

COMMONWEALTH OF KENTUCKY
PERSONNEL BOARD
APPEAL NO. 2024-107

EBONY WILSON

APPELLANT

V. **FINAL ORDER
SUSTAINING HEARING OFFICER'S
FINDINGS OF FACT, CONCLUSIONS OF LAW
AND RECOMMENDED ORDER**

JUSTICE AND PUBLIC SAFETY CABINET,
DEPARTMENT OF JUVENILE JUSTICE

APPELLEE

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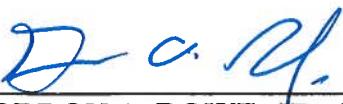
The Board, at its regular December 2025 meeting, having considered the record, including the Findings of Fact, Conclusions of Law, and Recommended Order of the Hearing Officer dated November 14, 2025, and the Corrected Findings of Fact, Conclusions of Law, and Recommended Order of the Hearing Officer dated November 17, 2025, and being duly advised,

IT IS HEREBY ORDERED that the Findings of Fact, Conclusions of Law, and Recommended Order of the Hearing Officer are approved, adopted, and incorporated herein by reference as a part of this Order, and the Appellant's appeal is therefore **DISMISSED**.

The parties shall take notice that this Order may be appealed to the Franklin Circuit Court in accordance with KRS 13B.140 and KRS 18A.100.

SO ORDERED this 19th day of December, 2025.

KENTUCKY PERSONNEL BOARD



GORDON A. ROWE, JR., SECRETARY

Copies hereof this day emailed and mailed to:

Ebony Wilson, Appellant
Hon. Kimberly Green, counsel for Appellee
Hon. William Codell, co-counsel for Appellee
Hon. Rosemary Holbrook (Personnel Cabinet)
Melanie Jenkins

COMMONWEALTH OF KENTUCKY
PERSONNEL BOARD
APPEAL NO. 2024-107

EBONY WILSON

APPELLANT

V. **CORRECTED FINDINGS OF FACT, CONCLUSIONS OF LAW
AND RECOMMENDED ORDER**
(Attaching Recommended Order Exhibit A)

JUSTICE AND PUBLIC SAFETY CABINET,
DEPARTMENT OF JUVENILE JUSTICE

APPELLEE

An evidentiary hearing was held in this matter via zoom on September 25, 2025, before the Hon. Kim Hunt Price, Hearing Officer. Present was the Appellant, Ebony Wilson, who was not represented by Counsel, and the Justice and Public Safety Cabinet, Department of Juvenile Justice, represented by Hon. Kimberly Green. The proceedings were recorded by audio/video equipment and were authorized by virtue of KRS Chapter 18A.

By Interim Order entered May 14, 2025, the issue at the evidentiary hearing was whether there was just cause for the dismissal of the Appellant and whether that penalty was excessive or erroneous. The Appellee bore the burden of proof by a preponderance of the evidence.

BACKGROUND

1. The Appellant, Ebony Wilson, was employed as a Corrections Officer with the Department of Juvenile Justice at the Warren County Juvenile Detention Center (hereinafter, "WCJDC").

2. By letter dated June 26, 2024, the Appellant was terminated for lack of good behavior and unsatisfactory performance of duties. A copy of said dismissal letter is attached hereto as **Recommended Order Exhibit A**.

3. The Appellant filed a timely appeal on or about June 27, 2024, as to the dismissal.

4. She had also received a prior suspension, which was noted within the Dismissal Letter and marked the suspension as being appealed. However, the suspension was issued on April 19, 2024, and was not timely appealed.

5. **Jeffery Blanton**, a Program Investigator III, with the Internal Investigations Bureau for three years, testified that he had twenty-one (21) years' previous experience as a Police Officer with Lexington Fayette Urban County Government. In the course of another investigation at WCJDC, on March 25, 2024, it was discovered that Juvenile JC, who was being held in the detention center for murder, had sent a text from the facility to someone outside the facility on November 27, 2023. The text stated that a female staff member was going to obtain his phone charger from Juvenile MM.

6. Blanton investigated the issue of the phone charger. He reviewed the video surveillance recorded at the facility on November 27, 2023. His report was introduced as Appellee's Exhibit 1. The video shows that the Appellant escorted JC to room 107 and was having a conversation with him. Later, she returned to the pod from which JC had been moved and spoke with MM. After that, she left MM and obtained a large envelope from the office, brought it back to MM and pointed to the TV cart while she was talking to MM. During this same period of time MM and JC were on the phone in different pods, but there was a window where they could view each other, and they are seen making hand gestures to each other. After MM placed the envelope on the TV cart, the Appellant pushed the cart out of pod 300 and into pod 100. She then retrieved the envelope, took it into JC's room and exited his room without the envelope.

