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Washington Staff Assault Task Force sues inmate for alleged attack

By Paula Horton, Herald staff writer

WALLA WALLA - An inmate at the Washington State Penitentiary in Walla Walla is being sued for a "vicious assault" on a corrections officer at the prison in December.

A civil lawsuit was filed in Walla Walla County Superior Court against Christopher R. McBain by the Washington Staff Assault Task Force.

The suit was filed on behalf of Mark Abbott, 42, a 14-year veteran at the state prison.

The suit against an inmate is believed to be the first of its kind in the state.

The goal of the nonprofit task force is to hold inmates accountable for their actions while providing support to officers who get assaulted.

"Just because inmates are in prison doesn't mean that their criminal activity stops," said the task force's director, Keith Rapp, who spent 17 years at the penitentiary and was a correctional officers and a crisis hostage negotiator.

"A lot of assaults aren't even prosecuted downtown. An inmate is given an infraction hearing - administratively in the prison system he is punished - but this is to let inmates know we're going to hold them accountable by hitting them in the pocketbook."

Abbott was seriously hurt Dec. 3 when he was repeatedly punched by McBain, said Abbott's attorney, Irving M. Rosenberg.

"My understanding is he was standing there in the dining room, he looked away for one second and then a punch came out of nowhere," he said.

"It was definitely unprovoked. ... We're not sure yet if it was a random attack or if he was singled out. From time to time, guards get singled out for doing their jobs."

Abbott injured his eye, broke his nose and had crushed sinus passages and damaged teeth.

McBain, also known as Christafer R. McBain, is in prison for second-degree murder for stabbing his estranged father about 50 times during a scuffle in 2004, according to The Associated Press. McBain was sentenced in Clark County Superior Court to 20 years in prison.

The 22-year-old is scheduled for release from prison in February 2024, said Maria Peterson, a Department of Corrections spokeswoman.

Prison officials investigated the assault, but McBain refused to talk about what happened, Peterson said. McBain's custody level was changed to maximum security following the investigation.

"Up until now, there was no civil redress from the inmates' tortuous conduct," Rosenberg said. "There was no incentive to not misbehave for a long-term sentenced inmate or a 'lifer.' While some inmates will, of course, be judgment-proof, many more will not. There can be assets and potential future assets to claim from."

Rapp started the Washington Staff Assault Task Force in July after learning about a similar group in California and spending time with an officer held hostage at Arizona's Lewis Correctional Facility in 2004. He co-authored the book *Hostage: 15 Days in Hell* about Lois Fraley's experience.

Rapp, who left the penitentiary two years ago, already has recruited about 400 members from the prison in the past year. He plans to enlist members from all the state prisons so all correctional staff can receive benefits.

"What we're doing is really good stuff," the task force director said. "What we do is we take a negative experience, a staff assault, and turn it into a positive experience by assisting the officer financially and emotionally."

Corrections officers who pay \$10 a month to join the task force get a "cash benefit" from the group if they get assaulted by an inmate, he said. The task force then will handle the civil lawsuit against the inmate.

"It's not about the money; it's about the accountability," Rapp said. "Staff aren't really going in expecting to make money. That's why we're in there to give them a little something with the benefit check."

Most of the claims against inmates likely will be filed in small claims court, Rapp said.

Abbott's case was filed in Superior Court because of the severity of his injuries.

He said a second suit against another inmate is also expected to be filed soon in Walla Walla County Superior Court.