

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

JANE DOE,

Plaintiff,

v.

RODNEY PENNINGTON,
MICHAEL BAKER,
DWAYNE TURNER,
DAVID BRAINARD,
SHELBI RUSSELL,
JANEEN WRIGHT,
TASHA YOUNG,
SARAH TAAPKEN,
ELAINE WORTH,
CHAD MCGINNIS,
DR. LUKE FAIRLESS,
DR. JOHN SOKOL,
MELINDA EDDY,
MICHAEL LONG,
CAMMI PIERCE,
JUSTIN HAMMERS,
LATOYA HUGHES and
other as-yet-identified employees of the
Illinois Department of Corrections.

Defendants.

No. 3:25-cv-03275

Judge:

Magistrate Judge:

Jury Demand

COMPLAINT

Plaintiff, Jane Doe, through her attorneys, Chicago Alliance Against Sexual Exploitation, Uptown People's Law Center, and DLA Piper LLP (US), complains of the Defendants as follows:

NATURE OF THE CASE

1. Since August 2023, Plaintiff Jane Doe ("Ms. Doe") has been subjected to sexual exploitation, harassment, and a sustained campaign of retaliation by Defendant Rodney Pennington ("Defendant Pennington") and other Illinois Department of Corrections ("IDOC")

correctional staff, including Correctional Officer (“CO”) Michael Baker (“Defendant Baker”) and CO Dwayne Turner (“Defendant Turner”). Defendant Pennington, at all times relevant, was a Correctional Officer in Logan Correctional Center (“Logan”) Internal Affairs Unit—responsible for investigating allegations of staff wrongdoing, including allegations of staff sexual misconduct perpetrated against women incarcerated at Logan.

2. Ms. Doe was not the only victim of Defendant Pennington and others during this time period. Sexual coercion and exploitation have been commonplace within Logan for many years. These acts were perpetrated in a facility with a well-known and pervasive culture of custodial sexual abuse. Since 2021, there have been 223 Prison Rape Elimination Act, 42 U.S.C. Ch. 147, §15601, *et. seq.* (P.L. 108–79) (“PREA”) complaints filed by people in custody alleging sexual abuse at Logan Correctional Center. Despite this staggering number, Logan investigators substantiated only 5.82% of those claims. Of those 223 PREA complaints, 85 were allegations of sexual abuse committed by Logan staff against people in custody. Defendants Melinda Eddy (“Defendant Eddy”), Michael Long (“Defendant Long”), Defendant Cammi Pierce (“Defendant Pierce”), Defendant Justin Hammers (“Defendant Hammers”) and Defendant Latoya Hughes (“Latoya Hughes”) failed to address or remedy this despite knowledge of the risks of sexual abuse and ongoing misconduct.

3. Defendant Pennington abused his power by trading a requested accommodation in exchange for a sexual act. Ms. Doe requested that her partner be transferred to her housing unit. Defendant Pennington, as a member of the movement committee, agreed to grant the request—but only if Ms. Doe performing oral sex on him. Ms. Doe felt pressure and confusion, and thereafter reluctantly began the sexual act with Defendant Pennington. Defendant Pennington’s penis was in Ms. Doe’s hand, but they were interrupted by a visitor, and she quickly left, despite Pennington

urging her to stay. When Defendant Pennington later demanded Ms. Doe complete the sexual act, she refused.

4. Defendant Pennington thereafter began a campaign of ongoing harassment and retaliation against Ms. Doe because she rebuffed his sexual demand. This campaign was supported and reinforced by other correctional staff—including Defendants Baker and Turner and allowed to continue by Defendants Eddy, Long, Pierce, Hammers and Hughes and included frequent and unjustified disciplinary tickets, removal from programming, confiscation of personal property, repeated placement in segregation on pretextual grounds, and even obstacles to obtaining her medication.

5. Ms. Doe's attempts to report Defendant Pennington's misconduct and pattern of retaliation were met with indifference or further retaliation. Indeed, despite multiple complaints against Defendant Pennington and – finally, an internal investigation into his conduct prompted by attorney document preservation demands for the imminent lawsuit – *promoted* him to a new supervisory position and gave him a substantial raise.

6. Ms. Doe seeks damages against Defendants to compensate her for Defendants' violations of her rights secured by the United States Constitution, and by violations of state statutory and common law duties. Logan and other IDOC staff and officials failed to intervene to prevent sexual assaults, to protect incarcerated individuals from sexual abuse, and to prevent retaliation based on protected speech despite knowledge of the culture of sexual abuse at Logan.

JURISDICTION AND VENUE

7. This Court has jurisdiction pursuant to 42 U.S.C. § 1983, 28 U.S.C. §§ 1331 and 1343(a)(3) and (4), as this case arises under the First, Eighth and Fourteenth Amendments to the

Constitution of the United States. This Court's Supplemental Jurisdiction for Plaintiff's state claims is authorized by 28 U.S.C. § 1367(a).

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. The case arises out of acts occurring in Logan County, IL.

Plaintiff

9. "Jane Doe" is the pseudonym of Plaintiff, a citizen of the United States incarcerated at all times relevant to this Complaint at Logan Correctional Center in Logan County, Illinois.