7. When being interviewed, the Appellant denied having talked with JC prior to the envelope being obtained or moved. The video tapes refute this statement. During interviews concerning the allegations, the Appellant stated to Blanton that MM and JC were involved in a room swap. JC had left some of his items behind and MM asked her to take them to JC's room. MM asked her for an envelope, which she obtained. MM and JC were not directly changing rooms during this incident. During her interview, the Appellant stated that MM gave her the envelope and she carried it to JC's pod, and JC said thank you. She could not recall the details as to why MM placed the envelope on the cart instead of handing it to her. She said that she had planned to take the TV cart over to pod 300 anyway.

8. The Appellant acknowledged she did not check the contents of the envelope. When asked if that would be a good idea, she stated she was new to the staff and thought that, because MM and JC were friends, they would only transfer snacks or other items between themselves. Blanton presented her with a hypothetical of juveniles passing letters planning to assault staff. She

said that, at the time, she did not recognize that as a threat and, looking back on the circumstances, her behavior looked terrible.

9. JC was interviewed during the investigation and stated that the only staff member who had helped him with contraband at WCJDC was Officer Lightfoot. There were several attempts to contact MM, who had since been released from custody, but he was not able to be contacted.

10. Counsel for the Appellee introduced Exhibit 2, which was a series of still images taken from the videos, showing MM and JC using hand gestures across the phone, including JC using a thumb and pinky finger indicating holding a phone. The photos also showed the Appellant handing the envelope to MM, MM placing it on the cart after coming out of his room, and the Appellant escorting JC into his new room in pod 100 at 4:07 p.m. (six (6) minutes prior to the time JC sent the text outside the facility stating a female staff member was going to help get his phone charger). The video from which the still photos were taken was introduced as Appellee's Exhibit 3.

11. Blanton felt that, considering the totality of the circumstances, namely the video being inconsistent with what the Appellant had said about speaking to JC prior to getting the envelope; with having MM place the envelope on the cart, rather than just hand it to her; and her not checking the envelope; this seemed to be an intentional and calculated action on behalf of the Appellant.

12. **Tina Crowe**, Assistant Supervisor at the WCJDC, testified that she worked for DJJ since 2001. On May 27, 2024, Crowe was working and, when she came in, Lt. Christopher Amos told her that the Appellant had arrived for her 12-6 p.m. shift at 6 o'clock a.m. She told Amos to advise the Appellant to leave and come back at 12 o'clock, her scheduled time. The Appellant stated that, if she left, she was not coming back because she did not have a babysitter. The schedule times are posted on the wall of the facility two (2) weeks in advance.

13. The Appellant came into Crowe's office, talking to her about things that Amos was doing, while Amos was in the office making copies. The Appellant was loud and unprofessional and said she thought that it was unfair that she was being sent home when Amos had been permitted to stay at times other than his scheduled shift and had left during his scheduled shift for personal matters without approval.

14. Appellee's Exhibit 4 was a video, without audio, showing the administrative room and hall area during the altercation between the Appellant and Amos. Officer Hargrove came into the administrative room first, then the Appellant and Amos entered the room. Crowe was also in the room, and the Appellant was speaking to her about the scheduling issues.

15. Crowe testified that the door to the administrative room is to stay locked but sometimes it will catch without completely closing. Supervisors or controllers can open the door with a key. Amos and Hargrove left the room. As they left, the Appellant turned around hurriedly as if in response to something and then jerked the door open. You can see Amos in the hall. The Appellant went into the hall and arms were flying. The Appellant went toward Amos and swung but did not hit him. He then hit her with a closed fist.

16. Crowe stated that she was distantly related to Amos, being a third cousin, that both the actions of Amos and the Appellant were unprofessional, and that Amos was also dismissed from his position as a result of this matter.

17. Because of this situation's escalation, Crowe kept the Appellant in the room until Amos had left the facility to ensure no additional altercation occurred. She thought the Appellant was calling the police and, therefore, did not do so herself.

18. The second part of this video showed the view of the incident from the hallway. In said view of the video, Officer Brian Hargrove and Officer Terry Soloman are in the hallway and Wilson and Amos enter the office of Crowe. Amos exited the administrative office to the hallway and dropped some papers during the same time the Appellant opened the door. From this angle, it appears that the Appellant swung first. A radio slid across the floor.

