

**FILED**  
U. S. DISTRICT COURT  
EASTERN DISTRICT ARKANSAS

NOV 28 2016

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
NORTHERN DIVISION**

**JAMES W. McCORMACK, CLERK**  
By: [Signature]  
DEP CLERK

LETICIA VILLARREAL, an individual )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
KENNETH DEWITT, in his individual capacity )  
PHILLIP ALLEN, in his individual capacity, )  
STACEY SMITH, in her individual capacity, )  
LINDA DIXON, in her individual capacity )  
Warden NURZUHAL FOUST, in his official & )  
individual capacity, RAY HOBBS, former )  
ADC director, in his individual & official )  
capacity, KRISTINA GATES, in her )  
individual capacity, TONYA GATES, in her )  
individual capacity, ALVA YANCY, his )  
individual capacity, AND JOHN DOES 1-20 )  
 )  
Defendants. )  
\_\_\_\_\_ )

Case # 1:16CV163 KGB

**COMPLAINT  
JURY TRIAL DEMANDED**

COMES NOW Plaintiff Leticia Villarreal, through her attorney Joseph LaCome, and states as follows:

**PARTIES, JURISDICTION AND VENUE**

1. Plaintiff Leticia Villarreal, at all times relevant to her claims, was being held in custody in the McPherson Correctional Facility maintained by the Arkansas Department of Corrections (herein: "ADC") in Newport, Arkansas.
2. Defendant Sergeant Phillip Allen is an individual residing in Arkansas, and was, at all times relevant to this Complaint, an employee of the ADC
3. Defendant Stacey Smith is an individual residing in Arkansas, and was, at all

This case assigned to District Judge Baker  
and to Magistrate Judge Kearney

times relevant to this Complaint, an employee of the ADC

4. Defendant Major Linda Dixon is an individual residing in Arkansas, and was, at all times relevant to this Complaint, an employee of the ADC

5. Defendant Tonya Gates is an individual residing in Arkansas, and was, at all times relevant to this Complaint, an employee of the ADC

6. Defendant Kristina Gates is an individual residing in Arkansas, and was, at all times relevant to this Complaint, an employee of the ADC

7. Defendant Alva Don Yancy is an individual residing in Arkansas, and was, at all times relevant to this Complaint, an employee of the ADC

8. Defendant Ray Hobbs is an individual residing in Arkansas, and was, at all times relevant to this Complaint, an employee of the ADC

9. Defendant Kenneth Dewitt is an individual residing in Arkansas, and was, at all times relevant to this Complaint, an employee of the ADC, who headed PAL

10. Defendant Warden Nurzuhal Foust is an individual residing in Arkansas, and was, at all times relevant to this Complaint, the Warden of McPherson Correctional Facility.

11. The true names and capacities, whether individual, corporate, associate, or otherwise of defendants named herein as John Does 1 through 20, inclusive, are unknown to plaintiff who therefore sues these defendants by such fictitious names. Plaintiff will amend this Complaint to show the true names and capacities of these defendants when the same have been ascertained. Plaintiff is informed and believes that each fictitiously named defendant is responsible in law and in fact for the acts alleged herein.

12. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1343(a)(3), and supplemental jurisdiction for all state law claims pursuant to 28 U.S.C. § 1367.

13. Venue is proper in this Court under 28 U.S.C. § 1391(b)(1) in that the defendants are within the State of Arkansas and resides within the Eastern District of Arkansas, and under 28 U.S.C. § 1391(b)(2) in that all of the events described herein transpired within, this judicial district: Jackson County, Arkansas.

### **STATEMENT OF FACTS**

14. On or about July 14<sup>th</sup>, 2005, plaintiff was convicted of a controlled substance violation and was sentenced to 40 years in the Arkansas Department of Corrections

15. Plaintiff was incarcerated at the McPherson Correctional Facility in New Port, Arkansas

16. Plaintiff sought out self-improvement, and to make better choices in her life, she applied to, and was admitted into a prison program called Principles and Applications For Life (i.e. the "P.A.L." Program) in 2007. According to the ADC's website, PAL "includes worship services, religious materials, and counseling services, to all inmates within the ADC, by community involvement of outside representation."

17. Plaintiff's exemplary work in PAL led her to be promoted as a "PAL counselor." Her duties included intake for new trainees, translating to detainees from English to Spanish.

