



Disability
Rights
Oregon

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Lawsuit: Woman with Psychiatric Disabilities Sexually Abused for Months, Punished by Prison for Reporting

Coffee Creek Correctional Facility Officers Severely Retaliating in Violation of the U.S. Constitution and Prison Rape Elimination Act

Portland, Oregon—A federal lawsuit was filed today against the Oregon Department of Corrections (ODOC) and various correctional and administrative staff for violation of the 1st and 8th Amendments of the U.S. Constitution. Disability Rights Oregon and Attorney Lynn S. Walsh filed the complaint on behalf of J.B., a young adult in custody at Coffee Creek Correctional Facility (CCCF) who, for nearly two months, was raped more than once a day by Correctional Officer Levi Gray. J.B. continues to live at CCCF with serious and persistent psychiatric disabilities and has a horrid history of physical and sexual abuse dating back to childhood, including being a victim of sex trafficking. She suffers from extreme Post-traumatic stress disorder (PTSD) as a result.

The lawsuit contains three claims:

1. The prison violated the 8th Amendment to the U.S. Constitution by using cruel and unusual punishment toward J.B. The correctional officer used his position of authority to sexually assault J.B. while other officers and the corrections system ignored the abuse.
2. The prison continues to violate the 8th Amendment to the U.S. Constitution by failing to provide medical care and continuing to hold J.B. in a dangerous setting. Some prison officers and staff are taking actions known to trigger PTSD symptoms by placing her in a cell with feces on the walls upon return from a forensic rape exam and forcing her to clean it, locking her in the shower, and more.
3. The prison continues to violate the 1st Amendment to the U.S. Constitution by retaliating against J.B. and abusing a grievance process that is meant to protect her. She hasn't even been allowed to call a sexual abuse advocate or outside confidential support services.

“There is clearly a culture of sexual violence at Coffee Creek and a system that condoned it by refusing to put a stop to it,” says Jake Cornett, Executive Director and CEO of Disability Rights Oregon. **“The behavior of Oregon’s corrections system in this case is disgusting and cannot be tolerated in the U.S. There is never just one bad apple when frequent and prolonged sexual**

assault is tolerated, retaliation is taken by staff, and meaningful treatment is denied.”

The lawsuit seeks compensatory and punitive damages, attorneys' fees, and an injunction that requires the ODOC to place J.B. in an appropriate setting where treatment and therapy can be provided.

RESOURCES

Download the complaint: <https://www.droregon.org/s/JB-vs-ODOC-Complaint-Final.pdf>

BACKGROUND

- [A Gender Informed Practices Assessment](#) commissioned by lawmakers in 2022 found **sexual assault is a prison-wide problem at Coffee Creek Correctional Facility.**
- While aware of the problems, ODOC has yet to fix them. The Department’s own [2022 Annual PREA Report](#) notes **CCCF had among the highest number of substantiated and unsubstantiated PREA reports for sexual abuse and harassment**, as well as the most ongoing investigations. Some facilities are larger, yet CCCF still had the highest volume of lawsuits and individuals involved.
- [According to the Bureau of Justice Statistics:](#)
 - **One in 5 people in U.S. state and federal prisons have a serious mental illness.**
 - Nearly 2 in 5 people incarcerated have at least one disability.
- **Women are more than twice as likely than men to be sexually assaulted in prison, [per the National Library of Medicine.](#)**
- In 2015, President Barack Obama [forcefully spoke out against rape in prison](#), **“We should not be tolerating rape in prison.... These things are unacceptable.”**

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[Disability Rights Oregon](#) upholds the civil rights of people with disabilities to live, work and engage in the community. Serving as Oregon’s federally mandated Protection & Advocacy system since 1977, the nonprofit works to transform systems, policies, and practices to give more people the opportunity to reach their full potential.

Lynn Walsh is a solo practitioner with an office in Portland, Oregon. Ms. Walsh is a noted expert in the rights of those incarcerated in Oregon’s prison system and has represented numerous clients to uphold their civil rights in a variety of contexts.