

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

SARA M. GUDENRATH,

Plaintiff,

v.

MATTHEW MCCARTY, in his individual capacity as a corrections officer for the Illinois Department of Corrections, JACOB DIETRICH, in his individual capacity as a corrections officer for the Illinois Department of Corrections, SHAUN DAWSON, in his individual capacity as a corrections officer for the Illinois Department of Corrections, DANIEL MAXEY, in his individual capacity as a corrections officer for the Illinois Department of Corrections, MICHAEL LONG, in his individual capacity as Warden of Logan Correctional Center, MELINDA EDDY, in her individual capacity as former Warden of Logan Correctional Center, JUSTIN HAMMERS, in his individual capacity as Director of Operations for the Illinois Department of Corrections, LATOYA HUGHES, in her individual capacity as Director of the Illinois Department of Corrections, RISHA FENNELL, JOHN DOE, KEVIN ROSBOROUGH, and other as-yet-unidentified employees of the Illinois Department of Corrections and Wexford Health Sources, Inc.,

Defendants.

Case No. 25-cv-3277

TRIAL BY JURY DEMANDED

COMPLAINT

Plaintiff Sara M. Gudenrath (“Plaintiff” or “Sara”), by and through her attorneys, complains of Defendants Logan Correctional Center (“Logan”) employees Matthew McCarty

(“McCarty”), Jacob Dietrich (“Dietrich”), Shaun Dawson (“Dawson”), Daniel Maxey (“Maxey”) Logan Correctional Center Warden Michael Long (“Long”), former Logan Correctional Center Warden Melinda Eddy (“Eddy”), Illinois Department of Corrections Director of Operations Justin Hammers (“Hammers”), Director of the Illinois Department of Corrections Latoya Hughes (“Hughes”), in their individual capacities, Wexford Health Sources, Inc. employees John Doe (“Doe”), Risha Fennell, MD (“Fennell”), Kevin Rosborough, PMHNP (“Rosborough”), and other as-yet-unidentified employees of the Illinois Department of Corrections (“IDOC”) and Wexford Health Sources, Inc. (“Wexford”) as follows:

JURISDICTION AND VENUE

1. This is an action brought pursuant to 42 U.S.C. § 1983 to redress the deprivation under color of law of Plaintiff’s rights as secured by the United States Constitution.

2. This Court has jurisdiction of this action pursuant to 28 U.S.C. §§ 1331 and 1367 as Plaintiff’s causes of action are brought under the Eighth Amendment pursuant to 42 U.S.C. § 1983 and Illinois tort law.

3. Venue is proper under 28 U.S.C. § 1391(b) as one or more of the Defendants resides in the judicial district, and a substantial portion of the events giving rise to the claims asserted herein occurred within this district.

PARTIES

A. Plaintiff Sara Gudenrath

4. Plaintiff Sara M. Gudenrath is a citizen of the United States. As of the date of this complaint, she is 29 years old.

5. Sara was diagnosed with autism when she was nine years old. Sara has also struggled with mental health issues from a young age and has been diagnosed with chronic post-traumatic stress disorder and bi-polar disorder.

6. Sara is currently in the custody of the Illinois Department of Corrections and is housed at Logan Correctional Center (“Logan”). She was housed at Joliet Inpatient Treatment Center (“JITC”) from late April 2025 to August 2025.

7. Logan is a multi-level security female prison operated by IDOC and located in Lincoln, Illinois, in Logan County.

8. JITC is a multi-level security facility operated by the Illinois Department of Corrections (“IDOC”) for patients with severe mental illness or who require long-term nursing care.

B. Matthew McCarty

9. Defendant McCarty has been employed by IDOC since approximately May 2022.

10. Defendant McCarty was, at the time of the occurrences alleged herein, a correctional officer at Logan.

11. IDOC correctional officers are responsible for certifying the security of individuals in custody, supervising individuals in custody throughout the assigned correctional facility, enforcing rules and regulations, and responding to incidents while ensuring the safety of both individuals in custody and staff.

12. At all times relevant to this complaint, Defendant McCarty engaged in the conduct alleged herein within the scope of his employment and under color of law while on duty at Logan.

13. At the time of the occurrences alleged herein, Defendant McCarty was one of the correctional officers assigned to Logan’s housing unit, 14 South Wing, a Residential Treatment Unit for incarcerated individuals with mental illness.

14. Upon information and belief, a Logan Correctional Officer and other people in

custody at Logan have reported sexual abuse claims against Defendant McCarty.

C. Shaun Dawson

15. Defendant Dawson has been employed by IDOC since approximately 2023.

16. Defendant Dawson was, at the time of the occurrences alleged herein, a correctional sergeant at Logan.

17. IDOC correctional sergeants, as correctional officers, are responsible for certifying the security of individuals in custody, supervising individuals in custody throughout the assigned correctional facility, enforcing rules and regulations, and responding to incidents while ensuring the safety of both individuals in custody and staff.

18. IDOC correctional sergeants are also responsible for the orientation of new officers and ongoing officer in-service training. Correctional sergeants are directly responsible for housing units and serve as the lead worker on any assigned shift. They enforce and maintain disciplinary, safety, sanitary, security, and custodial measures.