18. Plaintiff was required to report to defendant Stacey Smith, assistant chaplain and P2P prophetic ministry inside the PAL Program Stacy mentoring, lecturing. Stacey Smith was a former ADC inmate who was serving a 60 year sentence for a drug charge. She was later granted an early probation with a Clemency by former Governor Mike Huckabee. On information and belief, Dewitt recommended Smith to the Parole Board. Smith later obtained a ministry, Prison to Purpose ("P2P"). Smith was granted endorsement by the Arkansas Department of Correction, and later returned to McPherson to assist Defendant Dewitt with

PAL program until September 2014, when Dewitt and Smith admitted to a sexual relationship, which led Dewitt to resign.

19. The Defendant Kenneth Dewitt was first employed as a probation officer for the ADC, and later became responsible for a faith-based program called PAL at McPherson prison. On information and belief, Dewitt, as far back as 1999, had received complaints of sexual harassment by other inmates. None of the complaints resulted in punishment.

20. Dewitt controlled the extent to which prisoners received certain privileges, and decided how to punish prisoners that did not do as he requested. He had the authority to admit inmates into his program, and to administer punishment or reprimands. Further, Dewitt, in his position at the program, was able to influence early parole of inmates, because completion of the PAL program is seen as positive by the Parole Board. Dewitt made his power apparent to the female inmates within his PAL program. Dewitt also had a private office that he used for his sexual exploits.

21. Plaintiff was later promoted by Dewitt to help to launch a new program called Pre PAL, a Barracks especially for Hispanic women. Plaintiff was actively involved in the new outreach program called Pre-Pal, and frequently volunteered for many PAL-based activities. She was considered helpful to the program by inmates and staff. Near the end of 2012, Dewitt told Plaintiff to meet him in his office concerning an "opportunity for advancement" with "special training." Dewitt said it would be "A great opportunity" for the plaintiff.

22. When she went to his office, three other people were present: Dewitt, inmate Carolyn Arnett & inmate Leslie Macool, who were also part of PAL, and were also in a position of responsibility delegated by Dewitt. Dewitt informed Plaintiff that she he was going to give Plaintiff "special training." After uttering this, the other two inmates nodded in agreement and

said they were both receiving the “special training.” Plaintiff, at the time, thought this would consist of more spiritual training and self-improvement. Dewitt told her to report to him the following Monday at 6am.

23. Plaintiff was required to report to defendant Stacy Smith, assistant chaplain and P2P prophetic ministry inside the PAL Program Stacy mentoring, lecturing. Stacy Smith was a former ADC inmate who was serving a 60 year sentence for a drug charge. She was later granted a early probation with a Clemency by former Governor Mike Huckabee. On information and belief, Dewitt recommended Smith to the Parole Board.

24. January 2013, when Plaintiff reported to Dewitt’s office as instructed, he locked the door with the both of them inside. Dewitt stated he was aware how very attracted Plaintiff was to him. He says he wants to continue to help her and then offered sexual training in order to be a true woman of God. Plaintiff replied that she did not actually feel attracted the way he suggested about him, and tried to politely refuse his sexual training. Dewitt then said that it’s really not her choice and that she will have to learn to accept his authority. He began fondling her breast and her buttocks. This shocked and humiliated the plaintiff, and she was unsure what to do. After Dewitt had finished groping, she was excused. Dewitt reminded Leticia that she had an obligation to be in his office at 6 AM the following Monday and that he would not have her to be late, “or else.” He also explained to her that what occurred in the office is a “private matter between the two of them” and that if she told anyone they wouldn’t believe her anyway.

25. Plaintiff left and was frightened about that encounter, and later cried, feeling totally violated.

26. The “special meetings” were as follows: Dewitt ordered Plaintiff to come to his office every Monday, at 6am, for her “Special training.” First, Dewitt would lecture Plaintiff

for 30 minutes on how to have a proper relationship with God. By 6:30am, the hall gate closed, which prevented anyone from viewing what Dewitt did next. Dewitt would then stand up from his chair at his desk, moving toward Plaintiff to block a small window with his backside to a door there he would digitally penetrate and rape her. With orders to return the following Monday at 6am this violation occurred every Monday for 18 months. Thus, the plaintiff was assaulted 72 times in the Chaplains office.

27. If Plaintiff's menstrual cycle coincided with Dewitt's scheduled Monday rape, then Dewitt would only demand oral sex from Plaintiff. When Plaintiff was not menstruating, then Dewitt would demand oral and vaginal sex.

