

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
SPRINGFIELD DIVISION**

JANE DOE,)	
)	
Plaintiff,)	
)	
vs.)	
)	
MATTHEW MCCARTY, LATOYA)	No.
HUGHES, JUSTIN HAMMERS, CHAD)	
MCGINNIS, MICHAEL LONG, MELINDA)	Judge
EDDY, JEANMARIE CASE, DANIELLE)	Magistrate Judge
MITCHELL, ARACELI CABARCAS, KIT)	
CLAPP, DAVID BRAINARD, SARAH)	
TAAPKEN SHELBI RUSSELL, LATISHA)	
O'NEAL, LUKE FAIRLESS, JANEEN)	
WRIGHT, TASHA YOUNG, JOHN SOKOL,)	
ELAIN WORTH, BRIAN RICHARDSON,)	Jury Demand
VIDYA MORISETTY, WEXFORD)	
HEALTH SOURCES, INC., and other AS-)	
YET-UNIDENTIFIED EMPLOYEES of the)	
Illinois Department of Corrections)	
)	
Defendants.)	

COMPLAINT

Plaintiff JANE DOE (“Ms. Doe”), by her undersigned attorneys, for her complaint against Defendants MATTHEW MCCARTY (“McCarty”), LATOYA HUGHES (“Hughes”), JUSTIN HAMMERS (“Hammers”), CHAD MCGINNIS (“McGinnis”), MELINDA EDDY (“Eddy”), MICHAEL LONG (“Long”), JEANMARIE CASE (“Case”), DANIELLE MITCHELL (“Mitchell”), ARACELI CABARCAS (“Cabarcas”), KIT CLAPP (“Clapp”), DAVID BRAINARD (“Brainard”), SARAH TAAPKEN (“Taapken”), SHELBI RUSSELL (“Russell”), LATISHA O’NEAL (“O’Neal”), LUKE FAIRLESS (“Fairless”), JANEEN WRIGHT (“Wright”), TASHA YOUNG (“Young”), JOHN SOKOL (“Sokol”), ELAINE WORTH (“Worth”), BRIAN RICHARDSON (“Richardson”), VIDYA MORISETTY (“Morisetty”), WEXFORD HEALTH

SOURCES, INC (“Wexford”) and other AS-YET-UNIDENTIFIED EMPLOYEES of the Illinois Department of Corrections (“IDOC”) alleges as follows:

PRELIMINARY STATEMENT

1. In the fall of 2023, Ms. Doe was living in a mental health unit of an IDOC facility, Logan Correctional Center (“Logan”). During the relevant time period, Hughes was the Director of IDOC, Hammers was the Chief of Operations of IDOC, Case and Eddy were the Warden and/or Acting Warden at Logan, and Long was the Assistant Warden at Logan. While there, Ms. Doe was targeted by a Correctional Officer (“CO”), McCarty. McCarty knew that Ms. Doe suffered from addiction and depression. Over the course of several weeks, McCarty forcibly kissed Ms. Doe, plied her with alcohol, and followed her into a broom closet where he sexually assaulted her.

2. Other IDOC and Wexford employees compounded Ms. Doe’s trauma. Despite suffering injuries as a result of McCarty’s attack, a Wexford gynecologist, Morisetty, repeatedly refused to administer Ms. Doe a test for sexually transmitted diseases (“STD”) and instead told her to “watch what she was doing.” Only after months of symptoms and repeated doctor visits was Ms. Doe finally provided a prescription to treat her injuries. Even then, Ms. Doe was still refused an STD test. Not only did this delay Ms. Doe’s treatment, but it obstructed the documentation of McCarty’s attack. Another Wexford doctor, a male psychologist, Richardson, hindered Ms. Doe’s attempts to report McCarty’s attack by denying her request to speak with a female IDOC employee so that she could feel comfortable reporting McCarty’s sexual violence.

