

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

UNITED STATES OF AMERICA	:	<u>SUPERSEDING INDICTMENT</u>
	:	
	:	
v.	:	CRIMINAL NO. 5:12-CR-5 (CAR)
	:	
STACY BLOODSWORTH	:	
AUSTIN BLOODSWORTH	:	
CASEY OWENS	:	VIOLATIONS:
	:	
	:	18 U.S.C. § 242 – Deprivation
	:	of Rights Under Color of
	:	Law
	:	18 U.S.C. § 371 – Conspiracy
	:	to Tamper with a Witness
	:	18 U.S.C. § 1512(b)(3) –
	:	Tampering with a
	:	Witness, Victim, or
	:	Informant
	:	18 U.S.C. § 1519 – False
	:	Report
	:	18 U.S.C. § 1001 – False
	:	Statement to a Federal
	:	Agency
	:	

THE GRAND JURY CHARGES:

INTRODUCTION

At all times material to this Indictment:

1. The Wilcox County Jail ("WCJ" or "the jail") in Abbeville, Georgia, within the Middle District of Georgia, was a facility operated and controlled by the State of Georgia, and

was responsible for the custody, control, care, and safety of inmates who were being held for criminal offenses.

2. The Wilcox County Sheriff's Office ("WCSO") was a primary law enforcement agency for Abbeville, GA. As part of its law enforcement duties, the WCSO maintained and oversaw the jail.

3. Defendant STACY BLOODSWORTH ("S. BLOODSWORTH") was employed as the Sheriff of Wilcox County.

4. Defendant AUSTIN BLOODSWORTH ("A. BLOODSWORTH") was the son of Defendant S. Bloodsworth.

5. Defendant CASEY OWENS ("OWENS") was employed as a Jailer in the WCJ.

6. In July 2009, WILLIE JAMES CARUTHERS ("CARUTHERS") was a "trustee," that is, an inmate with special responsibilities and privileges, at the WCJ.

7. In July 2009 through April 2010, TIMOTHY KING, JR. ("KING") was an agent of the South Central Georgia Drug Task Force, which is a drug enforcement agency with jurisdiction in Wilcox County.

8. On or about July 23, 2009, K.H., K.F., and T.O. were inmates in the custody of WCJ.

9. In or about July 2009, C.M., E.W., and M.A. were inmates in the custody of WCJ.

COUNT ONE

[18 U.S.C. § 242 - Deprivation of Rights Under Color of Law]

On or about July 23, 2009, in the Middle District of Georgia, the defendants,

STACY BLOODSWORTH and  
AUSTIN BLOODSWORTH,

along with CARUTHERS, while acting under color of law and while aiding and abetting one another, physically assaulted inmate K.H., resulting in bodily injury to K.H., and thereby willfully deprived K.H. of the right, secured and protected by the Constitution and laws of the United States, not to be deprived of liberty without due process of law, which includes the right to be free from force used by a law enforcement officer to maliciously and sadistically cause harm. Specifically, the defendants kicked and punched K.H. repeatedly and hit him with an object, causing K.H. to suffer a broken jaw.

All in violation of Title 18, United States Code, Sections 242 and 2.

COUNT TWO

[18 U.S.C. § 242 - Deprivation of Rights Under Color of Law]

On or about July 23, 2009, in the Middle District of Georgia, the defendants,

STACY BLOODSWORTH and  
AUSTIN BLOODSWORTH,

while acting under color of law and while aiding and abetting one another, physically assaulted inmate T.O., resulting in bodily injury to T.O., and thereby willfully deprived T.O. of the right, secured and protected by the Constitution and laws of the United States, not to be deprived of liberty without due process of law, which includes the right to be free from force used by a law enforcement officer to maliciously and sadistically cause harm. Specifically, the defendants struck T.O. repeatedly, causing him to suffer scratches, bruising, and pain.

All in violation of Title 18, United States Code, Sections 242 and 2.

