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6 IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

7 IN AND FOR THE COUNTY OF THURSTON

8 PIERCE COUNTY, AND SNOHOMISH
9 COUNTY,

10 Plaintiffs,

11 vs.

12 STATE OF WASHINGTON, and B.B., BILLY
13 BENSON JR., C.B., D.P., R.B., R.M., Z.M.,
14 W.W., B.M., T.T., T.K., V.M., K.P., V.R., C.S.,
15 D.R.M., E.K.A., A.J.C., A.C., T.D., KENNETH
16 DEMMER, KEIYO GEORGE, SEUNG HAN,
17 JOSEPH HREHA, KORY OKERSON,
18 SHAWN PORCHIA, T.S., M.W., W.B., W.S.,
19 A.S., D.V., T.S., S.W., J.R., K.M., S.M., J.C.,
20 M.H., J.B., G.R., J.Y., D.Z., M.O., E.F., J.W.,
21 K.M., individuals,

22 Defendants.

NO.

COMPLAINT FOR DECLARATORY
JUDGMENT, AND INJUNCTIVE RELIEF

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I. INTRODUCTION

Superior Court judges are separately elected state officers who exercise their functions as part of the independent judicial branch of state government. For more than a century, Washington law has placed the responsibility of running juvenile courts, including juvenile probation and detention services, to the judicial branch of the State government. Since 1913, superior court judges, who are state judicial officers, and the administrators they appoint, have

1 controlled the hiring, firing, supervision, and discipline of juvenile court personnel, and have set
2 the policies, procedures, and programming under which juvenile probation and detention operate.
3 Conversely, the counties' role has always been distinctly different: the counties build, maintain,
4 and pay for the facilities in which the court's juvenile services operate, but have no authority to
5 run them. The county pays. The court controls.

6 Today, counties across the state face hundreds of claims and lawsuits alleging the sexual
7 abuse of juvenile detainees and probationers at the hands of personnel working for, and under the
8 supervision of, the courts. Many of these allegations involve abuse occurring decades ago. The
9 Counties now face potential multi-million-dollar liability for alleged actions of personnel who,
10 by law, the counties had no right to control. To date, the State of Washington through the
11 Attorney General has not agreed to defend and indemnify the Counties for its alleged acts. The
12 Counties now seek this declaratory and injunctive relief so that liability for any tortious conduct
13 is borne by the party that had the authority and responsibility to prevent it.

14 Nearly fifteen years ago, Lewis County asked the courts to determine that the *state*, rather
15 than the *counties*, would bear the cost of defending and indemnifying counties in future civil
16 actions against the county arising out of official acts of the court – including juvenile court. The
17 Court of Appeals held that the matter was non-justiciable because there were no active cases
18 creating an actual dispute. *Lewis County v. State*, 178 Wn.App. 431, 315 P.3d 550 (2013). That
19 obstacle no longer exists. With hundreds of claims and suits pending, many against Pierce
20 County and Snohomish County (the Counties), the issue is now both justiciable and ripe. A
21 century of statutes, history, court rules and separation of powers point to a single entity
22 responsible for the care and supervision of the juveniles: The State of Washington, acting
23 through its judicial branch. The Counties thus seek a final determination through a declaratory
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1 judgment, that declares the rights and status, and protects the interests, time, and resources, of the
2 plaintiffs, the counties, the state, and the courts.

3 II. PARTIES

4 1. Plaintiff Pierce County is a home-rule charter county organized under Art. XI,
5 section 4 of the Washington Constitution and has a population of approximately 946,288
6 residents.

7 2. Plaintiff Snohomish County is a home-rule charter county organized under Art.
8 XI, section 4 of the Washington Constitution and has a population of approximately 870,700
9 residents.

10 3. Defendant State of Washington acting by and through Superior Court Judges,
11 control and administer juvenile courts, including juvenile detention and juvenile probation
12 services.

13 4. Individual Defendants who are currently litigating sexual assault of a minor
14 (SAM) cases against Pierce and Snohomish Counties are herein named to protect the jurisdiction
15 of this court under RCW 7.24.110 and in order to ensure that they have a right to be heard to the
16 extent any claim or interest they have may be affected by this court's declarations. They are
17 named using either initials or full names, depending on how the individuals pled their complaint
18 in the SAM cases.

19 5. Defendant B.B. is an individual residing in Pierce County and is currently
20 litigating in Pierce County Superior Court Cause Number 25-2-12335-4.

21 6. Defendant Billy Benson, Jr. is an individual residing in King County and is
22 currently litigating in Pierce County Superior Court Cause Number 26-2-08994-4.

23 7. Defendant C.B. is an individual residing in Mason County and is currently
24 litigating in Pierce County Superior Court Cause Number 26-2-09789-1.

1 8. Defendant D.P. is an individual residing in Pierce County and is currently
2 litigating under Kitsap Superior Court Cause Number 25-2-03063-18.

3 9. Defendant R.B. is an individual residing in Pierce County and is currently
4 litigating under Kitsap County Superior Court Cause Number 25-2-03063-18.

5 10. T.T. is an individual residing in Pierce County and is currently litigating under
6 Kitsap County Superior Court Cause Number 25-2-03063-18.