3. Despite this mistreatment, Ms. Doe bravely filed a formal sexual abuse complaint against McCarty under the Prison Rape Elimination Act (“PREA”). Again, discrimination and mistreatment followed. The IDOC Investigator assigned to investigate her complaint, McGinnis, tried to convince Ms. Doe to recant her allegations, ultimately reducing her to tears. The PREA

Incident Review Team, which during the relevant time period included Brainard, Cabarcas, Clapp, Eddy, Fairless, Long, McGinnis, Mitchell, O’Neal, Russell, Sokol, Taapken, Worth, Wright, Young, subsequently failed to investigate. Other IDOC COs retaliated against Ms. Doe for reporting McCarty’s attack, including ransacking her room and stealing her property. Although Ms. Doe is not aware of evidence against McCarty that could have been found within her room, the IDOC COs’ searching, ransacking, and theft of property from her room is consistent with actions designed to root out and destroy any evidence that could have confirmed McCarty’s abuse of Ms. Doe.

4. Tragically, the abuse Ms. Doe suffered, Wexford’s failure to provide medical care, and IDOC leadership’s refusal to investigate that abuse is consistent with how IDOC leadership has handled numerous other attacks on incarcerated individuals that have occurred at Logan. This disturbing pattern of behavior confirms that IDOC leadership is aware of, but blatantly ignores, the actions of its COs, Wexford, and other personnel and that it takes all actions necessary to cover-up the abuse of the women and individuals in its custody.

5. Ms. Doe brings this action to remedy the violation of her rights under the First and Eighth Amendments of the United States Constitution and under the Illinois Gender Violence Act (740 ILCS 82/), the assault and battery, and the intentional infliction of emotional distress, and to prevent such violations and harms from continuing and recurring against other women incarcerated at Logan.

JURISDICTION AND VENUE

6. The jurisdiction of the Court is invoked pursuant to 28 U.S.C. §§ 1331 and 1343(a)(3) and (4), as this case arises under the Eighth and Fourteenth Amendments to the Constitution of the United States and 42 U.S.C. § 1983.

7. Pendent and supplementary jurisdiction as to Ms. Doe's claims under state law is invoked pursuant to 28 U.S.C. § 1367.

8. Venue is appropriate in the Central District of Illinois pursuant to 28 U.S.C. § 1391(b), as the events complained of occurred exclusively in this district.

PARTIES

9. Plaintiff JANE DOE is a citizen of the United States and resides in Kinmundy, Illinois. Ms. Doe was housed at Logan at the time of the events giving rise to this case.

10. Defendant MATTHEW MCCARTY was, at the time of the occurrence alleged herein, employed by IDOC as a CO at Logan.

11. Defendant LATOYA HUGHES was, at the time of the occurrence alleged herein, acting Director of IDOC.

12. Defendant JUSTIN HAMMERS was, at the time of the occurrence alleged herein, acting Chief of Operations of IDOC.

13. Defendant CHAD MCGINNIS was, at the time of the occurrence alleged herein, employed by IDOC as an investigator at Logan, and was a member of the PREA Incident Review Team.

14. Defendant MELINDA EDDY was, at the time of the occurrence alleged herein, employed by IDOC as the Warden at Logan, and was a member of the PREA Incident Review Team at Logan.

15. Defendant MICHAEL LONG was, at the time of the occurrence alleged herein, employed by IDOC as the Assistant Warden at Logan, and was a member of the PREA Incident Review Team at Logan.

16. Defendant JEANMARIE CASE was, at the time of the occurrence alleged herein, employed by IDOC as the Warden at Logan.

17. Defendant DANIELLE MITCHELL was, at the time of the occurrence alleged herein, a member of the PREA Incident Review Team at Logan.

18. Defendant ARACELI CABARCAS was, at the time of the occurrence alleged herein, a member of the PREA Incident Review Team at Logan.

