

**IN THE DISTRICT COURT FOR THE NORTHERN DISTRICT
NORTHERN DIVISION OF ALABAMA**

**CHANDLER KORB, on behalf of)
herself and all others similarly)
situated,)**

PLAINTIFF,)

v.)

CASE NO.: _____

**VICTOR FLORES DE LEON, JR.,)
BLAKE DORNING, in his official)
capacity as the SHERIFF of)
MADISON COUNTY, ALABAMA,)
MADISON COUNTY, ALABAMA,)
and MADISON COUNTY)
SHERIFF’S OFFICE,)**

DEFENDANTS.

COMPLAINT

COMES NOW, Plaintiff, Chandler Korb, on behalf of herself and all others similarly situated, files this Complaint, pursuant to 42 U.S.C. § 1983, against Defendants, Victor Flores De Leon, Jr. (hereinafter “De Leon”), Madison County Sheriff, Blake Dorning (hereinafter “Dorning”), in his official capacity, Madison County, Alabama, and Madison County Sheriff’s Office (hereinafter, “MCSO”), and, in support thereof, shows as follows:

INTRODUCTION

1. Madison County Detention Center employs a policy of complete separation between female inmates and male guards once inmates are in custody and residing at Madison County Detention Center (hereinafter “MCDC.”) However, as it is designed, the MCDC only has one medical facility, also known as the infirmary, for its male and female inmates. In this coed setting, female inmates are left in the custody of male guards.

2. The infirmary is the only place at MCDC where a male guard can discipline a female inmate by segregating her in an unmonitored cell, by herself, to which he has access. This is a situation that is ripe for the abuse of vulnerable female inmates by unscrupulous male guards. It is, in other words, the only place where a sexual predator can, with no fear of being observed, impose his will on a female inmate.

3. To be clear, these infirmary cells where female inmates can be isolated by male guards are the only locations at MCDC with no cameras or any other facilities in place to monitor the activity that takes place inside the cells.

4. This action seeks to correct this circumstance. However, it has been filed too late to protect many female inmates, including Chandler Korb.

5. This is a § 1983 civil rights action and negligence case arising from the rape and sexual assault of Chandler Korb while she was incarcerated at MCDC in Huntsville, Alabama by a guard employed with the Madison County Sheriff's Office, Victor Flores De Leon, Jr. But this Complaint also seeks to force a change to a practice that constitutes an ongoing danger for females in the MCDC.

PARTIES

6. Plaintiff Chandler Korb is above the age of nineteen (19) years and is a female resident of Madison County, Alabama.

7. Defendant Victor Flores De Leon, Jr., at all times relevant hereto, was employed as a guard by the Madison County Sheriff's Office at the Madison County Detention Center. Defendant De Leon operated, managed, and controlled the MCDC. He is sued in his individual capacity.

8. Defendant Madison County, Alabama Sheriff, Blake Dorning, at all times relevant hereto, was responsible for the operations of the MCDC, including implementation of all necessary rules, regulations, and statutes. He is sued in his official capacity.

9. Defendant Madison County, Alabama was and is, at all times relevant hereto, an independent governmental agency that owns the Madison County

Detention Center and is responsible for maintaining the facilities and insuring that the physical facilities provide for adequate security to protect female inmates. Madison County, Alabama is an entity subject to suit under federal law and the laws of Alabama. At all relevant times, Madison County was aware of the lack of adequately secure facilities for female inmates at the MCDC infirmary and exhibited deliberate indifference to those conditions.

10. Defendant Madison County Sheriff's Office was and is, at all times relevant hereto, the entity responsible for the policy in place allowing male prison guards unsupervised contact in the infirmary with female prisoners, therefore placing Ms. Korb and others in danger of abuse.

11. Defendants have acted under color of state law, custom, and usage at all times relevant to this action.

JURISDICTION AND VENUE

12. Paragraphs 1 through 11 are realleged herein as if set out in full.

13. This Court has personal jurisdiction over all Defendants.

14. This Court has subject matter jurisdiction over this action pursuant to 42 U.S.C. § 1983 seeking redress of injuries suffered as a result of deprivation under color of state law rights secured by the Fifth, Eighth, and Fourteenth Amendments to the United States Constitution. Hence, the Court has Federal Question Jurisdiction

pursuant to 28 U.S.C. § 1331 and 1343(a)(3). Furthermore, jurisdiction over Plaintiff's claims for injunctive relief, costs, expenses, and attorney fees is additionally conferred by 42 U.S.C. § 1988.