19. At all times relevant to this complaint, Defendant Dawson engaged in the conduct alleged herein within the scope of his employment and under color of law while on duty at Logan.

20. Upon information and belief, there is an ongoing Prison Rape Elimination Act (“PREA”) investigation for staff discipline against Defendant Dawson.

D. Jacob Dietrich

21. Defendant Dietrich has been employed by IDOC since approximately 2023.

22. Defendant Dietrich was, at the time of the occurrences alleged herein, a correctional officer at Logan.

23. IDOC correctional officers are responsible for certifying the security of individuals in custody, supervising individuals in custody throughout the assigned correctional

facility, enforcing rules and regulations, and responding to incidents while ensuring the safety of both individuals in custody and staff.

24. At all times relevant to this complaint, Defendant Dietrich engaged in the conduct alleged herein within the scope of his employment and under color of law while on duty at Logan.

25. Since 2021, there have been two PREA investigations of Defendant Dietrich, including investigations of sexual abuse and sexual harassment.

E. Daniel Maxey

26. Defendant Maxey has been employed by IDOC since approximately 2020.

27. Defendant Maxey was, at the time of the occurrences alleged herein, a correctional officer at Logan.

28. IDOC correctional officers are responsible for certifying the security of individuals in custody, supervising individuals in custody throughout the assigned correctional facility, enforcing rules and regulations, and responding to incidents while ensuring the safety of both individuals in custody and staff.

29. At all times relevant to this complaint, Defendant Maxey engaged in the conduct alleged herein within the scope of his employment and under color of law while on duty at Logan.

F. Logan Wardens Eddy and Long

30. Upon information and belief, at all times relevant to this complaint, either Defendant Eddy or Defendant Long held the position of Warden and/or Acting Warden of Logan.

31. As Warden, Eddy and Long were responsible for: overseeing the day-to-day operations at Logan, including compliance with PREA, promulgating rules, regulations,

policies, and procedures to ensure reasonable safety of individuals in custody at Logan and for supervising, training, assigning, and disciplining counselors, correctional officers, and internal affairs investigators at Logan.

G. Justin Hammers

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

H. Latoya Hughes

33. At all times relevant to this complaint, Defendant Hughes held the position of Director of IDOC with authority over all IDOC facilities, including Logan and JITC. As Director, Defendant Hughes' responsibilities included promulgating and/or enforcing rules, regulations, and procedures to ensure the safety and security of individuals in IDOC custody, including Plaintiff. Defendant Hughes was also responsible for overseeing the conduct and training of staff at IDOC facilities.

I. Risha Fennell, MD

34. Wexford Health Sources, Inc. ("Wexford") is a private, for-profit corporation that contracted with IDOC to provide health care services to incarcerated individuals, including individuals housed at Logan and JITC.

35. At all times relevant to his action, Wexford was under contract with the State of Illinois, through its Department of Corrections, to provide medical and dental services to the residents of IDOC.

36. At all times relevant to this action, Defendant Fennell was employed by Wexford

as a physician at Logan and, as such, was responsible for the administration of health care and medical treatment for individuals in custody at Logan. She is sued in her individual capacity.

J. Kevin Rosborough, PMHNP

37. At all times relevant to this action, Defendant Rosborough was employed by Wexford as a psychiatric mental health nurse practitioner (PMHNP) at Logan and, as such, was responsible for the administration of health care and medical treatment for individuals in custody at Logan. He is sued in his individual capacity.

K. John Doe

38. At all times relevant to this action, Defendant Doe was employed by Wexford as a nurse practitioner at Logan and, as such, was responsible for the administration of health care and medical treatment for individuals in custody at Logan. He is sued in his individual capacity.

FACTUAL ALLEGATIONS

Logan Correctional Center's Culture Of Silence And Abuse Of Incarcerated Individuals

39. Sexual assaults at IDOC facilities, including Logan, are widespread and not limited to the incidents detailed in this complaint.

40. While IDOC purportedly maintains “a zero tolerance policy for sexual abuse and sexual harassment” (IDOC Administrative Directive 04.01.301 (Apr. 1, 2021)), a large number of women in custody at Logan and other IDOC facilities have been victims of sexual assault and harassment, including many reported instances of staff-on-prisoner sexual assault and harassment.

41. Incarcerated individuals cannot consent to sexual contact with a correctional officer, as set forth by the PREA, Illinois law, and IDOC policy. All sexual relations between correctional officers and incarcerated individuals constitute abuse, regardless of if a sexual act would have been considered consensual if it occurred outside of a prison.

42. For example, the State of Illinois criminalizes sexual relations between staff and incarcerated individuals. A correctional officer engaging in sexual penetration with a person in custody is guilty of Criminal Sexual Assault, a Class 1 felony punishable by up to 15 years in prison. 720 ILCS 5/11-1.20(a)(2); *see also* 720 ILCS 5/11-1.50(a)(2) (Criminal Sexual Abuse felony for sexual conduct not involving penetration); 720 Ill. Comp. Stat. 5/11-9.2 (Custodial Sexual Misconduct). Indeed, federal law and all 50 states (plus the District of Columbia) have made it a crime for prison officials to engage in sexual activity with incarcerated individuals.

