

No. 08- *5-DCR*

UNITED STATES DISTRICT COURT

Eastern District of Kentucky
NORTHERN DIVISION
COVINGTON

THE UNITED STATES OF AMERICA

vs

CLINTON SHAWN SYDNOR
WESLEY LANHAM
SHAWN FREEMAN

INDICTMENT

- 18 U.S.C. § 241 - Conspiracy - 1 count
- 18 U.S.C. § 242 - Civil Rights violation - 1 count
- 18 U.S.C. § 1519 - Falsification of records - 4 counts
- 18 U.S.C. § 1512(b)(3) - Witnessing tampering - 1 count
- 18 U.S.C. § 2 - Aiding and Abetting - 2 counts

A true bill.

Richard J. Klein
Foreman

Filed in open court this *24th* day of January, A.D. 2008

Clerk

Bail, \$ _____

JAN 24 2008

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
NORTHERN DIVISION
COVINGTON

FILED
JUN 24 2008

UNITED STATES OF AMERICA

v.

INDICTMENT NO. 08-5-DCR

CLINTON SHAWN SYDNOR,
WESLEY LANHAM, and
SHAWN FREEMAN

* * * * *

THE GRAND JURY CHARGES:

INTRODUCTION

At all times relevant to this indictment:

1. The Grant County Detention Center [GCDC] was a jail in Grant County, Kentucky, which housed inmates convicted of state and federal crimes, as well as people awaiting trial and people arrested on local charges and waiting to appear before a judge or pretrial officer.
2. Defendants **Clinton Shawn Sydnor, Wesley Lanham, and Shawn Freeman**, along with others, were employed as deputy jailers at the GCDC.
3. Defendant **Shawn Sydnor** was a shift supervisor at the GCDC with authority over other deputy jailers on his shift.
4. J.S. was an 18-year-old teenager, arrested for traffic violations, who was detained at the GCDC prior to a hearing before a pre-trial officer.

COUNT 1
[18 U.S.C. § 241]

On or about February 14, 2003, in Grant County, in the Eastern District of Kentucky,

CLINTON SHAWN SYDNOR,
WESLEY LANHAM, and
SHAWN FREEMAN

while acting under color of law as deputy jailers at the GCDC, willfully combined, conspired and agreed with one another, inmates known to the grand jury, and with other persons known and unknown to the grand jury, to injure, oppress, threaten and intimidate J.S., a pre-trial detainee, in the free exercise and enjoyment of rights and privileges secured to him by the Constitution and laws of the United States; namely, the right not to be deprived of liberty without the due process of law. The acts committed in furtherance of the conspiracy included aggravated sexual abuse.

Plan and Purpose of the Conspiracy

It was the plan and purpose of the conspiracy that defendants would lock J.S., a physically slight 18-year-old, into a cell with dangerous inmates in order to intimidate and harm J.S. To achieve the object of the conspiracy, defendants told J.S. that he would make someone a “good girlfriend,” and then went to Cell 101, in an isolated part of the GCDC, and informed the inmates housed there that the officers were going to bring J.S.

to the cell and that the inmates should “fuck with” J.S. and “teach him a lesson.”

Defendants then took J.S. to the cell, pushed him inside, and left him there, where inmates assaulted and raped him.

It was further part of the conspiracy that defendants falsified official documents and attempted to intimidate witnesses in an effort to cover up their actions relating to the physical abuse and sexual assault of J.S.

Overt Acts

In furtherance of the conspiracy, and to effect the objects thereof, the defendants and their co-conspirators committed the following overt acts, among others, at the GCDC:

(a) On or about February 14, 2003, defendant **SYDNOR** summoned defendants **LANHAM and FREEMAN**, along with others known and unknown to the grand jury, to come to the booking area of the GCDC to see J.S., who had just arrived at the GCDC.

(b) On or about February 14, 2003, defendants **SYDNOR, LANHAM, FREEMAN**, along with others known and unknown to the grand jury, made fun of J.S.’s physical appearance and informed J.S. that he would make someone a “good girlfriend.”

(c) On or about February 14, 2003, defendant **SYDNOR**, the shift supervisor, told defendants **LANHAM and FREEMAN**, along with others known and unknown to the grand jury, that J.S. needed to be “scared” and “taught a lesson.”

(d) On or about February 14, 2003, defendants **LANHAM and FREEMAN** agreed to go to Cell 101 and encourage the inmates there to teach J.S. a lesson.

(e) On or about February 14, 2003, defendants **LANHAM** and **FREEMAN** went to Cell 101 and informed inmates there, whom they knew to be dangerous, that the jailers were going to bring in a new arrestee, whom they referred to as “fresh meat,” and that the inmates should teach the new arrestee a lesson and “fuck with” him.

