

Miller and Fallen Indicted for Conspiracy to Violate Civil Rights

Ashland, KY — July 15, 2008 — Larry Ray Miller, Jr. and Kevin Christopher Fallen, Correctional Officers at the United States Penitentiary, Big Sandy, were named today in a three count Indictment returned by the federal grand jury sitting in Ashland, Kentucky. The first count charges Miller and Fallen with conspiracy to violate the civil rights of a Big Sandy inmate. The second count charges Miller and Fallen with aiding and abetting each other in violating the civil rights of a Big Sandy inmate. The third count charges Miller and Fallen with providing a Big Sandy inmate with a pocket knife. Bureau of Prisons' regulations prohibit anyone from providing an inmate with a pocket knife.

Miller, age 32, is from Hazard, Kentucky. Fallen, age 25, is from Campton, Kentucky.

James A. Zerhusen, Acting United States Attorney for the Eastern District of Kentucky, Ed Dyner, Special Agent in Charge, United States Department of Justice, Office of the Inspector General, and Timothy D. Cox, Special Agent in Charge, Federal Bureau of Investigation, made the announcement today regarding the Indictment.

The investigation preceding the Indictment was conducted by the Federal Bureau of Investigation and the United States Department of Justice, Office of the Inspector General. The Indictment was presented to the grand jury by Assistant United States Attorneys Rob Duncan and Patrick H. Molloy.

Miller and Fallen's appearance before the United States District Court has not yet been set by the Court in Ashland, Ky. If convicted, Miller and Fallen face a maximum prison sentence of 25 years. However, any sentence following conviction would be imposed by the court after consideration of the United States Sentencing Guidelines and the federal statute governing the imposition of sentences.

The indictment of a person by a grand jury is an accusation only, and that person is presumed innocent unless proven guilty.