43. Despite the “zero tolerance policy” across IDOC, the number of reported allegations of sexual misconduct or harassment is staggering.

44. In 2023, there were over 700 reported allegations of sexual misconduct or harassment across IDOC. Of those incidents, 366 related to staff-on-prisoner sexual misconduct or harassment; IDOC admits that three of those staff-on-prisoner incidents occurred, and according to IDOC, 301 were followed by investigations that were insufficient to develop the evidence needed to determine whether or not the incident occurred.

45. At Logan, there were 279 PREA complaints between 2020 and 2024. The number of allegations of sexual harassment and sexual assault at Logan for recent years, and the number of those allegations perpetrated by staff, are outlined in the chart below:¹

Year	Allegations of Sexual Harassment and Abuse at Logan Correctional Center	Number of Allegations of Staff-Perpetrated Abuse
2020	68	18
2021	51	17
2022	55	17
2023	36	16
2024	69	34

¹ The figures in this chart were compiled from the 2020 to 2024 Annual Illinois Department of Correction PREA Reports, available at <https://idoc.illinois.gov/programs/prisonrapeeliminationactof2003.html>.

46. In addition to the instances of sexual harassment and sexual assault reported in the PREA complaints, staff-on-prisoner sexual assaults at Logan have also been referred to the Illinois State Police (“ISP”) for investigation.

47. According to data provided in response to open records requests, between January 2021 and June 2025, 85 PREA complaints were made by incarcerated individuals against Logan staff for sexual abuse, sexual misconduct, and sexual assault. Yet only six staff members received any disciplinary action, and only three of the six were suspended or discharged. Further, only seven of the total PREA complaints made were referred by the Illinois State Police to the State’s Attorney’s Office for charges.

48. Staff-on-prisoner sexual assaults at Logan and other IDOC facilities have also generated a number of civil lawsuits. The assaults subject to such civil litigation include but are not limited to (a) the 2016-2017 sexual abuse of a person in custody by a correctional counselor that was the subject of the *Doe v. Macleod*, No. 3:18-cv-3191 (C.D. Ill. Aug. 2, 2018) case, where a jury in late 2023 awarded a woman previously in custody nearly \$20 million in damages, (b) the mid-2017 staff-on-prisoner sexual assault that was the subject of the *Doe v. Ziemer*, No. 3:18-cv-03234 (C.D. Ill. Sept. 17, 2018) case that settled in 2020, and (c) the December 2015 sexual abuse of a person in custody by a correctional office that was subject of the *Farris v. Kohlrus*, No. 3:17-cv-03279 (C.D. Ill. Nov. 28, 2017) case that settled in March 2024.

49. Correctional officers and other staff commit sexual abuse against incarcerated women in a variety of ways, including through forcing or coercing sexual contact and inducing sexual contact through giving privileges and other goods. Correctional officers also force sexual contact with incarcerated women in the guise of romantic relationships and other grooming, and,

while this contact is prohibited by law and policy, this fraternization is not actively dissuaded.²

50. IDOC, through individuals such as Defendant Hammers, Defendant Hughes, correctional center wardens and correctional officers, allows this abuse to perpetuate by forming social environments where this abuse is normalized, protecting offenders from investigation and discipline, and retaliating against victims who come forward.³

51. Given this history of sexual abuse and misconduct of incarcerated individuals by correctional officers and other staff, the Logan wardens, Hammers and Hughes, and others at IDOC knew or should have known about an ongoing problem of sexual abuse and misconduct by officers at Logan.

Defendant McCarty Attacks Plaintiff

52. On December 4, 2023, while at Logan, Sara was relocated from Building 15 (Segregation Unit) to Building 14 (South Wing).

53. Housing Unit 14 South Wing (“14 South Wing”) is a residential treatment unit for individuals in custody in need of mental health treatment.

54. At that time, Defendant McCarty was assigned to be a correctional officer responsible for 14 South Wing.

55. On information and belief, Defendant McCarty would alternate between first shift (7:00 a.m.-3:00 p.m.) and second shift (3:00 p.m.-11:00 p.m.) and sometimes worked overtime.

56. While on duty, Defendant McCarty was frequently the only correctional officer working on 14 South Wing.

57. On information and belief, Defendant McCarty’s responsibilities included

² Michelle VanNatta, *Conceptualizing and Stopping State Sexual Violence Against Incarcerated Women*, 37 SOC. JUST. 27, 32 (2010)

³ See Claudia Lomeli-Rodriguez, *Abuse of Power: Sexual Abuse in the Federal Prison System*, 1 ANNUAL REVIEW OF CRIMINAL JUSTICE STUDIES 132, 140-42 (2023).

monitoring the wing and opening the wing's doors and cell doors.

58. No female officers were present in 14 South Wing during any of the occurrences identified in this complaint.

59. There is literature evidence and national and international treaties and standards setting forth the danger posed to women in custody who are guarded by males without a female officer present. *See, e.g.*, Rule 81, United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), G.A. Res. 70/175, U.N. GAOR, 70th Sess., Supp. No. 49, U.N. Doc. A/RES/70/175 (Dec. 17, 2015); Martin A. Geer, *Protection of Female Prisoners: Dissolving Standards of Decency*, 2 U. MD. L.J. RACE, RELIGION, GENDER & CLASS 175, 176 (2002), <https://digitalcommons.law.umaryland.edu/rrgc/vol2/iss2/3>.

