

On Monday, March 28, 2022, Detective Jacob Jenkins #114 with the Edgar County Sheriff's Office received a complaint from the Edgar County Jail Administrator Jay Willaman, requesting an internal investigation be conducted regarding a possible policy/procedural violation by two employees, Zebulan Washburn and Michael Ferrante (Correctional Officers).

Detective Jenkins reviewed the written complaint to learn the following:

Supervisor Willaman believed over the previous five weeks or so, CO Washburn and CO Ferrante have been ignoring their responsibilities and putting their work off on newer staff. During this time, the two employees are watching movies and playing cards rather than helping with jail responsibilities. There was even an alleged statement of the two senior employees telling someone not to say anything because they could lose their jobs for these actions.

Detective Jenkins also received an itemized list of the daily/minimum requirements for jail staff during the respective shifts. Upon review, the shift working 0000 hours to 0800 hours, is responsible for the following:

- Cell checks every thirty minutes
- Formal count at 12:15
- Formal count at 4:15
- Breakfast is to be passed out at 6:30 and an additional count is conducted
- Inmates are to remain secured in their cells throughout this shift
- This is the housekeeping shift and responsible for cleaning the jail
- The porter (inmate worker) can be utilized for cleaning

A copy of the complaint and minimum standards will accompany this report.

It should be noted, Detective Jenkins did meet and speak with Supervisor Willaman regarding the incident. Supervisor Willaman explained there were several ongoing issues with CO Washburn regarding policy/rule violations which mainly consisted of punctuality concerns. Supervisor Willaman stated although not ideal, he understood that jail staff may have down time and play cards or watch videos. Supervisor Willaman's main concern was the senior employees do not stop playing games or watching videos to assist with the jail duties. Detective Jenkins requested a policy/procedure list, which Supervisor Willaman stated he would locate for Detective Jenkins.

Detective Jenkins then made contact with Chief Deputy Derek Weston about the complaint. Chief Weston acknowledged the complaint and requested Detective Jenkins assist. Chief Weston provided names and telephone numbers for all involved employees being the following:

CO Brody Shonk [REDACTED]

CO Timothy Chandler Lindsey [REDACTED]

CO Michael Ferrante [REDACTED]

CO Zebulan Washburn – no contact as a future meeting was previously scheduled for April 5<sup>th</sup>.

Chief Weston also provided a copy of an internal investigation correspondence that was provided to CO Washburn on March 22, 2022. This was informing CO Washburn of an internal investigation and placing him on paid administrative leave for specific actions around March 14, 2022.

At 1345 hours, Detective Jenkins contacted CO Shonk via telephone. CO Shonk agreed to meet the following morning around 0800 hours at the Highland Court Office.

CO Shonk explained he has been employed at the jail for approximately a month. CO Shonk works night shift on Saturday through Tuesday. Normally CO Shonk will work with CO Lindsey, CO Washburn and sometime CO Farranti.

CO Shonk was asked about his knowledge of any complaints that were reported. CO Shonk described his knowledge of rule violations and improper use of time by senior corrections officers. According to CO Shonk, he knew the complaint was about CO Washburn. He stated his first couple days they gambled and played cards. CO Shonk was approached and told this was against the rules by day shift employee, CO Ryan Murphy. CO Shonk stated they (referring to Washburn and Farranti) continued to play cards and video games, but he no longer participated. When asked, CO Shonk stated he did hear the comment, regarding they could be fired if caught playing cards. CO Shonk believed this was CO Washburn who told him and CO Lindsey.

When asked if CO Washburn and CO Farranti played games all night or if it was during breaks, CO Lindsey stated it would be in cell checks.

CO Shonk was asked to describe any other activities he knew of that were concerning. CO Shonk stated, CO Washburn and CO Farranti will try to scare them with tasers. They will also put Germex (hand sanitizer) on their hands and light it on fire. Often, while off duty, Washburn and Farranti will come hang out at the jail for several hours during a shift. CO Shonk does not feel over worked, but he and CO Lindsey will not receive assistance from senior employees when they are working the same shift.