(f) On or about February 14, 2003, after talking to the inmates in Cell 101 and preparing them for J.S.’s arrival, defendant **SYDNOR**, and others known and unknown to the grand jury, escorted J.S. to the cell, as other inmates made sexual comments to J.S., including, “He’s such a cutie!”; “Bring him to me!”; and “Happy Valentine’s Day!”.

(g) On or about February 14, 2003, when J.S. hesitated and said that he was afraid to enter Cell 101, defendant **SYDNOR** pushed J.S. into the cell and closed the door.

(h) On or about February 14, 2003, inmates known to the grand jury physically assaulted J.S., stripped him naked, and sexually assaulted him.

(i) On or about February 14, 2003, after leaving J.S. in Cell 101, defendants **SYDNOR, LANHAM, FREEMAN**, and others known and unknown to the grand jury, failed to perform required hallway checks.

(j) On or about February 14, 2003, defendants **SYDNOR, LANHAM, and FREEMAN**, along with others, wrote false reports in which they made up a false justification for having placed J.S. in Cell 101, rather than having housed him in a cell in the booking area as was customary for pre-trial detainees who had not yet seen a pre-trial officer.

(k) On or about February 14, 2003, defendant **SYDNOR** falsified an official duty log for the purpose of concealing co-conspirators' failure to perform required hallway checks during his shift, all in violation of 18 U.S.C. § 241.

COUNT 2
[18 U.S.C. §§ 242 and 2]

On or about February 14, 2003, in Grant County, in the Eastern District of Kentucky,

**CLINTON SHAWN SYDNOR,
WESLEY LANHAM, and
SHAWN FREEMAN**

along with persons known and unknown to the grand jury, while acting under color of law and while aiding and abetting one another, locked J.S. into Cell 101, acting with deliberate indifference to a substantial risk that inmates in that cell would physically assault and otherwise harm J.S., and did thereby willfully deprive J.S. of the right, protected and secured by the Constitution and laws of the United States, not to be deprived of liberty without due process of law. This offense resulted in bodily injury to J.S., all in violation 18 U.S.C. §§ 242 and 2.

COUNT 3
[18 U.S.C. §§ 1519 and 2]

On or about February 14, 2003, in Grant County, in the Eastern District of Kentucky,

CLINTON SHAWN SYDNOR

and another known to the grand jury, while aiding and abetting one another, and while acting in relation to and in contemplation of a matter within the jurisdiction of an agency of the United States, knowingly falsified a document, specifically an official report concerning the placement of J.S. into Cell 101, with the intent to impede, obstruct, and influence the investigation and proper administration of that matter, all in violation of 18 U.S.C. §§ 1519 and 2.

COUNT 4
[18 U.S.C. § 1519]

On or about February 14, 2003, in Grant County, in the Eastern District of Kentucky,

CLINTON SHAWN SYDNOR

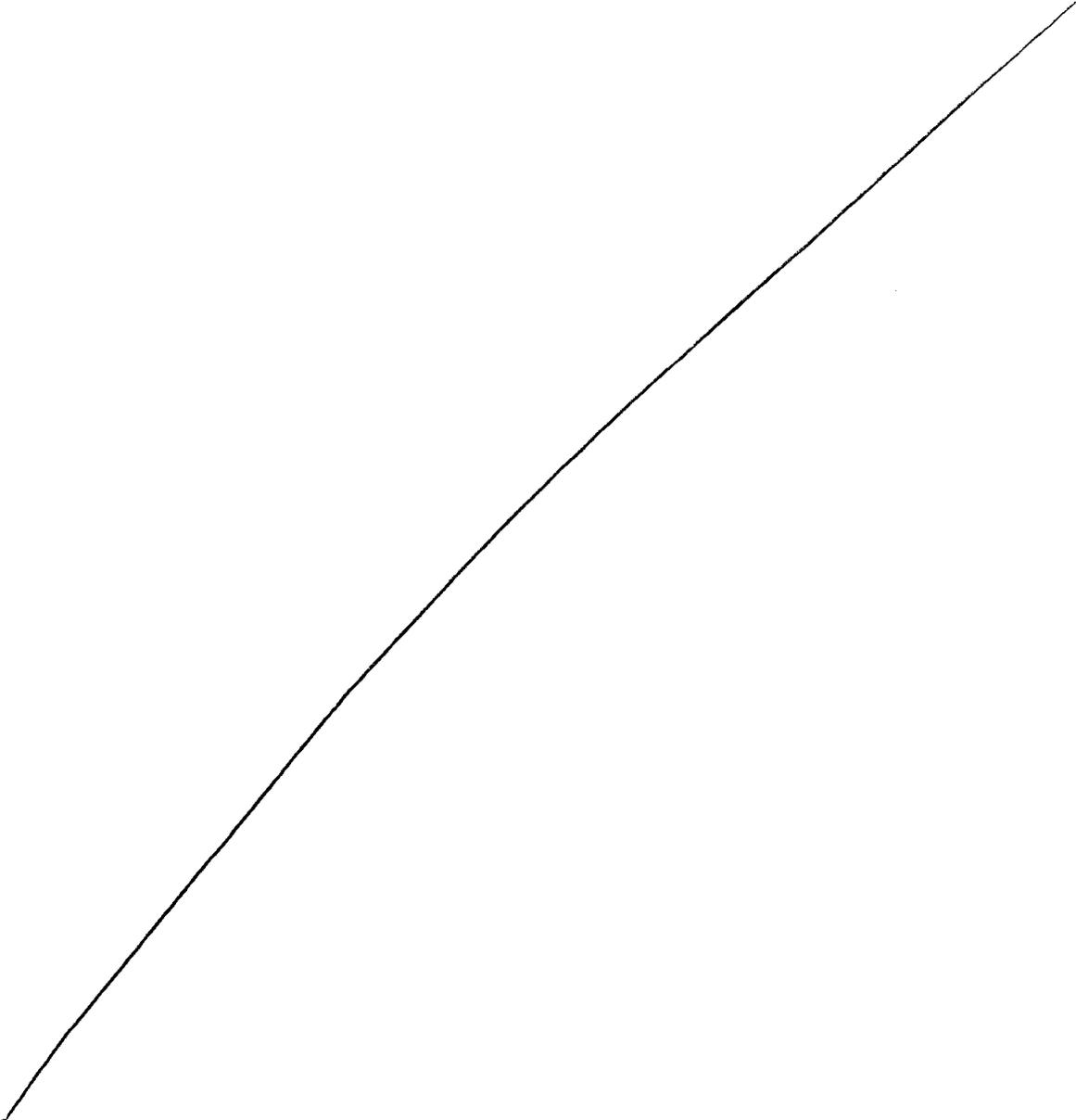
acting in relation to and in contemplation of a matter within the jurisdiction of an agency of the United States, knowingly falsified a document, specifically an official duty log reflecting activities engaged in by co-conspirators while on duty at GCDC on February 13 and 14, 2003, with the intent to impede, obstruct, and influence the investigation and proper administration of that matter, all in violation of 18 U.S.C. §§ 1519.

