

## Texas jailer must face trial after video caught him raping 15-year-old rawstory.com

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A federal judge ruled this week that a trial against a Texas jailer can go forward after video caught him allegedly raping a 15-year-old female inmate.

In a suit filed late last year, Michelle and Danny Hall accused former Harris County correctional officer Robert Robinson of raping their daughter, M.S.H., during her two month stay at Houston's Harris County Juvenile Justice Center.

The suit accuses Robinson of "grooming" the girl with food and candy, before the encounters "quickly escalated with quid pro quo requests that exchanged gifts for genital fondling and touching."

"On or about May 23, 2012, on the eve of M.S.H.'s transfer, Robinson's harassment culminated into the rape of a minor," the lawsuit, which was obtained by Courthouse News Service, says. "As per the usual and customary practice of the facility, Robinson was allowed to abandon his post on the 5th floor of the boys' unit and enter the girls' unit undisturbed. He was allowed to enter M.S.H.'s room, with the lights out, and rape her. Unknown to Robinson, the rape was captured on video."

The complaint also named Thomas Brooks, who served as executive director of the juvenile probation department, for allowing Robinson to have unfettered access to the victim.

Harris County asked the court to dismiss the suit on the grounds that the claims were duplicative and that the the Texas Tort Claims Act prevented employees from being sued when a government entity is also being sued.

In a ruling on Monday obtained by Courthouse News Service, U.S. District Judge Ewing Werlein Jr. found that the suit against Robinson could move forward, but agreed to dismiss the case against Brooks.

"Plaintiffs assert that the Section 1983 claims against Robinson are brought in his individual capacity," Werlein pointed out. "As Section 1983 does not preclude a plaintiff from bringing an action against a governmental official in his individual capacity, these claims survive."

A footnote in Werlein's ruling also pointed out that "Robinson allegedly confessed to committing sexual assault and rape."

A U.S. Department of Justice survey earlier this year found that rape and sexual assault of juveniles was rampant in the justice system.

*[Photo: Jailed woman behind bars (Shutterstock.com)]*