This recorded interview ended at 0823 hours and will be included with this report.

On Thursday, March 31, 2022, at approximately 1415 hours, Detective Jenkins sent a message to CO Ferrante requesting a phone call at his convenience.

At 1618 hours, CO Ferrante called Detective Jenkins. Detective Jenkins advised he was conducting an investigation regarding a complaint involving corrections. CO Ferrante agreed to meet Detective Jenkins at the Highland Court office later the same date.

AT 1642 hours, CO Ferrante arrived at the Highland Court Office and an audio recorded interview took place. The following is a synopsis of the recording, for exact verbiage used please refer to the recording:

CO Ferrante advised he was employed with the Sheriff's Office for approximately 1 ½ years. CO Ferrante was asked about the shift he is assigned, which he confirmed was the 0000 hours through 0800 hours shift. CO Ferrante was asked if he knew anything of the complaint regarding CO Washburn. CO Ferrante stated he was friends with CO Washburn and they had discussed it, however neither of them knew the reason for CO Washburn's recent placement on administrative leave.

CO Ferrante was then asked about senior jail staff making the newer staff do all of the work. CO Ferrante explained the newer staff was being tasked with cell checks and such, but he and CO Washburn would watch via security monitors to ensure the newer staff was successfully completing tasks. CO Ferrante stated this was not a matter of being lazy or forcing work on them, but making sure they could handle the job on their own.

CO Ferrante was also asked about playing cards and watching videos while working. CO Ferrante admitted to playing cards and watching videos during down/slow times and stated it did not effect his

job duties. When asked, CO Ferrante stated he did not believe playing cards and watching videos was against any rules/policies as he has never been corrected for such behavior. CO Ferrante stated he even believed one computer in the control room was specifically for personal use and the ability to use during down times.

CO Ferrante admitted he sometimes visits the jail during his off duty time. CO Ferrante stated to this point that he did not believe he nor CO Washburn were violating any rules.

At 1655 hours this interview ended and will be included with this report.

To this point, Detective Jenkins received the initial complaint from Supervisor Willaman. The complaint outlined concerns of rule/policy violations specifically detailing senior employees are being lazy and leaving jail responsibilities to the newer staff.

Detective Jenkins spoke to three of the four involved parties to learn the following in summary:

There is supporting statements of employees playing cards and watching videos/movies.

There are supporting statements that the newer jail staff are completing cell checks on there own, without the in person assistance of senior staff.

The last step in the investigation would be to speak with CO Washburn and that meeting was already set for Tuesday, April 5, 2022, at 1030 hours.

On Tuesday, April 5, 2022, at approximately 1010 hours, Detective Jenkins met with CO Washburn, the Union Attorney Bill Jarvis, and Union Representative Jennifer Bell. The following is a synopsis of the interview, for exact verbiage please review the recording:

CO Washburn was asked if he understood the reason for the investigation. CO Washburn stated playing games/cards and apparently not doing cell checks.

CO Washburn was advised about the original complaint from Supervisor Willaman as far as movie watching and game playing. CO Washburn agreed these things were in fact happening at the jail with him, along with several other Corrections Officers. This would usually occur on 2<sup>nd</sup> and 3<sup>rd</sup> shifts. CO Washburn stated he was not aware this was against the rules and has not been advised (verbal or written) that this was against any rules.

CO Washburn even explained that Supervisor Willaman let them bring in a Playstation 4 gaming console at one point, so they (Corrections) could play.

CO Washburn was given a scenario being that if he was playing cards or watching movies and Supervisor Willaman entered the room, would he be worried about getting in trouble. CO Washburn stated he did not believe he would get in trouble as long as his work was being completed.