60. By virtue of Sara's relocation to 14 South Wing, a unit housing individuals with mental illness, Defendant McCarty had notice of Sara's mental health state.

61. Soon after Sara's relocation to 14 South Wing, Defendant McCarty started acting overly friendly toward Sara, including bringing her gifts, such as gel pens and outside food, and allowing her to remain outside of her cell longer than the other women in her wing.

62. Gel pens and outside food (prepared or purchased outside of the Logan facility) were typically prohibited.

63. Defendant McCarty also began making sexual and suggestive comments to Sara about her appearance and clothing.

64. Defendant McCarty made comments about how Sara was "different" than other women and declared that he would be interested in dating her outside of the facility.

65. On one occasion, Defendant McCarty smiled and licked his lips when Sara was wearing an unintentionally see-through thermal shirt. When she left to change and returned,

Defendant McCarty said, “nice bra.”

66. On another occasion, Defendant McCarty told Sara she was “gorgeous” and “would look better with longer hair.”

67. These activities by Defendant McCarty continued for several weeks.

68. On or about December 17, 2023, when Defendant McCarty continued to harass Sara, she called a crisis to get a lieutenant to her cell, but Defendant McCarty refused to report it and became angry. A “crisis” refers to when an incarcerated person asks for mental health intervention due to distress.

69. Defendant McCarty insulted Sara and said that she would not need a crisis if her parents had “raised her right”; Sara, who was visibly upset, returned to her cell, where she was alone.

70. Within a few minutes, Defendant McCarty followed Sara to her cell. He tried to apologize to placate Sara, and when she remained upset, he became physical with her.

71. With his back to the cell door—the only exit from the cell—Defendant McCarty pulled Sara into his arms with her back against his chest. He began to aggressively touch Sara’s breasts and genitalia by putting his hand on her breast under her bra and putting his other hand under her underwear. He then penetrated her vagina with his finger.

72. After what felt like forever to Sara, Defendant McCarty told Sara that, if she ever told anyone about the incident, he would deny it.

73. Sara is approximately four feet nine inches (4’9”) tall and weighed approximately 150-160 pounds at the time. Defendant McCarty is approximately six feet two inches tall (6’2”)—over a foot taller than Sara—and, upon information and belief, weighs over 200 pounds—40-50 pounds heavier than Sara.

Plaintiff Attempts To Take Her Life Following The Attack

74. Sara became depressed and suicidal in the days following the attack. She felt that, if she informed anyone about the incident with Defendant McCarty, she would get in trouble.

75. A few weeks later, Defendant McCarty threatened Sara again when he told her, “I am going to show you a good time because you keep underestimating me.”

76. Shortly thereafter, Defendant McCarty’s 90-day assignment to the South Wing concluded, and he was transferred to another unit.

77. Sara continued to struggle well into January and experienced suicidal thoughts.

78. On January 19, 2024, Sara called two crises requesting mental health treatment. A correctional officer responded to her call and denied her treatment.

79. That same day at 9:45 p.m., Sara attempted suicide by hanging herself in her cell.

80. Correctional Officer Bradley Virgin (“Virgin”) discovered Sara’s unconscious body hanging and covered in blood and urine. In his haste to lift her body, he became locked inside the cell with Sara. He had left his radio outside of the cell and instead had to scream for help while he held her up. Sara was completely unconscious and unresponsive for 20 to 30 seconds before Virgin revived her.

Plaintiff Does Not Receive Medical Care After Her Suicide Attempt

81. Sara was not taken to the hospital after her suicide attempt on January 19, 2024. She did not receive any medical treatment immediately after the attempt, despite the fact that she hung herself from the neck, lost consciousness, and remained immobilized for days.

82. Sara has continually requested medical treatment due to a neck injury resulting from her suicide attempt, but her requests have been denied.

83. After her suicide attempt, Sara was seen by Defendant Fennell at Logan’s

infirmary. Sara told Defendant Fennell that she was experiencing severe neck pain as a result of her hanging.

84. Defendant Fennell prescribed Sara Tylenol and did not conduct further assessments of Sara's brain, neck, or spine. Defendant Fennell did not request an outside assessment of Sara's injuries and did nothing further to treat her lasting pain.

85. Throughout this process, Sara did not disclose Defendant McCarty's behaviors directly with other correctional officers out of fear for potential retaliation.

86. Finally, in summer 2024, Sara reported to a nurse in the Logan health care unit about Defendant McCarty's actions. This resulted in Internal Affairs contacting Sara, but she refused to speak with them out of fear.

Plaintiff is Retaliated Against By Other Correctional Officers Due To Her Reports Of Sexual Abuse By Defendant McCarty

87. Since Internal Affairs became involved, Sara has experienced retaliation and harassment from other correctional officers because of her reports of Defendant McCarty's illicit behavior.