15. This action also claims violations of Alabama State law. Pursuant to 28 U.S.C. § 1367(a), this Court has Ancillary or Supplemental Jurisdiction over Plaintiff's state law claims since these claims are so related to the claims in the § 1983 civil rights action that they form part of the same case and controversy and arise out of the same set of operative facts.

16. Venue is proper in this Court pursuant to 28 U.S.C. § 1391 and other applicable law because the cause of action arose in Huntsville, Alabama, which is situated within the district and divisional boundaries of the Northern District of Alabama.

FACTS

17. Paragraphs 1 through 16 are realleged herein as if set out in full.

Madison County Detention Center Infirmary

18. The Madison County Detention Center employs a policy of complete separation between female inmates and male inmates once they are in custody and residing at MCDC.

19. The Madison County Detention Center also employs a policy of complete separation between female inmates and male guards.

20. However, as it is designed, the MCDC only has one infirmary for its male and female inmates. In this coed setting, female inmates are left in the custody of male guards. The infirmary is the only place at MCDC where a male guard can discipline a female inmate by segregating her in an unmonitored cell, by herself, to which he has access.

21. This policy sets up a scenario ripe for the abuse of vulnerable female inmates by unscrupulous male guards. It is, in other words, the only place where a sexual predator can impose his will on a female inmate.

Chandler Korb

22. Plaintiff has a history of seizures, and at the time of her incarceration, she also had a severe skin infection that made her skin feel raw and itchy.

23. Sick, weak, and incarcerated, Korb was the perfect victim.

24. On the night of October 9, 2018, Plaintiff was still receiving medical care at the infirmary and sharing a cell with another female inmate.

25. Plaintiff's seizures were being managed, her skin infection was improving, and she would soon be released into the general population.

26. Defendant De Leon was the guard assigned to the infirmary on the night of October 9, 2018.

27. Utilizing the power granted to him in the line and scope of his duties as a guard with the MCSO, Defendant De Leon gave Plaintiff a "disciplinary" for false reasons and, as punishment, moved her to a cell where she was alone; unmonitored and isolated from all other inmates and guards.

28. Defendant De Leon came into Plaintiff's solitary cell several times on the pretense of offering her personal grooming supplies; his behavior was flirtatious, overly familiar, and intimidating to Plaintiff. Defendant De Leon had his belt on during these encounters, with his taser and other weapons fully visible.

29. At “lights out” (the term generally used for the night hours when inmates are expected to sleep), it is common practice that cell lights are dimmed rather than being turned off as a safety precaution.

30. At lights out, Plaintiff was still isolated from other inmates and guards. Because the skin infection made her skin raw and itchy, clothing was horribly uncomfortable, and she was laying in her bunk wearing only her undergarments.

31. Defendant De Leon began to repeatedly turn on and off Plaintiff’s lights, further intimidating her.

32. Plaintiff did not express her discomfort at Defendant De Leon’s actions nor her disinterest in his overtures due to fear of retaliation; Plaintiff feared that he would use his taser or another weapon to subdue her.

33. Plaintiff had fallen asleep when Defendant De Leon entered her cell again and pulled the blanket off her body, waking her. De Leon asked Plaintiff if she was asleep.

34. Defendant De Leon left the cell, again shutting off the lights, and Plaintiff covered herself.

35. Shortly thereafter, Defendant De Leon re-entered Plaintiff’s cell, acting in the line and scope of his duties as a guard with the Madison County Sheriff’s

Office and wearing his uniform. He again pulled the blanket off Ms. Korb's body. Plaintiff observed that De Leon had removed his duty belt.

36. Defendant De Leon removed Plaintiff's undergarments, pulled down his pants, and forced Plaintiff to perform oral sex on him.

37. Defendant De Leon then grabbed Plaintiff's hips and forcibly raped her from behind. Defendant De Leon then wiped his ejaculate off Plaintiff's body with some tissue, dressed himself, and left the cell.

38. The rape and sexually abusive conduct alleged herein was done for Defendant De Leon's sexual gratification alone; it was neither welcome nor invited by Plaintiff.

39. Within minutes, a nurse in the infirmary from whom Plaintiff had, in an effort to combat the itching of her skin, requested allergy medication some hours before, came to the door of Plaintiff's cell, preparing to administer the medication. Plaintiff could see Defendant De Leon standing in the hall behind her.

40. When the nurse entered Plaintiff's cell, Ms. Korb informed her that she was scared and asked her to come closer. Plaintiff could see Defendant De Leon, who had moved closer to her cell and was obviously watching this interaction.