19. Defendant KIT CLAPP was, at the time of the occurrence alleged herein, a member of the PREA Incident Review Team at Logan.

20. Defendant DAVID BRAINARD was, at the time of the occurrence alleged herein, a member of the PREA Incident Review Team at Logan.

21. Defendant SARAH TAAPKEN, was, at the time of the occurrence alleged herein, a member of the PREA Incident Review Team at Logan.

22. Defendant SHELBI RUSSELL was, at the time of the occurrence alleged herein, a member of the PREA Incident Review Team at Logan.

23. Defendant LATISHA O'NEAL was, at the time of the occurrence alleged herein, a member of the PREA Incident Review Team at Logan.

24. Defendant LUKE FAIRLESS was, at the time of the occurrence alleged herein, a member of the PREA Incident Review Team at Logan.

25. Defendant JANEEN WRIGHT was, at the time of the occurrence alleged herein, a member of the PREA Incident Review Team at Logan.

26. Defendant TASHA YOUNG was, at the time of the occurrence alleged herein, a member of the PREA Incident Review Team at Logan.

27. Defendant JOHN SOKOL was, at the time of the occurrence alleged herein, a member of the PREA Incident Review Team at Logan.

28. Defendant ELAINE WORTH was, at the time of the occurrence alleged herein, a member of the PREA Incident Review Team at Logan.

29. Defendant BRIAN RICHARDSON was, at the time of the occurrence alleged herein, employed by Wexford to provide psychological care at Logan.

30. Defendant VIDYA MORISETTY was, at the time of the occurrence alleged herein, employed by Wexford to provide medical services for IDOC at Logan.

31. Defendant WEXFORD HEALTH SOURCES, INC. is a Florida corporation with its principal place of business in the state of Pennsylvania. Wexford has been qualified to do business in the state of Illinois since July 27, 1992. On information and belief and at all times relevant to the allegations in this Complaint, Wexford has provided healthcare services to incarcerated individuals in IDOC.

32. At all times relevant to this Complaint, each of the Defendants was acting within the scope of their employment and under color of law.

FACTUAL ALLEGATIONS

33. Ms. Doe was incarcerated at Logan from August 2023 to November 2024.

34. In the fall of 2023, Ms. Doe was housed in RTU 14, one of Logan's mental health treatment units, receiving treatment for depression and addiction.

35. In or about September 2023, McCarty was working as a supervisory officer on Ms. Doe's unit when he attempted to initiate a relationship with Ms. Doe. The two often conversed about their family, friends, and interests. McCarty also began to send "friend" requests to some of Ms. Doe's friends on social media.

36. Soon, McCarty began to express sexual desire towards Ms. Doe. On a few separate occasions, McCarty followed Ms. Doe into a broom closet and forcibly kissed her.

37. Ms. Doe told him she was not comfortable with his advances, that she did not want to have a sexual relationship with McCarty, and that she feared that one or both of them would get in trouble. McCarty, however, did not stop.

38. On or about October 10, 2023, Ms. Doe came back from a court hearing and found two bottles filled with a milky pink liquid in her cell.

39. McCarty admitted that he placed the bottles of pink liquid in Ms. Doe's cell and instructed her to try it.

40. Ms. Doe tried the liquid, and it tasted alcoholic. She then drank the liquid in the bottles.

41. Not only did providing alcohol to a prisoner violate IDOC policy, McCarty also knew from his conversations with Ms. Doe and from her placement on the mental health unit that she struggled with alcohol addiction and depression.

42. That same night, Ms. Doe was cleaning the unit when McCarty followed her into the broom closet, a place with no cameras. He told her she should face the wall, bend over, and pull her pants down.

43. Ms. Doe stated that she was not comfortable with this, but McCarty replied that she "owed" him because he had "done a lot for her," and if she "cared about him at all, she would do it."