19. Video from the lobby shows that Amos immediately got his things and left the facility after the physical altercation. Crowe and Wilson then came out, and Wilson was on her phone making a call. They waited to make sure that Amos had left the facility before Crowe let the Appellant leave the building. Crowe stated that she did not see any injury on either Amos or the Appellant. She reported this incident to her higher ups and filled out an incident report, which was introduced as Appellee's Exhibit 5.

20. Crowe testified that the Appellant's behaviors were in violation of DJJ policy 104, introduced as Appellee's Exhibit 16, as well as the facility Standard Operating Procedure 104, which mirrored DJJ policy and was introduced as Appellee's Exhibit 7.

21. On cross-examination, Crowe stated that she was not aware that Amos was only working 6-12 overtime and not 12-6 pm overtime days, but his supervisor would have been aware of that if it occurred. She was not aware that Amos and Tamisha Crimshaw had an argument before his argument with the Appellant on the date in question. Amos did not tell Crowe that he told the Appellant she could stay at work if it was okay with Crowe. He merely told her that staff was there that was not supposed to be.

22. Crowe acknowledged that DJJ policy was to work with staff to try and accommodate schedules, but she also had to be sure she had appropriate coverage at the facility. The Appellant was needed to work the second shift for that day.

23. Crowe acknowledged that the Appellant was discussing with her unfair things concerning Amos while he was in the room and she did not ever ask Amos to leave the room. Crowe also stated that the Appellant did not request to speak privately and could have done so. During this time in Crowe's office, the Appellant and Amos were arguing back and forth. Crowe did not recall Amos having a key in his hand during the physical part of the altercation with the Appellant.

24. The Appellant introduced Appellant's Exhibit 1, a still photo of the incident with Amos, where Amos's hands are on her and she did not have her hands up. The Appellant also introduced as Appellant's Exhibit 2, proof that there was a power outage that day in Bowling Green as she claimed. Apparently, she blamed that as the reason she was at work at the wrong time.

25. Crowe stated that Amos left the room and if the Appellant had not gone to the door and opened it again, the argument would have been over, and nobody would have been struck.

26. Crowe had no say over what the ultimate discipline was in this matter and stated that had it been her decision, neither would have been fired, but the Appellant and Amos would have been put on different shifts.

27. Crowe testified that, during this argument, both the Appellant and Amos were using profanity.

28. **Kevin Foster**, the Youth Service Program Supervisor at WCJDC at the time of these incidents, testified that all employees received six weeks of training in Louisville and also received on-the-job training. He testified that the Appellant began work at WCJDC on August 7, 2023, and the contraband incident occurred on November 27, 2023. At that time, she would have

already completed her six (6) weeks of training and some on-the-job training. Contraband is specifically addressed in training.

29. Foster testified that he reviewed the investigative findings and believed the Appellant's actions violated policy and that she was not initially truthful with the investigator. He testified that it would have been a policy violation to pass the envelope between the two individuals. Further, he believed the video showed the Appellant had talked to JC prior to going to get the envelope from MM and bringing it back to JC. He testified it would also be a violation of policy not to check the contents of the envelope before taking it to another inmate.

30. Foster testified that cell phones are contraband in the facility, and a charger would also constitute contraband because, without that, you would not be able to use the cell phone.

31. Foster reviewed the incident report prepared by Crowe that contained a written statement by Officer Hargrove, who was present in Crowe's office when the incident occurred. Hargrove's statement reflected that Amos and the Appellant were both yelling at each other, using profanities, and being very disrespectful.

32. Soloman's statement stated he was working in the control room and heard a verbal argument where the Appellant was yelling at Crowe and Amos. The Appellant lunged toward Amos and tried to punch him.

33. Telia Brown's statement reflected that the Appellant was the first to get loud during the argument. She did hear Amos use expletives regarding the Appellant and saw a physical altercation.

34. Tamisha Crimshaw's statement said that the argument was over the Appellant being there early for her shift and having on the wrong pants, that both the Appellant and Amos were cussing and that Amos called the Appellant a bitch. She saw Amos throw his keys and radio down and leave the facility.

35. Foster testified that a major corrective action checklist was completed with regard to this matter and same was introduced as Appellee's Exhibit 8. He completed this and drafted a Request for Major Corrective Action, which is then ultimately sent to James Sled.

36. Foster testified that the Appellant had a previous three-day suspension for an unrelated matter. That suspension was accomplished by April 19, 2024 letter that stated that the Appellant failed to submit to security screening at the front door on two (2) occasions, March 8

and 9, 2024, and had showed unapproved media to the juveniles from her private cell phone. All of this was a violation of policy. Appellee's Exhibit 9 was the April 9, 2024 Request for Major Corrective Action in relation to those incidents.