Defendants

10. Defendant Rodney Pennington was, at the time of the occurrences alleged herein, an Internal Affairs Officer employed by the Illinois Department of Corrections ("IDOC"). As an Internal Affairs Officer, Defendant Pennington has not only authority over prisoners incarcerated at Logan Correctional Center, but also the authority to investigate claims of misconduct asserted against IDOC employees, including claims involving sexual abuse.

11. Defendant Michael Baker was, at the time of the occurrences alleged herein, a Corrections Officer employed by IDOC.

12. Defendant Correctional Officer Dwayne Turner was, at the time of the occurrences alleged herein, a Sergeant employed by IDOC.

13. At times relevant to this complaint, Defendants Dr. Luke Fairless ("Defendant Fairless"), Chad McGinnis ("Defendant McGinnis"), David Brainard ("Defendant Brainard"), Shelbi Russell ("Defendant Russell"), Janeen Wright ("Defendant Wright"), Tasha Young ("Defendant Young"), Dr. John Sokol ("Defendant Sokol"), and Elaine Worth ("Defendant Worth") were members of the PREA incident review team at Logan Correctional Center. In this role, these Defendants were responsible for reviewing investigations into allegations of sexual

assault at Logan and for evaluating and recommending policy changes to prison administrators to address the problem of sexual assault at the facility

14. At times relevant to this complaint, Defendant Sarah Taapken (“Defendant Taapken”) held the position of PREA Compliance Manager for Logan. In this position, Defendant Taapken was responsible for developing, planning, and overseeing efforts to address the problem of custodial sexual assault at Logan and for ensuring compliance with PREA regulations and standards.

15. At times relevant to this complaint Defendants Eddy, Long, and Pierce held the position of the Acting Warden, Warden of Logan Correctional Center and/or Assistant Warden of Programs at Logan Correctional Center. As wardens, Defendant Eddy, Long, and Pierce’s powers and responsibilities included, without limitation, responsibility for promulgating and/or enforcing rules, regulations, and procedures to ensure the safety and security of those in her custody, including Ms. Doe. As wardens, Defendants Eddy, Long and Pierce were responsible for preventing staff-on-prisoner violence, such as sexual assaults by guards and employees, and the adherence of each facility to PREA standards. They further had the responsibility to ensure that individuals who reported sexual assault were not subjected to subsequent retaliation.

16. At times relevant to this complaint Defendant Justin Hammers (“Defendant Hammers”) held the position of IDOC Chief of Operations. In this position Defendant Hammers possessed authority over security staff at IDOC facilities. Defendant Hammers was responsible for ensuring that security staff were properly trained and conducted themselves in accordance with applicable laws, regulations, and standards.

17. At all times relevant to this complaint, Defendant Latoya Hughes (“Defendant Hughes”) held the position of Director of IDOC with authority over all IDOC facilities, including

Logan. As Director, Defendant Hughes' responsibilities included the responsibility for promulgating and/or enforcing rules, regulations, and procedures to ensure the safety and security of individuals in IDOC custody, including Ms. Doe. Defendant Hughes was responsible for overseeing the conduct and training of staff at IDOC facilities. Despite numerous lawsuits and complaints over the years highlighting ongoing problems at Logan Correctional Center, Defendant Hughes allowed a culture to persist at Logan that failed to protect individuals in custody from sexual abuse and related misconduct.

18. All Defendants were, at the time of the occurrence alleged herein, employees of IDOC and Wexford assigned to Logan in Lincoln, Illinois. They engaged in the conduct complained of in the course of their employment with the IDOC and while they were on duty. They are sued in their individual capacities.

19. At all times material to this complaint, Defendants were acting under color of state law, ordinance, and/or regulation.

Facts Common to All Counts

20. Ms. Doe was at all relevant times, and still is, incarcerated at Logan Correctional Center, in IDOC custody. Ms. Doe while incarcerated has served as a mentor to younger women at Logan Correctional Center who are struggling to navigate being newly incarcerated.

21. Logan Correctional Center is Illinois' primary women's facility. It is the only IDOC facility that houses women with a maximum-security classification and/or a significant amount of time on their sentence.

22. During the relevant period described, sexual misconduct by correctional staff was and continues to be rampant and widely known among both staff at Logan, IDOC administrators and incarcerated individuals.

23. Despite PREA, in which the United States Congress recognized the acute danger of sexual exploitation particularly posed to incarcerated women by male staff, Defendants Fairless, McGinnis, Brainard, Russell, Wright, Young, Sokol, Worth, Taapken, Long, Pierce, Eddy, Hammers, and Hughes failed to implement or enforce adequate policies to prevent sexual abuse and failed to protect Ms. Doe from retaliation for rebuffing and then reporting such abuse. IDOC's own records reveal well over two hundred complaints of sexual abuse and harassment under PREA just at Logan since 2021—with the number and pace of complaints accelerating during the first half of 2025. Of those two hundred twenty-three complaints, only thirteen of them were found to be substantiated. Defendants Fairless, McGinnis, Brainard, Russell, Wright, Young, Sokol, Worth, Taapken, Long, Pierce, Eddy, Hammers and Hughes were aware of these complaints, yet they took no (or inadequate) action to change the culture of sexual abuse at Logan where 85 PREA complaints were made against corrections staff from 2021 to 2025. Of those, only 7 were referred for criminal investigation to the Illinois State Police. Further, of the 85 complaints of sexual abuse made against staff from 2021-2025, only 6 staff received any disciplinary action. Of these, only 3 were discharged or suspended—the rest received a written reprimand.

