



# Department of Justice

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## **FEDERAL OFFICIALS CLOSE THE INVESTIGATION INTO THE DEATH OF BILLEY JOE JOHNSON, JR.**

WASHINGTON – The Justice Department announced today that there is insufficient evidence to pursue federal criminal civil rights charges against a George County Sheriff's Office deputy regarding the fatal shooting of Billey Joe Johnson, Jr.

Officials from the U.S. Attorney's Office for the Southern District of Mississippi, the Justice Department's Civil Rights Division and the FBI met today with the Johnson family to inform them of this decision.

The Department of Justice's Civil Rights Division, the U.S. Attorney's Office (USAO) and the FBI reviewed all the of the material and evidence generated by the Mississippi Bureau of Investigation, including witness statements, crime scene evidence, dispatch recordings and forensic reports. Additionally, the Department of Justice asked independent medical experts to review the autopsy performed by the state coroner and to conduct an independent analysis of Mr. Johnson's death. After careful examination of all of the evidence, the Department of Justice, USAO, and FBI determined that the tragic incident did not constitute a prosecutable violation of the federal criminal civil rights statutes.

On the morning of Dec. 8, 2008, the deputy pulled Mr. Johnson over for minor traffic violations. The evidence indicates that less than two minutes after Mr. Johnson was pulled over, a gun was fired. Four eyewitnesses state that the deputy was in his patrol car, with the door shut, when the shot was fired. In addition, both the state coroner and independent federal medical experts have concluded that Mr. Johnson shot himself.

Under the applicable federal criminal civil rights laws, prosecutors must establish, beyond a reasonable doubt, that a law enforcement officer willfully deprived an individual of a constitutional right, meaning with the deliberate and specific intent to do something the law forbids. After a careful and thorough review, federal prosecutors and FBI agents determined that the evidence was insufficient to prove beyond a reasonable doubt that the deputy willfully fired a weapon at Mr. Johnson. Accordingly, the investigation into this incident has been closed without prosecution.

The U.S. Attorney's Office for the Southern District of Mississippi, the Civil Rights Division and the FBI devoted significant time and resources to complete a painstaking analysis of the evidence and facts developed during the investigation.

The Justice Department is committed to investigating allegations of excessive force by law enforcement officers and will continue to devote the resources necessary to ensure that all allegations of serious civil rights violations are fully and completely investigated.

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