

PRESS RELEASE

Federal correctional officer indicted on excessive force and obstruction charges

Thursday, June 22, 2023

ATLANTA - Justin Newkirk has been arraigned on federal charges of using excessive force against an inmate at the U.S. Penitentiary in Atlanta ("USP-Atlanta") and for writing a false incident report to justify his use of force.

"Correctional officers perform a particularly challenging and critical job in maintaining order and protecting inmates in our nation's prisons and jails," said U.S. Attorney Ryan K. Buchanan. "But this officer's alleged misconduct of abusing an inmate and then writing a detailed false report to conceal the crime demands accountability."

"Newkirk allegedly used excessive force and then lied to try to cover up his conduct. The Department of Justice Office of the Inspector General is committed to holding accountable those that abuse their power," said James F. Boyersmith, Special Agent in Charge of the Department of Justice Office of the Inspector General Miami Field Office.

According to U.S. Attorney Buchanan, the charges, and other information presented in court: At the time of the alleged misconduct, Justin Newkirk was employed as a correctional officer at USP-Atlanta. On March 17, 2022, Newkirk allegedly sprayed an inmate with pepper spray repeatedly without any legal justification. Following the assault, Newkirk also allegedly wrote a report in which he falsely claimed that it was necessary for him to use pepper spray after the inmate lunged at him with a closed fist "showing imminent signs of violence."

Justin Newkirk, 35, of Locust Grove, Georgia, was arraigned before U.S. Magistrate Judge Russell G. Vineyard. Newkirk was indicted by a federal grand jury on June 13, 2023. Members of the public are reminded that the indictment contains only charges. The defendant is presumed innocent of the charges, and it will be the government's burden to prove the defendant's guilt beyond a reasonable doubt at trial.

This case is being investigated by the Department of Justice's Office of Inspector General.

Assistant U.S. Attorneys Bret R. Hobson and Brent Alan Gray are prosecuting the case.

