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Inmate abuse victims persist in Niagara County suits

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LOCKPORT — A woman who said she was sexually harassed by a corrections officer while she was an inmate in the Niagara County Jail is continuing to seek a court's permission to sue the county.

Meanwhile, a similar suit filed five years ago by a former male inmate continues to be pending in State Supreme Court.

Both cases are being handled by the same attorney, William P. Moore of Buffalo's Lipsitz Green law firm.

"There's something going on up there," Moore said. "There's either a problem with training or a real problem with supervision."

Sheriff James R. Voutour, who was sheriff only at the time of the incident involving the woman, rejected Moore's charge.

"Our training is great back there. It's ongoing, and it's constant," Voutour said, adding the same is true of the supervision.

He declined to comment on the cases, except to point out that in both the offending corrections officer lost his job. Also, both men were arrested and eventually pleaded guilty to a crime.

A 27-year-old Newfane woman sued the county last year, but she changed attorneys and when Moore took over from Craig Z. Small, he sought to add Voutour, the Sheriff's Office and former corrections officer Scott W. Magill as defendants.

State Supreme Court Justice Richard C. Kloch Sr. heard arguments in that case July 1 but has yet to decide.

Magill, who had been a corrections officer for 13 years, was arrested in April 2009. After originally being charged with second-degree sexual abuse, he eventually pleaded guilty to official misconduct and was placed on three years' probation.

The inmate, a married mother of three who was serving a sentence for burglary, said in pretrial testimony that Magill kissed her and fondled her breasts and buttocks on numerous occasions between January and April 2009.

The incidents that brought on the 2005 lawsuit date back to 2002. Jeffrey C. Plump was arrested and charged with having sexual contact with a male inmate.

Plump eventually pleaded guilty to third-degree sodomy and served four years in state prison.

In April of this year, State Supreme Court Justice Ralph A. Boniello threw out the male inmate's suit against the Sheriff's Office but kept it going against Beilein, Plump and the county. Everyone involved is appealing that ruling.

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