88. Defendant Dietrich has treated Sara aggressively since Internal Affairs became involved. For example, on December 9, 2024, at or around 10:20 a.m. to 10:45 a.m., Defendant Dietrich, a lieutenant correctional officer who, upon information and belief, is close friends with Defendant McCarty and who knows about McCarty's attack on Sara and Sara's report, aggressively—and for no apparent reason—removed Sara from the dining room after another person in custody yelled at her.

89. In another instance, Defendant Dietrich put Sara in handcuffs and told her to “stop fake crying” after she reported stomach pain and a leg injury, which she had sustained when she fell from her bunk and experienced an open gash on her leg.

90. On December 10, 2024, Sara filed a grievance setting forth the incidents from December 4, 2023 and throughout the following year, including Defendant McCarty's attack and the aggression she faced by other correctional officers.

91. She requested, for relief, "[t]hat McCarty is punished for what he did to me and that this may not happen again in the future and a safer environment." This grievance was sent back as "non-emergent."

92. Defendant Dawson, who, upon information and belief, is also close friends with Defendant McCarty and knew about McCarty's attack on Sara and Sara's report, has also been aggressive with Sara since her report. On December 26, 2024, when Sara was being transferred to Lincoln Memorial Hospital for an x-ray of her leg, Defendant Dawson and two other correctional officers grabbed her arms and violently swung her up into the transfer van. Sara hit the van with force and reinjured her leg, which began to bleed again. Sara began screaming and crying, to which Defendant Dawson said "woman up, stop crying!"

93. On December 29, 2024, Sara filed a subsequent grievance stating the events of December 26, 2024. The grievance was denied.

Defendant McCarty's History Of Sexual Abuse

94. On information and belief, Defendant McCarty abused other women at Logan in the same way that he abused Sara. *See Hall v. Eddy*, No. 3:24-cv-3332, 2025 WL 1943386 (C.D. Ill. July 15, 2025); *Jane Doe v. McCarty* (C.D. Ill. Sept. 17, 2025).

95. Upon information and belief, a Logan Correctional Officer and other people in custody at Logan have reported sexual abuse claims against Defendant McCarty prior to the occurrences alleged herein.

96. Upon information and belief, personnel at Logan, including Defendant Dietrich,

Defendant Dawson, Defendant Eddy, and others, knew that Defendant McCarty was engaging in patterns of sexual abuse, knew of a substantial likelihood that Defendant McCarty was sexually abusing people (including Sara) in custody at Logan, and/or failed to take reasonable steps to prevent it from continuing.

97. As a result of Defendants' indifference and failure to intervene, Sara's constitutional rights were violated.

98. As a result of Defendants' misconduct, Sara has suffered and continues to suffer severe emotional distress, suicidal thoughts and attempts, depression, and post-traumatic stress.

Plaintiff Attempts To Take Her Life A Second Time

99. During the week of March 10, 2025, Sara overheard graphic accounts of Defendant McCarty assaulting other women in custody. This triggered Sara to become upset as it reminded her of McCarty's assault on her.

100. Sara attempted to call her undersigned counsel but was unable to complete the call due to the outdated phone systems at Logan.

101. On multiple occasions, Sara told Defendant Rosborough at Logan that she was having suicidal thoughts and thoughts of self-harm.

102. Despite knowing that Sara was at risk, Defendant Rosborough failed to conduct follow-up visits with Sara.

103. Sara requested that she be transferred to JITC so that she could receive more intensive mental health care, but her request was initially denied.

104. On or about March 13, 2025, Sara attempted to take her life by hanging for a second time.

105. After Sara's suicide attempt, she was placed on suicide watch and taken off her

medication.

106. As part of the suicide watch, Sara was placed in one of Logan's crisis rooms to be monitored. A crisis room is a bare cell where an incarcerated person is isolated and does not have their property or their clothing.

107. Shortly after, once Sara was moved back to her cell, she suffered a seizure which caused her to urinate and defecate on herself.

108. An overnight staff member moved Sara to her bed, where she was left covered in urine and feces. Sara told the staff member that she needed to go clean up and was told "it could wait until the morning." It was not until nearly nine hours later, at 10:00 a.m., that staff allowed Sara to shower.

109. After her second suicide attempt, Sara continued to tell her doctor and treatment team that she needed to go to JITC.

110. Throughout March and April, employees at Logan still did not provide Sara with proper mental health care, including a lack of mental health counseling, even following her second suicide attempt.

**Plaintiff Is Transferred To JITC, Attempts To Take Her Own Life For A Third Time,
And Does Not Receive Adequate Medical Care After She Is Assaulted By Another Person
In Custody**

111. In late April 2025, Sara was finally transferred to JITC.

112. Shortly after arriving in JITC, Sara attempted to take her life for a third time by hanging.

113. JITC separates patients into different groups in order to keep the people who do not get along with each other separate.

114. Shortly after arrival at JITC, Sara asked a correctional officer at JITC not to place her with another woman in custody at JITC ("Jane Doe").

115. In 2024, Jane Doe had started a fight with Sara and made her fear for her safety.

116. Despite Sara's explicit request, Sara was put in a group with Jane Doe. JITC correctional officers told Sara that she should work out her differences with Jane Doe.

