



**Department of Public Protection**

TO: George Recktenwald, Director  
Department of Public Protection

FROM: David Vanis, Captain  
Department of Public Protection  
Internal Affairs Unit

DATE: March 30, 2015

SUBJECT: Case # IA-2014-324, Senior Officer Jeffrey Washburn, Volusia County Division of Corrections

**References:**

1. Miscellaneous memos
2. Florida Highway Patrol DUI investigation Case Report. Case number FHPD14OFF071294 (Dated August 13, 2014).
3. In car camera footage of FHPD14OFF071294 (Date August 13, 2014).
4. CJIS Case history.
5. Driver license status
6. VCDC incident report detailing Sro. Washburn's resignation authored by Capt. Hunter (Dated November 18, 2014).
7. State of Florida v. Jeffrey Lynn Washburn case summary (Case number 2014 105807 MMDL).

**Complaint:**

On Wednesday August 13, 2014, Corrections Director Ford became aware that Senior Corrections Officer Jeffrey Washburn had been arrested earlier that morning by Florida Highway Patrol. Sro. Washburn had been charged with one count each of Driving Under the Influence [FSS 316.193(1)] and Driving Under the Influence; Property Damage [FSS 316.193(3)(c)1]. Based upon this information, Director Ford requested an Internal Investigation into Sro. Washburn's arrest through Public Protection Director Recktenwald who subsequently ordered me to initiate this investigation. It should be noted that this was Sro. Washburn's second DUI arrest as a VCDC employee and third in his lifetime.

**Information:**

On August 19, 2015, I obtained copies of the Florida Highway Patrol reports detailing the incident that led to Sro. Washburn's arrest and the associated in-car video of Sro. Washburn and Trooper Ruede's interaction at the crash scene.

Tpr. Ruede's report indicates that she was dispatched to a crash at the intersection of Spring Garden Avenue and Adelle Avenue at approximately 0100 hours on August 13, 2014. Through her crash investigation, Tpr. Ruede determined that a 1996 Honda Civic owned by Joseph Weaver was disabled and parked in the emergency lane of northbound Spring Garden Avenue with its hazard lights activated. The vehicle was partially in the right lane due to engine trouble. Sro. Washburn was travelling north on Spring

Garden Avenue in his 2013 Hyundai Sonata and failed to brake for the disabled vehicle. Sro. Washburn's Hyundai failed to brake and collided with the rear of the disabled Civic. Trp. Ruede indicated in her report that there was no evidence of braking at the crash scene (skid marks).

While Trp. Ruede was investigating the crash, she approached Sro. Washburn and asked him to explain what had occurred. Sro. Washburn immediately told the Trooper that he was not going to speak to her. While Sro. Washburn was retrieving his drivers license from his vehicle, Trp. Ruede observed him having trouble pulling his license out of his wallet. When asked if he (Washburn) was injured he replied that he was not. Trp. Ruede indicates in her report that it took nearly five minutes for Sro. Washburn to get his license out of his wallet.

After completing the crash investigation, Trp. Ruede conducted her DUI investigation after activating her in car video camera. While Sro. Washburn was walking toward the trooper's patrol car, the trooper and the associated video indicate that Sro. Washburn was "unsteady on his feet." While Trp. Ruede was explaining her reasons for conducting the DUI investigation, Sro. Washburn stopped her and told her "You can skip all your DUI tests and just get this started." Trp. Ruede told Sro. Washburn that based upon his slurred speech and odor of alcohol she would like him to perform a series of field sobriety exercises. Sro. Washburn refused to perform the exercises. Sro. Washburn additionally refused to provide a breath sample both before and after the Trooper read Sro. Washburn the implied consent warning. Sro. Washburn was then arrested by Trp. Ruede and transported to VCBJ. Sro. Washburn was charged with Driving under the influence [FSS 316.193(1)] and DUI Property Damage [FSS 316.193(3)(c)1].

According to court records, Sro. Washburn posted \$1000 bond on August 13, 2014.

On August 20, 2014, I served Sro. Washburn his notice of internal investigation at the Volusia County Branch Jail. He signed the receipt and I advised him that the investigation would be tolled until the completion of the criminal case. Sro. Washburn continued to his duties as a corrections officer until November 18, 2014.

On November 18, 2014, Sro. Washburn resigned his position. The report of Sro. Washburn's resignation authored by VCDC Capt. Hunter indicated that the resignation was verbal and that Sro. Washburn did not wish to submit a resignation letter or advanced notice. This report was added to the case file as Item 6.

On January 16, 2015, court records indicate that Sro. Washburn entered into a plea agreement regarding his criminal prosecution. By the terms of the agreement, Sro. Washburn plead "Nolo Contendere" to the charge of DUI with Damage to person or property [FSS 316,193(3)(c)1] and was adjudicated guilty. The DUI [FSS 316.193(1)] charge was "Nolle Prosequi" and the careless driving charge was dismissed.

### **Conclusion:**

Due to Sro. Washburn's resignation, he was not interviewed regarding this investigation. Based upon his acceptance of a plea agreement that resulted in a conviction for DUI property damage, all associated allegations are sustained.

### **Findings:**

Based upon supporting documentation and court records, the following allegations against former Senior Officer Jeffrey Washburn are **sustained**:

**VCDC Policy 102.09:** Correctional Officers shall conduct themselves in a professional manner at all times and remain cognizant of his/her responsibilities to the Division and the inmates in his/her charge.

**VCDC Policy 102.09(TT):** Employees shall refrain from any activity either on/off duty that would not be of good moral character. Examples of this are, but not limited to, any act constituting a criminal act, any principal, accessory, attempt, solicitation, or conspiracy of committing any criminal act.

**VC Merit Rules and Regulations, Sec. 86-453. Reasons for disciplinary action:**

(8) Criminal, dishonest or other conduct which interferes with effective job performance or has an adverse effect on the efficiency of county service.

(13) Any conduct, on or off duty, that reflects unfavorably on the county as an employer.

**Florida Administrative Code 11b-27.0011(4)(b)** Except as otherwise provided in Section 943.13(4), F.S., a plea of guilty or a verdict of guilty after a criminal trial for any of the following misdemeanor or criminal offenses, notwithstanding any suspension of sentence or withholding of adjudication, or the perpetration by an officer of an act that would constitute any of the following misdemeanor or criminal offenses whether criminally prosecuted or not: (FSS 316.193)

**Concluding Statement:**

Unless otherwise directed, this investigation is considered closed, and is submitted for review and action as deemed appropriate. The original attachments of interviews and other documents pertaining to this investigation remain on file with the Internal Affairs Unit.

“I, the undersigned, do hereby swear, under penalty of perjury, that, to the best of my personal knowledge, information, and belief, I have not knowingly or willfully deprived, or allowed another to deprive, the subject of the investigation of any of the rights contained in ss.112.532 and 112.533, Florida Statute.”

  
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Captain David Vanis

  
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Date