24. Staff-on-prisoner sexual assaults at Logan have also generated civil lawsuits. The assaults subject to such civil litigation include, for example: *Farris v. Kohlrus, et al.*, No. 3:17-cv-3279 (C.D. Ill. Nov. 28, 2017), *Doe v. MacLeod, et al.*, No. 3:18-cv-3191 (C.D. Ill. Aug. 2, 2018), and *Martinez v. Case, et al.*, No. 24-cv-1279 (C.D. Ill. Aug. 9, 2024). In fact, since 2023, two federal juries in the Central District of Illinois rendered multi-million-dollar verdicts in favor of plaintiffs after concluding that Logan officials chose not to protect female prisoners even though they knew about sexual assault. *See Doe v. MacLeod, et al.*, No. 3:18-cv-3191, Dkt. 223 (C.D. Ill. Sep. 22, 2023); *Heilman v. Burke*, No. 18-cv-3260, Dkt. 189 (C.D. Ill. Feb. 2, 2024).

25. In May 2023 Defendant Pennington made inappropriate comments to Ms. Doe, suggesting that she had given sexual favors to other corrections officers and questioning why she would not do the same for him. Ms. Doe had never engaged in a sexual encounter with a correctional officer and did not know why Defendant Pennington thought she had.

26. In August 2023, Ms. Doe requested that her partner, another prisoner in custody at Logan Correctional Center, be moved to her housing unit (“Housing Unit 11”). Defendant Pennington, a member of the movement committee, informed Ms. Doe that his approval of the request was conditioned on Ms. Doe performing a sexual act. Ms. Doe, though sickened by this request, believed this was a necessary condition to get her request approved. Thereafter, Defendant Pennington set a date for the meeting a few days later.

27. On the Saturday shortly after their first conversation, Defendant Pennington summoned Ms. Doe to his office. Ms. Doe waited with trepidation on a bench outside until Defendant Pennington called her in. Once inside Defendant Pennington’s office, Defendant Pennington took Ms. Doe to an adjacent office. There, Ms. Doe watched Defendant Pennington pull down his pants and sit down in front of her with his penis exposed, indicating that it was time for Ms. Doe to begin performing oral sex on him. A highly nervous and anxious Ms. Doe began to perform the sexual act by placing Defendant Pennington’s penis in her hand. The encounter was interrupted when they heard a voice outside, and Ms. Doe abruptly stopped the encounter.

28. Defendant Pennington attempted to coax Ms. Doe to wait until they were alone, but Ms. Doe – panicked and distressed – quickly left the office. The same day, Ms. Doe disclosed the sexual encounter to two women who were also incarcerated at Logan Correctional Center.

29. Shortly thereafter, Ms. Doe’s partner was transferred to Housing Unit 11.

30. Defendant Pennington then summoned Ms. Doe back into his office again. He subsequently demanded to reschedule their meeting, continuing his demand that Ms. Doe perform oral sex on him. Defendant Pennington said that he did what he was asked to do (meaning he transferred Ms. Doe's partner to Housing Unit 11), and now it was time for Ms. Doe to complete her end of the "transaction" he had demanded. Defendant Pennington said to Ms. Doe "I did that favor for you, are you going to hold up your end of the bargain?" Defendant Pennington scheduled another meeting for the following Saturday.

31. Ms. Doe arrived at Defendant Pennington's office on the following Saturday but, this time, she refused to comply with his demand for oral sex. Defendant Pennington became upset, stating that he had fulfilled his end of the agreement. When Ms. Doe continued to refuse, Defendant Pennington said, "This is how you're going to be? I do you a favor and you won't do this for me?" Defendant Pennington then said to Ms. Doe "Okay, okay, I got you" after she continued her refusal. Given Defendant Pennington's tone, reputation, demand for a sexual act, and authority as an Internal Affairs Officer, Ms. Doe understood Defendant Pennington's statement to be a threat of retaliation.

32. Ms. Doe understood there to be a culture within Logan Correctional Center of correctional officers protecting each other. Staff at Logan Correctional Center had explicitly told Ms. Doe this on many occasions.

33. Ms. Doe's concerns were quickly proven to be founded. Following her refusal, Ms. Doe was subjected to a relentless campaign of harassment and retaliation by Defendant Pennington and other Logan correctional staff. Almost immediately, Ms. Doe began to be regularly stopped, questioned, and at times searched by various corrections staff with a frequency she had never experienced before during her twenty plus years of incarceration.

34. Beginning in December 2023, correctional staff began frequently issuing falsified disciplinary tickets to Ms. Doe, often based on fabricated or highly exaggerated allegations. On December 31, 2023, Defendant Baker issued a ticket against Ms. Doe containing falsified allegations. Ms. Doe attempted to present two witnesses on her behalf who could corroborate her innocence but was denied the ability to do so.