28. Plaintiff repeatedly told Dewitt she did not want his "training," which he replied "It's not your choice". Dewitt stated she should be grateful to him "training" her and that maybe she can be a missionary in Mexico, and be like Stacy Smith, a "woman of Godliness."

29. The abuse was not only physical, but also mental and emotional. Dewitt would say degrading and abusive things to the Plaintiff while he raped her, and would act violent and aggressive towards her, such as calling her his "Mexican whore," and "my Mexican."

30. Dewitt warned her how bad things would be for Plaintiff if she told anyone, and that nobody would believe her." He also said she would be locked down in segregation, and that she would never go home from prison if she ever told anyone." He also stated "You are a criminal from Mexico no one will help you here but me so you better do as you are told."

31. Plaintiff fell into a deep depression because of the sexual assaults, and frequently considered suicide. Plaintiff loathed Monday mornings and the thought of having to go to Dewitt's office disgusted her. The only thing that kept Plaintiff from killing herself was the thought of seeing her children again.

32. As a result of Dewitt's threats of violence and retaliation against Plaintiff, and Dewitt's claim that nobody would believe Plaintiff, she did not report what he was doing to anyone

33. Throughout the Plaintiff's attendance at PAL lectures, she would hear of Dewitt's private personal life details. He had disclosed he had herpes from his "glory years" as a "playboy."

34. When the sexual assaults began and afterwards the Plaintiff repeatedly made request to medical staff for help. On several sick calls she went to medical seeking help with severe pain in her lower pelvis, and genital area. Plaintiff reports prolonged and excessive bleeding, and seeks treatment for strange vaginal discharge. On information and belief these are symptoms of sexually transmitted infections (STI). Medical staff only insulted Plaintiff's requests for help, and referred to a sore in her mouth as a 'lie bump'. Medical staff had not reported her suspicious STI or any sexually transmitted infections to ADC authority. On information and belief another victim of Dewitt whom was sexually assaulted also had the same types of STI symptoms in her medical treatment history, these shared sexually transmitted infections as well not reported by medical staff.

35. The sexual assaults by Dewitt to Plaintiff continued until late July, 2014.

36. In August, Dewitt took a trip to Utah. Stacey Smith became the acting Chaplain for PAL during that time. In mid August, 2014, Plaintiff was called into the chaplain's office. When she arrived, Chaplain Stacy Smith was seated at the desk. She told two other women to leave the office. When they left, Smith told Plaintiff she knew of the sexual activity going on in the office every Monday morning. Smith said that Dewitt told her everything. Smith said it was "normal" for that activity to happen between a man and woman, and that Plaintiff

“shouldn’t feel bad about it.” Smith then admitted to Plaintiff she had sex with Dewitt while she was a prisoner. Smith told Plaintiff not to tell anyone of what happened, because Dewitt could go to prison. Then, in an utterly bizarre gesture, Chaplain Smith said she “forgave” the plaintiff, and then told Plaintiff to leave the office.

37. The next day Plaintiff asked Smith to move Plaintiff from the PAL program. Smith replied she couldn’t do that without Dewitt allowing it.

38. Plaintiff was terrified that Dewitt would discover she wanted to leave the program. Because Dewitt often warned her that he would definitely have her put her into segregation, "the hole" in solitary confinement and never go home if she was ungrateful and selfish for all he's done to help her with becoming a trusted inmate in his program.

39. The following day Plaintiff noticeably so upset and crying at her vocational program was sent to see the Principle Tonya Gates. The Plaintiff asked gates to help transfer her out of the PAL program, and to plead to her to change her barracks assignment to Gates program attendant barracks assignment.

40. Tonya Gates said she couldn't move Plaintiff without appropriate permission from Dewitt, but called Sergeant Ayers. Sergeant asked Plaintiff if some inmate was bothering her. Plaintiff had reason to believe Ayres was a friend of Dewitt they could be seen often having lunch together. Ayres purposely avoided asking if Dewitt was her problem out of fear and knowing the sergeant was friends with Dewitt plaintiff said nothing afraid she would be putting herself at greater risk. Defendant had often reminded Plaintiff of his power inside ADC. And 'no one would believe a Mexican, inmate who was convicted and incarcerated'. Afraid of Dewitt's punishment Plaintiff was reluctant to tell of the assault.

