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Sex abuse and harassment allegations pervade North Country jail

The state attorney general's office has been investigating sexual abuse and harassment allegations at Clinton County jail since 2022

By **Brendan J. Lyons**

Feb 11, 2024



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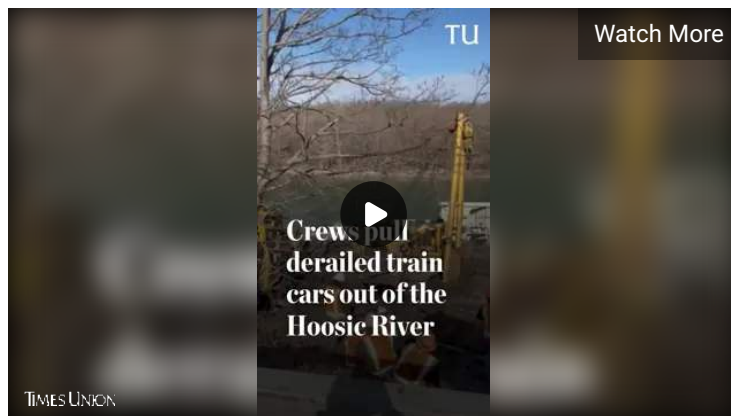
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Multiple women — former correction officers and inmates at the Clinton County Jail — have leveled allegations of systemic sexual harassment and discrimination at the North Country jail, a facility where at least two former female inmates also have said they were sexually abused by male employees.

Rebekah F. Ward/Times Union

ALBANY — The state attorney general's office has been investigating allegations of systemic sexual harassment and discrimination of female correction officers at a North Country jail, a facility where at least two former female inmates also have said they were sexually abused by male employees.



The attorney general's investigation of the Clinton County Jail in Plattsburgh, which began in 2022, was expanded recently to examine the unrelated death of a 39-year-old inmate who became the second person to die after medical care at the facility may have been unnecessarily delayed or mishandled.

The investigation into the death of Dustin A. Provost, first reported by the Times Union, was launched after he died on Dec. 17 after being rushed to a hospital as paramedics repeatedly tried to revive him — once at the jail and again in an ambulance. He had been held at the jail since

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October on burglary charges and died at a hospital later that day after being taken off a life-support ventilator, according to his family.

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But in the preceding year, the attorney general’s office also had been probing allegations of widespread workplace misconduct at the jail, including interviewing four former female correction officers who recently settled federal civil rights lawsuits they had filed against Clinton County and various sheriff’s officials. The terms of those settlements have not been made public.

The lawsuits, filed in U.S. District Court in Albany, had alleged the four women — and unnamed inmates — were subjected to years of sexual and workplace abuse that ranged from unwanted sexual advances by male coworkers to jail supervisors refusing to take action against correction officers overtly committing sexual harassment. Their allegations also included that supervisors turned a blind eye to male inmates who would masturbate in front of the women or disobey orders, and that multiple officers would expose themselves or send explicit photographs, including of their genitalia, to female colleagues.

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Some of the former female correction officers also alleged that they faced retaliation and discrimination that included unfavorable work assignments, such as forced overtime, not receiving breaks. Some also were targeted in disciplinary investigations that they said had been based on fabricated charges and manipulated to get them fired or to resign after they filed formal sexual harassment complaints three years ago.

Sheriff David N. Favro, 62, a former Plattsburgh city detective who has been the county's sheriff for more than two decades, on Thursday said he would not be available for an interview until next week.

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Robert Hall Sr., a member of the Clinton County Legislature's Public Safety Committee, declined comment Saturday on the myriad allegations at the jail, including whether the Legislature is considering any policy changes or investigating the matter.

"I understand your questions; I can't answer any of them," Hall said.

He referred questions to Mark R. Henry, a retired U.S.

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Border Patrol officer who is chairman of the county Legislature, saying: "He knows all about the situation at the jail.

Henry, as well as other members of the Public Safety Committee, did not respond to requests for comment or could not be reached.

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'Trying to get inmates' phone numbers'

Makayla Suddard, one of the former correction officers who sued Clinton County, the sheriff and a sergeant at the jail, has recently been producing online video testimonials recounting her experiences at the jail as well as those of other female employees and inmates. Suddard also has been leading efforts to gather signatures for a petition that calls on Favro to resign or be removed from office. She said last week that she had collected nearly 400 signatures.

"The same men we went and complained about are all still working there," Suddard said in an interview. "And from different people that I've talked to, they're still doing

what they've been doing; they're still trying to get (female) inmates' phone numbers and everything else.”

Suddard worked at the jail in the north end of the city of Plattsburgh from April 2019 until March 2023. Her federal complaint said the misconduct of a correction officer she worked with had been especially egregious and persistent, including him allegedly telling her that he wanted to “rape her in the parking lot.” Her lawsuit said that officer had been the subject of numerous similar complaints from female employees and inmates for years, but had never faced discipline and is still employed at the facility.

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Records indicate sexual harassment and other workplace misconduct allegations have been prevalent in the Clinton County Jail for more than a decade. In 2014, an investigation by the county’s deputy administrator found that a former undersheriff, Jerry Maggy, had violated the agency’s workplace policies, including creating an offensive and hostile environment for a female employee with whom he had a personal attraction.

The evidence in that case included a handwritten note

Maggy sent the female officer giving her money for a Christmas present for herself or her child, but requesting that she not buy anything from a women's lingerie store — Victoria's Secret — “unless you send me a picture.”

The female employee who filed the complaint against him had asked that the undersheriff face termination. Maggy was suspended for 30 days, according to records in the case.