When asked. CO Washburn denied ever neglecting his job duties due to watching movies or playing games. CO Washburn explained that "wands" were used to conduct cell checks. The wands show that no cell checks had been missed while he was working. CO Washburn explained that when there were three employees, being him and the two newer staff, he would watch them on camera while they conducted cell checks. CO Washburn explained this method to be pretty standard.

At 1347 Hours, Detective Jenkins made contact with CO Timothy Chandler Lindsey via telephone. CO Lindsey agreed to meet at the Highland Court Office at 1400 hours.

At 1400 hours, Detective Jenkins met CO Lindsey at the Highland Court Office. Detective Jenkins briefly explained the reason for the meeting and requested to conduct an audio recorded interview. CO Lindsey agreed and the recording began at 1400 hours. The following is a synopsis of the interview, for exact verbiage used please review the recording:

CO Lindsey brought up CO Zebulan Washburn and CO Michael Ferrante sometime showed up at work when they were not supposed to be. CO Lindsey stated he has witnessed these incidents during his scheduled time for work. According to CO Lindsey, Washburn and Ferrante will show up during their scheduled time off and hang out until just before the next shift begins to come to work. CO Lindsey informed he has been employed at the County Jail for approximately 5 months. During this time the work schedule is posted in the control room for all Corrections Officers.

CO Lindsey explained he normally works the 0000 to 0800 shift on Saturday through Tuesday. Recently, a newer employee, CO Brody Shonk has been working with him. CO Lindsey and CO Shonk will usually rotate between working with senior employees, CO Washburn or CO Ferrante.

CO Lindsey expressed concerns that CO Washburn and CO Ferrante would pull the "seniority card" rather than teach the newer employees how to properly operate the jail. CO Lindsey was able to provide examples such as conducting cell checks, inmate feed up, and jail cleaning that senior corrections staff (Washburn and Ferrante) would not assist him or CO Shonk with.

CO Lindsey was asked about the complaint of CO Washburn and CO Ferrante setting up a table, playing cards and watching movies while he was working. CO Lindsey explained that CO Washburn and CO Ferrante will sometime use the department computer (in control room). The two will use the Internet and watch Netflix and or other movie streaming programs.

The table usually was on top of the security monitors and would get setup once the off duty corrections officer arrived. CO Lindsey indicated if it was him and Washburn, then Washburn would help at work until Ferrante (Off duty) arrived. If CO Lindsey worked with CO Ferrante, Ferrante will help until CO Washburn (Off duty) arrived. CO Lindsey informed he felt this disrupted the workplace as they (Ferrante and Washburn) were goofing around.

CO Lindsey stated there was a lot of down time during the overnight shift. He feels that during the shift there is work that can be done or training that could be done, but CO Washburn does not take the opportunity. CO Lindsey stated he will sometimes ask how to do certain things and CO Washburn will put it off until later. During shifts when CO Lindsey and CO Shonk would be working with the senior officers, the two of them would be left with the duties of the jail without guidance. CO Lindsey is being left the duty of training CO Shonk when he is still learning himself.

At 1417 hours, this interview concluded and will be included with this report.

On Tuesday, March 29, 2022, at 0815 hours, CO Shonk arrived at the Highland Court Office and an audio recorded interview was conducted. The following is a synopsis of the interview, for exact verbiage used please refer to the recording:

CO Washburn was asked about the comment that someone could lose their job if found to be playing games or watching movies. CO Washburn said he was "pretty sure" it was not him who made the comment. CO Wahburn advised the comment was made and pertaining to CO Ryan Murphy not finding out because he likes to "stir the pot."

At the conclusion of the interview Detective Jenkins learned the following:

CO Washburn admits to playing games and watching movies while on duty.

CO Washburn states he does not believe he has done anything wrong.

CO Washburn explained he has not been corrected for the above mentioned behavior by his supervisor.

CO Washburn explained he believed there were different rules for each different employees, causing a hostile work environment in his opinion.

This investigation is considered completed and will be submitted to the Sheriff's Office Administration for review.