41. Plaintiff whispered to the nurse that she had been raped and requested that a rape kit be administered. The nurse assured Plaintiff that she would try to assist with her request and left the cell.

42. Approximately ten minutes later, the nurse returned to Plaintiff's cell with another nurse. This new nurse asked Plaintiff what evidence she had, and Plaintiff provided the tissue Defendant De Leon had used after the rape.

43. Plaintiff was escorted to an exam room by an MCDC female guard. A rape kit was collected, and a full exam was completed with the female officer present.

44. The next day, a Madison County Sheriff's Office investigator interviewed Plaintiff regarding the events described above. Ms. Korb, humiliated and traumatized, relayed the details of the rape to him.

45. The investigator told her that her story was not believable.

46. It was not until approximately one week later, when the rape kit results were made available, that Plaintiff was asked if she wished to press charges for rape. She did so.

47. So far, De Leon has only been charged with custodial sexual misconduct, having sex with an inmate as a guard.

48. Upon information and belief, Defendants Dorning and Madison County, Alabama's failure to provide and maintain adequately safe facilities for female inmates permitted the above-mentioned rape and constituted deliberate indifference to Plaintiff's safety, medical condition, and well-being.

49. Upon information and belief, Defendants Dorning and Madison County Sheriff's Office did not follow, implement or establish policies, practices and procedures designed to protect female detainees from sexual or physical abuse at the hands of corrections officers; did not follow, implement or establish adequate mechanisms to monitor or supervise corrections officers while they interacted with female inmates; and did not install adequate safeguards in the infirmary of the MCDC to monitor and supervise corrections officers while they interacted with female inmates.

50. These omissions are the product of Dorning, Madison County, Alabama's and Madison County Sheriff's Office's, deliberate indifference to the safety and physical integrity of Plaintiff and other women who must seek treatment in the infirmary and constitute a causal connection between Defendants' actions and omissions and the harm suffered by Plaintiff.

51. Upon information and belief, the deliberate indifference of these Defendants worked to encourage corrections officers like De Leon to exploit female detainees.

52. Upon information and belief, other female inmates were also sexually assaulted in the infirmary by MCDC corrections officers.

53. By virtue of the Constitution of the United States, the Constitution of the State of Alabama, and applicable statutes and regulations, Defendant De Leon had and still has a duty to refrain from physical, sexual, and psychological abuse of the sort visited upon Plaintiff.

54. The abusive conduct alleged above was done intentionally and with complete disregard for the rights secured to Plaintiff under the Constitution and laws of the United States and the State of Alabama.

55. Defendants Madison County, Alabama and MCSO knew or should have known of the potential for this unlawful conduct, and through their deliberate indifference, authorized and/or ratified the unlawful conduct.

56. Defendant De Leon's actions were committed while in the performance of his official duties and in the line and scope of his employment.

57. Upon information and belief, it was known or should have been known to Defendant MCSO that Defendant De Leon did not have the temperament or competence to make decisions regarding Plaintiff.

58. Defendants did not attempt to comply in good faith with the requirements of federal law.

59. The aforesaid conduct by all Defendants directly resulted in Named Plaintiff and the putative Class Members sustaining humiliation, personal injuries, physical and mental anguish, and severe emotional distress.

CLASS ALLEGATIONS

60. This case is brought as a class action under RULE 23(a) and (b)(2) of the FEDERAL RULES OF CIVIL PROCEDURE.

61. The administration of the infirmary at the MCDC allows female inmates and male guards to be alone together, thereby allowing sexually-predatory guards to rape and sexually assault female inmates.

62. The putative Class is defined as follows:

All female inmates who require or will in the future require medical treatment in the infirmary while an inmate at MCDC.

63. This is a prospective punitive Class seeking, solely, an injunction regarding certain practices which Plaintiff deems dangerous and in need of proscription.

64. The claims of the Named Plaintiff are typical of the claims of the Class inasmuch as the Named Plaintiff is a currently incarcerated at MCDC. Both the Named Plaintiff and the putative Class are/will be subject to a common scheme and course of conduct by Madison County, Alabama and the MCSO as described herein.

65. The Named Plaintiff has no interests adverse to the interests of other Class members.

66. The Named Plaintiff will fairly and adequately protect the interests of the Class and has retained counsel experienced and competent in prosecution of class actions and complex litigation.

