

Darrell L. Cochran
Patrick A. Brown
Pfau, Cochran, Vertetis & Amala, PLLC
909 A Street, Suite 700
Tacoma, WA 98402
(253) 777-0799
darrell@pcvalaw.com
pbrown@pcvalaw.com

**SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR KING COUNTY**

A.G., an individual,

Plaintiff,

vs.

No.

CHILDREN’S HOME SOCIETY OF
WASHINGTON, COBB CENTER, a
Washington non-profit corporation; STATE
OF WASHINGTON, DEPARTMENT OF
SOCIAL AND HEALTH SERVICES,
CHILD PROTECTIVE SERVICES,
DEPARTMENT OF CHILDREN, YOUTH
AND FAMILY SERVICES, governmental
entities; and JANE AND JOHN DOES 1-5,
individuals or entities,

**COMPLAINT FOR SEXUAL ABUSE,
NEGLIGENCE, AND OTHER
DAMAGES**

Demand for Jury Trial

Defendants.

Plaintiff, through his attorneys Darrell L. Cochran and Patrick A. Brown of Pfau, Cochran, Vertetis & Amala, PLLC, alleges:

I. INTRODUCTION

1. Nature of Case. This is an action arising from child sexual abuse against Defendant Children’s Home Society of Washington (“Children’s Home”) and Defendant State of Washington, Department of Social and Health Services (“DSHS”), Department of Child

COMPLAINT FOR SEXUAL ABUSE,
NEGLIGENCE, AND OTHER DAMAGES

1 Protective Services (“CPS”), and Department of Children, Youth and Family Services
2 (“DCYF”) for their acts and omissions related to placing Plaintiff into a State living situation
3 and failing to protect him, a young boy at the time who had been removed to the State’s custody
4 and control and placed at Cobb Center, a state-licensed group home for boys owned by
5 Children’s Home .

6 2. Defendants failed to protect Plaintiff for whom they had created a special,
7 custodial relationship and, instead, actively endangered him at the expense of his physical and
8 psychological well-being. Defendants, through grossly negligent and negligent conduct of its
9 agents, created an unreasonable danger for, and caused irreparable harm to, the boys sent to
10 Children’s Home, including Plaintiff. This case addresses those injuries and damages of
11 Plaintiff that were caused by the sexual abuse, neglect, mistreatment, exploitation, and
12 deprivation of the most basic human needs during his placement at Children’s Home.

13 II. PARTIES

14 3. Plaintiff A.G. A.G. was approximately 10 years old when Defendant State
15 placed him at Children’s Home in King County, Washington in or around 1997. He is now a
16 resident of Federal Way, King County, Washington.

17 4. Defendant Children’s Home Society of Washington. Defendant Children’s
18 Home is a nonprofit entity headquartered in Seattle, Washington. At all times material,
19 Defendant Children’s Home owned and controlled Cobb Center, a State-licensed group home
20 for wards of the State.

21 5. Defendant State. The State of Washington, DSHS, CPS, and DCYF are or were
22 the State of Washington agencies and sub-agencies charged with care of Plaintiffs, and with the
23 responsibility to investigate Children’s Home for conditions dangerous to the welfare of
24 children placed there, including Plaintiff.

1 6. Defendants Jane and John Does 1-5. Defendants Jane and John Does 1-5 are
2 individuals and/or entities, who are yet undetermined and who engaged in acts and/or omissions
3 that proximately resulted in Plaintiff's damages.

4 **III. JURISDICTION AND VENUE**

5 7. Tort Claim. Sixty days have elapsed since the State received a standard tort
6 claim.

7 8. Jurisdiction. Under article IV, section 6 of the Washington State Constitution,
8 the Superior Court, King County, has universal original jurisdiction over this lawsuit.
9 Jurisdiction is also proper under RCW 2.08.010 and RCW 4.92.010.

10 9. Venue. Venue lies within King County, Washington, under RCW 4.92.010 and
11 RCW 3.66.040 because it is where some act occurred giving rise to the action and where at least
12 one Defendant resides.

13 **IV. FACTS**

14 10. In 1896, Rev. Harrison D. Brown and his wife Libbie Beach Brown founded
15 Children's Home Society ("Children's Home") because they believed that children should be
16 living in homes and not institutions. Children's Home opened group homes across the state,
17 including Cobb Center in Seattle, Washington. Children's Home's services were supposed to
18 provide youths with housing, tools, and skills needed to prevent them from entering and/or
19 reentering the judicial system. But that did not present to be the case, and instead, Children's
20 Home was an environment rife with sexual abuse, physical abuse, fear, and neglect of our
21 State's youth.

