

Comparables for judgments and settlements of male guard on female inmate sexual assault cases

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case name	citation	year	plaintiff age	state	prison facility	claim	injury	settlement or judgment	Compensatory damages plaintiff \$	Punitive damages per plaintiff \$	Total Award per plaintiff \$	defendant(s) named	conduct as described	notes
1) GRABBARD v. WAYNE COUNTY	1992 WL 505756 (Mich.Cir.Ct.), JVR No. 108,874	1992	25	Michigan	County	molestation, negligence for failing to provide measures to prevent	emotional distress	Defense Judgment	0	0	0	County, SHERIFF'S DEPARTMENT, prison guard	verbally and sexually harassed, sexually molested her by touching and kissing her	physical lay out of prison prevented conduct
2) CONEY v. STEPHENS	1995 WL 797572 (S.D.Ga.), JVR No. 168,853	1995	adult	Georgia	County	sexually abused, negligence	posttraumatic stress disorder	Defense Judgment	0	0	0	County, Sheriff, Jailor	sexually abused, coerced	conspiracy with four other plaintiffs and former sheriff deputy to make false accusations

3) JACOBSON v. HARRIS COUNTY	1994 WL 765599 (S.D.Tex.), JVR No. 143,707	1994		Texas	County	negligence		Defense Verdict	0	0	0	County	rape	
4) JANE DOE V. WACKENHUT CORRECTIONS CORPORATION	2001 WL 182487 6 (Tex.Dis. t.)	2001		Texas	Private Jailor	sexual assault		Defendant Jury Verdict	0	0	0	Private jailor, guard	sexual assault	jury based decision on plaintiff's lack of credibility
5) EAGERTON v. ROWLAND	Case No. CIV F- 90-0618	1995	25 to 60	California	State	Constitutional claims	emotional distress	Settlement	22,800	0	22,800	State, Director of DOC, guards	watched and touched inappropriately; and that they were put in fear that they would be sexually assaulted	

6) Carino v. Ector County		2001	in 40s	Texas	County		sexual abuse	Settlement	25,000	0	25,000	Deputy sheriff, county	assault, fondling, four incidents	
7) Gallagher v. County of Volusia	1995 WL 943698 (LRP Jury)	1995	adult	Florida	County	sexual assault, supervisory liability	psychological damage	Settlement	25,000	0	25,000	county		
8) ROLLINS v. CITY OF WAYNESBORO	1995 WL 1086370 (S.D.Ga.), JVR No. 362,702	1995	adult	Georgia	City	rape	emotional distress	Settlement	34,000	0	34,000	City, correctional officer	rape	defense was that sexual conduct was consensual

9) WARE v. JACKSON COUNTY	1996 WL 314125 (W.D.Mo.), JVR No. 177,538	1996	adult	Missouri	County	rape, negligence, failure to correct pattern of sexual and other misconduct by guard	emotional distress	Plaintiff Verdict	50,000	0	50,000	County	rape	defendant denied rape occurred
10) BARELA v. Dona Ana County	1999 WL 335642 64 (N.M. Dist.)	1999	13	New Mexico	County	sexual assault		Settlement	57,500	0	57,500	County	molestation	guard pled guilty in criminal proceedings
11) Hock v. Thipeau	238 F.Supp. 2d 451 (D.Conn.2002)	2002	adult	Connecticut	state			jury	30,001	30,000	60,001	guard	sexually assaulted	overturned for failure to exhaust

12) Riley v. Olk-Long	282 F.3d 592 (8th Cir. 2002)	2002	adult	Iowa	State	failure to protect		jury	45,000	30,000	75,000	warden	raped, fondled, harassed, impregnated by guard	punatives = 5,000 v. security director, 25,000 v. warden
13) Lucas v. White	No. CV-96-2905 TEH (1996)	1996	three adult females	California (FDC Pleasanton)	Federal (N.D.Cal.)	Sexual assaults, plus lack of adequate training, policies, and procedures that allowed the assaults to occur		ADR settlement including wide range of reforms	166,667	0	166,667		housed in men's units, cell doors left open for sexual assault by male inmates and correctional officers, retaliation (physical	
14) Beers-Capitol v. Whetzel	256 F.3d 120 (3rd Cir. 2001)	2001	adult	Pennsylvania	state			jury	200,000		200,000	guard	sexually assaulted	guard convicted of criminal charges

