



Department of Justice

Acting United States Attorney Sally Quillian Yates
Northern District of Georgia

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FORMER POLK COUNTY JAIL SERGEANT SENTENCED TO FEDERAL PRISON FOR BEATING INMATE

ROME, GA - JOSHUA DAVID LOWE, 25, of Aragon, Georgia, a former sergeant at the Polk County Jail, was sentenced today by United States District Judge Robert L. Vining, Jr., on civil rights charges of using excessive force against an inmate in his custody.

Acting United States Attorney Sally Quillian Yates said, "This defendant was entrusted with protecting the public's safety but abused that trust by using his authority to violently assault an inmate. Law enforcement officers are charged with protecting, not violating, citizens' civil rights."

Gregory Jones, Special Agent in Charge, FBI Atlanta, said, "The FBI, in investigating such civil rights abuses involving law enforcement officials, is never a pleasant endeavor but does illustrate our commitment to ensuring that the federal civil rights laws protect everyone. Law enforcement personnel, as a whole, understand their responsibilities and duties and are very aware that such instances of excessive force erode public trust and only make their jobs more difficult."

Polk County Sheriff Kelly McClendon said, "We regret that Lowe's actions reflect negatively on Law Enforcement and Public Safety personnel; However, this should be a lesson for officers to remember that we are held to a higher standard. I feel that the judicial system has worked to its fullest potential in this case. As Sheriff, it is my duty to protect not only the citizens, but also the inmates housed at the Polk County Detention Facility and to assure that this type of misconduct will not be tolerated."

LOWE was sentenced to 1 year, 9 months in prison to be followed by 3 years of supervised release. There is no parole in the federal system. LOWE pleaded guilty to the charges on August 8, 2009.

According to Acting United States Attorney Yates and the evidence presented in court: LOWE admitted that he abused his authority as a law enforcement officer on February 7, 2009, when he unnecessarily and repeatedly struck an inmate in his head and

face while the inmate was strapped in a restraint chair. LOWE agreed that his conduct resulted in bodily injury to the inmate and violated federal law and the constitutional right of the Polk County inmate not to be deprived of liberty without due process of law. A number of LOWE's fellow detention officers witnessed the incident and came forward to report LOWE's conduct. One of the detention officers who witnessed the assault told federal authorities that he "saw blood everywhere" and that the inmate was "spewing blood" after he was attacked by LOWE. Another detention officer told an FBI agent that LOWE's assault on the inmate was unjustified and "horrible."

This case was investigated by the FBI and the Polk County Sheriff's Office.

Assistant United States Attorneys Corey Steinberg and Brent Alan Gray prosecuted the case.

For further information please contact Sally Quillian Yates, Acting 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.