67. This action is also appropriate as a class action pursuant to RULE 23 (b)(1) and/or (2) as the Named Plaintiff seeks injunctive relief for the entire Class. Hence, the prosecution of separate actions by individual Class Members would create a risk of inconsistent or varying adjudications with respect to individual members of the Class which would establish incompatible standards of conduct for the Defendants, Madison County Sheriff Blake Dorning, Madison County, Alabama, and the Madison County Sheriff's Office and their required adherence to applicable

law. Further, adjudications with respect to individual Class Members would, as a practical matter, be dispositive of the interests of other Class Members who are not parties to the adjudication and may impair and impede their ability to protect their interests.

68. There are numerous and substantial questions of law and fact common to all putative Class members which control this litigation, and which predominate over any individual issues. Included within the common questions are:

- a. Whether Defendants allow female inmates receiving medical treatment in the infirmary to be left alone in the custody of male guards;
- b. Whether being left alone in the custody of male guards has the potential to produce negative results for female inmates; and
- c. Whether an injunction by this Court would have the effect of making female inmates safer in the MCDC infirmary.

69. A class action is superior to other available methods for the fair and efficient adjudication of this controversy. Absent a class action, the Named Plaintiff might not be able to obtain an Injunction to remedy this type of situation in the future.

70. Most individual putative Class members have little ability to prosecute an individual action, due to the complexity of the issues involved in this litigation, the significant costs attendant to litigation on this scale, and, frankly, the fear of pursuing litigation against Defendants who have authority over them.

71. This action will result in an orderly and expeditious administration of Class claims. Economies of time, effort, and expense will be fostered, and uniformity of decisions will be insured.

72. This action presents no difficulty that would impede its management by the Court as a class action and a class action is superior to other available methods for the fair and efficient adjudication of the claims brought herein.

CAUSES OF ACTION

Count I

Violation of Fifth, Eighth, and Fourteenth Amendments to the United States Constitution via 42 U.S.C. § 1983

(On Behalf of Chandler Korb against Defendants De Leon, Dorning, Madison County, and Madison County Sheriff's Office)

73. Paragraphs 1 through 72 are realleged herein as if set out in full.

74. The penalty for failure to appear at a Court hearing is not being raped.

75. Acting under color of state authority and pursuant to a potential for illegal conduct to which Defendants Dorning, Madison County, Alabama and the MCSO were deliberately indifferent, Defendant De Leon's conduct caused Plaintiff great and lasting emotional and psychological distress and harm. All such conduct violated clearly established and well-settled law.

76. While acting as a guard in the MCDC, Defendant De Leon violated Plaintiff's rights by raping her during the course of his duty in violation of the Eighth Amendment and its ban on cruel and unusual punishment.

77. Defendant De Leon had no legitimate governmental purpose for his treatment of Plaintiff. In so acting, Defendant abused the power conferred on him as a governmental actor. Defendant's actions have been motivated by invidious gender animosity that encourages, facilitates, and condones violence against female inmates and that is supported by no rational or legitimate governmental interest.

78. Defendant De Leon violated numerous state laws, statutes, contracts and administrative regulations in committing the rape upon Plaintiff.

79. Plaintiff has suffered and continues to suffer humiliation and mental anguish in connection with the deprivation of the rights and the rape by the Defendant.

80. Defendant Madison County, Alabama, in designing a facility with only one infirmary, failed to provide and maintain adequately safe facilities for female inmates and permitted the above-mentioned rape through their deliberate indifference to Plaintiff's safety, medical condition, and well-being.

81. Defendant Dorning and Defendant Madison County Sheriff's Office, in allowing female inmates to be left alone in the custody of male guards while under

medical care at the MCDC infirmary, did not follow, implement or establish policies, practices and procedures designed to protect female detainees from sexual or physical abuse at the hands of corrections officers; did not follow, implement or establish adequate mechanisms to monitor or supervise corrections officers while they interacted with female inmates; and did not install adequate safeguards in the infirmary of the MCDC to monitor and supervise corrections officers while they interacted with female inmates.

82. These Defendants together deprived Plaintiff of those rights, privileges, and immunities secured by the Fifth and Eighth Amendments to the Constitution as incorporated and applied to the states through the Fourteenth Amendment.

83. Specifically, these Defendants violated Plaintiff's Fifth, Eighth, and Fourteenth Amendment rights to substantive and procedural due process as a pre-trial detainee, including the right not to be subjected to cruel and unusual punishment during detention and the right not to be subjected to conditions which constitute punishment without an adequate hearing.

84. Further, through the acts as defined more fully above, Defendants violated Plaintiff's equal protection rights under the Fifth and Fourteenth Amendments.

