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Former Oklahoma Supervisory Corrections Officer Convicted for Facilitating White Supremacist Assault on Black Inmates and Ordering Other Abuse

A federal jury in Oklahoma City, Oklahoma, convicted a former Kay County Oklahoma supervisory corrections officer of violating the civil rights of three pretrial detainees held at the Kay County Detention Center (KCDC). Assistant Attorney General Kristen Clarke for the Justice Department's Civil Rights Division and U.S. Attorney Robert Troester of the Western District of Oklahoma made the announcement.

The jury convicted Matthew Ware, 53, of willfully depriving two pretrial detainees of their right to be free from a corrections officer's deliberate indifference to a substantial risk of serious harm and of willfully depriving a third pretrial detainee of the right to be free from a corrections officer's use of excessive force.

"This high-ranking corrections official had a duty to ensure that the civil rights of pretrial detainees in his custody were not violated," said Assistant Attorney General Kristen Clarke of the Justice Department's Civil Rights Division. "The defendant abused his power and authority by ordering subordinate corrections officers to violate the constitutional rights of several pretrial detainees. The Civil Rights Division will continue to hold corrections officials accountable when they violate the civil rights of detainees and inmates."

"Criminal conduct by any corrections employee violates the public trust and unfairly tarnishes the reputation of all corrections officials who honorably perform their important work each day," said U.S. Attorney Robert J. Troester for the Western District of Oklahoma. "This verdict demonstrates our continuing commitment to protect the civil rights of all Oklahomans, including those in custody. I commend the outstanding work of Assistant U.S. Attorney Julia Barry and Trial Attorney Laura Gilson, who vigorously prosecuted this case, and the FBI Special Agents and other law enforcement officials who conducted this investigation."

"The preservation of civil rights and the investigation of color of law violations are of utmost priority for the FBI," said Special Agent in Charge Ed Gray of the FBI Oklahoma City Field Office. "If we don't hold our very own law enforcement officials accountable, those sworn to protect and serve, what hope will the American people have? Mr. Ware's actions were impermissible and undignified, particularly given his leadership role. His conviction is a prompt reminder that no one is above the law."

The evidence and testimony revealed that, on May 18, 2017, while Ware served as the Lieutenant of the KCDC, he ordered lower-ranking corrections officers to move two Black pretrial detainees, D'Angelo Wilson and Marcus Miller, to a cell row housing white supremacist inmates whom Ware knew posed a danger to Wilson and Miller. Later that same day, Ware gave lower-ranking officers a second order: to unlock the jail cells of Wilson and Miller, and those other white supremacist inmates at the same time the following morning. When Ware's orders were followed, the white supremacist inmates attacked Wilson and Miller, resulting in physical injury to both, including a facial laceration to Wilson that required seven stitches to close.

The evidence and testimony also revealed that, on Jan. 31, 2018, while Ware served as the Acting Captain of the KCDC, he ordered lower-ranking corrections officer to restrain another pretrial detainee, Christopher Davis, in a stretched-out position — with Davis' left wrist restrained to the far-left side of the bench and his right wrist restrained to the far-right side of the bench — in retaliation for Davis sending Ware a note that criticized how Ware ran the KCDC. Davis was left restrained in this position for 90 minutes, resulting in physical injury.

Ware faces a maximum sentence of 10 years in prison, three years of supervised release and a fine of up to \$ 250,000 for each violation. Sentencing will take place in approximately 90 days.

The case was investigated by the Oklahoma City FBI Field Office. Assistant U.S. Attorney Julia Barry of the Western District of Oklahoma and Trial Attorney Laura Gilson of the Civil Rights Division prosecuted the case.

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