15) C.B. vs. STATE OF NEW YORK	2001 WL 1821539 (Court of Claims), 18 NY. J.V.R.A. 6:5	2001	30s	New York	State	failure to protect	aggravation of depression and bipolar disorder	Settlement after liability phase of trial	225,000	0	225,000	State DOC	coerced sexual intercourse, defendant offered her segregated housing as protection after initial rapes	Judge recommended settlement amount. Settled before trial on damages. There were two previous rapes for which SOL had expired.
16) Doe v. Idaho	Rocky Mountain Verdicts & Settlements, 4/96, Volume 9, Issue No. 4	1996		Idaho	State			Settlement	225,000	0	225,000	State, correctional officer	rape (2 times)	co successfully prosecuted, prison's in-house investigation docs destroyed. State settled several other cases involving same co for from \$15k to \$225k (ranging from fondling to intercourse).
17) ISDELL v. MCBERRY	1992 WL 552623 (N.D.Ga.), JVR No. 119,132	1992	in 20s	Georgia	City	civil rights, failure to implement sexual harassment prevention measures	emotional distress, mental anguish, psychological damage	Plaintiff Verdict	110,000	190,000	300,000	City (50/150k), guard (60/40k)	sexually harassed and raped, conviction of sexual contact	guard was convicted of sexual harassment based on video tape evidence. 6 hours of jury deliberation on civil suit.

18) RIGOTTI v. SALINE COUNTY	2001 WL 159089 2 (W.D.M o.), JVR No. 391,912	2001	adult	Missouri	County	failure to properly hire and supervise	emotional distress	Settlement	350,000	0	350,000	County	sexual abuse	defendant denied liability
19) Peddle			adult	Connectic ut				Settlement	350,000	0	350,000			Threats to family also alleged
20) Daskalea v. District of Columbia	227 F.3d 433 (DC Cir. 2000)	2000	adult	DC	DC	1983		Plaintiff Jury Verdict	350,000	0	350,000	DC, prison officials	rape and sexual assault	Appellate court reversed \$5,000,000 awarded in punative damages

21) BABER v. MCDONALD	1991 WL 449146 (Unknown State Ct.), JVR No. 70,765	1991	34	Connecticut	State	assault	emotional distress	Plaintiff Verdict	385,000	0	385,000	prison guard	sexually assaulted	Directed verdict. Attorney John R. Williams, new Haven, CT (William and Pattis)
22) Fowler VS. CORRECTI ONAL SERVICES CORPORAT ION	2001 WL 182548 4 (Tex.Dis t.)	2001	17 to 33	Texas	Private Jailer	negligence, deliberate indifference, failure to protect	mental anguish	Plaintiff Verdict	433,000	500,000	933,000	Private jailor	sexual assaults, harassme nt	
23) SHOTWELL v. SWINT	2000 WL 126636 4 (E.D.Te x.), JVR No. 376,833	2003	33	Texas	State	threats, assault, failure to supervise	sexual assaults	Plaintiff Judgment	1,000,0 00	0	1,000,0 00	chief of security, state agency		default judgment against the perpetrator and settlement with the state for \$5,000



24) Downey v. Denton County	119 F.3d 381 (5th Cir. 1997)	1997	adult	TX	county	assault, failure to protect		bench verdict	1,100,000	0	1,100,000	guard, county	sexually assaulted, impregnated	state law claims ultimately successful, 1983 dismissed. Only 100,000 was against county, the rest against guard.
25) Maslo v. Evans	2004 WL 2468871 (E.D.Pa.)	2004		Pennsylvania	State	sexually assaulted, failure to protect, supervisory liability		Settlement	1,250,000	0	1,250,000	State trooper, state police commanders	sexual misconduct	
26) Toon v. Wackenhut Corr. Corp.	250 F.3d 950 (5th Cir. 2001)	2001	juveniles		Private Jailer			mediation settlement	1,500,000	0	1,500,000		sexually, physically, mentally abused	

27) B v. AMENT	1999 WL 133370 6 (Unknown State Ct.), JVR No. 369,156 , Cause No. A98-CA-5-3	1999	adult	Texas	State	failure to protect and supervise,		Plaintiff Verdict	400,000	1,500,000	1,900,000	parole officer, captain, warden, investigator, institution	sexually assaulted	only parole officer held liable and investigator settled with two plaintiffs for \$95,000
28) A v. AMENT	1999 WL 133370 5 (Unknown State Ct.), JVR No. 369,154 , Cause No. A98-CA-5-3	1999	adult	Texas	State	failure to protect and supervise,		Plaintiff Verdict	700,000	1,500,000	2,200,000	parole officer, captain, warden, investigator, institution	sexually assaulted	only parole officer held liable and investigator settled with two plaintiffs for \$95,000
29) SHIRLEY vs. MIKE MILLER	Case No. 4:02-CV-200-A	2003	47	Texas	Federal-Carswell	Bivens Action (4th, 5th and 8th Amendments)	pain, mental anguish, medical	Plaintiff Jury Verdict	2,000,000	2,000,000	4,000,000	Correctional officer	rape	article notes that since 1997 seven Carswell workers have been fired, indicted, or convicted of sexual misconduct