41. Dewitt returned from an out of state Utah trip near the end of August that 2014.

He called Plaintiff to his office about her request to transfer out of PAL. He was furious, yelling at Plaintiff, and calling her many unflattering names. He accused Plaintiff of being “disrespectful” to his authority and his program. She was accused of wanting to destroy his program, and that because of her “selfishness” causing him problems she would suffer as a result. He added that she “would not be leaving the program” and again he threatened plaintiff that she was to do as she was told. Dewitt threatened her not to ask for a removal again.

42. The plaintiff was distraught and left the office, but was called back by Dewitt. Plaintiff ignored the request and walked towards her barracks assignment to her cell for relief from the confrontation that just occurred with Dewitt. Sergeant Allen was near the entrance to the barracks. On information and belief Sergeant Allen was friends with Dewitt. Plaintiff walked past Allen to her cell room. Even though she made no contact with Allen, he screamed at Plaintiff, claiming she assaulted him. Plaintiff stayed in her cell room, still distraught over being told she could never leave the PAL program. Dewitt entered her cell and gave plaintiff a direct order to return to the office.

43. Sergeant Allen and Dewitt escorted Plaintiff. Sergeant Allen said to Dewitt that if he “needed help” Allen could pepper spray Plaintiff, then throw her into segregation. Plaintiff and Dewitt went back into the office, and then Allen left.

44. Back in his office, Dewitt continued yelling at Plaintiff, reaffirming that she will never leave the PAL program. He said the plaintiff was selfish and ungrateful, and accused her of trying to destroy the PAL program. Dewitt said plaintiff would find herself “with a lot of problems” if she continued to disobey him and rebel against his authority. Plaintiff finally broke down and promised Dewitt she would say nothing of the sexual assaults and never leave the program. Satisfied with this response, Dewitt left.

45. Later, a “major disciplinary” was issued against Plaintiff for the false assault claim by Sgt. Allen. The disciplinary court found “No Cause” because they did not believe Plaintiff committed an assault against Allen. However, she was still cited by Captain Dyke with a “minor” disciplinary.

46. On 9/11/2014, Plaintiff was called into Dewitt’s office. He asked Plaintiff to “forgive” him for the sexual assaults. Dewitt admitted what he did do Plaintiff was wrong. Dewitt told Plaintiff an investigation was going to occur, and that Plaintiff should lie to the investigators. Plaintiff said nothing because Dewitt appeared mentally unstable, and she was worried about her safety if she said the wrong thing to him.

47. In December, 2014, Plaintiff reported the sexual assaults to Jennifer Smith, the Chaplain’s temporary replacement. Smith was a former prisoner. Smith worked on the PAL program for several years. Chaplain Yancy replaced Dewitt permanently after Dewitt resigned. Jennifer Smith went to Captain Dykes, who called Leticia into her office, and Dykes took a report. Leticia was told that the Warden would be called to interview Leticia. This never happened. The state police were finally called around February. Kristina Gates is also known as Gramma. Kristina Gates is one of the Prison Chaplains. Gramma continued facilitating calls from Dewitt to Leslie McKool, another Dewitt victim, after Dewitt resigned in September 2014. Because of this, Leticia still felt unsafe reporting the abuse, until Jennifer Smith finally showed up in December. On information and belief, Smith knew, or should have known, of Dewitt’s abusive tendencies; in fact Smith caught Dewitt and Stacey Smith having an affair, which was a factor that led to Dewitt leaving his office in September 2014.

48. June 11<sup>th</sup>, 2015, the US Department of Justice announced it was investigating widespread sexual abuse and harassment allegations by staff at the McPherson Unit.

49. In December 2015, Defendant Dewitt was charged by the County Prosecutor with fifty counts of third degree sexual assault with an inmate, for three inmates he had sexually assaulted at McPherson. The Plaintiff was one of those victims.

50. Dewitt pled guilty to those charges on July 5<sup>th</sup>, 2016. Shockingly, Dewitt only received a 5 year sentence. Prosecutor Boyce, in a statement to the press, claimed that all of the victims agreed to the plea sentence handed down. This was a lie. The prosecutor sought Plaintiff's signature on a consent form agreeing to the plea offer, but she refused to sign it because she felt the sentence was too light. Prosecutor Boyce also told Plaintiff not to go to the sentencing hearing.

