

Former Memphis Police Officer Pleads Guilty to Federal Civil Rights and Conspiracy Charges in Connection with Death of Tyre Nichols

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One of five former Memphis Police Department officers facing federal charges in the tragic killing of Tyre Nichols pled guilty in federal court today.

Desmond Mills Jr., 33, appeared before U.S. District Court Judge Mark S. Norris today and pled guilty to civil rights and conspiracy charges arising out of the Jan. 7 incident.

On Sept. 12, a federal grand jury returned a [four-count indictment](#) against Mills and co-defendants Emmitt Martin III, 31; Tadarrius Bean, 24; Demetrius Haley, 30; and Justin Smith, 28. The charges included using excessive force resulting in the death of Nichols; aiding and abetting each other in using that excessive force; failing to intervene to stop the excessive force; failing to render medical aid; and conspiring or taking action to cover up their misconduct.

The remaining four defendants still face a federal trial scheduled for May 6, 2024.

In today's court appearance, Mills pled guilty to counts one and three of the indictment. Count one charged Mills with using excessive force and failing to intervene in the unlawful assault. Count three charged Mills with conspiring to cover up his use of unlawful force by omitting material information and by providing false and misleading information to his supervisor and to others.

Mills admitted to additional facts that were presented in court in connection with his plea agreement:

- Mills admitted to repeatedly and unjustifiably striking Nichols with a baton and to failing to intervene in other officers' use of force against Nichols. Mills said he watched another officer repeatedly punch Nichols in the head while two other officers restrained Nichols.
- Mills admitted that he did not provide any medical aid to Nichols after the beating, though he knew that Nichols had a serious medical need. He did not alert MPD or Memphis Fire Department EMTs that Nichols had been struck in the head and body.
- In addition, Mills participated in conversations with other officers in which they discussed, using force against Nichols, hitting Nichols to make him fall, and believing they were on the verge of killing Nichols when they saw that Nichols did not fall from the blows.
- Mills admitted to making false statements in connection with the arrest of Nichols, including telling his supervisor that they had done

“everything by the book” and providing false information in his statements to an MPD detective tasked with writing the incident report.

- Finally, Mills submitted an MPD report that provided a false account of the force used on Nichols, including a claim that Mills saw Nichols “aggressively resisting” officers. Instead of admitting that he had seen an officer repeatedly punch Nichols in the head while Nichols was restrained by two other officers, Mills reported only that “Nichols was eventually put into custody.”

Pursuant to the terms of Mills’s plea agreement, the government will recommend a sentence of no more than 15 years in prison. There is no parole in the federal system.

The four remaining defendants face federal charges as set forth in the indictment, which is merely a formal accusation of criminal conduct. The defendants are presumed innocent unless and until they are proven guilty beyond a reasonable doubt in a court of law.

Attorney General Merrick B. Garland, FBI Director Christopher Wray, Assistant Attorney General Kristen Clarke of the Justice Department’s Civil Rights Division, and U.S. Attorney Kevin Ritz for the Western District of Tennessee made the announcement.

The FBI Memphis Field Office investigated this case.

Assistant U.S. Attorneys David Pritchard and Elizabeth Rogers for the Western District of Tennessee and Special Litigation Counsel Kathryn E. Gilbert and Deputy Chief Forrest Christian of the Justice Department’s Civil Rights Division are prosecuting the case.