COUNT 5
[18 U.S.C. § 1519]

On or about February 14, 2003, in Grant County, in the Eastern District of Kentucky,

WESLEY LANHAM

and another known to the grand jury, while aiding and abetting one another, and while acting in relation to and in contemplation of a matter within the jurisdiction of an agency of the United States, knowingly falsified a document, specifically an official report concerning the placement of J.S. into Cell 101, with the intent to impede, obstruct and influence the investigation and proper administration of that matter, all in violation of 18 U.S.C. §§ 1519 and 2.



COUNT 6
[18 U.S.C. § 1519]

On or about February 14, 2003, in Grant County, in the Eastern District of
Kentucky,

SHAWN FREEMAN

acting in relation to and in contemplation of a matter within the jurisdiction of an agency
of the United States, knowingly falsified a document, specifically an official report
concerning the placement of J.S. into Cell 101, with the intent to impede, obstruct, and
influence the investigation and proper administration of that matter, all in violation of 18
U.S.C. § 1519.

COUNT 7
[18 U.S.C. § 1512(b)(3)]

On or about February 14, 2003, in Grant County, in the Eastern District of
Kentucky,

CLINTON SHAWN SYDNOR

knowingly intimidated, threatened, and corruptly persuaded W.G., a person known to the
grand jury, with intent to hinder, delay and prevent the communication to a federal law
enforcement officer and judge of information relating to the commission and possible
commission of a federal offense; that is,

Defendant SYDNOR ordered W.G. to make false statements concerning the events that led to the placement of J.S. into Cell 101, and threatened to retaliate against W.G. if W.G. refused to make the false statements, all in violation of 18 U.S.C. §§ 1512(b)(3).

A TRUE BILL


FOREPERSON

APPROVED:


JAMES A. ZERHUSEN
ACTING UNITED STATES ATTORNEY
EASTERN DISTRICT OF KENTUCKY

GRACE CHUNG BECKER
ACTING ASSISTANT ATTORNEY GENERAL
CIVIL RIGHTS DIVISION
DEPARTMENT OF JUSTICE

BY:


KRISTY PARKER
FORREST CHRISTIAN
TRIAL ATTORNEYS
CRIMINAL SECTION
CIVIL RIGHTS DIVISION
DEPARTMENT OF JUSTICE

PENALTIES

COUNT 1: Any term of years or life imprisonment, not more than \$250,000 fine, and supervised release of up to life.

COUNT 2: Not more than 10 years imprisonment, not more than \$250,000 fine, and supervised release of at least 3 years.

COUNTS 3-6, Not more than 20 years imprisonment, not more than \$250,000 fine, and supervised release of at least 3 years.

COUNT 7: Not more than 10 years imprisonment, not more than \$250,000 fine, and supervised release of at least 3 years.

PLUS: Mandatory special assessment of \$100 per felony count.