

courier-journal.com

Three Harrison corrections officers arrested on felony charges

By Sean Rose • srose@courier-journal.com • September 13, 2010

Three Harrison County corrections officers were arrested on felony charges on Monday stemming from an incident in May in which an inmate was put in a restraining chair and a hood with pepper spray was placed over his head.

Zachariah "Nathan" Adams, 25, of Depauw, Ind., was charged with battery, a Class C felony, criminal recklessness, a Class D felony, and a misdemeanor count of battery.

Sheila K. Barber, 55, of Corydon, Ind., and Ross Timberlake, 30, of Depauw, Ind., both were charged with two counts of assisting a criminal, a Class D felony.

Their arrests follow an Indiana State Police investigation into the alleged abuse of the inmate on May 22.

Tevin Bald, an 18-year-old Louisville man, was being held at the jail in a forgery and counterfeiting case. Bald said he was stripped by corrections officers, restrained and covered with a "spit hood" containing pepper spray.

Bald, an African American, repeatedly heard racial slurs and feared for his life, his lawyers said in June. Bald also was not allowed to shower for three days following the incident and was denied the necessary

supplies to clean his cell, his lawyers said.

Lawyers for Bald also said he had not tried to spit on or bite anyone, which the mask is designed to prevent, and that he has an asthmatic condition.

Bald was held after being accused on April 7 of trying to open an account at Community First Bank in Corydon with a fake \$275 check.

A corrections officer at the jail admitted in June that he had strapped Bald into a restraint chair and placed a "spit hood" laden with pepper spray over his head after he disobeyed orders to get off a table.

County Sheriff Mike Deatrick said over the summer that he had investigated the incident and accounts were overblown. The sheriff's office supervises the jail.

A message seeking comment on the arrests left for a supervisor at the jail was not immediately returned on Monday.

Advertisement



Print Powered By  FormatDynamics™

courier-journal.com

Adams faces more severe charges because he was the corrections officer who put the hood over Bald's head, said county prosecutor Dennis Byrd.

Barber and Timberlake stood in the cell while the incident occurred, but did not include it in a report they wrote that evening, Byrd said.

All failed to allow Bald to clean away the spray, Byrd said.

The three turned themselves in to the jail after a warrant was issued for their arrest on Monday, Byrd said.

Barber and Timberlake were out of jail Monday night after each posted a \$2,500 cash bond, Byrd said. Adams still was being held on a \$4,000 full cash bond.

All have a pre-trial conference set for Dec. 13.

Their arrests come amid other investigations into the Harrison County Jail.

A separate state police investigation opened at Byrd's request in April involved inmate Tony L. Smith, 35, of Corydon, who suffered a punctured lung, three broken ribs, a fractured vertebra and a broken nose earlier that month in a beating by four other inmates. Smith alleged in an interview with The Courier-Journal that he tried for three hours to summon help from corrections officers before he was taken in a police cruiser to a hospital.

State police forwarded results of the Smith investigation to Byrd, who said two inmates were charged in Smith's beating on Monday.

While there are separate allegations that jail officers may have been negligent, he said he views that a disciplinary matter.

The family of another inmate, Justin Schuley, said jail staff never notified them that Schuley was attacked by another prisoner on Aug. 11 and taken to Louisville for surgery.

Inmate William August Wilt II, 30, was charged with felony battery in the attack on Schuley.

Last week, a female inmate at the jail was taken to a hospital after she was found unresponsive, said county coroner Rusty Sizemore. Crystal Thompson, 27, of Pekin, Ind., was declared dead at the hospital, Sizemore said.

The Kentucky Medical Examiner handled

Advertisement



Print Powered By  FormatDynamics™

courier-journal.com

the autopsy, but could not determine the cause of Thompson's death. Investigators were waiting for toxicology reports, Sizemore said.

Deatrick himself is awaiting trial on sexual battery and criminal deviant conduct stemming from incidents with two female dispatchers. Deatrick also is charged with obstruction of justice.

With so many allegations against jail staff, Byrd said he has been trying to get the U.S. Department of Justice to take control of the jail out of fear that "someone would be injured or lose their life."

Byrd said that during the 13-week state police investigation into Bald's case, they discovered four or five other inmates who allege they were pepper sprayed, adding to many other allegations of abuse of inmates by prisoners and jail workers.

Reporter Sean Rose can be reached at (502) 582-4199.



Barber (Indiana State Police photo)



Adams (Indiana State Police photo)



Timberlake (Indiana State Police photo)

Advertisement

An advertisement for the USA TODAY AutoPilot app. It features a smartphone displaying the app's interface with travel information for a flight from BNA to IAD. The text "USA TODAY AutoPilot" is prominently displayed at the top, with a blue airplane icon. Below the phone, it says "The new travel app for iPhone® and iPod touch®". At the bottom right, it says "Presented by: Hampton" with the Hampton logo, and "SEE HOW IT WORKS »".

Print Powered By  FormatDynamics™