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Former Kentucky Federal Prison Lieutenant Convicted of Covering Up the Assaults of Two Federal Inmates by Corrections Officers

After a six-day trial, a federal jury convicted former Bureau of Prisons Lieutenant Kevin Pearce, 38, on two counts of obstruction for writing false reports about the assaults of two federal inmates by corrections officers under Pearce's command. The defendant is a former supervisor at U.S. Penitentiary Big Sandy in Inez, Kentucky. Two former officers, Samuel Patrick and Clinton Pauley previously pleaded guilty for their roles in the two assaults and testified for the government at trial.

The evidence at trial established that the defendant was the supervising lieutenant responding to an incident at Big Sandy in which his co-defendants, former officers Patrick and Pauley, assaulted an inmate by pepper spraying him in the face and kicking him in the head. Witnesses, including those who assaulted the inmates, testified that the inmate was not a threat and was compliant, and was assaulted for walking too slowly to his cell, rather than for any legitimate penological purpose. The defendant attempted to cover up the assault by writing a false report which untruthfully described the inmate as violent and omitted that the inmate had been kicked in the head while he was prone and unresisting.

The evidence further established that, one month later, the defendant again covered up an unrelated assault also initiated by officers Patrick and Pauley. The victim of that assault was taken to the defendant's office in order to request protection from other inmates. When the victim, who is white, revealed that he used to affiliate with Black gangs, the defendant's fellow officers repeatedly struck him in the head and body while one of the officers referred to him as a "race traitor." The defendant wrote a false report about the assault in which he claimed that the inmate agreed to go to his housing unit "without incident," and, as the cover-up expanded, he supervised efforts to discredit the inmate by recruiting another officer who was not present to write a report which falsely corroborated the agreed-upon cover story.

"This defendant abused the trust given to him as a federal correctional officer and supervisor when he attempted to cover up the assaults of two inmates in his custody," said Assistant Attorney General Kristen Clarke of the Justice Department's Civil Rights Division. "The Justice Department will vigorously prosecute correctional officers who abuse inmates, and this mission includes the prosecution of supervisory officials who enable civil rights violations by protecting abusive officers. We are committed to using our civil rights laws to ensure that the rights of all people, including those detained inside jails and prisons, are fully protected."

"The defendant betrayed the public trust placed in him, abused his authority, enabled the violation of other's rights, and did a grave disservice to all law enforcement," said U.S. Attorney Carlton S. Shier IV for the Eastern District of Kentucky. "Instead of enforcing the law and protecting those in his care, he chose to cover up disgraceful abuses and to discredit those who faithfully discharge their public service. His conviction is the next step in the process of restoring the public's trust."

“Pearce lied in an attempt to cover up an egregious assault of an inmate by his fellow officers,” said Special Agent in Charge William J. Hannah of the Justice Department’s Office of the Inspector General (DOJ-OIG) Chicago Field Office. “This verdict sends a message that there is no room in the federal corrections system for civil rights violations nor any corrupt attempt to conceal such acts. Today, Pearce will be held accountable. I would like to thank the jury for their time, attention and careful consideration in this case.”

“While serving their sentence, inmates are entitled to equal protections under the law,” said Special Agent in Charge Jodi Cohen of the FBI Louisville Field Office. “When a few correctional officers choose to violate those protections, either by physical abuse or by orchestrating a cover-up, the integrity of all officers is questioned. The FBI stands ready to bare all of its resources in order to bring to justice law enforcement officials who take advantage of their position of power.”

The maximum penalties for the false report offenses are 20 years of imprisonment. The sentencing is scheduled for July 5.

Assistant Attorney General Clarke, U.S. Attorney Shier, Special Agent in Charge Hannah and Special Agent in Charge Cohen made the announcement.

DOJ-OIG and the FBI the investigated the case.

Assistant U.S. Attorney Zachary Dembo for the Eastern District of Kentucky and Trial Attorney Thomas Johnson of the Civil Rights Division’s Criminal Section are prosecuting the case.