37. Foster acknowledged that youths have PlayStation 4 consoles in the recreation room but cannot have them in their own rooms. The controllers are wireless, and it is possible they would be in the juveniles' individual rooms, but charger cords must always remain on the cart due to the fact that they are a safety threat and potential contraband.

38. During the meeting with the Appellant and Lund, Foster did not believe that either had told the Appellant that she would be suspended because these decisions are made by someone outside the facility.

39. Foster stated that, based upon his review of the video from the argument with Amos, he could not tell who had struck the other first.

40. Foster acknowledged that, during a May 27, 2024 staff meeting in the cafeteria, Amos interrupted him and was trying to take over the meeting. Foster and Crowe told Amos to calm down or leave and Amos left to the parking lot. During this incident, Amos was asked to calm down more than once and was told to stop using foul language. Amos did come back into the meeting and apologize. After this incident, Amos was promoted. Foster felt that there was a distinction between staff being upset in a staff meeting and expressing that to staff members and physically becoming violent due to an argument during the course of a workday.

41. Foster did not recall the Appellant contacting him regarding a possible workers compensation claim after the incident and stated that any such call or inquiry would have been referred to Childers, who handled such matters.

42. **Commissioner Randy White** has been the Commissioner for the Department of Juvenile Justice since April 1, 2024 and, as such, oversees all operations, including being the appointing authority and making final decisions on dismissals and other disciplinary actions.

43. Appellee's Exhibit 6, DJJ Policy 104, was introduced through Commissioner White. He testified that the Appellant's actions violated DJJ Policy 104, specifically Section 1, which states:

"staff, volunteer, interns, and contract personnel shall conduct themselves in a professional manner. All persons shall be aware that their personal

conduct reflects upon the integrity of the agency and its ability to provide services to the youth.”

Section B:

“staff shall perform their work assignments competently and in a professional manner. It is the responsibility of each staff to know and act in accordance with department policy and procedure.”

Section M:

“items deemed to be contraband shall be prohibited in DJJ facility and offices. No one shall transport contraband of any kind into a DJJ facility.”

Section X:

“all persons shall act in a manner which provides you with a positive role model.”

Section Y:

“all persons shall be expected to maintain a professional relationship with youth at all times. The following rules help to delineate this relationship and prevent complications and treatment of youth.”

Section Z:

“all staff are prohibited from the following actions 3) giving special privileges to a youth, unless privileges are earned by the youth as part of the treatment plan.”

WCJDC’s Standard Operating Procedure 104 mirrors the Cabinet Policy and Procedure.

44. Commissioner White also introduced Appellee’s Exhibit 10, a copy of KRS 520.010, which defines contraband. Dangerous contraband includes cell phone chargers because a phone is defined as dangerous contraband and a charger is a component of a phone. Also, the chargers present a safety threat as they could be used for binding and hanging. Commissioner White stated that the Appellant’s behavior in moving the phone charger from MM to JC and not inspecting the envelope was promoting contraband and a gross dereliction of her duties.

45. Originally, on May 28, 2024, he signed an Intent to Dismiss letter. That letter stated that the Appellant had struck Amos first. This letter was introduced as Appellee’s Exhibit 11. By a second letter dated June 4, 2024, and introduced as Appellee’s Exhibit 12, Commissioner White rescinded the Intent to Dismiss because, after he viewed the video, he could not say definitively that the Appellant had struck Amos first.

46. Commissioner White then issued Appellee’s Exhibit 13, the June 5, 2024, Intent to Dismiss letter, which accurately reflected that there was a physical altercation. The Appellant did not request the Pre-termination Hearing and, as a result, Appellee’s Exhibit 14, the June 26, 2024 Dismissal Letter was sent.

47. **Rodney Moore**, Executive Director of Human Resources of the Justice Cabinet, testified that he had been with Corrections since 2003, had worked in Human Resources (“HR”) since 2009, and became the Executive Director of Human Resources in 2022. He reviews all cabinet disciplinary actions. Progressive discipline is followed in order to correct behaviors that are less serious, which can include counseling, performance improvement plans, and suspensions. He testified that the Appellant had been on PIP plans and had received counseling numerous times, typically for incorrect uniform or time and attendance issues. In addition, prior to this incident, she received a three-day suspension in April 2024 for refusing to go through security screenings before entering the facility.

48. Moore stated that, from his view, the Appellant did make the initial physical contact with Amos when she hit his hand through the open door and went after him. In any event, he felt that the Appellant opening the door after Amos had exited the administrative office escalated the matter to a physical altercation.