44. Ms. Doe did not want to comply, but she felt that she had to do as McCarty demanded to avoid getting in trouble.

45. McCarty had nonconsensual intercourse with Ms. Doe for a couple of minutes. He then claimed that he needed to stop, and he left.

46. Shortly after, Ms. Doe was moved to a different housing unit.

47. Two weeks after the sexual assault, Ms. Doe noticed some unusual vaginal discharge, and she visited Logan's "sick call" for treatment, where she saw a nurse. There, she was not treated for an STD, but received medicine to treat a yeast infection.

48. When her symptoms did not resolve, Ms. Doe went to the treating Wexford physician, Dr. Morisetty. She requested an STD test, but Morisetty refused to perform one. Instead, he performed a swab test, which was inconclusive, and prescribed Ms. Doe medication to treat a bacterial infection.

49. A couple of weeks later, when the symptoms did not abate, Ms. Doe returned to Dr. Morisetty and again requested an STD test. This time, she told Morisetty that she had had sexual contact with a CO.

50. Instead of reporting a potential PREA violation or offering an evidence collection, Morisetty again refused to perform an STD test. He told Ms. Doe that she should "watch what she was doing" and to avoid giving any sexually transmitted diseases to any of the COs.

51. Finally, on or about January 9, nearly three months after McCarty's attack, Ms. Doe sought medical treatment yet again, and finally received a prescription for clindamycin, an antibiotic drug often prescribed to treat STDs. The clindamycin finally addressed her symptoms. She never received an STD test.

52. As the entity contracted by IDOC to provide health care to the women at Logan, Wexford is responsible for ensuring that they receive adequate medical care and for coordinating and providing medical services. Wexford, through the acts and omissions of its authorized agent,

Morisetty, an employee within the scope of his employment, and pursuant to its own policies and procedures, failed to ensure that adequate medical care was provided to Ms. Doe.

53. Ms. Doe struggled with whether to file an official report against McCarty. She asked a male Logan psychologist, Richardson, to connect her with a woman who she could trust so that she could report the sexual abuse.

54. Richardson refused and said “You can talk to me, but I’m all you get. You don’t get to talk to just anyone.”

55. In the meantime, Ms. Doe overheard multiple incarcerated women talking about McCarty and his flirtatious behavior toward other incarcerated women.

56. On February 29, 2024, Ms. Doe lodged a formal sexual abuse complaint against McCarty under PREA.

57. In connection with this complaint, Ms. Doe spoke with IDOC Investigator McGinnis. McGinnis told Ms. Doe that she should “recant” her allegations against McCarty “if she was doing this for any reason other than an honest one.” This upset Ms. Doe, and she began to cry.

58. McGinnis asked if Ms. Doe had seen any identifying marks on the perpetrator’s groin area. This led Ms. Doe to believe that there had been complaints against McCarty in the past.

59. McGinnis told Ms. Doe that Internal Affairs would move forward with her complaint, but upon information and belief, the complaint never advanced, despite multiple reach-outs from Ms. Doe.

60. Ms. Doe’s mental health deteriorated due to McCarty’s abuse, Morisetty, Richardson and Wexford’s failure to provide her with proper medical care, and IDOC leadership’s

failure to investigate her complaint. Accordingly, she was assigned to a residential treatment unit for mental health treatment.

61. Ms. Doe also noticed that many of the COs began treating her differently, and she attributed this to the fact that she had reported McCarty's attack.

62. The day before Ms. Doe was released from Logan, a group of as-yet-unidentified COs ransacked her room and confiscated some of her property.

63. On information and belief, the COs searched Ms. Doe's room in retaliation for speaking out against McCarty and with the intent to intimidate Ms. Doe, stating that she should "think twice before bringing a lawsuit against another CO." Upon information and belief, the COs were also searching for any evidence that might confirm McCarty's attack and/or his interactions with Ms. Doe, so that the COs could confiscate and destroy that evidence.

