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The Equal Justice Initiative Calls on State and Federal Officials to Criminally Charge Prison Guards Involved in Brutal Beating Death of Alabama Prisoner

Those Responsible for Murdering Rocrast Mack One Year Ago Must Be “Prosecuted Immediately,” Says Civil Rights Group

(Montgomery, AL; August 8, 2011) Today, the Equal Justice Initiative (EJI) is calling for the immediate criminal prosecution of Alabama correctional officers who brutally beat a 24-year-old man to death one year ago. In letters sent to Barbour County District Attorney Ben Reeves and Attorney General Luther Strange, EJI asks the State of Alabama to initiate criminal prosecution against the officers who murdered Rocrast Mack at Ventress Correctional Facility in Clayton, Alabama. A similar letter was sent today to the U.S. Department of Justice asking that federal charges be filed against those responsible for the crime. The letters are attached.

“The abuse of power by prison guards that Mr. Mack’s murder reveals is deeply disturbing as is the absence of any criminal accountability for the extraordinary misconduct by prison officials evident in this case,” says Bryan Stevenson, Executive Director of EJI, in a letter to state prosecutors.

On August 4, 2010, several correctional officers at Ventress Correctional Facility in Clayton, Alabama beat to death Rocrast Mack. Mr. Mack was serving a sentence for a non-violent drug crime when he was confronted by a correctional officer who accused him of looking at her inappropriately. As Alabama Department of Corrections officials later confirmed, Officer Melissa Brown initiated the assault by hitting Mr. Mack in the face. Witnesses report that after Officer Brown struck Mr. Mack a second time, Mr. Mack hit the officer back, which prompted several prison guards to enter the dorm and brutally beat Mr. Mack until he was limp and lifeless. Another correctional officer was threatened by guards when he tried to stop the beating. One officer announced during the beating that he intended to kill Mr. Mack.

An autopsy report officially determined the cause of Mr. Mack's death to be homicide and described the brutal injuries to Mr. Mack's body as "unusually severe."

In January, an Alabama Bureau of Investigation inquiry reportedly found that officers engaged in "criminal conduct," "abused their authority," "used unauthorized physical force" and provided "false information" about the incident. Several officers were fired by the Department of Corrections or resigned. Alabama correctional officials initially misreported the crime, stating that Mr. Mack died after an altercation when correctional officers intervened to stop an ongoing assault.

EJI completed an investigation into the incident after interviewing witnesses to the murder, including many prisoners who assert that the prison remains dangerous and volatile.¹

The Barbour County District Attorney, the Alabama Attorney General and U.S. Department of Justice all have received complaints but one year after the murder no criminal charges have been filed.

"The lack of response from law enforcement to Mr. Mack's death has compromised security in Alabama's prisons and created serious concerns about enforcing laws against criminal misconduct by correctional officers," stated Mr. Stevenson in letters to state and federal officials.

Family members of Mr. Mack filed a civil suit against the Alabama Department of Corrections that settled out of court earlier this year. The Mack family joins EJI in calling for criminal prosecution of the officers and is extremely disappointed that no charges have yet been filed.

"We continue to grieve Rocrast's death and don't understand why no one has been brought to justice for this terrible crime," said Larry Mack, the father of the victim.

¹A summary of the beating incident from a forthcoming report by EJI is attached to this release.

EQUAL JUSTICE INITIATIVE REPORT

Rocrast Mack Fall 2011

The Beating Death of Rocrast Mack²

An investigation by EJI reveals that on the evening of August 4, 2010, 24-year-old Rocrast Mack was lying in his dorm bed covered with a blanket while prison guards conducted a routine count of the population at Ventress Correctional Facility in Clayton, Alabama. One of the correctional officers conducting the count, Officer Melissa Brown, approached Mr. Mack and accused him of looking at her inappropriately and began shouting at him. She then pulled out her baton, held it in one hand, and struck Mr. Mack in the face with her other hand. Attempting to escape the physical attack, Mr. Mack retreated behind the bed rack, but Officer Brown followed him and hit him a second time. Mr. Mack struck back, hitting her in the face, then ran away from her and toward the dorm entrance.

Another officer approached Mr. Mack and ordered him to get on the ground. Witnesses saw Mr. Mack comply with these orders and quickly get on his knees and place his hands on his head. Soon after, at least five other officers, including Lieutenant Michael Smith, arrived at the scene after responding to a call for back-up. Even though Mr. Mack was on his knees and subdued, witnesses report that officers violently assaulted Mr. Mack. Officers beat Mr. Mack with batons and fists, striking his head, face, and body. The correctional officer who initially got Mr. Mack to submit to arrest tried to intervene and attempted to pull the officers off of Mr. Mack and put himself between Mr. Mack and the assaulting officers. This officer was threatened by other guards and forced to retreat. One officer was heard to say that the guards were going to kill Mr. Mack. The threat and continuing assault occurred at the entrance of the dorm and was witnessed by dozens of inmates.

Mr. Mack was subsequently beaten by guards in the dorm and in the prison yard until his bloodied body became limp. Even after he appeared to be unconscious, witnesses saw guards continue to hit, kick, and punch Mr. Mack.

²A forthcoming 2011 report by EJI on prison violence and corruption in Alabama state correctional facilities provides this account of the beating death of Rocrast Mack based on its investigation and interviews with eyewitnesses.

The guards ultimately took Mr. Mack, who was unresponsive, to the shift office, slammed Mr. Mack's head into a wall, and closed the door.

Witnesses later saw a golf cart driven by a nurse leave the shift office with Mr. Mack's body on the back of the cart. His arms were dangling, his neck appeared twisted, and his head bobbed uncontrollably. Believing he was dead, inmates began to protest and attempted to make phone calls for help, but the phones were abruptly disconnected. Upon arriving at the infirmary, guards were seen throwing Mr. Mack's limp body to the ground while the nurse stood by watching.

Mr. Mack reportedly sustained fractures to his ribs, arms, legs, and skull during the attack. He was taken to Troy Regional Medical Center that evening and then transferred to Jackson Hospital in Montgomery. Reports indicate that Mr. Mack was brain dead by the time he arrived at Jackson Hospital. An autopsy report concluded that Mr. Mack died as a result of multiple blunt force trauma. The coroner ruled that his death was a homicide and his injuries were unusually severe.

Background, including news coverage of the initial reports of the death of Rocrast Mack and the Alabama Bureau of Investigation inquiry, can be accessed at: www.eji.org.

If you would like to speak with Bryan Stevenson, Executive Director of the Equal Justice Initiative, please contact him at: 334-269-1803 or bstevenson@ej.org.

The Equal Justice Initiative is a private, nonprofit organization that provides legal representation to indigent defendants and prisoners who have been denied fair and just treatment in the legal system.

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