Other internal investigations of sexual harassment and sexual abuse against male employees at the jail also ended with suspensions or minor discipline, rather than terminations or criminal charges.

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In March 2021, Suddard and two other female correction officers filed personnel complaints against several male colleagues, including a correction officer who was accused in a fifth lawsuit — filed in state Supreme Court by a former female correction officer — of grabbing a female coworker and pulling her into a room as he tried to unbuckle his pants. She fought him off and got away, her complaint says.

Although the county's Department of Personnel concluded, after an investigation, that at least three male correction officers had violated the agency's policies on sexual harassment, the sheriff suspended two of the officers for 30 days — with pay — and allowed a third to resign. He did not seek to discipline or terminate them, according to court records.

The officer who resigned kept his peace officer certification with the state, records show. The regulations governing those credentials had been amended eight years ago to prevent officers who are under investigation for misconduct, including potential criminal charges, from resigning or retiring from a department — and avoiding a disciplinary investigation — so they can seek employment at another law enforcement agency.

The following month, in April 2021, Clinton County Undersheriff Robert Craig made an announcement about the internal investigation during a staff briefing, where Suddard and other female correction officers were present, that the two suspended male correction officers “were found guilty” and “will be back tomorrow (with) business as usual,” according to federal court records.

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The undersheriff also allegedly told the staff members that “the last (five) weeks have been a huge pain” due to the two officers' suspension; he discouraged any more sexual harassment complaints and threatened to fire anyone who spoke about the case, according to the court records.

'No longer safe'

Johanna Sorrell, one of the four former female correction officers who settled their federal lawsuits with the county two months ago, had alleged in her case that at least three male officers, including a sergeant, had stalked her, including one who would follow her home from work, and had subjected her to repeated unwanted sexual advances, touching and inappropriate comments about her body.

Two of the officers, including the sergeant, sent her explicit photos of themselves, including one who would text her photographs of his genitalia, according to court records.

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In a lengthy post on Facebook late last month, Sorrell

detailed much of the abuse she claims to have endured while working at the jail, including about the officer who had stalked her incessantly and would follow her home, run by her house with his shirt off, and boast about peering through her windows. A longtime sergeant, she said, had posted bail for a female inmate with whom he had an intimate relationship.

“I had inmates telling me if the officers could touch me, rape me, call me names, why couldn’t they?” wrote Sorrell, who worked as a correction officer at the county jail on and off from 2017 to 2021. “I was no longer safe at work or at home. If I had incidents on my floor it took longer for my fellow officers and (sergeant) to get there because they didn’t care to respond to my calls, put my life on the line even more.”

It’s unclear whether the attorney general’s investigation will also examine the allegations of the former inmates who said they were sexually assaulted by correction officers while incarcerated there.

One of the women, a Clinton County resident, alleges she was sexually abused by a former educational instructor at the jail when she was incarcerated there in 2015. Her lawsuit, filed in state Supreme Court, alleges the former instructor was often unmonitored and had “unfettered” access to female inmates, and that he had sexually abused others.

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The second woman, an Erie County resident, claims a correction officer forced her to perform oral sex on him in a “back room” about nine times over a period of several months in 2017. Her lawsuit says she was the only Black female inmate at the jail at that time and the officer had allegedly threatened that she “would be taken out to the shooting range” if she didn’t comply.

Their attorney, Anna Kull, filed their lawsuits against the Clinton County jail last year under the Adult Survivors Act, which lifted New York’s statute of limitations for one year for civil claims alleging sexual assault. Kull also represents hundreds of other women who have filed claims against jails and state prisons under the statute; she said that county jails often promote a culture of tolerance for sexual harassment and sexual assaults of female inmates.

“Some of these county jails, some of the cases coming out of the counties, are some of the worst I’ve ever seen — rape, forced abortions, things of that nature,” Kull said. “What’s most demonstrative of that culture of silence and tolerance is that these (Clinton County correction officers) are still employed by the county, which means that they still have unfettered access to inmates. ... They were able to sexually assault or harass women with impunity, and that really does speak to the culture that I’ve seen among carceral institutions in New York.”

In October 2022, the U.S. Department of Homeland Security conducted a multi-day compliance inspection of the Clinton County Jail to ensure its operations meet the minimum standards for housing federal migrant

detainees, which the 300-bed facility has been doing since 2006.

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Part of that inspection examined the jail's sexual abuse and assault and prevention intervention program and found, among other deficiencies, the facility's "written policy on sexual misconduct did not include procedures for training all employees, contractors, and volunteers on the agency's and facility's zero tolerance policies nor their responsibilities under those policies."

That inspection also revealed there was no procedure for coordinating internal sexual misconduct investigations with an outside law enforcement agency, and that there were no procedures for data collection and reporting of sexual misconduct incidents. In addition, the jail did not make public any information on how to report sexual abuse and assault on behalf of an inmate or federal detainee.

Kull said that no one from the state attorney general's office has reached out regarding her clients' allegations. But she said she hopes to use the civil litigation, which could lead to depositions of jail officers and the disclosure

of records documenting any similar allegations, to conduct an investigation of the facility's history of sexual harassment and abuse.

"It's not a closed universe of claims, as far as these are the only women who were ever violated in this manner by correctional officers in that facility," Kull said. "These are just the women that decided to speak up and had seized that opportunity under the Adult Survivors Act."

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By **Brendan J. Lyons**



Brendan J. Lyons is a managing editor for the Times Union overseeing the Capitol Bureau and investigations. Lyons joined the Times Union in 1998 as a crime reporter before being assigned to the investigations team. He became editor of the investigations team in 2013 and began overseeing the Capitol Bureau in 2017. You can reach him at blyons@timesunion.com or 518-454-5547.

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