Excessive Use of Force

BIRMINGHAM—U.S. District Court Judge Abdul K. Kallon today sentenced former Huntsville Police Officer Brett Russell, 48, to 18 months in prison for violating the civil rights of a Huntsville man.

On July 30, 2015, a federal jury in Huntsville convicted Russell of deprivation of rights under color of law for assaulting and injuring G.H., a detainee in Russell’s custody, as well as obstruction of justice for filing a false police report regarding this incident. According to evidence presented at trial, on Dec. 23, 2011, G.H. was detained in the rear of a police vehicle parked in a hotel parking lot. After initially uttering profanity and kicking a rear window, G.H. had since been sitting handcuffed, compliant and non-resisting for approximately 30 minutes. As officers attempted to remove G.H. from the vehicle to place shackles on him, Russell yanked G.H. from the vehicle. While G.H. was lying handcuffed on the ground, Russell repeatedly punched and kneed G.H. Other officers placed leg shackles on G.H. and Russell transported G.H. to the Madison County Jail. When the jail refused to accept G.H. because of his injuries, Russell transported G.H. to the Huntsville Hospital. Subsequently, Russell wrote and submitted a false incident report claiming that G.H. tried to kick and head butt the officers. Further, Russell omitted from the false report any reference to the fact that he had used force on G.H.

“The defendant’s abusive and dishonorable behavior is being punished and an errant officer brought to justice,” said Northern District of Alabama U.S. Attorney Joyce White Vance. “I thank the FBI and the Civil Rights Division for their work on this case.”

“Law enforcement officers who abuse their power to willfully subject those in their custody to violence and pain will be held accountable,” said Principal Deputy Assistant Attorney General Vanita Gupta, head of the Justice Department’s Civil Rights Division. “The Justice Department will continue to vigorously prosecute those who cross the line to engage in such acts of criminal misconduct.”

The FBI’s Florence Resident Agency investigated the case. Assistant U.S. Attorneys Daniel Fortune and Xavier O. Carter Sr., and Trial Attorney Carroll McCabe of the Civil Rights Division prosecuted the case.