117. Sara told JITC correctional officers that her safety was at risk. However, JITC employees did not move Sara into a different group, and she remained in a group with Jane Doe.

118. In May 2025, Jane Doe physically assaulted Sara, causing serious bodily harm.

119. The following day, JITC employees continued to keep Sara in the same group as Jane Doe, even though Jane Doe threatened Sara further and Sara remained fearful for her safety.

120. On May 4, 2025, Plaintiff filed a grievance, describing her assault and the failure of JITC employees to keep her safe.

121. Shortly thereafter, JITC employees changed the groups. Sara was no longer in a group with Jane Doe.

122. Within a week of the assault, Sara experienced severe internal bleeding and was taken to the hospital for major surgery during which a gastrointestinal bleed was cauterized.

123. Upon returning to JITC, the only aftercare Sara received was Tylenol on a regular basis.

124. At JITC, Sara spoke with her treatment team, as well as Nurse Practitioner Defendant Doe. Sara voiced her concerns to Doe and asked to see a gastroenterologist, but she denied Sara's request.

125. To date, Sara has not been evaluated by a gastroenterologist.

126. To date, Sara has received limited mental health counseling. The bulk of her treatment consists of periodic mental health assessments while on suicide watch.

Plaintiff Returns To Logan And Continues To Face Retaliation

127. In early August 2025, Sara returned to Logan.

128. Upon her return, Sara continued to experience aggression and verbal abuse by Defendant Dietrich.

129. On multiple instances, Defendant Dietrich took Sara to segregation or maced her for no apparent reason.

130. On one occasion, Defendant Dietrich and Defendant Maxey yelled at Sara and issued her a frivolous violation after she gave another incarcerated individual their belongings that had been left at a table the night before. The violation was thrown out soon thereafter.

131. In late August, a few days after Sara met with her undersigned attorneys, she returned to her cell and noticed that someone had gone through her legal paperwork and that multiple documents related to the above-captioned action were missing.

132. Soon after noticing her legal documents were missing, Defendant Dietrich made a comment to Sara, stating that she “should not get her hopes up” about the lawsuit, because she “would not win.” Sara has requested to be placed in protective custody on multiple instances, but her requests have been rejected.

CAUSES OF ACTION

Count I

**42 U.S.C. § 1983 – Unnecessary and Wanton Infliction of Pain (Eighth Amendment)
Defendant McCarty**

133. Plaintiff repeats and realleges each paragraph of this complaint as if fully set forth in this count.

134. In the manner described more fully above, Defendant McCarty used force and the threat of force against Plaintiff to physically and sexually assault her.

135. That force, which included nonconsensual groping and penetration of her vagina

by Defendant McCarty's hand, was objectively unreasonable, meant to degrade and humiliate Plaintiff, and served no penological justification.

136. In using unwanted sexual force against Plaintiff, Defendant McCarty used extreme or excessive cruelty toward her for the purpose of inflicting harm, including degradation and humiliation of Plaintiff.

137. The actions by Defendant McCarty were in no way made in a good faith effort to maintain or restore security or discipline.

138. Alternatively, Defendant McCarty knew that using force in the form of nonconsensual groping and sexual penetration of Plaintiff's vagina presented a risk of harm to Plaintiff but recklessly disregarded that risk and Plaintiff's emotional and physical safety by failing to take reasonable measures to minimize the risk of harm.

139. As a direct and proximate cause of Defendant McCarty's misconduct, Plaintiff's rights were violated, and she suffered and continues to suffer severe emotional distress, suicidal thoughts and attempts, depression, and post-traumatic stress.

Count II
42 U.S.C. § 1983 – Eighth Amendment (Failure to Protect)
Defendants Eddy, Long, Dietrich, Dawson, Hammers, Hughes, other as-yet-unidentified
Defendants

140. Plaintiff repeats and realleges each paragraph of this complaint as if fully set forth in this count.

141. In the manner described more fully above, Defendant McCarty's conduct toward Plaintiff violated her constitutional right to be free from cruel and unusual punishment.

142. Likewise, Defendants Eddy, Long, Dietrich, Dawson, Hammers and Hughes and other as-yet-unidentified Defendants violated Plaintiff's right to be free from cruel and unusual punishment, because they knew that Plaintiff's rights were being violated, had the realistic

opportunity to intervene to prevent or stop the misconduct from occurring, and failed to do so.

143. In the alternative, these Defendants were on notice of a substantial risk of harm to Plaintiff, and they consciously disregarded that risk.

144. Under the federal Prison Rape Elimination Act of 2003 (“PREA”), Logan is required to investigate and report sexual assaults that occur in the facility.

145. Although Logan and other IDOC facilities purport to have a “zero tolerance” policy against sexual abuse and harassment pursuant to the PREA, there is an epidemic of sexual misconduct by Logan staff.

146. Logan has earned the reputation as a “Rape Trap” due to the frequency of sexual harassment and sexual violence against women in custody.

147. From January 2021 to November 2024, there were over 182 *reported* allegations of sexual assault or harassment at Logan, including Sara’s. It is believed that the number of unreported instances of sexual assault and harassment is much higher.

