



# Department of Justice

United States Attorney Sally Quillian Yates  
Northern District of Georgia

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<http://www.justice.gov/usao/gan/>

CONTACT: Patrick Crosby

(404)581-6016

FAX (404)581-6160

## **FORMER FEDERAL CORRECTIONAL OFFICER PLEADS GUILTY TO CIVIL RIGHTS VIOLATION AND OBSTRUCTION OF JUSTICE**

ATLANTA, GA – BENJAMIN MONTGOMERY, 47, of Jonesboro, Georgia, a former correctional officer at the United States Penitentiary in Atlanta, pleaded guilty today in federal court to violating an inmate's civil rights by using excessive force against the inmate and to obstruction of the federal investigation of the incident.

United States Attorney Sally Quillian Yates said, "Correctional officers have a difficult job guarding and protecting inmates in our federal prisons. But under no circumstances can we allow an officer to abuse his power to commit violent assaults on an inmate, nor can we stand by and allow that officer to obstruct our investigations. The U.S. Attorney's Office is committed to vigorously investigating and prosecuting any law enforcement officer who engages in such conduct."

According to United States Attorney Yates, the charging document and information presented in court: On June 2, 2010, MONTGOMERY while working as a correctional officer in the penitentiary, physically assaulted an inmate, violating the inmate's constitutional right to be free from cruel and unusual punishment. Additionally, MONTGOMERY admitted that following the incident, he wrote a memorandum to his supervisor about his use of force, in which he falsely accused the inmate of making aggressive movements toward MONTGOMERY. MONTGOMERY agreed he wrote the false memorandum in an attempt to impede the investigation of the inmate's complaint.

MONTGOMERY is scheduled to be sentenced by United States District Court Judge Charles A. Pannell, Jr., on February 24, 2011. MONTGOMERY faces a maximum sentence of 10 years for the civil rights violation and 20 years for the obstruction of justice violation. Each count also carries a maximum fine of \$250,000. In determining the actual sentence, the Court will consider the United States Sentencing Guidelines, which are not binding but provide appropriate sentencing ranges for most offenders.

The case was investigated by the United States Department of Justice-Office of the Inspector General.

Assistant United States Attorney Brent Alan Gray and Department of Justice Trial Attorney Nicole Lee Ndumele are prosecuting the case.

For further information please contact Sally Quillian Yates, 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](http://www.usdoj.gov/usao/gan).