35. On January 23, 2024, Defendant Baker, not satisfied with issuing a false report against Ms. Doe, ransacked Ms. Doe's cell. Defendant Baker rifled through hundreds of Ms. Doe's personal legal papers and scattered them throughout Ms. Doe's cell. Lieutenant Silas ordered Defendant Baker to repair it. A few days later, Ms. Doe filed a grievance against Defendant Baker, alleging that he falsified incident reports against her, threatened to "come after" her, and destroyed her personal property and mail. Defendant Baker told Ms. Doe that he was "tired" of Ms. Doe reporting his co-workers.

36. Another CO told Ms. Doe she was a "problem" for staff because of grievances she had filed in response to the harassment and retaliation she was experiencing. Thereafter, another CO told Ms. Doe that her "friend" was "pissed off." Ms. Doe understood that the CO was referring to Pennington as that "friend".

37. In February 2024, Internal Affairs falsely alleged that there was cocaine in Ms. Doe's cell and staff searched her cell. Ms. Doe was then placed in segregation—where she would be denied opportunities for yard time, programming, visits of family and friends, and more. There was no cocaine, nor other contraband found in Ms. Doe's cell. Nonetheless, Defendant Pennington told Ms. Doe she would remain in segregation for an indefinite period, and she was kept in segregation for 28 days – the maximum time allowed. Under information and belief this allegation regarding cocaine was orchestrated by Defendant Pennington.

38. During those 28 days in segregation Ms. Doe endured abhorrent conditions. Ms. Doe was forced to stand in overflowing sewage, surrounded by the persistent stench of raw waste. The temperature in segregation was freezing and without heat, yet Ms. Doe was provided with nothing more than thin thermals and a jumpsuit for warmth. On at least one occasion, the cold was so severe that she was compelled to request a crisis intervention. Throughout her time in segregation, Ms. Doe was also deprived of sleep due to the constant noise from others in the unit. These conditions posed serious risks to Ms. Doe's physical and mental health.

39. After Ms. Doe was released from segregation, she returned to her cell to find that the campaign of retaliation was continuing unabated. This time, she found her personal belongings were missing, including her television, hot pot, and even her legal books. IDOC staff responsible for that property told Ms. Doe that Internal Affairs (which included Defendant Pennington) was holding her belongings. However, when Ms. Doe approached Internal Affairs personnel, they denied having her personal property.

40. Eventually, Ms. Doe's television was replaced, but she was forced to replace the remainder of her personal property, costing her hundreds of dollars.

41. In March 2024, Ms. Doe was placed in segregation again after Defendant Pennington claimed to have received a tip from a confidential informant that Ms. Doe had been involved in a physical altercation with another prisoner. Pennington informed Ms. Doe that he was heading the investigation against her and implied that his outcome may be influenced by her previous refusal to engage in a sex act. Subsequently, the supposed "confidential informant" submitted a letter recanting her prior allegations. The confidential informant wrote that she had been threatened by Defendant Pennington to pressure her to make false statements against Ms.

Doe. Under information and belief, CO Payne, a member of the adjustment committee, gave the recantation letter to Defendant Pennington.

42. Despite this recantation, Ms. Doe remained in segregation for an additional 18 days experiencing similar horrific conditions as she did when she was wrongfully held in segregation the previous month. After her release from segregation, Ms. Doe was initially placed in a protective custody wing. However, shortly thereafter, and upon information and belief, Defendant Pennington transferred Ms. Doe to an intake wing. This move could only be authorized by Internal Affairs Officers. When Ms. Doe asked Defendant Pennington why she had been transferred, he claimed to have no knowledge of why she was moved. As a result of being placed in the intake wing, Ms. Doe was wrongfully deprived of access to her programming for four days, as she was improperly classified and treated as a new intake rather than as a continuing resident.

43. Thereafter, Defendant Pennington, apparently angered that his plan to falsely accuse Ms. Doe had been exposed by the recantation letter, responded by jeopardizing the safety of Ms. Doe and the now-recanted informant by placing them in a cell together as an obvious intimidation tactic.

44. Since her release from segregation, Ms. Doe continued to be regularly stopped, frisked, or harassed by corrections officers on a near-daily basis—the manner and frequency of which had not occurred before Defendant Pennington tried extorting Ms. Doe to perform oral sex.

45. CO Stanburry told Ms. Doe that Defendant Pennington had ordered officers to “get down on” - over-police, and heavily ticket - Ms. Doe. CO Stanburry stated Defendant Pennington made this order because Ms. Doe “pissed him off.” Ms. Doe reported CO Stanburry’s comment to her counselor, Norton, but again no action was taken (as was the case each time). Ms. Doe learned from another prisoner, that she and others were asked to “beat [Ms. Doe] up” in exchange for

favors. At least one prisoner stated to Ms. Doe that she declined to beat Ms. Doe because Ms. Doe had a positive reputation as a mentor within Logan.