85. The acts as set forth above were intentional, wanton, malicious and oppressive, thus entitling Plaintiff to an award of punitive damages.

86. Plaintiff has suffered and continues to suffer humiliation and mental anguish in connection with the deprivation of her Constitutional rights.

87. Defendants' violations of Plaintiff's Constitutional rights resulted in Plaintiff's suffering and were a direct cause of Plaintiff's humiliation, personal injuries, physical and mental anguish, and severe emotional distress.

Count II
Assault

(On Behalf of Chandler Korb against Defendant De Leon)

88. Paragraphs 1 through 72 are realleged herein as if set out in full.

89. During the period that Plaintiff was incarcerated at MCDC, De Leon, while acting within the line and scope of his employment with MCDC, wrongfully brought about harmful and offensive contact to Plaintiff's person.

90. On this occasion, Plaintiff was afraid to express her discomfort and unhappiness with the harmful and offensive contact to De Leon, who wore and had ready access to weapons to subdue her, was in a position of power over her, and instigated the harmful and offensive contact.

91. As a direct and proximate result of the unreasonable and illegal action

of De Leon, Plaintiff has suffered personal injuries, physical and mental anguish, and severe emotional distress.

**Count III
Invasion of Privacy**

(On Behalf of Chandler Korb against Defendant De Leon)

92. Paragraphs 1 through 72 are realleged herein as if set out in full.

93. During the period that Plaintiff was incarcerated at MCDC, De Leon, while acting within the line and scope of his employment with MCDC, wrongfully pried or intruded into the Plaintiff's private activities, affairs, and seclusion.

94. The nature of the intrusions referred to herein was so outrageous as to cause mental suffering, shame, or humiliation to a person of ordinary sensibilities.

95. As a direct and proximate result of the unreasonable and illegal action of De Leon, Plaintiff has suffered personal injuries, physical and mental anguish, and severe emotional distress.

**Count IV
Tort of Outrage
(a.k.a. Intentional Infliction of Emotional Distress)**

(On Behalf of Chandler Korb against Defendant De Leon)

96. Paragraphs 1 through 72 are realleged herein as if set out in full.

97. During the period that Plaintiff was incarcerated at MCDC, Plaintiff was subjected to the conduct of De Leon, which was so outrageous in character and so extreme in degree as to go beyond all possible bounds of decency and is regarded as atrocious and utterly intolerable in a civilized community.

98. The actions referred to herein were intended on the part of De Leon, acting within the line and scope of his employment with MCDC, to cause the Plaintiff to suffer severe emotional distress or were done with reckless disregard as to the effect of such conduct.

99. As a direct and proximate result of the unreasonable and illegal action of De Leon, Plaintiff has suffered personal injuries, physical and mental anguish, and severe emotional distress.

Count V
Negligence and Negligence *Per Se*

(On Behalf of Chandler Korb against Defendant De Leon)

100. Paragraphs 1 through 72 are realleged herein as if set out in full.

101. Defendant De Leon owed a duty to Plaintiff to treat her with the respect, accord, and consideration as to any person in a civilized society, which would include De Leon not committing the rape on Plaintiff. These negligent or wanton actions were violations of a ministerial duty and not a discretionary duty.

102. The Alabama Criminal Code prohibits sexual assault. Defendant De Leon's actions violated these provisions of law, and as a result constitute negligence *per se*.

103. As a direct and proximate result of Defendant De Leon's negligence, Plaintiff has suffered injuries, physical and mental anguish, and severe emotional distress which were unintended consequences of Defendants' negligent actions.

Count VI
Recklessness/Wantonness

(On Behalf of Chandler Korb against Defendant De Leon)

104. Paragraphs 1 through 72 are realleged herein as if set out in full.

105. Defendant De Leon owed a duty to Plaintiff to treat her with the respect, accord, and consideration as to any person in a civilized society and those in his custody as a guard with the Madison County Sheriff's Office, which would include De Leon not committing the rape on Plaintiff.

106. De Leon recklessly and/or wantonly injured Plaintiff and breached his duty to Plaintiff to not cause Plaintiff any harm.

107. As a direct and proximate result of De Leon's recklessness and/or wantonness, Plaintiff has suffered personal injuries, physical and mental anguish, and severe emotional distress.