64. For years prior to and after Ms. Doe's abuse, IDOC leadership, including Brainard, Cabarcas, Case, Clapp, Eddy, Fairless, Hughes, Hammers, Long, McGinnis, Mitchell, O'Neal, Russell, Sokol, Taapken, Worth, Wright, and Young knew of and turned a blind eye to the pattern of abuse at Logan, having received over 50 complaints of sexual harassment and/or abuse in 2021, over 30 complaints of sexual harassment and/or abuse in 2022, over 30 complaints of sexual harassment and/or abuse in 2023, over 60 complaints of sexual harassment and/or abuse in 2024, and over 30 complaints of sexual harassment and/or abuse in 2025, as of June. The vast majority of these reports Logan writes off as "unsubstantiated," according to Logan's own internal reporting records obtained through a Freedom of Information Act request.

65. Logan's own internal reporting records also show that many COs and other staff receive multiple complaints of sexual harassment and abuse per year, and Logan again writes those complaints off as "unsubstantiated." At least one CO had half a dozen reports of sexual harassment

and abuse filed against him between 2021 and 2024, all of which Logan marked as “unsubstantiated.”

66. As IDOC acknowledged in its 2024 PREA Report, five IDOC facilities, including Logan, make up 65% of the total allegations against staff in the entire IDOC system.

67. On information and belief, McCarty sexually abused other incarcerated women at Logan in addition to Ms. Doe, both before and after he abused her. In addition to Ms. Doe, three additional individuals in Logan’s custody have filed sexual abuse or sexual harassment complaints against McCarty under PREA, in December 2023, March 2024, and June 2024, respectively.

68. Logan’s own internal reporting records also show that at least one complaint of sexual abuse against McCarty was pending at the time Ms. Doe submitted her report, and records show that investigation remains pending.

69. On information and belief, IDOC leadership, including Brainard, Cabarcas, Case, Clapp, Eddy, Fairless, Hughes, Hammers, Long, McGinnis, Mitchell, O’Neal, Russell, Sokol, Taapken, Worth, Wright, and Young knew of a substantial likelihood that Logan staff in general and McCarty specifically were sexually abusing incarcerated individuals at Logan and failed to take reasonable steps to prevent it from continuing.

70. As a result of Defendants’ misconduct, Ms. Doe suffered physical, mental, and emotional harm.

COUNT I

42 U.S.C. §1983 – Eighth Amendment
Unnecessary and Wanton Infliction of Pain

(As to Defendants McCarty, Richardson, Brainard, Cabarcas, Case, Clapp, Eddy, Fairless, Hughes, Hammers, Long, McGinnis, Mitchell, O’Neal, Russell, Sokol, Taapken, Worth, Wright, Young, Morisetty, and As-Yet-Unidentified Employees)

71. Ms. Doe repeats and realleges Paragraphs 1-70 of this complaint as if fully set forth in this count.

72. In the manner described more fully above, McCarty’s conduct toward Ms. Doe in forcing her to engage in unwanted sexual acts constituted unnecessary and wanton infliction of pain in violation of Ms. Doe’s constitutional right to be free from cruel and unusual punishment.

73. Richardson, McGinnis, Morisetty, and As-Yet-Unidentified Employees obstructed the recording of evidence by refusing to provide her with an STD test, intimidating her from reporting, refusing to investigate, and searching and attempting to steal evidence from her cell.

74. Likewise, in the manner described more fully above, IDOC leadership Brainard, Cabarcas, Case, Clapp, Eddy, Fairless, Hughes, Hammers, Long, McGinnis, Mitchell, O’Neal, Russell, Sokol, Taapken, Worth, Wright, and Young violated Ms. Doe’s right to be free from cruel and unusual punishment because they knew that Ms. Doe’s rights were being violated, had the realistic opportunity to intervene to prevent or stop the misconduct from occurring, and failed to do so. In the alternative, they were on notice of a substantial risk of harm to Ms. Doe and consciously disregarded that risk.