COUNT THREE

[18 U.S.C. § 242 - Deprivation of Rights Under Color of Law]

On or about July 23, 2009, in the Middle District of Georgia, the defendants,

STACY BLOODSWORTH,  
AUSTIN BLOODSWORTH, and  
CASEY OWENS,

while acting under color of law and while aiding and abetting one another, physically assaulted inmate K.F., resulting in bodily injury to K.F., and thereby willfully deprived K.F. of the right, secured and protected by the Constitution and laws of

the United States, not to be deprived of liberty without due process of law, which includes the right to be free from force used by a law enforcement officer to maliciously and sadistically cause harm. Specifically, the defendants struck K.F. repeatedly, causing him to suffer scratches, bruising, and pain.

All in violation of Title 18, United States Code, Sections 242 and 2.

COUNT FOUR

[18 U.S.C. § 371 – Conspiracy to Tamper with a Witness]

On or about July 23, 2009, and continuing through April 2011, in the Middle District of Georgia, the defendants,

STACY BLOODSWORTH,  
AUSTIN BLOODSWORTH, and  
CASEY OWENS,

knowingly and willfully combined, conspired, and agreed with one another and with co-conspirators WILLIE JAMES CARUTHERS and TIMOTHY KING, JR., to commit an offense against the United States to violate 18 U.S.C. §1512(b)(3) by knowingly engaging in misleading conduct toward other people with intent to hinder, delay, and prevent communication of material information to a federal law enforcement officer and judge relating to the commission and possible commission of the federal civil rights violations charged in Counts One, Two, and Three.

Manner and Means of the Conspiracy

It was a part of the plan and purpose of this conspiracy that defendants S. BLOODSWORTH, A. BLOODSWORTH, and OWENS, along with co-conspirators CARUTHERS and KING, would cover up the fact that law enforcement officials and others, acting under color of law, had used excessive force against inmates K.H., K.F., and T.O. on July 23, 2009. The plan of the conspiracy was for the co-conspirators to prepare false reports and submit them to WCSO officials, and to make statements consistent with those false reports to anyone inquiring about the incident.

Overt Acts

In furtherance of this conspiracy and to effect the objects thereof, defendants S. BLOODSWORTH, A. BLOODSWORTH, and OWENS, along with co-conspirators CARUTHERS and KING, committed the following overt acts in the Middle District of Georgia:

1. On or about July 24, 2009, defendants S. BLOODSWORTH, A. BLOODSWORTH, and OWENS, along with co-conspirators CARUTHERS and KING, met and discussed false statements to include in WCSO reports regarding the cause of K.H.'s injury. The co-conspirators agreed that they would say that trustee inmate CARUTHERS, acting alone, hit K.H. and caused K.H. to suffer a broken jaw.

2. On or about July 24, 2009, defendant OWENS and co-conspirator CARUTHERS each wrote a WCSO report memorializing the

false statement that had been discussed among the co-conspirators.

3. In or about August 2010, defendants S. BLOODSWORTH, A. BLOODSWORTH, and OWENS, along with co-conspirators CARUTHERS and KING, met and discussed false statements that they would give to an attorney who was defending the WCSO in a civil lawsuit regarding the cause of K.H.'s injury. Again, the co-conspirators agreed that they would tell the attorney that CARUTHERS, acting alone, hit K.H. and caused K.H. to suffer a broken jaw.

4. On or about April 11, 2011, defendants S. BLOODSWORTH, A. BLOODSWORTH, and co-conspirators CARUTHERS and KING, who had discussed the false statements regarding K.H.'s injury in July 2009 and August 2010, conveyed false statements to Special Agents of the FBI, including, specifically, the false statement that CARUTHERS, acting alone, hit K.H. and caused K.H. to suffer a broken jaw.

All in violation of Title 18, United States Code, Section 371.

COUNT FIVE

[18 U.S.C. § 1512(b)(3) - Tampering with a Witness, Victim  
or an Informant]

On or about July 24, 2009, in the Middle District of Georgia, the defendant,

STACY BLOODSWORTH,

knowingly intimidated, threatened, and corruptly persuaded inmate K.H., and attempted to do so, with intent to hinder, delay, and prevent the likely communication to a federal law enforcement officer and judge of information relating to the commission and possible commission of the federal offense of Deprivation of Rights Under Color Law, as charged in Counts One, Two, and Three. Specifically, defendant S. BLOODSWORTH ordered K.H. to write a false report regarding how K.H. was injured on or about July 23, 2009, and threatened to hurt K.H. and his family member if K.H. told anyone, including a lawyer, about the true nature of the assault of K.H. on or about July 23, 2009.