46. The campaign against Ms. Doe then took on new forms, as Ms. Doe was removed from her programming, “Moving On,” without reason. “Moving On” is a program to help incarcerated individuals learn budgeting, computer, skills, public speaking, and business skills. It provides one of the few opportunities for women incarcerated at Logan have to develop professional skillsets in a positive and supportive environment—skillsets that can provide a critical lifeline towards better opportunities. This program also aids individuals in changing to a lower security level.

47. Ms. Doe asked Counselor O’Brien why she was removed from her programming, and Counselor O’Brien said it was because Ms. Doe had been seen with her “lover (another prisoner at Logan) by the wrong people” too much. After her programming was eventually reinstated, Internal Affairs officers began attending Ms. Doe’s programming, which was highly unusual, and which Ms. Doe understood to have been an intimidation tactic since Defendant Pennington was part of Internal Affairs.

48. In approximately June of 2024 Ms. Doe reported Defendant Pennington’s inappropriate behavior with prisoners to Defendant Eddy. Ms. Doe stated that Defendant Pennington had sexual relationships with other women incarcerated at Logan Correctional Center and at times used them to corroborate false reports about other incarcerated individuals.

49. The next day, Tod Donmilano came to speak to Ms. Doe, but he was accompanied by Internal Affairs Lieutenant McGinnis. Ms. Doe did not feel comfortable sharing her own sexual assault that had occurred by Defendant Pennington because McGinnis worked in the same Internal Affairs department as Defendant Pennington. Therefore, Ms. Doe instead shared information known

to her about Defendant Pennington's long-term sexual abuse of other women at Logan Correctional Center.

50. In or around the fall of 2024 Ms. Doe used the restroom in Logan's law library, a common practice of many prisoners without issue. This time, however, Ms. Doe was reprimanded and prohibited from using the law library restroom despite no similar restrictions imposed on others. When Ms. Doe asked staff about this disparate treatment they were unwilling or unable to provide an explanation.

51. On May 15, 2025, Ms. Doe's counsel sent a letter to IDOC's counsel demanding that IDOC preserve documents related to allegations of sexual abuse of Pennington and other Logan staff. By this time, therefore, it was common knowledge within Logan Correctional Center that this lawsuit would be filed, and Defendant Pennington was finally put under investigation for allegations of sexual misconduct.

52. The campaign of harassment against Ms. Doe was known to Defendants and was tolerated as part of a longstanding culture at Logan promoting sexual abuse and turning a blind eye to retaliation against those who speak out. This culture is further illustrated by an incident between Ms. Doe and Defendant Turner. On information and belief, Defendant Turner has a documented history of multiple PREA allegations spanning over multiple years, yet he remained in a position of authority over female prisoners. Ms. Doe was a witness in one of these PREA complaints and provided incriminating evidence against Defendant Turner. In 2019, Defendant Turner told Ms. Doe, "There are no cameras here and I could do whatever I want, but I guess I'll let you go," and "You're going to die here." On information and belief Defendant Turner had been placed on administrative leave and thereafter desk duty because of a PREA complaint—before

being reinstated and returned to a position of authority of (and risk to) women incarcerated at Logan.

53. In June 2025, Defendant Turner took the campaign against Ms. Doe even further by denying Ms. Doe's access to essential medication. During the incident, Ms. Doe was waiting in line to get medication for gabapentin, which Ms. Doe is prescribed for nerve pain. As she had many times before, Ms. Doe briefly stepped out of a line to grab a cup of water for herself and others to use to take their medication. Others in line held Ms. Doe's place for her and let her come back in. This has been a common practice, always without incident, for Ms. Doe and others.

54. This time, however, Defendant Turner accused Ms. Doe of cutting in the medication line and ordered her back to the end of the line. Ms. Doe's protests were ignored, and she asked to see a crisis officer. She also asked if another officer could transfer her because she did not feel comfortable around Defendant Turner, who had been harassing her. Defendant Turner denied her access to intervention, questioned her crisis status, and warned her that further requests for intervention would result in being placed on suicide watch ("stripped out"). Ms. Doe reported this incident to a Lieutenant. When the Lieutenant asked what happened, Defendant Turner lied and claimed Ms. Doe chose not to take her medication. Ms. Doe eventually received her medication several hours late, causing her extended pain.

55. On information and belief, Ms. Doe was subjected to disciplinary actions and harassment in retaliation for her information and complaints about Defendants Pennington, Baker, and Turner.

56. On information and belief, Defendant Pennington sexually coerced and abused other women at Logan in the same way he abused Ms. Doe and has been the subject of numerous disciplinary reports for similar behaviors. Two other women incarcerated at Logan have now sued

Defendant Pennington in this district for sexual misconduct, describing how Pennington abused his authority as an Internal Affairs officer to sexually abuse the victims and retaliate for reporting.¹

57. On information and belief, other IDOC personnel at Logan, including, but not limited to Defendants Baker, Turner, Fairless, McGinnis, Brainard, Russell, Wright, Young, Sokol, Worth, Taapken, Long, Pierce, Eddy, Hammers and Hughes knew or had ample reason to know that Defendant Pennington had been engaging in this pattern of abuse.

58. As a result of the Defendants' wrongful acts described herein, Ms. Doe suffered and continues to suffer severe psychological, and emotional injuries, pain, suffering, several mental distress, anguish, and humiliation.

