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Woman sues state over sexual assault

By Christine Clarridge
Seattle Times staff reporter

A 19-year-old who was sexually assaulted by a guard at a state juvenile-detention center last year has filed a lawsuit claiming the state failed to properly supervise the guard or protect her from his advances.

In a lawsuit filed in King County Superior Court last month, the young woman's attorneys claim the state failed to properly train and supervise the on-call temporary guard at Echo Glen Children's Center or to fully investigate previous complaints about him.

The guard, 39-year-old Robert H. Fox, pleaded guilty in February to first-degree custodial sexual misconduct in connection with the assault, according to court documents. He now is serving an eight-month sentence in the King County Jail.

"This case is particularly important because of the incredible imbalance of power between a male guard and a young, teenage female inmate," said Jack Connelly, one of the woman's attorneys.

Steve Williams, a spokesman for the state Department of Social and Health Services (DSHS) would not comment on the lawsuit other than to say the state acted immediately to remove the guard once notified of the sexual assault. He said the state "stands by the way" the juvenile-corrections facilities are operated.

Echo Glen is run by the state's Juvenile Rehabilitation Administration, which is overseen by DSHS.

According to court documents, the young woman had been in and out of Echo Glen in Snoqualmie on theft, burglary and forgery convictions since 2006.

In 2008, she was serving an approximately nine-month stint at the detention center when Fox began to show her inappropriate attention that made her feel "upset" and "uncomfortable," according to charging documents.

He walked her to her treatment classes and snapped photographs of her with her friends before being told by another employee that was not allowed, and asked the teenager to watch a movie alone with him, charging documents allege.

On May 6, 2008, when Fox was the only guard on duty, he entered her locked room in the middle of the night and "forcibly raped her," the lawsuit claims.

The victim was originally too afraid of retaliation from Fox to report the assault, according to the lawsuit, but a friend pried the story from her after hearing her crying.

In the lawsuit, the woman's attorneys claim that she was "groomed and then raped" by the guard and that the state had been made "aware of risks posed by Fox" but took no action against him.

Connelly, the teenager's attorney, said the importance of his client's case cannot be overstated.

"This is a system that is there to try to save young people," Connelly said. "Truly, a young teenage woman who has had difficulties that brought her into the juvenile-reform system should not have those difficulties compounded by having to fight to retain her dignity by fighting off guards who are using them for their own sexual gratification."

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