SWEET & ASSOCIATES
ATTORNEYS AT LAW

November 12, 2026

Councilman Vernon W. Hartley, Sr.
President, Jackson City Council
219 South President Street
Post Office Box 17
Jackson, Mississippi 39205

RE: Jackson City Councilman Kenneth I. Stokes – Proposed Censure

Dear Councilman Hartley:

Recently, my law firm was retained by Jackson City Councilman Kenneth I. Stokes regarding a proposed censure. Accordingly, any and all communications pertaining to this matter should be directed to my attention.

I am in receipt of a copy of your correspondence to Councilman Stokes, dated November 9, 2026, which includes a proposed censure resolution. In this correspondence you threaten to censure Councilman Stokes for comments made by him during a recent City Council meeting. This correspondence alleges that Councilman Stokes acted in a manner "inconsistent" with the standards established by Section 2-77(1) of the Jackson Code of Ordinances.

As for a brief history, Councilman Stokes attended the November 3, 2026, City Council meeting, wherein he proposed a resolution terminating the City of Jackson's moratorium on so-called "data centers." During this meeting, a member of the general public addressed Councilman Stokes and vocalized highly offensive and vulgar comments concerning his mother. Such comments or "fighting words" were intended to, and did in fact, elicit a response from Councilman Stokes. This response by Councilman Stokes included the statement "But, I'll curse that bitch out."

In response to your correspondence and proposed censure, Councilman Stokes would state unequivocally that he has at all times acted in the best interest of the City of Jackson. Further, Councilman Stokes would state that your effort to penalize him with a censure for speech made during the November 3, 2026, City Council meeting is improper, unlawful, and in violation of his Due Process rights guaranteed by both the United States and Mississippi Constitutions.

A censure is defined as an "official reprimand or condemnation; an authoritative expression of disapproval or blame; reproach." *Censure*, Black's Law Dictionary (11th ed. 2019). A censure is punitive and a "serious sanction." *Mississippi Comm'n on Jud. Performance v. Brown*, 761 So. 2d 182 (Miss. 2000).

The proposed censure in question is improper and unlawful for several reasons. First, the Jackson Ordinance which you cite as authority for the imposition of said censure is void for vagueness. This Ordinance provides that –

> (1) A councilman shall maintain decorum and set an example for conduct when the councilmember represents the City of Jackson. Councilmembers shall conduct themselves so as not to bring disgrace or embarrassment upon the city.

Jackson, Miss., Rev. Ordinances art. 2, div. 2, § 2-77(1). The terms "decorum," "set an example," "disgrace," and "embarrassment," among other terms, are vague and subject to interpretation. This Ordinance simply invites arbitrary enforcement. As the United States Supreme Court has held on numerous occasions, a statute or ordinance that is vague and fails to give adequate guidance to citizens as to the nature of the offense is unconstitutional and may not be enforced. *See Musser v. Utah*, 333 U.S. 95 (1948); *Winters v. New York*, 333 U.S. 507 (1948).

Second, the comments made by Councilman Stokes were in response to "fighting words," or those likely to provoke retaliation, made and published by a member of the general public. Highly offensive language or words, such as those involving Councilman Stokes' deceased mother, are not protected under the First Amendment's right to free speech. *See Brandenburg v. Ohio*, 395 U.S. 444 (1969); *Chaplinsky v. New Hampshire*, 315 U.S. 568 (1942). Notably, the use of insulting words by a third-party is a defense to and may excuse an assault and/or battery upon the third-party. *See* Miss. Code Ann. § 99-17-19 (2025).

I would respectfully request that the Jackson City Council refrain from taking any punitive action against Councilman Stokes. Should you move forward with your proposed censure resolution, I have been authorized by Councilman Stokes to take any and all legal actions required to remedy such unlawful and improper conduct.

Should you have any questions, please feel free to contact me.

Sincerely,

SWEET & ASSOCIATES

Dennis C. Sweet, III

DCS:ej

Jackson City Council President
Vernon Hartley, Ward 5

219 South President Street
P.O. Box 17
Jackson, MS 39205-0017

November 9, 2026

The Honorable Kenneth I. Stokes
Councilman, Ward 3
Jackson City Council
Jackson, Mississippi

RE: November 3, 2026 City Council Meeting — Conduct and Opportunity to Respond

Dear Councilman Stokes:

I am writing concerning the unfortunate events that occurred during the November 3, 2026, regular meeting of the Jackson City Council.

As you know, the meeting became increasingly tense and disruptive during the introduction of proposed legislation concerning the City's data center moratorium. Several members of the audience expressed strong opposition, and inappropriate personal remarks were directed toward you, including an offensive reference to your mother.

I recognize that these comments were inappropriate and that the atmosphere in the Council chambers was extremely hostile. However, as elected officials, we are expected to maintain our composure and demonstrate professionalism, even under difficult circumstances.

Your response to members of the audience, including reported vulgar and derogatory language and remarks concerning religious attire, raises serious concerns regarding the standards of conduct expected of members of the Jackson City Council.

Section 2-77(1) of the Jackson Code of Ordinances, Rules of Ethical Conduct, requires Councilmembers to maintain decorum, set an example for conduct, and conduct themselves in a manner that does not bring disgrace or embarrassment upon the City of Jackson.

I want to emphasize that this matter does not concern your right to introduce legislation or express your position regarding data centers. Those rights are recognized and respected. The concern is specifically the conduct and exchange that occurred during the Council meeting.