COUNT I
DEFENDANT VIOLATED PLAINTIFF'S EIGHTH AMENDMENT RIGHTS
(Unnecessary and Wanton Infliction of Pain)
(vs. RODNEY PENNINGTON)

59. Ms. Doe realleges paragraphs 1 through 58 of the Facts Common to All Counts as if they were set forth in full in this Count One.

60. The actions of Defendant Pennington in coercing Ms. Doe to engage in sexual acts constituted unnecessary and wanton infliction of pain and were done maliciously, and not in furtherance of any legitimate penological purpose, in violation of 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.

COUNT II
DEFENDANTS FAILED TO PROTECT PLAINTIFF IN VIOLATION OF HER EIGHTH
AMENDMENT RIGHTS
(Deliberate Indifference to Need for Protection)

¹ See *Mary Zumwalt Jophlin v. Omotola Salami and Rodney Pennington*, 1:25-cv-01066-SEM-DJQ (C.D. Ill. February 18, 2025) (ECF 1); *Lynnette Ghera v. Rodney Pennington et al*, (C.D. Ill filed Sep. 16, 2025).

(Defendants PENNINGTON, FAIRLESS, MCGINNIS, BRAINARD, RUSSELL, WRIGHT, YOUNG, SOKOL, WORTH, TAAPKEN, LONG, PIERCE, EDDY, HAMMERS, and HUGHES)

61. Ms. Doe realleges paragraphs 1 through 58 of the Facts Common to All Counts as if they were set forth in full in this Count Two.

62. Logan at all relevant times houses exclusively female and female-identifying prisoners.

63. Defendant Pennington was permitted to be alone with female prisoners in his office.

64. There have been numerous instances within the IDOC where male guards have sexually abused female inmates that they were supposed to be guarding, including recent incidents at Logan.

65. Upon information and belief, Defendant Pennington was the subject of multiple allegations of sexual abuse between June 2024 and February 2025 by Ms. Doe and at least two other female prisoners, but Defendants failed to protect Ms. Doe from such sexual misconduct despite knowing there was a substantial risk and despite knowing Defendant Pennington was in a position which enabled him to abuse his authority in this way.

66. Upon information and belief, Defendants waited until months after the most recent PREA complaint in February 2025 to remove Pennington from his position in Internal Affairs, a position in which he was empowered to enact sexual abuse via a grotesque combination of intimidation and favors. Many female prisoners were understandably scared to report his abuse both because Defendant Pennington and his colleagues in Internal Affairs could make living conditions difficult for them and because they were the very officers charged with investigating the sexual abuse which Pennington himself was promulgating. Yet rather than demote Pennington

due to his horrific abuse of power, when Defendants finally removed him from Internal Affairs, they *promoted* him to a new supervisory position and gave him a substantial pay increase.

67. Despite the established standards and the incidents of sexual abuse, Defendants Fairless, McGinnis, Brainard, Russell, Wright, Young, Sokol, Worth, Taapken, Long, Pierce, Eddy, Hammers and Hughes failed to investigate, implement or enforce policies and procedures to protect female prisoners, including Ms. Doe.

68. Defendants Fairless, McGinnis, Brainard, Russell, Wright, Young, Sokol, and Worth were responsible for reviewing investigations into allegations of sexual assault at Logan and for evaluating and recommending policy changes to prison administrators to address the problem of sexual assault at the facility

69. Defendants Fairless, McGinnis, Brainard, Russell, Wright, Young, Sokol, and Worth's conscious disregard for Ms. Doe's safety and security resulted in her sexual assault at the hands of Defendant Pennington and ongoing harassment by other Logan correctional staff.

70. The failure of Defendants Fairless, McGinnis, Brainard, Russell, Wright, Young, Sokol, and Worth to enact or enforce appropriate policies and procedures constituted willful and reckless conduct and/or deliberate indifference to Ms. Doe's 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.

71. Defendant Taapken was responsible for developing, planning, and overseeing efforts to address the problem of custodial sexual assault at Logan and for ensuring compliance with PREA regulations and standards.

72. Defendant Taapken's conscious disregard for Ms. Doe's safety and security resulted in her sexual assault at the hands of Defendant Pennington and ongoing harassment by other Logan correctional staff.

73. The failure of Defendant Taapken to enact or enforce appropriate policies and procedures constituted willful and reckless conduct and/or deliberate indifference to Ms. Doe's 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.

74. Between at least May 2023 and January 2025, Defendant Eddy, as Acting Warden of Logan, was responsible for the creation, implementation, oversight, and supervision of all policies and procedures followed by IDOC employees at Logan. Between at least May 2023 and January 2025, Defendant Eddy knew or should have known of a widespread practice of IDOC employees, specifically Internal Affairs employees at Logan, who engaged in sexual assaults of inmates, by way of direct reporting, annual PREA Compliance Reports, Investigations, grievances, trainings, reports from counselors, meetings, and lawsuits.

75. Defendant Eddy's conscious disregard for Ms. Doe's safety and security resulted in her sexual assault at the hands of Defendant Pennington and ongoing harassment by other Logan correctional staff.

