

Colorado prison inmates win sexual assault suit against former guard

By John Ingold *The Denver Post* *The Denver Post*

Posted:

DenverPost.com

A federal jury in Denver has found in favor of two Colorado prison inmates who sued a former state prison guard, alleging that the guard sexually assaulted them.

In a verdict issued last week, the jury sided with the two women and found that guard Theodore Shackleton violated the women's constitutional rights when he forced them to perform sexual acts on him in separate incidents in a cleaning closet at the Denver Women's Correctional Facility.

The jury awarded the women only \$1,000 each in damages and found they were not entitled to punitive damages. The women had been seeking hundreds of thousands of dollars in damages.

"The plaintiffs feel vindicated that the corrections officer violated their civil rights," Rick Carmickle, an attorney for the women, said, "but are disappointed in the amount of the verdict."

The Denver Post is not naming the women because they were the victims of sexual assault.

Police investigated Shackleton after the women made allegations of assault against him in 2009 but no criminal charges were brought. Shackleton was assigned to a different prison, then resigned from the department. He no longer lives in Colorado.

The women filed suit — along with several other female inmates — in 2011 in a wide-ranging complaint against the Department of Corrections that alleged the department has an "overt culture of sexual abuse" by prison guards on female inmates. The suit was whittled down over the next year because several of the inmates originally involved in the suit had not first filed administrative complaints.

The case went to a jury last week. A verdict was issued Wednesday, though documents detailing the result were not available until Monday.

John Ingold: 303-954-1068, jingold@denverpost.com or twitter.com/john_ingold