Count VIII
Violations of the Alabama Constitution

(On Behalf of Chandler Korb against Defendants De Leon, Dorning, Madison County, and Madison County Sheriff's Office)

108. Paragraphs 1 through 72 are realleged herein as if set out in full.

109. Defendants' above-mentioned acts violate the Constitution of the State of Alabama, particularly, Article I, sections 1, 6, 13, 15, 16, and 35, and the Equal Protection Provisions.

110. Defendants deprived Plaintiff of her inalienable rights without due process.

111. Defendants denied Plaintiff Equal Protection of the laws.

112. Defendants subjected Plaintiff to cruel and unusual punishment not contemplated by any law in effect prior to Plaintiff's detention.

113. Defendants violated their sole and only purpose – to protect citizens of the State of Alabama in the enjoyment of life, liberty, and property. Their actions constitute usurpation and oppression.

114. As a result of the said acts of Defendants, Plaintiff has been injured and damaged and is entitled to recover from Defendants compensatory and punitive damages caused by these Constitutional violations, to be established at trial.

**Count IX
Injunction**

(On Behalf of Chandler Korb, the Named Plaintiff, and the putative members of a Class of similarly-situated individuals, against Defendants Dorning, Madison County and the Madison County Sheriff's Office)

115. Paragraphs 1 through 72 are realleged herein as if set out in full.

116. Madison County Detention Center employs a policy of complete separation between female inmates and male guards. However, there is only one infirmary at MCDC for male and female inmates, and in the infirmary, female inmates are left in the custody of male guards.

117. The infirmary is the only place at MCDC where a male guard can discipline a female inmate by segregating her, alone, in an unmonitored room, to which he retains access. It is, in other words, the only place where a sexual predator can impose his will on a female inmate.

118. This policy creates a situation ripe for the abuse of vulnerable female inmates by unscrupulous male guards.

119. This failure by Defendant Dorning and Defendant Madison County Sheriff's Department to implement policies related to the segregation of female inmates from male guards while in the infirmary constitutes a deliberate indifference to a substantial risk of serious harm to female inmates.

120. This failure by Defendant Madison County, in designing a facility with which does not allow for the segregation of female inmates from male guards while in the infirmary, constitutes a deliberate indifference to a substantial risk of serious harm to female inmates.

121. This failure by Defendant Madison County Sheriff's Office to follow policies related to the segregation of female inmates from male guards while female inmates are in the infirmary constitutes a deliberate indifference to a substantial risk of serious harm to female inmates.

122. These Defendants deprived Plaintiff of those rights, privileges, and immunities secured by the Fifth and Eighth Amendments to the Constitution as incorporated and applied to the states through the Fourteenth Amendment.

123. This violation of Plaintiff's Constitutional rights make injunction a proper remedy under 42 U.S.C. § 1983.

RELIEF REQUESTED

WHEREFORE, Plaintiff respectfully prays this Court:

- (a) Assume jurisdiction over this action;
- (b) Grant Plaintiff a trial by jury;
- (c) Declare that the acts and omissions described herein are in violation of 42 U.S.C. § 1983, the United States and Alabama Constitutions, and State of Alabama criminal code and tort law;
- (d) Enter judgment in favor of Plaintiff for compensatory and punitive damages, as allowed by law, against Defendants De Leon, Madison County, and MCSO;
- (e) Order Defendant Blake Dorning, Sheriff of Madison County, Alabama, to adopt and/or strictly enforce written rules prohibiting sexual assault and prohibiting male guards from isolating females in its facilities including the infirmary of the MCDC; ensure that said written rules provide for and result in the prompt and appropriate investigation of all sexual abuse related complaints; and that such rules require and result in formal disciplinary action to be taken against any employee or agent found to have engaged in the deliberate indifference to the well-being and integrity of any detainees;

- (f) Order Madison County, Alabama to address the facilities in the MCDC, including, but not limited to the infirmary, such that female inmates are protected and are not subjected to a facility deficiency that allows them to be isolated from their fellow inmates and wherein they may then find themselves in unmonitored contact with male guards, subjecting them to sexual assault or other mistreatment;
- (g) Award Plaintiff interest and the costs of this lawsuit together with a reasonable attorneys' fees and expert fees pursuant to 42 U.S.C. § 1983 and as otherwise allowed by law;
- (h) Order such other, further and different relief, including equitable, as this Court may deem just and proper.

Respectfully submitted this the 31st day of December 2018.

/s/ Eric J. Artrip

Eric J. Artrip (ASB-9673-I68E)

Teri Ryder Mastando (ASB-4507-E53T)

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ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Class Action Claims Madison County, Alabama Maintains Detention Facility 'Ripe' for Sexual Abuse](#)