49. Moore testified on rebuttal that none of the accusations made by the Appellant’s witness concerning Amos had ever been brought to his attention in HR. Further, Moore stated that, even if the Appellant did not strike Amos first, she would have been dismissed.

50. **Jasmine Wilson**, currently a DJJ employee, testified that she had seen Amos clock in on days that he was not scheduled to work and leave during his scheduled time without consequences. She had heard Amos brag on this himself.

51. Jasmine Wilson acknowledged she had been written up for passing an envelope between juveniles. In that incident, she had held the envelope up to the light to see if there was contraband in it. The only thing in it was a letter that had been written between the residents. She slid it under the other juvenile’s door and was counselled by Sublet and Crowe for this behavior.

52. Jasmine Wilson also testified to the March 27, 2024 meeting when Amos had been disruptive and cussing during the meeting because he did not agree with what was being stated. An officer had to go toward him to calm him down and the superintendent told him to stop. Amos bumped into two (2) people when going out the door.

53. Jasmine Wilson saw Amos stay over up to two (2) hours on other occasions and saw him get into confrontations with another supervisor, which was verbal, but included cursing. She never saw that any discipline was given to Amos after that, and he was promoted to Lieutenant

shortly after. She acknowledged that she is not informed by HR or leadership when other employees are disciplined.

54. **Allison Morris** works first shift at the WCJDC and testified that, on Amos' overtime days of 12-6 p.m., he only showed up at whatever times he wanted to and was allowed to continue to work. She also reiterated his behavior at the March 27 staff meeting, although she did not recall if he was told to get out or not. She was unaware of any discipline that was imposed for this matter.

55. **Tamisha Crimshaw** testified she works days at the facility. She had an argument with Amos on the same day as the May 27 incident with the Appellant, approximately five (5) to ten (10) minutes prior. She heard Amos call the Appellant a bitch, and she opened the door and saw him put a key in the Appellant's face. She was in the control area so she could hear what was being said and heard him say that he would slap the Appellant.

56. Crimshaw also believed that Amos got away with things that others did not, such as switching work schedules, leaving without approval and clocking out. She also reiterated the occurrence of the March 27, 2024 meeting, when Amos ultimately slammed the door and left after cursing aggressively. She acknowledged that, on the incident between the Appellant and Amos, both were yelling and cursing.

57. **The Appellant, Ebony Wilson**, testified that she felt she was being targeted because Amos was related to the Appellant. She denied having threatened Amos. She stated that once Crowe was in the office speaking to her, Amos should not have been in the room. She said that, when she opened the door after Amos left, she had no intention of hitting him, but wanted to be sure Crowe had heard that he threatened to slap her.

58. The Appellant stated that she is a loud person and, if frustrated, her emotions can make her louder. She felt that some cursing was allowed as part of venting.

59. The Appellant stated that she had some confusion on her schedule on the day of the incident with Amos because the electric had been off across the entire county. She was not able to come back to work at the actual scheduled time because of her day care arrangements. She did not argue with Crowe but was in a verbal altercation with Amos. She felt he was upset because she was telling on him for leaving early. The Appellant stated that when Amos told her he was going to slap her, she no longer felt safe. Despite this statement, when Amos left the room, the

Appellant immediately turned and went toward him, which does not, in this Hearing Officer's opinion, reflect someone who is afraid for their safety.

60. The Appellant further stated that she has known Amos for years and never known him to hit a woman and did not think he would hit her but alleged she still did not feel safe.

61. The Appellant stated that she regretted not checking the contents of the envelope exchanged between the youth but thought that kids leaving things behind and it being moved back to their room was normal.

62. On cross-examination, the Appellant acknowledged she had received six (6) weeks of training prior to being placed at the facility and the job required she follow all DJJ policies.

63. The Appellant stated that, even if she had seen the charger, it would not have necessarily raised a red flag because she had not seen any problems with contraband while she had been at WCJDC. She acknowledged that the envelope could have contained a razor, weapons, drugs, shoelaces, belts or other contraband that could have created a danger. She felt that charger cords were left in pods on the carts regularly and, thus, were not something that would be considered dangerous.

64. The Appellant acknowledged that she began work with DJJ in August 2023. She acknowledged the following disciplinary actions:

- a. On September 29, 2023, she was given a verbal conference for not following directions three (3) times by Captain Soto to fill out a service log check-in on September 23, 2023.
- b. On October 30, 2023, she received a verbal conference for arriving late for work.
- c. She was given a performance improvement plan on December 15, 2023, due to her chronic tardiness.
- d. On January 8, 2024, she was given another verbal conference concerning punctuality in work, being late four (4) times out of six (6) working days on her schedule.
- e. On February 24, 2024, she was given a verbal conference for failing to complete progress notes for Pod 200 for the entire week as required.
- f. She then received the April 19, 2024 letter for a three-day suspension based on failing to go through the security checks on March 8 and 9, 2024.

