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EDITOR'S PICK

Judge dismisses Nebraska lawsuit filed by ex-prisoner sexually abused by guard

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A former prison inmate sexually assaulted by a guard has lost his lawsuit against the Nebraska Department of Correctional Services alleging staff retaliated against him after he reported it.

The man, now 38, sued the Corrections Department and other prison officials for \$150,000 in Douglas County District Court following the assault by Anthony Hansen at the Omaha Correctional Center in 2011.

The Journal Star isn't naming him because he is a victim of sexual assault.

His case, which twice went to the Nebraska Court of Appeals, took years to come to a close.

📄 33-year-old Edgar man found in possession of more than 100 images of child porn, State Patrol says

The inmate, who was serving time for theft in December 2011, said in the lawsuit he tried to deflect Hansen's advances until Hansen spoke to him about his parole date, which he interpreted as a threat.

He said he met Hansen in a commons area, where Hansen shoved him into a wall, forcibly kissed him and pushed him to his knees before sexually assaulting him. The inmate preserved some of Hansen's bodily fluids and reported the assault to prison officials.

Hansen ultimately was pleaded guilty to a felony charge of first-degree sexual assault of an inmate after expedited DNA testing showed it was his. He was sentenced to two years of probation and 90 days in county jail.

By last year, the former inmate's lawsuit had been winnowed down to claims against the former warden and the investigator.

He alleged he was placed in segregation for about 30 days, that guards were instructed not to speak to or acknowledge him and his contact with others was limited after he made the report.

17-year-old Lincoln girl careened over retaining wall before crashing downtown in stolen SUV, police say

But, in the final order in the case, Douglas County District Judge Michael Coffey said the case couldn't go forward against the warden because he didn't participate in the interview after the assault, tell the investigator what to say or ever talk to the inmate regarding the incident.

Likewise, he said, it couldn't go forward against the investigator because the inmate already was in protective custody when he began his investigation and wasn't involved in the decision to put him there.

The Omaha prison only had one special housing unit for all types of restrictive housing situations and the plaintiff had been placed there for his protection, the judge said.

Lawsuit claims UNL, athletic department protect Huskers accused of sexual assault

Coffey said the inmate's placement was done per prison policy to keep him safe and facilitate the on-going investigation; and there was no evidence he was denied meals, medical care, mail, showers or phone contact with family.

In an email this week, Omaha attorney David Lopez, formerly of the Nebraska Attorney General's Office, said their case never disputed or minimized the assault.

"Our job was simply to demonstrate that what the warden and investigator did — immediately place the victim in protective custody and accelerate the DNA testing of the napkin he submitted — not only didn't violate the Constitution, but rather that it reflected a nearly perfect institutional response to a horrible crime by a line-level employee. Judge Coffey's final order confirms that argument," Lopez said.

 **Lincoln man reports being robbed of his wallet, phone and car**