

NEWS RELEASE

# Luther Strange

Alabama Attorney General



FOR IMMEDIATE RELEASE

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## AG STRANGE, DOC COMMISSIONER THOMAS ANNOUNCE ARREST OF FORMER CORRECTIONAL LIEUTENANT FOR MURDER OF INMATE AT VENTRESS CORRECTIONAL FACILITY

(MONTGOMERY)--Attorney General Luther Strange and Department of Corrections Commissioner Kim Thomas announced the arrest today of a former correctional lieutenant who is charged with murder in the beating death of an inmate at Ventress Correctional Facility in Barbour County on August 4, 2010. Michael Anthony Smith was arrested today by agents of the Attorney General's Investigations Division and officers of the Auburn Police Department. He was taken to the Lee County Jail. Bond was set at \$500,000. Smith, 37, is a resident of Auburn.

Attorney General Strange's Office presented evidence to a Barbour County grand jury on October 17, resulting in an indictment\* charging Smith with murder, a class A felony. Specifically, the indictment charges that Smith intentionally caused the death of Rocrast Donnell Mack "by beating him with his hands, fists, feet, and/or baton." Mack, who was 24, was taken to a hospital in Troy and later transferred to a hospital in Montgomery where he died the following morning.

According to a statement issued by the Department of Corrections in January, the DOC Commissioner ordered an immediate internal investigation at the time of the incident and also requested that the Alabama Bureau of Investigation (ABI) investigate the matter. Information released by the Department of Corrections stated that the ABI found possible criminal conduct by correctional officers, and that two were fired and four others resigned under threat of being fired. The names of the officers were not released. According to reports from the Department of Corrections, the Commissioner referred the matter to the Attorney General's Office, which resulted in an investigation and the prosecution that is announced today.

"When correctional officers are sworn in, they take an oath of office that they will not abuse those in their charge. The vast majority of correctional personnel live up to that oath even while working under challenging conditions," said Attorney General Luther Strange. "In this case, however, a senior officer is accused of not only violating his oath of office, but of being so brutal in his actions that he took the life of an inmate under circumstances that make murder the appropriate charge. This is a tragedy not only for the inmate's family, but for the entire Department of Corrections whose reputation was tarnished by this vicious crime. Neither the DOC nor this office



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tolerates the use of excessive force in controlling inmates, and when officers cross the line, they will face the serious consequences of their acts.”

Commissioner Thomas stated, “In my previous capacity as General Counsel and now as Commissioner of the Alabama Department of Corrections, I have urged Attorney General Strange to prosecute this matter to the full extent of the law. I am thankful and supportive of the Attorney General’s willingness to see that justice is served and that those responsible for this tragic event are held accountable.”

If convicted, Smith faces a maximum penalty of 99 years to life imprisonment. No further information about the investigation or about Smith’s alleged crimes other than that stated in the indictment may be released at this time. The investigation of this matter is ongoing.

Attorney General Strange commended his Investigations Division and Assistant Attorneys General Don Valeska, chief, Ben Baxley and John Hensley, all of his Violent Crimes Division, and Angelique Pugh of his Computer Services Section. The Attorney General also thanked the Department of Corrections and the Alabama Bureau of Investigation for valuable assistance in the preliminary investigations of this matter.

*\*An indictment is merely an accusation. The defendant is presumed innocent unless and until proven guilty.*