51. Plaintiff's repeated rape by Defendant Dewitt, and other violations of her constitutional rights occurred as a direct result of the policies, acts and omissions of Defendants ADC, and Warden Foust, , which policies included:

- a) placing Defendant Dewitt in charge of managing the PAL population at McPherson, thereby establishing him in a position of power, authority, and control over the inmates, and allowing him access to otherwise restricted areas within the prison;
- b) giving Dewitt a private office that had blind spots which allowed him to carry out his sexual assaults without fear of being seen by other guards or inmates
- c) failing to adequately train and supervise prison guards that were under Dewitt's management, to protect the constitutional rights of the prisoners;
- d) grossly understaffing the prison;
- e) failing to adequately supervise its agents and employees;
- f) allowing Defendant Dewitt to take female inmates such as Plaintiff into his office alone without any safeguards;
- g) failing to respond to clear reports and indications that Defendant Dewitt was behaving and acting inappropriately;
- h) Giving Defendant Dewitt unfettered access to the female inmates and areas of the prison where female inmates could isolated and taken advantage of;
- i) failing to remove Defendant Dewitt from duty after receiving reports that he was behaving inappropriately and dangerously with inmates;

52. At all times mentioned herein, Defendant Dewitt was an agent and employee of

Defendant ADC and was acting under color of state law and within the course and scope of such agency and employment.

53. The policies of ADC, and Warden Foust, placed Defendant Dewitt in control of the McPherson and gave him power and authority over its inmate population on behalf of ADC, such that at all times mentioned herein, Dewitt was an agent and employee of the Defendant ADC and was acting under color of state law and within the course and scope of such agency and employment.

54. In addition to the threat of physical violence, Defendant Dewitt used the power, authority, and control vested in him by ADC over the inmate population to rape Plaintiff.

55. On information and belief, members of the ADC, knew or should have known that Defendant Dewitt was abusing his official position by compelling Plaintiff to engage in sexual activity on the threat of physical violence or other reprisals.

56. The defendant's pattern of illegal activity, as represented by their actions, establishes the existence of a continuing, persistent and widespread practice of illegal, unconstitutional misconduct.

57. The above allegations constitute violations of Plaintiff's constitutional rights by the Defendants, including, but not limited to, her right to Due Process as guaranteed by the 1<sup>st</sup> and 14<sup>th</sup> Amendments to the Constitution, and her right to privacy as embodied in the First, Third, Fourth, Fifth and Fourteenth Amendments to the Constitution.

58. As a result of the allegations set forth above, Plaintiff has suffered damages, including, but not limited to, pain and suffering, mental anguish, severe emotional and physical distress, fear for her safety, humiliation, and the deprivation of her civil rights.

**COUNT I - 42 U.S.C. § 1983**  
**AGAINST ALL DEFENDANTS**

59. Plaintiff incorporates by reference paragraphs 1 through 58, as though fully set forth herein.

60. Defendant Warden Foust violated Plaintiff's constitutional rights to Due Process of law and her right to privacy by allowing her to be raped by Defendant Dewitt and by facilitating Dewitt in raping her, and by failing to prevent Dewitt from raping her. Such acts were committed in the course and scope of the Warden's employment and under color of state law.

61. Defendant Dewitt violated Plaintiff's constitutional rights to Due Process of law and her right to privacy by raping her and using the threat of violence and the power vested in him by ADC to do so. Such acts were committed in the scope and course of Dewitt' agency and under color of state law.

62. Defendants ADC violated Plaintiff's constitutional rights to Due Process of law and her right to privacy by instituting a policy at McPherson whereby Defendant Dewitt was not supervised and was given unfettered access to female prisoners, such as Plaintiff, and further, by creating a culture of indifference where inmates were all assumed to be liars.

63. The acts and omissions of Defendants were intentional and taken in total disregard for the rights and safety of Plaintiff such that Plaintiff is entitled to an award of punitive damages.

**COUNT II - NEGLIGENT TRAINING, SUPERVISION AND RETENTION  
AGAINST DEFENDANTS ADC DIRECTOR HOBBS & WARDEN FOUST**

64. Plaintiff hereby incorporates by reference paragraphs 1 through 63, as though fully set forth herein.

65. Defendants ADC owed Plaintiff the duty to exercise reasonable and ordinary

care to train its officers, management, and guards in order to prevent her unlawful physical injury, including, but not limited to, the duty to exercise reasonable and ordinary care to provide adequate training so as to prevent her from being raped by her fellow inmates and prison agents and employees.

