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Former Boys Ranch resident sues Sedgwick County

BY TIM POTTER
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A former Boys Ranch resident has sued Sedgwick County, alleging it failed to protect him from being raped while he lived at the home for troubled teens in late 2004.

The plaintiff — who is 19 now and was 14 at the time he says he was raped — filed a lawsuit in June in state district court that has been moved to federal court in Wichita.

The lawsuit seeks the standard "in excess of \$75,000" in damages, and lists as defendants the county, Judge Riddel Boys Ranch and the county Department of Corrections, including its director, Mark Masterson, and a number of his current and former employees.

The county has denied the lawsuit's claims. The attorney defending the county in the lawsuit, Assistant County Counselor Michael North, said Tuesday that he can't comment on pending litigation.

The lawsuit says that the plaintiff had been confined to the Boys Ranch at Lake Afton in September 2004, and that an older teen had assaulted him six or seven times that September and October.

The older teen was 15 at the time.

The assaults caused the 14-year-old to leave the Boys Ranch without permission in October 2004 and go to his mother's house, where he reported he had been assaulted by the other teen, the lawsuit said. His mother persuaded him to return to the Boys Ranch, and she contacted the facility, the lawsuit said.

"Both plaintiff and his mother advised personnel at the Boys Ranch that he feared another inmate-resident who was assaulting him," the petition said. "No corrective action was taken by Boys Ranch personnel."

Then, in November 2004, the same teen who had assaulted the 14-year-old raped him, the lawsuit said.

The younger boy received hospital treatment and was assigned to another juvenile facility.

The lawsuit contends that corrections employees were "deliberately indifferent to the safety" of the younger boy and failed to "properly classify, separate and supervise other inmates, leading to serious injuries sustained by the plaintiff."

In the county's answer to the lawsuit's claims, North denied any unlawful actions by county employees.

North also denied that the defendants knew of allegations that the plaintiff had been sexually assaulted six or seven times by the other teen.

The former Boys Ranch resident accused of the assaults is now listed on the state's sex offender registry.

The registry says he has a conviction for attempted aggravated criminal sodomy, for an incident that occurred on the same day the other former Boys Ranch resident alleges he was raped.

William Townsley, the Wichita lawyer representing the young man in his lawsuit against the county, said the litigation remains in early stages.

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