75. The misconduct described in this count was objectively unreasonable and was undertaken intentionally, with malice and knowing disregard for Ms. Doe’s clearly established constitutional rights, and not for any legitimate penological purpose, in violation of Ms. Doe’s constitutional right under the Eighth Amendment to be free from cruel and unusual punishment, as made applicable to the states by the Fourteenth Amendment.

76. As a result of the misconduct described in this count, Ms. Doe suffered and continues to suffer physical, emotional, and mental harm.

COUNT II

42 U.S.C. §1983 – Eighth Amendment

Failure to Protect

(As to Defendants Brainard, Cabarcas, Case, Clapp, Eddy, Fairless, Hughes, Hammers, Long, McGinnis, Mitchell, O’Neal, Russell, Sokol, Taapken, Worth, Wright, and Young)

77. Ms. Doe repeats and realleges Paragraphs 1-76 of this complaint as if fully set forth in this count.

78. Brainard, Cabarcas, Case, Clapp, Eddy, Fairless, Hughes, Hammers, Long, McGinnis, Mitchell, O’Neal, Russell, Sokol, Taapken, Worth, Wright, and Young were responsible for developing, implementing, and overseeing implementation of PREA at all IDOC facilities, including Logan; for ensuring that the administrators and staff at Logan and other IDOC facilities take steps to address the problem of custodial sexual assault; for promulgating rules, regulations, policies, and procedures to ensure the reasonable safety of women in IDOC custody; and for supervising, training, assigning, and disciplining counselors, COs, and internal investigators at Logan.

79. There have been numerous instances within the IDOC, and within Logan, specifically, where COs have sexually abused incarcerated individuals under their care.

80. On information and belief, Brainard, Cabarcas, Case, Clapp, Eddy, Fairless, Hughes, Hammers, Long, McGinnis, Mitchell, O’Neal, Russell, Sokol, Taapken, Worth, Wright, and Young knew of long-standing patterns of sexual abuse of incarcerated individuals at the hands of COs at Logan.

81. On information and belief, Brainard, Cabarcas, Case, Clapp, Eddy, Fairless, Hughes, Hammers, Long, McGinnis, Mitchell, O’Neal, Russell, Sokol, Taapken, Worth, Wright,

and Young had actual knowledge that McCarty was sexually abusing incarcerated individuals at Logan. In the alternative, Brainard, Cabarcas, Case, Clapp, Eddy, Fairless, Hughes, Hammers, Long, McGinnis, Mitchell, O'Neal, Russell, Sokol, Taapken, Worth, Wright, and Young were on notice of a substantial risk that McCarty posed a risk of sexual abuse to incarcerated individuals and consciously disregarded that risk.

82. Brainard, Cabarcas, Case, Clapp, Eddy, Fairless, Hughes, Hammers, Long, McGinnis, Mitchell, O'Neal, Russell, Sokol, Taapken, Worth, Wright, and Young's deliberate indifference for Ms. Doe's safety and security resulted in her sexual assault by McCarty.

83. The failure of Brainard, Cabarcas, Case, Clapp, Eddy, Fairless, Hughes, Hammers, Long, McGinnis, Mitchell, O'Neal, Russell, Sokol, Taapken, Worth, Wright, and Young to protect Ms. Doe constituted willful and reckless conduct and/or deliberate indifference to her need for protection, and thus violated Ms. Doe's rights under the Eighth Amendment to be free from cruel and unusual punishment, as made applicable to the states by the Fourteenth Amendment.

84. As the direct and proximate result of the above-described violation of Ms. Doe's constitutional rights by Brainard, Cabarcas, Case, Clapp, Eddy, Fairless, Hughes, Hammers, Long, McGinnis, Mitchell, O'Neal, Russell, Sokol, Taapken, Worth, Wright, and Young, Ms. Doe suffered and continues to suffer physical, emotional, and mental harm.