76. The failure of Defendant Eddy to enact or enforce appropriate policies and procedures constituted willful and reckless conduct and/or deliberate indifference to Ms. Doe's 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.

77. Since at least January 2025, Defendant Long, Assistant Warden and Acting Warden of Logan, was responsible for the creation, implementation, oversight, and supervision of all policies and procedures followed by IDOC employees at Logan. Since January 2025, and for a period of prior time, Defendant Long knew or should have known of a widespread practice of IDOC employees, specifically Internal Affairs employees at Logan, who engaged in sexual assaults of inmates, by way of direct reporting, annual PREA Compliance Reports, grievances, training, reports from counselors, meetings, and lawsuits.

78. Defendant Long's conscious disregard for Ms. Doe's safety and security resulted in her sexual assault at the hands of Defendant Pennington and ongoing harassment by other Logan correctional staff.

79. The failure of Defendant Long to enact or enforce appropriate policies and procedures constituted willful and reckless conduct and/or deliberate indifference to Ms. Doe's 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.

80. Defendant Pierce, Assistant Warden of Programs at Logan, was responsible for the creation, implementation, oversight, and supervision of all policies and procedures followed by IDOC employees at Logan. Defendant Pierce knew or should have known of a widespread practice of IDOC employees, specifically Internal Affairs employees at Logan, who engaged in sexual assaults of inmates, by way of direct reporting, annual PREA Compliance Reports, grievances, trainings, reports from counselors, meetings, and lawsuits.

81. Defendant Pierce's conscious disregard for Ms. Doe's safety and security resulted in her sexual assault at the hands of Defendant Pennington and ongoing harassment by other Logan correctional staff.

82. The failure of Defendant Pierce to enact or enforce appropriate policies and procedures constituted willful and reckless conduct and/or deliberate indifference to Ms. Doe's 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.

83. Defendant Hammers, as IDOC Chief of Operations, was responsible for developing and overseeing training for IDOC staff including compliance with PREA regulations and standards.

84. Defendant Hammers' conscious disregard for Ms. Doe's safety and security resulted in her sexual assault at the hands of Defendant Pennington and ongoing harassment by other Logan correctional staff.

85. The failure of Defendant Hammers to enact or enforce appropriate policies and procedures constituted willful and reckless conduct and/or deliberate indifference to Ms. Doe's 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.

86. Defendant Hughes was responsible for promulgating and/or enforcing rules, regulations, and procedures to ensure the safety and security of individuals in IDOC custody. Given this history of sexual abuse and misconduct of prisoners by correctional officers and other staff,

Defendant Hughes knew or should have known about an ongoing problem of sexual abuse and misconduct by officers at Logan.

87. Defendant Hughes's conscious disregard for Ms. Doe's safety and security resulted in her sexual assault at the hands of Defendant Pennington and ongoing harassment by other Logan correctional staff.

88. The failure of Defendant Hughes to enact or enforce appropriate policies and procedures constituted willful and reckless conduct and/or deliberate indifference to Ms. Doe's 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.

89. As a direct and proximate result of the above-described violation of Ms. Doe's constitutional right to be free from cruel and unusual punishment by Defendants Pennington, Fairless, McGinnis, Brainard, Russell, Wright, Young, Sokol, Worth, Taapken, Long, Pierce, Eddy, Hammers and Hughes Ms. Doe suffered and continues to suffer psychological injuries, pain, suffering, severe mental distress, anguish, and humiliation.

COUNT III
FIRST AMENDMENT RETALIATION

(Defendants PENNINGTON, BAKER, and TURNER)

90. Ms. Doe realleges paragraphs 1 through 58 of the Facts Common to All Counts as if they were set forth in full in this Count Three.

91. In the manner described more fully above, Defendants Pennington, Baker, and Turner retaliated against Ms. Doe for engaging in protected First Amendment activity when she spoke about Defendant Pennington and Turner's misconduct and the overall misconduct occurring with Internal Affairs.

92. Ms. Doe's statements (rejecting and then reporting Defendant Pennington's efforts to sexually exploit her) addressed a matter of public concern, as recognized by the PREA, and constituted lawful speech protected by the First Amendment to the United States Constitution.

93. As a result of those statements Defendants Pennington, Baker and Turner engaged in a continuous campaign of retaliation against Ms. Doe, including but not limited to placing her in segregation, issuing frivolous tickets for fabricated or exaggerated misconduct and even encouraging other incarcerated individuals to physically harm Ms. Doe.

94. Defendants' misconduct 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 the defendant's retaliatory acts, Ms. Doe has suffered and continues to suffer severe psychological and emotional harm.

COUNT IV
DEFENDANTS INTENTIONALLY INFLICTED EMOTIONAL DISTRESS UPON
PLAINTIFF

(Pendent State Claim – Intentional Infliction of Emotional Distress)
(Defendants PENNINGTON, BAKER, and TURNER)

96. Ms. Doe realleges paragraphs 1 through 58 of the Facts Common to All Counts as if they were set forth in full in this Count Six.

97. The acts of Defendant Pennington between August 2023 and August 2025, as described above, constitute extreme and outrageous conduct and were done in a wanton and willful manner.