All in violation of Title 18, United States Code, Section 1512(b)(3).

COUNT SIX

[18 U.S.C. § 1512(b)(3) - Tampering with a Witness, Victim or an Informant]

In or about February 2011, in the Middle District of Georgia, the defendant,

STACY BLOODSWORTH,



knowingly intimidated, threatened, and corruptly persuaded K.H., and attempted to do so, with intent to hinder, delay, and prevent the likely communication to a federal law enforcement officer and judge of information relating to the commission and possible commission of the federal offense of Deprivation of Rights Under Color Law, as charged in Counts One, Two, and Three. Specifically, the defendant threatened K.H. with bodily harm if K.H. did not drop a lawsuit concerning the injuries K.H. sustained on or about July 23, 2009.

All in violation of Title 18, United States Code, Section 1512(b) (3).

COUNT SEVEN

[18 U.S.C. § 1512(b) (3) - Tampering with a Witness, Victim or an Informant]

On or about July 23, 2009, in the Middle District of Georgia, the defendant,

STACY BLOODSWORTH,

knowingly intimidated, threatened, and corruptly persuaded inmate C.M., and attempted to do so, with intent to hinder, delay, and prevent the communication to a federal law enforcement officer and judge of information relating to the commission and possible commission of the federal offense of Deprivation of Rights Under Color Law, as charged in Counts One,

Two, and Three. Specifically, the defendant threatened C.M. with bodily harm if C.M. told anyone about the true circumstances surrounding the assault of K.H., K.F., and T.O.

All in violation of Title 18, United States Code, Section 1512(b)(3).

COUNT EIGHT

[18 U.S.C. § 1512(b)(3) - Tampering with a Witness, Victim or an Informant]

On or about July 24, 2009, in the Middle District of Georgia, the defendant,

STACY BLOODSWORTH,

knowingly intimidated, threatened, and corruptly persuaded inmate E.W., and attempted to do so, with intent to hinder, delay, and prevent the communication to a federal law enforcement officer and judge of information relating to the commission and possible commission of the federal offense of Deprivation of Rights Under Color Law, as charged in Counts One, Two, and Three. Specifically, the defendant threatened E.W. with bodily harm if he told anyone about the true circumstances surrounding the assault of K.H., K.F., and T.O.

All in violation of Title 18, United States Code, Section 1512(b)(3).

COUNT NINE

[18 U.S.C. § 1512(b)(3) - Tampering with a Witness, Victim  
or an Informant]

On or about July 30, 2009, in the Middle District of  
Georgia, the defendant,

STACY BLOODSWORTH,

knowingly intimidated, threatened, and corruptly persuaded C.M.,  
and attempted to do so, with intent to hinder, delay, and  
prevent the likely communication to a federal law enforcement  
officer and judge of information relating to the commission and  
possible commission of the federal offense of Deprivation of  
Rights Under Color Law, as alleged in Counts One, Two, and  
Three. Specifically, the defendant threatened C.M. with bodily  
harm if he continued to ask WCJ employees to render K.H. medical  
assistance.

All in violation of Title 18, United States Code, Section  
1512(b)(3).

COUNT TEN

[18 U.S.C. § 1519 - False Report]

On or about July 24, 2009, in the Middle District of  
Georgia, the defendant,

CASEY OWENS,

who was then employed as a Wilcox County Jailer, acting in relation to and in contemplation of a matter within the jurisdiction of the FBI, an agency of the United States, knowingly made a false entry in a record and document with the intent to impede, obstruct, and influence the investigation and proper administration of the matter within federal jurisdiction. Specifically, the defendant wrote a statement for Wilcox County Sheriff's Office Incident Report, Incident No. 2009-07-348, dated July 24, 2009, that asserted, in sum and substance, that K.H. was injured by inmate trustee CARUTHERS, acting alone, during a physical altercation that K.H. instigated. In truth and in fact, as the defendant then well knew, his statement for the Wilcox County Sheriff's Office Incident Report was false, in that the defendant was present when multiple people, including law enforcement officials, acting together, assaulted inmate K.H. and caused him to suffer a broken jaw.