COUNT III

42 U.S.C. §1983 – Eighth Amendment **Deliberate Indifference – Inadequate Medical Care** (As to Defendants Morisetty and Wexford)

85. Ms. Doe repeats and realleges Paragraphs 1-84 of this complaint as if fully set forth in this count.

86. In the manner described more fully above, Morisetty and Wexford denied Ms. Doe testing and adequate treatment for a sexually transmitted infection, even after she divulged that she had had sexual contact with a CO.

87. On information and belief, Morisetty and Wexford knew of the substantial risk of harm to Ms. Doe if she did not receive adequate medical care for this serious condition, and consciously disregarded this risk.

88. At all times relevant, Wexford maintained a policy, procedure, or practice at Logan under which patients were denied timely access to adequate medical care as a means of reducing costs. As a result, Wexford's provision of healthcare services at Logan has fallen below constitutional standards.

89. Wexford's cost-cutting measures and subsequent failure to provide constitutionally adequate healthcare have been well-documented. *See Lippert v. Ghosh*, No. 1:10-cv-04603, ECF No. 339 at 45 (N.D. Ill. May 19, 2015) (Court appointed expert report, concluding "the State of Illinois has been unable to meet minimal constitutional standards with regards to the adequacy of its health care program for the population it serves."),

90. As a result of Morisetty and Wexford's deliberate indifference, Ms. Doe was forced to wait months to receive treatment for her sexually transmitted infection, in violation of her constitutional right under the Eighth Amendment to be free from cruel and unusual punishment, as made applicable to the states by the Fourteenth Amendment.

91. As a result of Morisetty and Wexford's deliberate indifference, Ms. Doe suffered physical, mental, and emotional harm.

COUNT IV

42 U.S.C. §1983 – First Amendment Retaliation

(As to Defendants McCarty, Richardson, Morisetty, and As-Yet-Unidentified Employees)

92. Ms. Doe repeats and realleges Paragraphs 1-91 of this complaint as if fully set forth in this count.

93. In the manner described more fully above, McCarty, Richardson, Morisetty, and As-Yet-Unnamed Employees retaliated against Ms. Doe for engaging in protected First Amendment activity when she reported McCarty's misconduct, by depriving her of her personal property and by failing to timely treat the medical condition caused by McCarty's attack.

94. The misconduct described in this count was objectively unreasonable and was undertaken intentionally, with malice and knowing disregard for Ms. Doe's clearly established constitutional rights, and not for any legitimate penological purpose.

95. As a result of McCarty and As-Yet-Unidentified Employees' retaliatory actions, Ms. Doe suffered harm.

COUNT V

Intentional Infliction of Emotional Distress

(As to Defendant McCarty)

96. Ms. Doe repeats and realleges Paragraphs 1-95 of this complaint as if fully set forth in this count.

97. In the manner more fully described above, the actions of McCarty in forcing Ms. Doe to engage in unwanted sexual contact were extreme and outrageous.

98. McCarty knew or should have known that there was a high probability that his conduct would cause severe emotional distress.

99. As a result of McCarty's conduct, Ms. Doe in fact experienced severe emotional distress.

COUNT VI

Civil Assault and Battery (As to Defendant McCarty)

100. Ms. Doe repeats and realleges Paragraphs 1-99 of this complaint as if fully set forth in this count.

101. The actions of McCarty in forcing Ms. Doe to engage in unwanted sexual contact were done intentionally, willfully, and wantonly, or with such reckless disregard for their natural consequences as to constitute the torts of assault and battery under the laws and constitution of the state of Illinois and did directly and proximately cause the physical and psychological injuries, pain, and suffering experienced by Plaintiff, as alleged above.

