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Judge rejects halfway house claim that it wasn't responsible for rapist who escaped

A judge ruled Thursday that a jury should decide whether a private prison corporation's negligence led to a woman's sexual assault. Avalon Correctional Services filed a motion asking State District Judge John Chupp to dismiss a lawsuit accusing it of negligence and he said "no." Avalon owned the halfway house in the 600 block of North Henderson Street in Fort Worth that two sex offenders walked away from in 2015. One escapee was found less than a month later on a South Carolina beach, dead from a self-inflicted gunshot wound. The other, Charles Sprague, 48, was arrested and sentenced to four life prison terms in 2016 for the woman's sexual assault, among other crimes. A year earlier, Sprague was serving time at the halfway house after being placed in the Texas civil commitment program, which is for inmates who have served their prison sentences for sex offenses but have been found to have a "behavioral abnormality" making them likely to commit more crimes. In April 2015, Sprague cut off his ankle monitor and walked away from the halfway house. Just a few hours later, he met a woman identified in court documents as Jane Doe and threatened to shoot her if she did not have oral sex with him, according to the lawsuit. Sprague was arrested at WinStar Casino in Thackerville, Okla., two days after he left the halfway house. Jason Smith, who is representing Jane Doe, said at Thursday's hearing that Avalon officials did not call police until three hours after they found out that Sprague had escaped. Avalon "failed to recognize the risks that violent sexual predators represented to the community," Smith said. "That explains why they did not immediately call the police." William D. Wassdorf, who represented Avalon at the hearing, argued that Avalon's contract with the state did not obligate it to control Sprague's actions and that Avalon had fulfilled its contractual obligations by notifying state officials that Sprague had escaped. "I would have called the police 100 percent of the time if I were housing a violent sexual offender," the judge said before ruling that the lawsuit could proceed. "You call the cops to alert the community." Avalon negotiated with state officials to receive more money to do a better security job with violent sex offenders such as Sprague but failed to increase its security measures, the lawsuit says. Avalon attempted to have the state move Sprague and similar inmates elsewhere, and when those inmates were not moved, Avalon continued to house them, according to the lawsuit. Sprague had served two prior prison sentences for aggravated sexual assault and for aggravated kidnapping/sexual abuse and was declared a violent sexual offender by the state. After his release from prison, he was placed in the Texas civil commitment program. He was sentenced to life in 2016 for violating conditions of his civil commitment and on kidnapping, aggravated sexual assault and robbery convictions.