FINDINGS OF FACT

The Hearing Officer makes the following Findings of Fact by a preponderance of the evidence:

1. The Appellant, Ebony Wilson, a classified employee with status, timely filed her Appeal with the Personnel Board on June 27, 2024, appealing her dismissal from her position as a Correction Officer with the Justice and Public Safety Cabinet, Department of Juvenile Justice.

2. The Appellant received a prior suspension that was mentioned in the dismissal letter and also checked suspension on her Appeal Form. Said suspension was issued on May 19, 2024, and was not timely appealed.

3. Pursuant to Interim Order entered May 14, 2025, the issue at the evidentiary hearing was whether there was just cause for the dismissal of the Appellant and whether the penalty was excessive or erroneous. The Appellee was assigned the burden of proof by a preponderance of the evidence.

4. On or about November 27, 2023, the Appellant spoke with Juvenile JC and then returned to another pod and spoke with Juvenile MM. During that period of time, MM and JC were speaking on telephones in different pods with a window between them where they could view each other. JC made hand gestures indicating holding a phone. The Appellant obtained an envelope for MM and brought it back to him. He then went in his room, came back out with the envelope and placed it on the TV cart. Thereafter, the Appellant pushed the cart out of MM's pod into JC's pod, retrieved the envelope from the cart, took it into JC's room, and exited his room without the envelope.

5. In her interview concerning this allegation, the Appellant was not honest; she denied speaking with JC prior to obtaining the envelope for MM. She did admit not looking inside the contents of the envelope. The Appellant admitted that the envelope could have included items of contraband which would present a danger to the residents or employees of the facility.

6. The Appellant's dismissal was also based upon an incident that occurred on May 27, 2024, when she was scheduled to work the noon to 6:00 p.m. shift and arrived at the facility at 6:00 a.m. Officer Amos informed Assistant Supervisor Tina Crowe of this incident and Crowe told the Appellant that she would have to leave and return at noon. The Appellant stated she would not come back because she did not have a babysitter and then proceeded to discuss with Crowe

what she felt were inequities in treatment, alleging that Amos came in and worked at times he was not scheduled and left during his scheduled work. Amos was in the Administration Room at the time this conversation occurred and he and the Appellant were loud and using profanities.

7. When Amos left the Administration Room, the door shut behind him. The Appellant turned abruptly and rushed toward the door, opening it and going towards Amos. Thereafter, a physical confrontation occurred between her and Amos. The Appellant was not credible in her allegation that she was fearful of her safety at that time because she proceeded after Amos rather than staying in the room, which would have prevented a physical altercation.

8. The Appellant had prior disciplinary action of a three-day suspension on April 19, 2024, wherein she did not submit to security screening on March 8th and 9th when she arrived at work and later was showing juveniles unauthorized material on her cellphone.

9. In addition, the Appellant had numerous prior counseling sessions and a performance improvement plan for insubordination and for attendance issues.

10. Officer Amos was dismissed as a result of the May 27, 2024 altercation with the Appellant.

CONCLUSIONS OF LAW

1. KRS 18A.095 (1) states “a classified employee with status shall not be dismissed, demoted, suspended without pay, or involuntary transferred except for cause.”

2. 101 KAR 1:345 (1) states “appointing authorities may discipline employees for lack of good behavior or the unsatisfactory performance of duties.”

3. KRS 520.010 (3) defines dangerous contraband as “contraband which is capable of use to endanger the safety or security of a detention facility or persons therein, including, but not limited to... cell phones not authorized under KRS 441.111.”

4. KRS 520.010 (1) defines contraband as “any article or thing which a person confined in a detention facility is prohibited from obtaining or possessing by...departmental regulation...”

5. The preponderance of evidence shows the Appellant intentionally assisted JC in obtaining his phone charger from MM within the facility as she had clearly spoken to JC minutes before he sent a text telling someone outside the facility that a female staff member was going to

help him get his phone charger, that JC and MM were making hand motions between a glass indicating a phone, that the Appellant obtained an envelope for MM and had him place it on a TV cart, rather than had it directly to her after bringing it from his room, and she then took the cart into the other pod and placed the envelope in JC's room. This action constitutes lack of good behavior and unsatisfactory performance of duties.

