, this response is plainly unacceptable under Mississippi law.

It is not conceivably correct that all correspondence to and from your office concerning the Goon Squad, from 2022 to 2024, is exempt from disclosure. Your supplemental response appears to recognize this reality by asserting that the records you are withholding are “embedded within” privileged discussions. But a record “embedded within” a privileged discussion is not necessarily privileged, and non-exempt portions of records must be produced. *See* Miss. Code Ann. § 25-61-5(2). For example, if someone sent your office a description of misconduct committed by members of the Goon Squad, you cannot cloak that record in privilege simply by engaging in privileged discussions about it. Please, therefore, produce these records; your office can redact privileged or exempted records as appropriate. *Cf. Colbert v. Colbert*, 403 So. 3d 729, 737 (¶42) (Miss. Ct. App. 2025) (explaining that “the mere ‘fact that a few specific filings may contain privileged or confidential information does not warrant sealing the entire case from public view,’ and that ‘specific documents can be redacted or filed under seal as necessary’” (quoting *Fulgham v. Morgan & Morgan PLLC*, 363 So. 3d 980, 988 (¶24) (Miss. Ct. App. 2019)); *see e.g.*, Miss. Const. art. 3, § 24.

We are especially concerned that your office has not even disclosed any material received from or sent to third parties. Those records cannot contain confidential mental impressions of your office’s attorneys. Nor could they be sensitive investigative reports. Your office did not prosecute the members of the Goon Squad. It purports to have stopped using the members of the Goon Squad to prosecute criminal cases. It is therefore unclear how your office could claim that all records concerning these officers are subject to a blanket exemption of some kind.

Furthermore, as we cited to in our records request, public reporting suggests that your office was not only aware of illegal acts being committed by Good Squad officers as early as 2022 but had “demanded” that warrantless home raids stop.<sup>9</sup>

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<sup>9</sup> Jerry Mitchell, Brian Howey, and Nate Rosenfield, *Ex-Deputy Describes Rampant Violence by Mississippi ‘Goon Squad’*, N.Y. Times (Feb. 21, 2025) (last updated July 10, 2025) (“He said deputies were entering homes without warrants so often that in 2022 a senior detective warned him that

If your office's position remains that the entirety of these communications is exempt, then we request a detailed and specific list of the exemptions applied to each separate communication—including all types of communications as referenced in our records request (such as text messages, emails, voicemails, social media messages, etc.).

### **III. Requested Corrective Action**

The MPRA does not contain a blanket exemption allowing District Attorneys to withhold all records about or concerning law enforcement officers. If that is true for officers who do not commit misconduct, then it must also be true for officers who do. Yet, in effect, your response to our public records request amounts to a claim that, *because* sheriff's deputies who worked with your office confessed to egregious misconduct, every record of your office's response must be shielded from public view.

On this view, the more misconduct a law enforcement officer commits, the less the public gets to know about your office's response. We disagree with that view.

We respectfully request that your office (1) conduct a good-faith search to address the apparent omissions discussed above, and (2) reconsider its asserted exemptions. We recognize, however, that our offices may simply disagree with each other as to the governing law. If that is the case, please understand that we may have to proceed with a complaint to the Ethics Commission and/or a MPRA lawsuit.

The ACLU of Mississippi and the Center for Constitutional Rights are committed to a constructive dialogue and to ensuring that justice is served for everyone harmed by the Goon Squad's misconduct. We look forward to your prompt attention to this matter and are available to discuss any questions you may have. But we cannot agree that, in the wake of the Goon Squad's misconduct, the people of Rankin County and the State of Mississippi are not entitled to even a single relevant document in your office's possession.

Thank you for your time and attention to this matter.

Sincerely,

/s/: D. Korbin Felder  
Justice Fellow – Staff Attorney  
Center for Constitutional Rights

Ayanna Hill  
Racial Justice Staff Attorney  
American Civil Liberties Union of Mississippi

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prosecutors in the district attorney's office had noticed and demanded they stop . . . Mr. Dedmon said it was Mr. McAlpin who passed on a warning from a prosecutor in the district attorney's office . . .").