98. Defendant Pennington intended that his conduct, as set forth above, should inflict severe emotional distress and/or knew that there was a high probability that his conduct would cause severe emotional distress.

99. The conduct of Defendant Pennington, as set forth above, caused Ms. Doe to suffer severe emotional distress.

100. The acts of Defendant Baker between December 2023 and June 2025, as described above, constitute extreme and outrageous conduct and were done in a wanton and willful manner.

101. Defendant Baker intended that his conduct, as set forth above, should inflict severe emotional distress and/or knew that there was a high probability that his conduct would cause severe emotional distress.

102. The conduct of Defendant Baker, as set forth above, did in fact cause Ms. Doe to suffer severe emotional distress.

103. The acts of Defendant Turner between 2019 and June 2025, as described above, constitute extreme and outrageous conduct and were done in a wanton and willful manner.

104. Defendant Turner intended that his conduct, as set forth above, should inflict severe emotional distress and/or knew that there was a high probability that his conduct would cause severe emotional distress.

105. The conduct of Defendant Turner, as set forth above, did in fact cause Ms. Doe to suffer severe emotional distress.

COUNT V
VIOLATION OF THE ILLINOIS GENDER VIOLENCE ACT
(Pendant State Claim – Gender-related Violence)
Defendant PENNINGTON

106. Ms. Doe realleges paragraphs 1 through 58 of the Facts Common to All Counts as if they were set forth in full in this Count Seven.

107. The conduct of Defendant described herein constitutes gender-related violence pursuant to the Illinois Gender Violence Act (740 ILCS 82/5) in that the Defendant engaged in “a

physical intrusion or physical invasion of a sexual nature under coercive conditions satisfying the elements of battery.” 740 Ill. Comp. Stat. 82 /5(2).

108. Persons subjected to gender violence “may bring a civil action for damages, injunctive relief, or other appropriate relief against a person or persons perpetrating that gender-related violence.” 740 Ill. Comp. Stat. 82 / 10.

109. Defendant Pennington leveraged his authority as an Internal Affairs Officer, empowered with the ability to make Ms. Doe’s conditions of confinement more severely harsh, to demand a sexual act from Ms. Doe.

110. Due to Defendant Pennington’s position as an Internal Affairs Officer and his power over Ms. Doe his actions of sexual assault were coercive.

111. The conduct of Defendants as described herein was oppressive, malicious and without regard to the rights of Ms. Doe.

JURY DEMAND

Plaintiff Jane Doe demands a trial by jury.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff requests that the Court enter a judgment in favor of Plaintiff and against Defendants Pennington, Baker, Turner, Fairless, McGinnis, Brainard, Russell, Wright, Young, Sokol, Worth, Taapken, Long, Pierce, Eddy, Hammers and Hughes for actual or compensatory damages jointly and severally in an amount to be proven at trial. Additionally, because Defendants Pennington, Baker, Turner, Fairless, McGinnis, Brainard, Russell, Wright, Young, Sokol, Worth, Taapken, Long, Pierce, Eddy Hammers and Hughes acted maliciously, willfully, wantonly, and/or in reckless disregard for the Plaintiff’s constitutional rights, Plaintiff requests that the Court award her punitive damages from Defendants Pennington, Baker, Turner

Fairless, McGinnis, Brainard, Russell, Wright, Young, Sokol, Worth, Taapken, Long, Pierce, Eddy, Hammers and Hughes. Plaintiff also requests that the Court award her costs and attorneys' fees, and for such other and further relief as this court deems proper.

Dated: September 17, 2025

RESPECTFULLY SUBMITTED,

/s/ Kenneth L. Schmetterer

One of the Attorneys for Plaintiffs

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Pro Hac Application Forthcoming

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SEXUAL EXPLOITATION**

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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 or 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.)

Wednesday, 17 September, 2025 08:57:08 AM
Clerk, U.S. District Court, ILCD

I. (a) PLAINTIFFS

Doe, Jane

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

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

(see attachment)

DEFENDANTS

(see attachment)

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 type="checkbox"/> 1 | <input 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 INTELLECTUAL 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 <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 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 (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 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):
First and Eighth Amendments to the U.S. Constitution

Brief description of cause:

Violation of Eighth Amendment rights, Failure to Protect (8th Amendment) and First Amendment Retaliation

VII. REQUESTED IN COMPLAINT:

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

DEMAND \$

CHECK YES only if demanded in complaint:

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

(See instructions):

JUDGE

DOCKET NUMBER

DATE

Sep 17, 2025

SIGNATURE OF ATTORNEY OF RECORD

/s/ Kenneth L. Schmetterer

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading 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. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related cases, if any. If there are related cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

I.

(a) Defendants

Pennington, Rodney
Baker, Michael
Turner, Dwayne
Brainard, David,
Russell, Shelbi
Wright, Janeen
Young, Tasha,
Taapken, Sarah
Fairless, Luke (Dr.),
Sokol, John (Dr.),
McGinnis, Chad
Eddy, Melinda,
Worth, Elaine
Long, Michael,
Pierce, Cammi,
Hammers, Justin,
Hughes, Latoya, and
other as-yet-identified employees of the Illinois Department of Corrections.

(c) Attorneys - PLAINTIFFS

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