



Department of Justice

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FOR IMMEDIATE RELEASE

05/28/09

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FORMER POLK COUNTY JAIL SERGEANT CHARGED WITH USING EXCESSIVE FORCE

Atlanta, GA – JOSHUA DAVID LOWE, 25, of Aragon, Georgia, a former sergeant at the Polk County Jail, has been indicted by a federal grand jury on a felony charge of using excessive force against an inmate. LOWE is scheduled to make an initial appearance before United States Magistrate Judge Walter E. Johnson in Rome on Monday, June 1, 2009, at 10 a.m.

United States Attorney David E. Nahmias said, “The great majority of Georgia’s detention officers serve with honor and courage, often under trying circumstances as they guard the inmates in our jails and prisons. But any officers who abuse their authority by violently assaulting inmates violate the Constitution and face going to prison as inmates.”

Polk County Sheriff Kelly McClendon said, “This type of behavior will not be tolerated in Polk County. We will aggressively deal with it in the most effective and appropriate manner, so that justice will be done.”

According to United States Attorney Nahmias, the indictment, and information in court: On February 7, 2009, LOWE, working as a detention officer, allegedly used excessive force when he struck an inmate at the Polk County Jail. The indictment alleges that this assault violated the inmate’s constitutional right not to be deprived of liberty without due process of law. The Polk County Sheriff’s Department discovered the alleged violation and immediately reported it to the FBI for further investigation. LOWE was terminated as a result of the incident.

Members of the public are reminded that an indictment contains only allegations. A defendant is presumed innocent of the charges and it will be the government’s burden to prove the defendant’s guilt beyond a reasonable doubt at trial.

This case is being investigated by Special Agents of the Federal Bureau of Investigation and the Polk County Sheriff’s Office.

Assistant United States Attorneys Corey Steinberg and Brent Alan Gray are

prosecuting the case.

For further information please contact David E. Nahmias (pronounced NAH-me-us), United States Attorney, or Charysse L. Alexander, Executive Assistant United States Attorney, through Patrick Crosby, Public Affairs Officer, U.S. Attorney's Office, at (404) 581-6016. The Internet address for the HomePage for the U.S. Attorney's Office for the Northern District of Georgia is www.usdoj.gov/usao/gan.