6. Even if these actions were not intentionally done by the Appellant, she acknowledged that she failed to check the contents of the envelope for contraband. One of these juveniles was charged with murder and all juveniles in the facility were potentially dangerous. In keeping a facility, such as the WCJDC, secure and all its residents and staff safe, it is essential that employees be diligent in searching for contraband. A phone charger is clearly dangerous contraband as it is a component of a phone. First, it allows a juvenile the ability to contact those outside the facility or possibly others within the facility which can, in and of itself, be a security threat. Secondly, the cord itself could be used to hang, bind or otherwise harm another inmate or that juvenile. The Appellant received six (6) weeks of officer training prior to starting her job and also received on-the-job training prior to the incident occurring with the transfer of the envelope. This action alone would be sufficient to constitute lack of good behavior and unsatisfactory performance of duties.

7. In addition to the above incident, the Appellant engaged in a physical altercation with a co-employee on May 27, 2024. The Appellant was at work at a time that was not her scheduled shift and was told to leave the facility by her supervisor. There should be no issue that one must leave the workplace if told to do so by their supervisor and not be there at times they are not scheduled and are not needed for work. During the verbal altercation, the Appellant, as well as the other worker, Amos, were both cursing and loud. This behavior is in violation of DJJ policy 104 and WCJDC Standard Operation Procedure 104.

8. It is difficult for the Hearing Officer to make a determination as to who struck who first from the videos and obviously there were varying views among the witnesses as to that issue. Irrespective of whether the Appellant struck first or Amos struck first, the physical altercation would not have occurred but for the Appellant charging out the door after Amos left the room. It is illogical to think that the Appellant was fearful for her safety when the video clearly shows her back turned as Amos leaves and, as the door shuts, she whirls around quickly, aggressively going

to the door, jerking it opening, and lunging toward Amos. This type of behavior cannot and should not be tolerated in any correctional facility or workplace. Further, this conduct constitutes lack of good behavior and unsatisfactory performance of duties.

9. In addition to these two incidents upon which the dismissal was based, the Appellant has also had a three-day suspension in April 2024, for lack of good behavior and unsatisfactory performance of duties when she refused to enter a security check for all employees and then on same date had her personal cell phone present showing unapproved materials to juveniles.

10. Further, there were numerous other issues concerning attendance as reflected in her counseling and performance improvement plans. The actions with the envelope transfer and the Amos argument are sufficient alone to justify cause for dismissal. However, when there are the added disciplinary actions there is no doubt that progressive discipline was followed.

11. Dismissal was not excessive and was for cause.

RECOMMENDED ORDER

Based upon the foregoing, it the recommendation of Hearing Officer that the appeal of **EBONY WILSON V. JUSTICE AND PUBLIC SAFETY CABINET, DEPARTMENT OF JUVENILE JUSTICE (APPEAL NO. 2024-107)** be **DISMISSED**. **FURTHER**, it is recommended that the exhibits entered herein be admitted under seal in order to preserve confidentiality of the juveniles involved.

NOTICE OF EXCEPTION AND APPEAL RIGHTS

Pursuant to KRS 13B.110(4), each party shall have fifteen (15) days from the date this Recommended Order is mailed within which to file exceptions to the Recommended Order with the Personnel Board. In addition, the Kentucky Personnel Board allows each party to file a response to any exceptions that are filed by the other party within fifteen (15) days of the date on which the exceptions are filed with the Kentucky Personnel Board. 101 KAR 1:365, Section 8(1). Failure to file exceptions will result in preclusion of judicial review of those issues not specifically excepted to. On appeal, a circuit court will consider only the issues a party raised in written exceptions. See *Rapier v. Philpot*, 130 S.W.3d 560 (Ky. 2004)

The Personnel Board also provides that each party shall have fifteen (15) days from the date this Recommended Order is mailed within which to file a Request for Oral Argument with the Personnel Board. 101 KAR 1:365, Section 8(2).

The parties are strongly encouraged to send any exceptions and/or requests for oral argument by email to: PersonnelBoard@ky.gov

Each party has thirty (30) days after the date the Personnel Board issues a Final Order in which to appeal to the Franklin Circuit Court pursuant to KRS 13B.140 and KRS 18A.100.

Any document filed with the Personnel Board shall be served on the opposing party.

SO ORDERED at the direction of **Hearing Officer Kim Hunt Price**, this 17th day of November, 2025.