148. Logan houses approximately 1,000 women, and, during a period of just under four years, about 18 percent of this population—roughly 180 individuals—have filed sexual assault complaints.

149. Over 57 PREA complaints were filed in 2024 alone.

150. Individuals in custody at Logan are at risk every day due to the systemic custom and practice of sexual harassment and abuse perpetuated by Logan’s prison officials and corrections officers.

151. Worse yet, these women are restricted from reporting their abuse due to the “Code of Silence” maintained by prison officials and staff who turn a blind eye to the problem.

152. Many women are even punished for speaking up about their assaults.

153. It is this very custom that threatened Sara's safety and forced her to remain silent about Defendant McCarty sexually assaulting her.

154. Sara was so afraid of retaliation, so hopeless in receiving any form of protection from her abuser, that she opted to take her own life rather than tell anyone about Defendant McCarty's attack.

155. She believed it was Defendant McCarty's word against hers, that he would deny attacking her and that she would get in trouble for making the report.

156. Under the PREA, IDOC, and Logan policy, all PREA allegations are to be taken seriously.

157. Further, the official response following a report of sexual harassment or abuse is to provide immediate care and to offer protection to the victim.

158. If such policies were actually enforced, no person in custody would feel the need to choose death over reporting the sexual harm perpetrated against her.

159. Logan's practice of violence against women and the suppression of survivors' rights under the PREA to report any sexual abuse or harassment has established a deep-rooted culture of fear and oppression at this facility.

160. Defendants were on notice of numerous instances of sexual misconduct by staff directed at Logan women in custody, were aware that a systemic sexual assault problem existed at Logan, and were further aware of the custom, policies, and practices at Logan that permitted this type of misconduct to flourish.

161. Further, each of these Defendants had both the duty and power to take steps to change these policies and procedures in a manner that would have reduced the danger that Plaintiff and other Logan women in custody would be subjected to sexual misconduct at the

hands of Logan staff.

162. These Defendants had knowledge of the problem by way of, among other things, PREA compliance reports, investigations and reports published by organizations such as the John Howard Association, grievances, training, reports from counselors, meetings, and lawsuits.

163. Defendants Eddy, Long, Dawson, Dietrich, Hammers and Hughes knew that the existence of sexual abuse and harassment at IDOC facilities posed a substantial risk of harm to women in custody at Logan like Plaintiff, yet they failed to take reasonable steps to mitigate the risk of harm, including those steps available to them pursuant to their supervisory positions and/or positions under the PREA statute.

164. Among other things, these Defendants failed to adequately investigate, supervise, control, and discipline IDOC employees who engaged in, or were accused of engaging in, staff-on-prisoner sexual abuse or harassment.

165. This lack of action allows and facilitates future sexual abuse and harassment like that experienced by Plaintiff.

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

167. As a result of Defendants' misconduct, Plaintiff's rights were violated, and she continues to suffer severe emotional distress, suicidal thoughts and attempts, depression, and post-traumatic stress.

Count III

42 U.S.C. § 1983 – Failure to Provide Adequate Medical Care Defendants Doe, Fennell, Rosborough, other as-yet-unidentified Defendants

168. Plaintiff repeats and realleges each paragraph of this complaint as if fully set forth in this count.

169. The Eighth Amendment of the United States Constitution guarantees a prisoner's right to be free from cruel and unusual punishment. The deliberate indifference to the serious medical needs of a prisoner, including the need to alleviate serious pain and internal bleeding and to address the material risk of self-harm, violates a prisoner's right to be free from cruel and unusual punishment,

170. As described in further detail above, Defendants had notice of Plaintiff's serious mental health needs and knew the risk of harm if Plaintiff did not receive appropriate treatment. Despite that knowledge, Defendants failed to provide Plaintiff with adequate mental health care.

171. As described in further detail above, Defendants had notice of Plaintiff's physical injuries and knew the risk of harm if Plaintiff did not receive appropriate treatment. Despite that knowledge, Defendants failed to provide Plaintiff adequate medical care.

172. Defendants' actions violated Plaintiff's rights under the Eighth Amendment, and Defendants were deliberately indifferent to Plaintiff's serious medical needs by not properly treating her physical and psychological conditions.

173. Defendants' failure to take reasonable measures was a substantial departure from accepted professional judgment, practice, or standards, that it showed a complete abandonment of medical judgment.

174. As a direct and proximate cause of Defendants' actions, Plaintiff's rights were violated, and she suffered and continues to suffer from physical pain, severe emotional distress, suicidal thoughts and attempts, depression, and post-traumatic stress.

Count IV

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

Defendants Dawson, Dietrich, Maxey, other as-yet-unidentified Defendants

175. Plaintiff repeats and realleges each paragraph of this complaint as if fully set forth in this count.

176. In the manner described more fully above, Defendants Dawson, Dietrich, Maxey, and other as-yet-unidentified Defendants retaliated against Plaintiff for engaging in protected First Amendment activity when she reported Defendant McCarty's conduct.

177. Plaintiff's activity was further protected by PREA and IDOC Administrative Directives, which empower people in custody to report incidents of sexual harassment, sexual assault or other forms of sexual violence that occur in the prison environment.