Following the incident, I publicly expressed my belief that disciplinary action warranted consideration. I have since reviewed the circumstances and applicable ordinances and prepared a proposed resolution of censure for discussion with our Council colleagues.

No final determination has been made by the City Council.

In the interest of fairness and due consideration, you are hereby afforded **three (3) business days from receipt of this letter (November 13, 2026)**, excluding City-recognized holidays, to submit a written

response addressing the incident and any information or circumstances you believe the Council should consider.

You will also be afforded an opportunity to address the matter during the Council's review proceedings, consistent with applicable meeting procedures.

Your response will be made available to Councilmembers for consideration before any final action is taken. The Council will defer a final disciplinary determination until your response period has concluded.

I would also encourage you to consider offering a public apology to those affected by the remarks. Such an acknowledgment could help restore confidence in the professionalism and dignity of our Council proceedings.

Councilman Stokes, I respect your years of public service and your commitment to the citizens you represent. Nevertheless, each of us has a responsibility to uphold the standards of conduct established for the Jackson City Council.

My objective is to address this matter fairly, responsibly, and in a manner that protects the integrity of the Council and the public's confidence in our ability to conduct the people's business.

I appreciate your attention to this matter and look forward to receiving your response.

Sincerely,

Vernon W. Hartley Sr.

Vernon W. Hartley Sr.
President, Jackson City Council
Councilman, Ward 5

Enclosure: Proposed Resolution of Censure — Working Draft

cc: Members of the Jackson City Council
City Attorney
Clerk of Council

CITY OF JACKSON, MISSISSIPPI
JACKSON CITY COUNCIL

PROPOSED RESOLUTION — WORKING DRAFT

A RESOLUTION OF THE JACKSON CITY COUNCIL FORMALLY CENSURING COUNCILMAN KENNETH I. STOKES FOR CONDUCT DURING THE NOVEMBER 3, 2026 CITY COUNCIL MEETING

WHEREAS, during the November 3, 2026 regular City Council meeting, a proposed ordinance concerning the City's data center moratorium generated significant public opposition, interruptions, and personal remarks directed toward Councilman Kenneth I. Stokes; and

WHEREAS, Councilman Stokes responded to members of the audience with vulgar and derogatory language, including remarks concerning religious attire, contributing to the disruption of Council proceedings; and

WHEREAS, Section 2-77(1) of the Jackson Code of Ordinances requires Councilmembers to maintain decorum, set an example for proper conduct, and refrain from behavior that brings disgrace or embarrassment upon the City of Jackson; and

WHEREAS, the Council recognizes that Councilman Stokes has the right to introduce legislation and express his individual position under Section 2-77(2), and that this resolution concerns his conduct, not his position regarding data centers; and

WHEREAS, after considering the circumstances and providing Councilman Stokes an opportunity to respond, the Council determines that the conduct warrants formal disapproval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF JACKSON, MISSISSIPPI:

SECTION 1. FORMAL CENSURE. The Jackson City Council hereby formally censures Councilman Kenneth I. Stokes for conduct during the November 3, 2026 Council meeting that was inconsistent with the standards established under Section 2-77(1) of the Jackson Code of Ordinances.

SECTION 2. PUBLIC APOLOGY. The Council requests that Councilman Stokes offer a public apology to those affected by his remarks and to the citizens of Jackson.

SECTION 3. SCOPE AND EFFECT. This resolution expresses the Council's formal disapproval and imposes no monetary penalty, removal from office, or additional sanction. It shall be entered into the official Council minutes upon adoption.

ADOPTED this _____ day of _____, 2026.

CITY OF JACKSON, MISSISSIPPI
JACKSON CITY COUNCIL

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ADOPTED this _____ day of _____, 2026.

PRESS STATEMENT

FROM: HONORABLE KENNETH I. STOKES, WARD 3 JACKSON CITY COUNCIL
DATE: NOVEMBER 12, 2026

FOR IMMEDIATE RELEASE

The application of a punishment arbitrarily issued because a Councilmember simply did not like my response to an audience member's attack on my deceased mother reflects authoritarian conduct, in my opinion.

I have been encouraged to make a public apology. I would like to say that I do have regrets. However, they are not for the exercise of my First Amendment free-speech rights.

I regret that this Council has the time to discuss this insignificant matter instead of concentrating its energy on issues that the citizens of Jackson really care about, issues that affect their daily lives. I regret that we are not diligently searching for every possible way to fund those desperately needed improvements.

I regret that the Council is not focused on addressing the spike in violent crime in Jackson, with a murder count that sadly continues to rise with no real solutions on the horizon.

I regret that we are unable to fully fund police officer vacancies and salaries, leaving many citizens vulnerable in the neighborhoods where police protection is needed the most.

I regret that our municipal water system failures have still not been addressed and billing for many is still unresolved.

I regret that hundreds of apartment complexes are uninhabitable as a result of landlord neglect and the people who live in those units are on their own when it comes to flooding, trash pickup, and utility shutoffs.

I regret that our code enforcement offices are severely understaffed, leaving many taxpaying home and property owners trapped by abandoned, dangerous, and nuisance-attracting parcels with no relief and no support from the city their taxes fund.

I regret that property values are declining in many of our neighborhoods which especially hurts those who have worked their entire lives to purchase homes that are no longer valuable or safe to live in.

I regret that we live in a city where we are no longer able to discuss or debate important issues like a data center in a public forum without someone referencing my deceased mother in a highly offensive manner, in an effort to silence my opinion.

Until these issues are addressed in a meaningful way, this Council will continue to be ineffective and our citizens will continue to suffer.