22 11. Upon information and belief, Children's Home entered into contractual
23 agreements with Defendant State, which included compensation for Children's Home in
24 exchange for placement of wards of the State, including Plaintiff, into its facilities like Cobb
25 Center.
26

1 12. Using positions of power and control, Children's Home staff sexually abused
2 juvenile residents. When complaints were brought to the attention of the facility staff,
3 investigations were conducted in a grossly inadequate manner, if at all. Retaliation and
4 suppression of complaints were common. Supervision of the staff was laissez faire at best and
5 at worst supervisory staff actively condoned the abuse and protected the abusers.

6 13. The State knew about the dangers that Children's Home presented to youths, but
7 it still sent children there anyway, including Plaintiff. Through numerous sources, the State
8 knew or should have known that a culture of sexually inappropriate behavior pervaded
9 Children's Home since its doors opened. The culture of abuse at Children's Home was there
10 for anyone who came to see. But the State, acting through its agents, disregarded the dangers
11 presented and took affirmative actions that exposed the children to harm there, including
12 Plaintiffs. The State also made gross omissions that directly led to children, including Plaintiff,
13 suffering harm at the Children's Home.

14 14. Born in June 1987, Plaintiff A.G., upon information and belief, was placed at
15 Children's Home between approximately 1997 - 1999. During A.G.'s placement, he was
16 repeatedly sexually abused by Children's Home staff.

17 15. Because of Defendants' failure to adequately protect Plaintiff from sexual abuse
18 perpetuated at Children's Home, he suffered severe physical and emotional trauma, which
19 continues indefinitely.

20 16. Defendants knew or should have known that Children's Home had a
21 longstanding history of violence and sexual activity occurring to young children placed there.
22 The violence was often part of the sexualized environment and created a toxic culture that
23 caused psychological and emotional harm to the children placed there, including Plaintiff. The
24 State also knew or should have known about the history of sexual abuse and misconduct
25 occurring at Children's Home. Investigations of these allegations were inadequate and were
26 quickly closed. The policies and procedures adopted by Children's Home were woefully

1 inadequate and led to cursory investigations, if any. The State knew or should have known that
2 Children's Home's policies and procedures failed to protect children, and yet, it sent children
3 there anyway, including Plaintiff.

4 **V. CAUSES OF ACTION**

5 **COUNT I** 6 **COMMON LAW NEGLIGENCE** 7 **AS TO ALL DEFENDANTS** 8 **(Washington Common Law)**

9 17. Negligence. Based on the paragraphs set forth and alleged above, Defendants
10 had a duty to exercise ordinary care and refrain from negligent acts and omissions, duties that
11 arose out of special relationships and custodial control under Restatement (second) of Torts
12 §315, duties that included the duty to control servants while acting outside the scope of
13 employment under Restatement (second) of Torts §317, duties that included refraining from
14 taking affirmative acts that exposed Plaintiff to harm from the foreseeable conduct of a third
15 party under Restatement (second) of Torts § 302B, duties that included the duty to refrain from
16 negligently accepting dependent children in a situation that will foreseeably cause grave harm,
17 duties that included the legal obligation to fully investigate and report all matters of sexual
18 abuse, duties that included the duty to refrain from negligently engaging in social work activity
19 including but not limited to the consultation or communication between Defendants' agents
20 and Plaintiff where Defendants offered and provided guidance or such social work services to
21 Plaintiff, and duties that included the necessity of taking reasonable precautions to protect
22 Plaintiff from sexual and physical abuse, particularly from the likelihood of dangerous abuse
23 presented at Children's Home Society, given the longstanding and grave issues delineated
24 above, as well as to refrain from negligent acts and omissions in the hiring, training, and
25 assigning of cases to and supervising of its agents, and Defendants' multiple failures in their
26 duties owed proximately caused the sexual abuse of Plaintiff and resultant damages for which
Defendants are liable.