All in violation of Title 18, United States Code, Section 1519.

COUNT ELEVEN

[18 U.S.C. § 1001 – False Statement to a Federal Agency]

On or about April 11, 2011, in the Middle District of Georgia, the defendant,

STACY BLOODSWORTH,

knowingly and willfully made materially false, fictitious, and fraudulent statements and representations in a matter within the jurisdiction of the Federal Bureau of Investigation ("FBI"), an agency of the United States. Specifically, the defendant made the following false statements to Special Agents of the FBI: (1) that on or about July 23, 2009, he entered the WCJ and observed a fight in progress between K.H. and inmate trustee CARUTHERS; (2) that he ordered CARUTHERS and K.H. to stop fighting, and they complied; and (3) that K.H.'s jaw was injured as a result of the fight with CARUTHERS. In truth and in fact, as the defendant then well knew, his statements to the Special Agents of the FBI were false, in that the defendant was present when multiple people, including law enforcement officials, acting together, assaulted inmate K.H. and caused him to suffer a broken jaw.

All in violation of Title 18, United States Code, Section 1001.

COUNT TWELVE

[18 U.S.C. § 1001 – False Statement to a Federal Agency]

On or about April 11, 2011, in the Middle District of Georgia, the defendant,

AUSTIN BLOODSWORTH,

knowingly and willfully made materially false, fictitious, and fraudulent statements and representations in a matter within the jurisdiction of the Federal Bureau of Investigation ("FBI"), an agency of the United States. Specifically, the defendant made the following false statements to Special Agents of the FBI: (1) that on or about July 23, 2009, he entered the WCJ and observed a fight in progress between inmate trustee CARUTHERS and K.H.; (2) that the defendant ordered CARUTHERS and K.H. to stop the fight; and (3) that K.H.'s jaw was injured as a result of the fight with CARUTHERS. In truth and in fact, as the defendant then well knew, his statements to the Special Agents of the FBI were false, in that the defendant was present when multiple people, including law enforcement officials, acting together, assaulted inmate K.H. and caused him to suffer a broken jaw.

All in violation of Title 18, United States Code, Section 1001.

COUNT THIRTEEN

[18 U.S.C. § 242 - Deprivation of Rights Under Color of Law]

In or about July 2009, in the Middle District of Georgia, the defendant,

STACY BLOODSWORTH,

while acting under color of law, physically assaulted inmate M.A., resulting in bodily injury to M.A., and thereby willfully

deprived M.A. of the right, secured and protected by the Constitution and laws of the United States, not to be deprived of liberty without due process of law, which includes the right to be free from force used by a law enforcement officer to maliciously and sadistically cause harm. Specifically, the defendant struck M.A. repeatedly, causing M.A. to suffer a laceration and pain.

All in violation of Title 18, United States Code, Section 242.

COUNT FOURTEEN

[18 U.S.C. § 242 - Deprivation of Rights Under Color of Law]

In or about November 2009, in the Middle District of Georgia, the defendant,

STACY BLOODSWORTH,

while acting under color of law and while aided and abetted by other persons known to the grand jury, physically assaulted N.S., resulting in bodily injury to N.S., and thereby willfully deprived N.S. of the right, secured and protected by the Constitution and laws of the United States, to be free from the unreasonable use of force by a law enforcement officer. Specifically, the defendant removed N.S. from a public area, forced N.S. into a vehicle, and struck N.S. repeatedly about the

head and face. As a result of the defendant's actions, N.S. suffered bruising, a concussion, and pain.

All in violation of Title 18, United States Code, Sections 242 and 2.

A TRUE BILL.

*S/*  
\_\_\_\_\_  
FOREPERSON OF THE GRAND JURY.

Presented by:

MICHAEL J. MOORE  
UNITED STATES ATTORNEY

*Gerard Hogan*  
GERARD HOGAN  
SENIOR LITIGATION COUNSEL  
U.S. Department of Justice  
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*Christine M. Siscaretti*  
CHRISTINE M. SISCARETTI  
TRIAL ATTORNEY  
U.S. Department of Justice  
Civil Rights Division

Filed in open court this \_\_\_\_\_ day of May, AD 2012.

\_\_\_\_\_  
Deputy Clerk