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Two former Fayette jail employees are sentenced in inmate-abuse case

Ex-jail officers given 10-year prison terms

By Karla Ward

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Two former employees of the Fayette County jail were sentenced in federal court Tuesday for the roles they played in systematically abusing inmates.

John McQueen, 33, a former sergeant and supervisor at the Fayette County Detention Center, and Clarence McCoy, 31, a former corporal, were each sentenced to 10 years in prison by Judge Karen K. Caldwell, according to a news release from the U.S. Department of Justice. Each also received two years of supervised release.

McQueen and McCoy were convicted May 13 in U.S. District Court in Lexington. In the case, five jail employees were indicted for their parts in assaulting detainees, then trying to cover up the abuse by writing false reports or failing to report the incidents.

"The power granted to correctional officers so that they can perform their critical public safety duties does not give them free rein to abuse the civil and constitutional rights of inmates under their supervision," Thomas E. Perez, Assistant Attorney General for the Justice Department's Civil Rights Division, said in the news release. "Those officers who abuse their power and the public trust in this way will be prosecuted to the fullest extent of the law."

The abuse, some of which was caught on surveillance video, occurred from January to October 2006. The incidents occurred in the intake area of the jail — where people are booked after an arrest — during the third shift.

Detainees were attacked when they were not "resisting or posing a threat to any officer," court records state.

In one incident, McQueen repeatedly slammed a detainee's head onto the triage counter while the detainee was handcuffed.

That man, Scott Howe, who had been arrested on several charges, including public intoxication, has a federal lawsuit pending against the city and the jail. The lawsuit says he suffered a concussion and injuries to his foot.

No report was filed for the incident involving Howe.

In other cases, according to the indictment, jail officers falsely asserted on the incident reports that the attacks were provoked by the inmates. In one case, officers who saw an inmate being attacked were ordered to file false charges against another inmate who had tried to use his cell phone to report the assault, the indictment stated.

"These incidents occurred before Mayor Newberry took office, but since he became mayor in 2007, the mayor has sent a clear message that the unnecessary use of force will not be tolerated at the detention center," Susan Straub, spokeswoman for Mayor Jim Newberry, said in a statement. "Steps have been taken at the jail to improve safety for inmates, as well as corrections officers."

McQueen was convicted of one count each of conspiracy to deprive rights under color of law, falsifying records with intent to obstruct investigation and tampering with a witness, and two counts of deprivation of rights under color of law.

McCoy was convicted of one count each of conspiracy to deprive rights under color of law, deprivation of rights and falsifying records, and two counts of aiding and abetting other officers in abusive acts.

Three other former jail employees had already accepted plea agreements in connection with the case.

Kristine LaFoe, a former lieutenant, was sentenced in November to a year in prison and two years of supervised release.

Scott Tyree, a former corporal who testified in the trial of McQueen and McCoy, was sentenced in June to 18 months in prison and two years of supervised release.

Anthony Estep, a former sergeant, was sentenced in June to one year and one day in prison and one year of supervised release.

The FBI in Louisville investigated the case.

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