178. As a result of her statements, Defendant Dietrich, Defendant Dawson, and Defendant Maxey retaliated against Plaintiff, punishing her for complaining about the sexual abuse to which she was subjected.

179. Plaintiff's statements to the Logan nurse, which were then reported to Internal Affairs, and her later filing of grievances were the cause and/or a motivating factor in the decision to take the retaliatory actions.

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

181. Defendants' retaliation is likely to deter First Amendment activity by Sara, or a person in Sara's position, in the future, such as other women in IDOC custody who have been or likely will be sexually assaulted in IDOC custody as a result of the deliberate indifference.

182. As a result of the Defendants' retaliatory action, Plaintiff's rights were violated, and she has suffered and continues to suffer severe emotional distress, suicidal thoughts and attempts, depression, and post-traumatic stress.

Count V
Intentional Infliction of Emotional Distress
Defendant McCarty

183. Plaintiff repeats and realleges each paragraph of this complaint as if fully set forth

in this count.

184. In the manner described more fully above, Defendant McCarty engaged in extreme and outrageous conduct when he held Sara against her will, touching her breasts and genitalia, and penetrating her vagina with his finger. Those actions were rooted in an abuse of power or authority.

185. Defendant McCarty's actions as set forth above were undertaken with intent or knowledge that there was a high probability that the conduct would inflict severe emotional distress and with reckless disregard of that probability.

186. Defendant McCarty's actions as set forth above were undertaken intentionally, with malice, and/or with reckless indifference to the rights of Plaintiff.

187. The misconduct described in this Count was undertaken by Defendant McCarty within the scope of his employment.

188. As a direct and proximate cause of Defendant's misconduct, Plaintiff's rights were violated, and she suffered and continues to suffer severe emotional distress, suicidal thoughts and attempts, depression, and post-traumatic stress.

Count VI
740 ILCS 82/1, et seq. – Illinois Gender Violence Act
Defendant McCarty

189. Plaintiff repeats and realleges each paragraph of this complaint as if fully set forth in this count.

190. At all times relevant hereto, there was in full force and effect the Illinois Gender Violence Act ("IGVA"), 740 ILCS 82/1 et seq. Section 10 of the Act, 740 ILCS 82/10, provides as follows:

"Any person who has been subjected to gender-related violence as defined in Section 5

may bring a civil action for damages, injunctive relief, or other appropriate relief against a person or persons perpetrating that gender-related violence. For purposes of this Section, ‘perpetrating’ means either personally committing the gender-related violence or personally encouraging or assisting the act or acts of gender-related violence.” 740 Ill. Comp. Stat. Ann. 82/10.

191. The Illinois Gender Violence Act defines gender-related violence as:

“(1) One or more acts of violence or physical aggression satisfying the elements of battery under the laws of Illinois that are committed, at least in part, on the basis of a person’s sex;”

“(2) A physical intrusion or physical invasion of a sexual nature under coercive conditions satisfying the elements of battery under the laws of Illinois;”

“(3) A threat of an act described in item (1) or (2) . . . causing a realistic apprehension that the originator of the threat will commit the act.” *See* 740 ILCS 82/5.

192. As described more fully above, Defendant McCarty’s conduct toward Plaintiff constituted a physical intrusion of a sexual nature under coercive conditions.

193. Defendant McCarty’s conduct was undertaken, at least in part, on the basis of Plaintiff’s sex, as Plaintiff is a woman incarcerated at Logan.

194. As a direct and proximate result of Defendant McCarty’s outrageous actions, Plaintiff’s rights were violated, and she has suffered and continues to suffer severe emotional distress, suicidal thoughts and attempts, depression, and post-traumatic stress.

195. By reason of Defendant McCarty’s conduct, Plaintiff has been subjected to gender-related violence and, pursuant to Section 15 of the Act 740 ILCS 82/15, may recover

from Defendant McCarty compensatory damages, punitive damages, and attorneys' fees and costs in maintaining this action.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendants, awarding compensatory damages, costs and attorneys' fees, punitive damages against each of the Defendants in their individual capacities, and good time credit that Plaintiff has been denied due to the Defendants' actions, and such further additional relief as this Court may deem appropriate and just.

JURY DEMAND

Plaintiff hereby demands a trial by jury on all issues so triable.

///

Dated: September 17, 2025

Respectfully Submitted,

By: /s/ Charles E. Harris, II

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Attorneys for Plaintiff Sara Gudenrath

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 the Federal Rules of Civil Procedure and 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 08:19:57 AM
Clerk, U.S. District Court, ILCD

I. (a) PLAINTIFFS

Gudenrath, Sara

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

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

See Attachment

DEFENDANTS

McCarty, Matthew; Dietrich, Jacob; Dawson, Shaun; Maxey, Daniel; Logan Correctional Center Warden Long, Michael; +

County of Residence of First Listed Defendant Logan County
(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 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 checked="" 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):
42 U.S.C. § 1983
Brief description of cause:
Eighth Amendment

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

9/17/2025

SIGNATURE OF ATTORNEY OF RECORD

/s/ Charles E. Harris, II

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

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