

Female Prison Guards Settle For \$2.5 Million
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Plaintiffs claimed they were subject to repeated sexual harassment

By THOMAS B. SCHEFFEY



Law Tribune File Photo

Attorneys Antonio Ponvert, above, and David Rosen represented 14 women who said they were subject to sexually demeaning remarks by mail prison guards and even recruited as prostitutes.

Maureen Allen et al. v. John J. Armstrong, et al.: Sex, violence, lies and even allegations of an attempt to set up a prostitution ring were all part of a 165-page complaint filed in federal court in 2002 by 14 female Connecticut state prison guards against 58 top Department of Corrections officials.

After years of effort, plaintiffs' lawyers **Antonio Ponvert**, of Bridgeport's **Koskoff, Koskoff & Bieder** was joined by **David Rosen**, of New Haven in negotiating a settlement of \$2.5 million last year. The settlement set attorneys fees at \$475,000. In standard language for such agreements, Department of Correction officials expressly denied any civil liability or criminal culpability.

Many of the events and actions were alleged to have occurred in the late 1990s and early 2000s. Female correction officers alleged that they were subjected to sexually demeaning remarks in front of inmates, at times placing them at risk of attack and violating security rules. One female guard alleged a male guard suggested an inmate might "get lucky" with her in an area of the prison not covered by security cameras.

The plaintiffs alleged that the defendants interrupted, or "stepped on," their walkie-talkie transmissions, making it difficult or impossible to call for help or extricate themselves from dangerous situations. "Any other male employee could block the transmission, so one of the ways males harassed the women was by stepping on their transmissions," said Ponvert.

The litigation by the female inmates led to legislative hearings in 2002, and was a large part of the impetus for the end of Correction Commissioner John J. Armstrong's tenure and his subsequent replacement by Theresa Lantz, Ponvert said.

"We had names and dates and places. Some women were asked to join in prostitution rings that were run by lieutenants, and that was substantiated because [one] lieutenant's partner was arrested for running a prostitution ring," by Hartford police, Ponvert said.

At the time, the Department of Corrections had an Affirmative Action Unit to deal with harassment issues. "What we found out through discovery was that women would make complaints and nothing was ever done, and this was known to captains, majors, deputy commissioners, wardens – every single male officer in the chain of command either knew about or engaged in this conduct," Ponvert said.

Department of Corrections spokesman Brian Garnett said the events that were subject to the lawsuit "all occurred five or more years ago." Ponvert said that as a result of the case, some male guards were arrested or terminated.

Rep. Edith G. Prague, D-Columbia, a co-chair of the Labor and Public Employees Committee in the legislature, conducted hearings on the complaints of the female correction officers, as did the state Commission on Human Rights and Opportunities. In February 2003, Armstrong resigned shortly after a draft report of the CHRO investigation was leaked. The report, according to the *Hartford Courant*, was critical of Armstrong. The CHRO report stated, "Even under public and the CHRO's scrutiny, his conduct is, at minimum, unprofessional and his judgment poor. His conduct begs the question: can he really say he has a zero-tolerance policy towards sexual harassment at DOC?"

Ponvert said his lawsuit suit was divided into two parts, one seeking injunctive relief and a consent decree, and a second part seeking monetary damages. The consent decree covered four years, and after it ran out, the parties settled the damages claim.

"In the end, there were 18 named participants in the settlement, which the legislature approved. The attorneys' fees, covering more than 3,000 hours, were for the injunctive relief covered by the four year consent decree," Ponvert said.

U.S. District Court **Judge William I. Garfinkle** held damages hearings allocating money from the settlement to each of the plaintiffs, who claimed that they suffered psychological, humiliation and distress damages.

Attorney Rosen, who represented an anonymous plaintiff, commented: "This is a case where we can see a lot of change [in working conditions for female correction officers] – but some of the lessons that were learned in this case may have to be learned again and again."

Rosen compared the plaintiffs and their lawyers to muckrakers, old-time journalists who uncovered society's ills. "Taking on scandals, like the plague of sexual harassment occurring in the Department of Corrections, is more important than it ever was," Rosen said