COUNT VII

Illinois Gender Violence Claim (As to Defendants McCarty, Brainard, Cabarcas, Case, Clapp, Eddy, Fairless, Hughes, Hammers, Long, McGinnis, Mitchell, O'Neal, Russell, Sokol, Taapken, Worth, Wright, and Young)

102. Ms. Doe repeats and realleges Paragraphs 1-101 of this complaint as if fully set forth in this count.

103. In the manner described more fully above, McCarty, by sexually assaulting Ms. Doe, committed a physical intrusion of a sexual nature under coercive conditions satisfying the elements of battery under the laws of Illinois, and in violation of the Illinois Gender Violence Act (740 ILCS 82/).

104. McCarty's actions arose out of and were conducted in the course of his employment with IDOC.

105. McCarty abused Ms. Doe while he was performing his job duties as an employee of IDOC, and his abuse of Ms. Doe was the proximate cause of her injuries.

106. Upon information and belief, Brainard, Cabarcas, Case, Clapp, Eddy, Fairless, Hughes, Hammers, Long, McGinnis, Mitchell, O'Neal, Russell, Sokol, Taapken, Worth, Wright, and Young failed to supervise, train, and monitor McCarty.

107. Upon information and belief, Brainard, Cabarcas, Case, Clapp, Eddy, Fairless, Hughes, Hammers, Long, McGinnis, Mitchell, O'Neal, Russell, Sokol, Taapken, Worth, Wright, and Young have ignored and failed to investigate numerous allegations of sexual abuse against the staff at Logan for years and has failed to take remedial measures in response to these reports.

WHEREFORE, Plaintiff Jane Doe prays that this Court enters judgment in her favor and against the Defendants, awarding compensatory damages, costs and attorney's fees, and punitive damages against each of the Defendants in their individual capacities, and for such further relief as the Court may deem appropriate and just.

JURY DEMAND

Ms. Doe demands trial by jury.

Dated: September 17, 2025

Respectfully submitted,

/s/ Melanie MacKay

Melanie MacKay

Reid McEllrath

Amie Bauer

Kim Hill

Ariana Zlioba

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CIVIL COVER SHEET

Wednesday, 17 September, 2025 08:36:03 AM

Clerk, U.S. District Court, ILCD

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Jane Doe

(b) County of Residence of First Listed Plaintiff Marion County
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

(See attachment)

DEFENDANTS

MATTHEW MCCARTY, et al.

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question
(U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|---------------------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 490 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 U.S.C. §1343(a)(3) and (4) and 1367; 42 U.S.C. §1983

Brief description of cause:
Civil rights, constitutional violations, personal injury

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION DEMAND \$ _____
UNDER RULE 23, F.R.Cv.P.

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE

09/17/2025

SIGNATURE OF ATTORNEY OF RECORD

/s/ Melanie MacKay

FOR OFFICE USE ONLY

RECEIPT # _____

AMOUNT _____

APPLYING IFP _____

JUDGE _____

MAG. JUDGE _____

**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
SPRINGFIELD DIVISION**

JANE DOE,)	
)	
Plaintiff,)	
)	
v.)	
)	No.
MATTHEW MCCARTY, LATOYA HUGHES,)	
CHAD MCGINNIS, MICHAEL LONG,)	
MELINDA EDDY, JEANMARIE CASE,)	
DANIELLE MITCHELL, ARACELI)	Judge
CABARCAS, KIT CLAPP, DAVID)	Magistrate Judge
BRAINARD, SARAH TAAPKES, SHELBI)	
RUSSELL, LATISHA O'NEAL, LUKE)	
FAIRLESS, JANEEN WRIGHT, TASHA)	
YOUNG, JOHN SOKOL, ELAIN WORTH,)	Jury Demand
BRIAN RICHARDSON, VIDYA)	
MORISSETY, WEXFORD HEALTH)	
SOURCES, INC., and other AS-YET-)	
UNIDENTIFIED EMPLOYEES of the Illinois)	
Department of Corrections)	
)	
Defendants.		

ATTACHMENT TO CIVIL COVER SHEET

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