

**UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF WEST VIRGINIA**

**FILED**  
**FEB 22 2017**  
U.S. DISTRICT COURT  
ELKINS WV 26241

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**ADAM JOSEPH NEAL GRAHAM,**

**Defendant.**

**Criminal No.**

2:17cr5

**Violations:**

**18 U.S.C. § 242**

**18 U.S.C. § 1519**

**INDICTMENT**

The Grand Jury charges that:

**COUNT ONE**

**(Deprivation of Rights under Color of Law)**

On or about February 15, 2015, in Barbour County, within the Northern District of West Virginia, defendant **ADAM JOSEPH NEAL GRAHAM**, while acting under color of law, physically assaulted pretrial detainee J.E.G., a person known to the Grand Jury, resulting in bodily injury to J.E.G., and thereby willfully deprived J.E.G. of a right, secured and protected by the Constitution and the laws of the United States, not to be deprived of liberty without due process of law, which includes the right to be free from a law enforcement officer's use of force amounting to punishment, in violation of Title 18, United States Code, Section 242.

**COUNT TWO****(Deprivation of Rights under Color of Law)**

On or about March 9, 2015, in Barbour County, within the Northern District of West Virginia, defendant **ADAM JOSEPH NEAL GRAHAM**, while acting under color of law, physically assaulted pretrial detainee R.A.N.G., a person known to the Grand Jury, resulting in bodily injury to R.A.N.G., and thereby willfully deprived R.A.N.G. of a right, secured and protected by the Constitution and the laws of the United States, not to be deprived of liberty without due process of law, which includes the right to be free from a law enforcement officer's use of force amounting to punishment, in violation of Title 18, United States Code, Section 242.

**COUNT THREE****(Destruction, Alteration, or Falsification of Records in Federal Investigations)**

On or about March 9, 2015, in Barbour County, within the Northern District of West Virginia, defendant **ADAM JOSEPH NEAL GRAHAM**, in relation to and in contemplation of a matter within the jurisdiction of the Federal Bureau of Investigation, an agency of the United States, knowingly falsified and made a false entry in a document with the intent to impede, obstruct, or influence the investigation and proper administration of the matter within federal jurisdiction, that is, the defendant falsified a West Virginia Regional Jail & Correctional Authority Incident Report, relating to his use of force against pretrial detainee R.A.N.G., a person known to the Grand Jury: (1) by falsely stating that R.A.N.G. "cleared his throat and attempted to spit on" the defendant and another officer in the sally port; and (2) by falsely claiming that R.A.N.G. "attempted to break away from" the Defendant's "grasp, and stand up" from a chair in the booking area, in violation of Title 18, United States Code, Section 1519.

A true bill,

/s/  
\_\_\_\_\_  
Foreperson  
(Signature on File)

/s/ Betsy Steinfeld Jividen  
Betsy Steinfeld Jividen  
Acting United States Attorney

Sarah W. Montoro  
Assistant United States Attorney

Gerard V. Hogan  
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Civil Rights Division, Department of Justice

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