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FEMALE PRISONERS SETTLE LAWSUIT AGAINST WASHINGTON DEPARTMENT OF CORRECTIONS CHALLENGING STAFF SEXUAL ABUSE

OLYMPIA, WASHINGTON, August 6, 2010 — The Washington Department of Corrections has agreed to a court order requiring it to address the problem of staff sexual misconduct against women supervised by the Department.

The settlement will resolve a class action lawsuit, know as Jane Doe v. Clarke, filed in July 2007 by Columbia Legal Services and the Public Interest Law Group on behalf of current and former female prisoners who alleged they were sexually assaulted by prison guards. In response to the lawsuit, the Department has made sweeping changes at its women’s facilities to reduce the incidence of sexual misconduct and to respond more effectively to such misconduct when it occurs. The changes apply in the Department’s prisons, work release facilities, and community custody offices and include revamping complaint and investigation procedures, installing additional surveillance cameras, and increasing training requirements. The Department’s compliance with the terms of the settlement and the implementation of the changes it has made will be monitored for three years by the attorneys who represent the women affected by the lawsuit.

“The courageous women who filed this lawsuit have given voice to all those who were afraid to come forward for fear of retaliation, or who were disbelieved or ignored when they complained about being sexually abused by staff,” said Beth Colgan, Managing Attorney of the Institutions Project at CLS. “The changes resulting from this case have made the prisons a safer place so that women in Washington do not have to experience the horror of being locked up with and unable to escape their abusers. We are happy that the Department agreed to the changes and we will work with them over the next three years while the settlement remains in place to ensure that conditions continue to improve.”

The lawsuit addresses an issue that has been receiving national attention recently with the National Prison Rape Elimination Commission’s June 2009 release of proposed nationwide standards for preventing, detecting and responding to incidents of sexual misconduct in prisons



and jails. Congress created the Commission with the passage of the Prison Rape Elimination Act, after it found that at least 13 percent of inmates in the United States have been sexually assaulted in prison.

“Some people still hold to the belief that prison rape is just part of the punishment for the crime,” said Hank Balson, an attorney with PILG. “This settlement and the national efforts on this issue reinforce the notion that sexual abuse in prison is a serious problem that cannot be tolerated. We must stop it by changing the systems and culture that allow it to occur.”

The 121-page settlement presented to the court today begins the final stages of resolving the three-year-long case. Since the case was filed, five of the six Department employees alleged in the suit to have committed acts of sexual misconduct against inmates—including voyeurism, exhibitionism, and rape—have resigned or been terminated, while other corrections staff have been criminally convicted. In June 2009, the Department agreed to pay \$1 million to settle the damages claims of the five women individually named in the suit. The settlement presented today sets out measures the Department must take to address and prevent sexual misconduct in the future. Before it goes into effect, the court must grant final approval of the settlement, after which time it will remain in place for three years while the Department’s efforts are being monitored.

Columbia Legal Services is a non-profit law firm that provides civil legal assistance to low income and vulnerable people in Washington State. Columbia Legal Services is a member of the Alliance for Equal Justice, a statewide network of public and private organizations dedicated to making the promise of equal justice a reality for those who cannot afford legal counsel on important civil legal matters.

Public Interest Law Group PLLC is a private law firm that serves individuals and groups of varying financial means seeking to challenge illegal treatment in prisons, jails, and in the workplace.

The lawsuit, Jane Doe 1, et al. v. Harold Clarke, et al., was filed in Thurston County Superior Court under Cause No. 07-2-01513-0.

For additional information, copies of today’s order and the complaint for the case, contact Beth Colgan (206.464.0838 ext. 238) or Hank Balson (206.838.1800 ext. 303).

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