66. Defendant ADC knew or reasonably should have known that individuals whom it employed were not properly trained or supervised to fulfill their duties and obligations owed to Plaintiff and others similarly situated.

67. Defendant ADC failed to take steps to adequately train and/or supervise its agents and employees to ensure that such agents and employees were able to fulfill such duties and obligations to Plaintiff and others.

68. Defendant ADC continued to employ Defendant Dewitt as a chaplain despite his inadequate training.

69. Defendant ADC failed to exercise reasonable and ordinary care in training and/or supervising Defendant Dewitt while he was performing his duties as chaplain.

70. Defendant ADC continued to authorize Defendant Dewitt to act as chaplain despite his inadequate training and supervision.

71. Defendant ADC & Warden Foust knew or reasonably should have anticipated that Dewitt was subjecting Plaintiff to unlawful physical injury, including but not limited to, rape and sexual abuse.

72. Defendant ADC failed to exercise reasonable and ordinary care to protect Plaintiff from such unlawful injury.

73. As a direct and proximate result of ADC's negligence, Plaintiff was damaged, in that Plaintiff was deprived of her civil rights, suffered mental anguish, emotional distress, and

feared for her safety and humiliation.

**COUNT III – OUTRAGE**  
**AGAINST ADC DIRECTOR HOBSB AND KENNETH DEWITT**

74. Plaintiff incorporates by reference paragraphs 1 through 73, as though fully set forth herein.

75. Defendant Dewitt inflicted emotional distress on Plaintiff through his extreme and outrageous conduct.

76. As a direct and proximate result of such intentional infliction of emotional distress by defendants, Plaintiff has suffered and continues to suffer extreme mental anguish.

77. The extreme and outrageous conduct of defendant, as described above, was made without just cause and provocation and was intentional and taken in total disregard for the rights and safety of Plaintiff such that Plaintiff is entitled to an award of punitive damages.

78. Defendant ADC is vicariously liable for the acts of Dewitt because his supervision of inmates within his PAL program at McPherson was within the scope and course of his employment with ADC when he committed the aforementioned acts.

**COUNT IV – AGAINST ALL DEFENDANTS 42 U.S.C. § 1988**

79. Plaintiff incorporates by reference paragraphs 1 through 78, as though fully set forth herein.

80. With respect to the claims enforcing the provisions of 42 U.S.C. § 1983 on which Plaintiff prevails, Plaintiff is entitled to compensation for her reasonable attorneys' fees and costs, as provided for by 42 U.S.C. § 1988(b).

**COUNT V – ARK.CODE ANN. § 16-123-105**  
**AGAINST ALL DEFENDANTS**

81. Plaintiff incorporates by reference paragraphs 1 through 80, as though fully set

forth herein.

82. Defendant ADC Director Hobbs, and Warden Foust, violated Plaintiff's any rights, privileges, or immunities secured by the Arkansas Constitution by allowing her to be raped by Defendant Dewitt, and by facilitating Dewitt in raping her, and by failing to prevent Dewitt from repeatedly raping her. Such acts were committed in the course and scope of Dewitt's employment and under color of state law.

83. Defendant Dewitt violated Plaintiff's Arkansas constitutional rights and her right to privacy by raping her and using the threat of violence, and various forms of punishment, and the power vested in him by the Arkansas Department of Corrections to do so. Such acts were committed in the scope and course of Dewitt's agency and under color of state law.

84. Defendant ADC Director Hobbs, and Warden Foust violated Plaintiff's Arkansas constitutional rights and her right to privacy by instituting a policy at ADC whereby Defendant Dewitt was not supervised and was given unfettered access and control over female prisoners, such as Plaintiff.

#### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff prays for judgment against defendants, and each of them, for all causes of action, as follows:

1. Actual damages sufficient to compensate her for her injuries;
2. Damages for medical and related expenses according to proof;
3. Damages for loss of earnings according to proof;
4. Punitive damages in an amount sufficient and necessary to punish these Defendants and to deter others from like actions;
5. An order requiring the ADC to improve its policies and practices
6. For reasonable attorneys' fees and litigation expenses;
7. For costs of the suit herein;
8. Any other and further relief that the court considers just and proper.

#### **DEMAND FOR JURY TRIAL**

Plaintiff demands a jury trial on all issues triable to a jury.

Dated: 11/22/16

  
\_\_\_\_\_  
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