KENTUCKY PERSONNEL BOARD

Gordon Rowe by BJD
GORDON A. ROWE, JR.
EXECUTIVE DIRECTOR

A copy hereof was emailed and mailed to the following persons at their respective addresses as provided to the Personnel Board on this 17th day of November, 2025:

Hon. Kimberly Green, Counsel for Appellee
Ebony Wilson, Appellant
Hon. Rosemary Holbrook, Personnel Cabinet

Andy Beshear
GOVERNOR



RECEIVED

JUL 30 2024

JUSTICE AND PUBLIC SAFETY CABINET
DEPARTMENT OF JUVENILE JUSTICE

Personnel Board
Keith L. Jackson
SECRETARY

1025 Capital Center Drive, 3rd Floor
Frankfort, Kentucky 40601
Phone: (502) 573-2738

Randy White
COMMISSIONER

June 26, 2024

Ebony Wilson

Via Fed Ex

Dear Ms. Wilson:

Because I have not received a request for a pre-termination hearing from you and it is now past the five (5) working day time frame to request the hearing, I have determined that the clear weight of the evidence establishes that you committed the charges as outlined in my letter to you dated June 5, 2024.

Therefore, based on the authority of KRS 18A.095, you are hereby notified that you are officially dismissed from duty and pay effective June 27, 2024.

Pursuant to 101 KAR 1:345 Section 1 and Section 2, you are being dismissed from your position for the reasons outlined in my letter to you dated June 5, 2024, and these reasons are again indicated as follows:

Lack of good behavior and Unsatisfactory performance of duties, i.e., as reported by Warren Regional Juvenile Detention Center (WRJDC) Juvenile Facility Manager (JFM) Kevin Foster, you demonstrated a lack of good behavior and unsatisfactory performance of duties by passing an envelope containing contraband, specifically a cell phone charger, between two residents. The Justice and Public Safety Cabinet, Internal Investigations Branch (IIB) conducted an investigation into the allegation in which the allegation was substantiated. The findings are contained in the investigative report, **CASE #000000225**.

On November 27, 2023, facility camera reveals that you spoke with *Youth at his open doorway. At 5:01 pm you retrieved a large white envelope from the office and provided it to *Youth. *Youth took the envelope into his room and at approximately 5:23 pm he exited his room carrying the envelope, placing it on the second shelf of the TV cart in housing unit 300. At approximately 5:25 pm you exited housing unit 300 and entered housing unit 100. After entering housing unit 100 you asked **Youth his room number and he advised he was in room 107. You



proceeded to remove the white envelope from the TV cart and entered **Youth's room, exiting without the white envelope. Facility audio captured **Youth stating, "I love you Miss Wilson, thank you for bringing my stuff back." During your interview with IIB staff, you admitted that you did not check the contents of the envelope before taking it from *Youth and providing it to **Youth. When asked if you understood how the totality of the evidence looked suspicious, you agreed that it did and added that it looked "terrible." Your actions do not represent the professional standards of WRJDC or the Department.

Additionally, on May 27, 2024, at approximately 7:16am, you and Correctional Lieutenant Christopher Amos were engaged in a verbal altercation in the administration area. During the altercation, you slammed the door against the wall and were unnecessarily loud and vocal. This does not display the professional behavior expected of Department of Juvenile Justice employees.

Furthermore, you received a three (3) day suspension for a lack of good behavior and unsatisfactory performance of duties by letter dated April 19, 2024. You served this suspension beginning Monday May 6, 2024, through close of business on Wednesday May 8, 2024.

Your lack of good behavior and unsatisfactory performance of duties, demonstrated by passing contraband between residents, is a direct violation of Department of Juvenile Justice Policy and Procedure (DJJ PP) #104 "Code of Conduct" Sections I., and IV., (B., F., M., X., Y., & Z.-3.); as well as WRJDC Standard Operating Procedure (SOP) #104 "Code of Conduct" Sections I., and IV., (B., F., M., X., Y., & Z.-3.)

Pursuant to KRS 18A.032, you will not be certified on future registers for employment within the Department of Juvenile Justice unless the Department so requests.

In accordance with KRS 18A.095, you may appeal this action to the Personnel Board within thirty (30) days after receipt of this notice, excluding the date notification is received. Such appeal must be filed in writing using the attached appeal form and in the manner prescribed on the form.

If you are a member of the Kentucky Employees' Health Plan (KEHP), you will receive a separate notice of your rights with respect to maintaining insurance coverage.

Sincerely,



Randy White
Commissioner
Department of Juvenile Justice

RW: hml

Attachment: Appeal Form

C: Rodney Moore, Executive Director
James Sweatt, Executive Director
Kevin Foster, JFM

Melanie Jenkins, HR Branch Manager
DJJ Personnel/Payroll
Personnel File