COUNT II
COMMON LAW GROSS NEGLIGENCE
AS TO ALL DEFENDANTS
(Washington Common Law)

18. Gross Negligence. Based on the paragraphs set forth and alleged above, Defendants had a duty to exercise slight care and refrain from negligent acts and omissions, a duty that arose out of a special relationship, custodial control, and investigations of referrals, as well as duties that included the duty to refrain from negligently placing children in a situation that will foreseeably cause grave harm, duties that included the legal obligation to fully investigate all referrals and duties that included the necessity of taking reasonable precautions to protect Plaintiff from sexual abuse and neglect, as well as duties to refrain from negligent acts and omissions in the hiring, training, supervising, and retaining of employees, and Defendants' multiple failures in their duties owed proximately caused the sexual abuse of Plaintiff and resultant damages for which Defendants are liable.

COUNT IV
AGENCY
AS TO ALL DEFENDANTS
(Washington Common Law)

19. Agency. Based on the paragraphs set forth and alleged above, Defendants at all relevant times had control over Children's Home and Cobb Center and allowed the group home to act as an actual or apparent agent, giving rise to vicarious liability under Washington State common law, all of which proximately caused the sexual abuse of Plaintiff and resultant damages for which Defendants are liable.

COUNT V
OUTRAGE
AS TO ALL DEFENDANTS
(Washington Common Law)

20. Outrage. Based on the paragraphs set forth and alleged above, Defendants' conduct negligently, recklessly, and/or willfully or intentionally inflicted emotional distress upon Plaintiffs.

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COUNT VI
INFLICTION OF EMOTIONAL DISTRESS
AS TO ALL DEFENDANTS
(Washington Common Law)

21. Infliction of Emotional Distress. Based on the paragraphs set forth and alleged above, the Defendants' conduct constituted negligent infliction of emotional distress, and Defendants are liable for Plaintiffs' damages proximately caused by their actions as provided in more detail above.

COUNT VII
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO ALL DEFENDANTS
(Washington Common Law)

22. Intentional Infliction of Emotional Distress. Based on the paragraphs set forth and alleged above, the Defendants' conduct constituted intentional infliction of emotional distress and Defendants are liable for Plaintiffs' damages proximately caused by its actions as provided in more detail above.

COUNT VIII
WANTON MISCONDUCT
AS TO ALL DEFENDANTS
(Washington Common Law)

23. Wanton Misconduct. Based on the paragraphs set forth and alleged above, the Defendants' conduct constituted wanton misconduct due to the intentional doing of an act which one has a duty to refrain from doing or the intentional failure to do an act which one has a duty to do, in reckless disregard of the consequences and under such surrounding circumstances and conditions that a reasonable person would know, or should know, that such conduct would, in a high degree of probability, result in substantial harm to another, including Plaintiffs.

**COUNT IX
CONCERT OF ACTION
AS TO ALL DEFENDANTS
(Washington Common Law)**

24. Concert of Action. Based on the paragraphs set forth and alleged above, Defendants were acting in concert when Defendant State and Defendant Children's Home placed Plaintiffs at Cobb Center when they knew or should have known that Cobb Center was not a safe placement site due to the risk of sexual abuse, and Defendant State and Defendant Children's Home knew it was a breach of their duty to place and accept placements of wards of the state, including Plaintiffs, at Cobb Center, and despite this knowledge, Defendant State and Defendant Children's Home gave each other substantial assistance or encouragement to place wards of the state, including Plaintiffs, at Cobb Center, and this breach of their duties owed to Plaintiffs proximately caused the sexual abuse of Plaintiffs and resultant damages for which Defendants are liable.

VI. RESERVATION OF RIGHTS

25. Reservation of Rights. Plaintiff reserves the right to assert additional claims as may be appropriate following further investigation and discovery.

VII. JURY DEMAND

26. Jury Demand. Plaintiff demands this case to be tried by a jury.

VIII. PRAYER FOR RELIEF

27. Relief. Plaintiff respectfully requests the following relief:

A. That the Court award Plaintiff appropriate relief, to include all special and general damages established at trial;

B. That the Court award pre-judgment interest on items of special damages;

C. That the Court award post-judgment interest;

D. That the Court award Plaintiff such other, favorable relief as may be available and appropriate under law or at equity; and

1 E. That the Court enter such other and further relief as the Court may deem just and
2 proper.

3 SIGNED this 1st day of November, 2023.

4 PFAU COCHRAN VERTETIS AMALA PLLC

5 By: /s/ Darrell L. Cochran

6 Darrell L. Cochran, WSBA No. 22851

7 Patrick A. Brown, WSBA No. 56627

8 Attorneys for Plaintiff
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