

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

ASHLEY DIAMOND,

Plaintiff,

v.

BRIAN OWENS, Commissioner, et al.,

Defendants.

Civil Action No.  
5:15-CV-50-MTT

**JOINT STATUS REPORT**

COME NOW Plaintiff Ashley Diamond (“Ms. Diamond”), by and through counsel Chinyere Ezie, David Dinielli; Defendants Brian Owens, Sharon Lewis, Shay Hatcher, Ruthie Shelton, and Marty Allen, by and through counsel the Attorney General for the State of Georgia. On April 20, 2015, this Court held a hearing on Plaintiff’s Emergency Motion for a TRO and Preliminary Injunction, which this Court denied (Doc. 44). However, this Court indicated that counsel for the Defendants named herein and Plaintiff were to notify this Court of any changes to Plaintiff’s status, including new safety concerns raised by Plaintiff, or additional adjustments by Defendants to Plaintiff’s housing and safety. The purpose of this filing is to put the court on notice of a pending investigation into an alleged incident of sexual assault against Ms. Diamond.

On or about June 10, 2015 Ms. Diamond was transported to Augusta Medical Center for a medical appointment. To facilitate this transit, Ms. Diamond was temporarily held at Georgia State Prison in a holding cell with another inmate (“the alleged perpetrator”), who reportedly sexually assaulted Ashley. Investigators are looking into whether this incident or any portion of it was captured on videotape.

A PREA complaint pertaining to this incident has been filed, and an independent investigation is currently being conducted into this matter.

Following the incident, Ms. Diamond and the alleged perpetrator were transported back to Columbus, Georgia together. During the ride, Ms. Diamond was allegedly threatened by the perpetrator and told not to say anything about the attack. Because of these threats, Ms. Diamond reported the alleged assault to GDC officials upon her return to Rutledge State Prison. Both Ms. Diamond and her alleged perpetrator were housed at Rutledge State Prison until June 29, 2015. The alleged perpetrator was kept in segregation. On June 29, 2015, the alleged perpetrator was relocated to another facility.

Ms. Diamond alleges that, on or about June 24, 2015, Defendant Shay Hatcher, Warden of Rutledge State Prison, shared with other inmates information from Ms. Diamond's PREA report regarding the June 10th incident. Ms. Diamond alleges further that Defendant Hatcher disclosed confidential information contained in the PREA report including identifying information about the perpetrator. Defendant Hatcher denies these allegations.

Ms. Diamond avers that the alleged release of PREA information has resulted in her being labeled as a snitch by other inmates. Additionally, Ms. Diamond claims that she has come under pressure from numerous inmates to abandon the investigation and withdraw her complaint against the alleged perpetrator. She contends, for example, that on June 29, 2015, an inmate aware of Warden Hatcher's comments, told her to recant her allegations "or else." Ms. Diamond also contends that she was confronted by a group of inmates on or about July 5, 2015 regarding her June 10th sexual assault allegations, and confronted again on July 7, 2015 for being "a snitch."

Ms. Diamond alleges that these and similar threats are numerous and ongoing, and that she had not received any similar threats from Rutledge inmates before Defendant Hatcher's alleged PREA disclosure.

Ms. Diamond currently fears for her safety. Ms. Diamond presently is afraid of leaving her dormitory, including for meals, without an escort.

In light of the aforementioned incidents, it has been deemed appropriate by both Plaintiff and Defendants to place the Court on notice of the present climate and safety concerns expressed by Ms. Diamond.

Respectfully submitted this 9th day of July, 2015.

/s/ A. Chinyere Ezie

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**CERTIFICATE OF SERVICE**

I hereby certify that on this July 9, 2015, I electronically filed a **JOINT STATUS REPORT** with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

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