7 11. Defendant R.M. is an individual residing in Snohomish County and is currently
8 litigating under Kitsap County Superior Court Cause Number 25-2-03063-18.

9 12. Defendant K.P. is an individual residing in Snohomish County and is currently
10 litigating under Kitsap County Superior Court Cause Number 25-2-03063-18.

11 13. Defendant Z.M. is an individual residing in Franklin County and is currently
12 litigating under Kitsap County Superior Court Cause Number 25-2-03063-18.

13 14. Defendant W.W. is an individual residing in Franklin County and is currently
14 litigating under Kitsap County Superior Court Cause Number 25-2-03063-18.

15 15. Defendant V.R. is an individual residing in Franklin County and is currently
16 litigating under Kitsap County Superior Court Cause Number 25-2-03063-18.

17 16. Defendant B.M. is an individual residing in King County and is currently
18 litigating under Kitsap County Superior Court Cause Number 25-2-03063-18.

19 17. Defendant T.K. is an individual residing in Mason County and is currently
20 litigating under Kitsap County Superior Court Cause Number 25-2-03063-18.

21 18. Defendant V.M. is an individual residing in Walla Walla County and is currently
22 litigating under Kitsap County Superior Court Cause Number 25-2-03063-18.

23 19. Defendant C.S. is an individual residing in Spokane County and is currently
24 litigating in Kitsap County Superior Court Cause Number 25-2-03063-18.

1 20. Defendant D.R.M. is an individual residing in Pierce County and is currently
2 litigating in Pierce County Superior Court Cause Number 26-2-08702-0.

3 21. Defendant E.K.A. is an individual residing in Pierce County and is currently
4 litigating in Pierce County Superior Court Cause Number 26-2-08702-0.

5 22. Defendant A.J.C. is an individual residing in Thurston County and is currently
6 litigating in Pierce County Superior Court Cause Number 26-2-08702-0.

7 23. Defendant A.C. is an individual residing in Thurston County and is currently
8 litigating in Pierce County Superior Court Cause Number 26-2-08702-0.

9 24. Defendant T.D. is an individual residing in Franklin County and is currently
10 litigating in Pierce County Superior Court Cause Number 26-2-08702-0.

11 25. Defendant Kenneth Demmer is an individual residing in Pierce County and is
12 currently litigating in King County Superior Court Cause Number 25-2-19127-3 SEA.

13 26. Defendant Keiyo George is an individual residing in Snohomish County and is
14 currently litigating in Pierce County Superior Court Cause Number 26-2-09041-1.

15 27. Defendant Seung Han is an individual residing in Clallam County and is currently
16 litigating in King County Superior Court Cause Number 26-2-14465-6 SEA.

17 28. Defendant Joseph Hreha is an individual residing in Snohomish County and is
18 currently litigating in Pierce County Superior Court Cause Number 26-2-09851-0.

19 29. Defendant Kory Okerson is an individual residing in King County and is currently
20 litigating in King County Superior Court Cause Number 26-2-13775-7 SEA.

21 30. Defendant Shawn Porchia is an individual residing in Pierce County and is
22 currently litigating in Pierce County Superior Court Cause Number 26-2-08678-3.

23 31. Defendants T.S. is an individual residing in Pierce County and is currently
24 litigating in Pierce County Superior Court Cause Number 26-2-05591-8.

1 32. Defendant M.W. is an individual residing in Pierce County and is currently
2 litigating in Pierce County Superior Court Cause Number 26-2-05591-8.

3 33. Defendant W.B. is an individual residing in Pierce County and is currently
4 litigating in Pierce County Superior Court Cause Number 26-2-06733-9.

5 34. Defendant W.S. is an individual residing in Pierce County and is currently
6 litigating in Pierce County Superior Court Cause Number 26-2-09112-4.

7 35. Defendant A.S. is an individual and is currently litigating in United States District
8 Court Cause Number 2:25-cv-02210-RSM.

9 36. Defendant D.V. is an individual and is currently litigating in United States District
10 Court Cause Number 2:25-cv-02210-RSM.

11 37. Defendant T.S. is an individual and is currently litigating in United States District
12 Court Cause Number 2:25-cv-02210-RSM.

13 38. Defendant S.W. is an individual and is currently litigating in United States
14 District Court Cause Number 2:25-cv-02210-RSM.

15 39. Defendant J.R. is an individual and is currently litigating in United States District
16 Court Cause Number 2:25-cv-02210-RSM.

17 40. Defendant K.M. is an individual and is currently litigating in United States
18 District Court Cause Number 2:25-cv-02210-RSM.

19 41. Defendant S.M. is an individual and is currently litigating in United States District
20 Court Cause Number 2:25-cv-02210-RSM.

21 42. Defendant J.C. is an individual and is currently litigating in United States District
22 Court Cause Number 2:25-cv-02210-RSM.

23 43. Defendant M.H. is an individual and is currently litigating in King County
24 Superior Court Cause Number 26-2-21670-3 SEA.

1 44. Defendant J.B. is an individual and is currently litigating in King County Superior
2 Court Cause Number 26-2-21670-3 SEA.

3 45. Defendant G.R. is an individual and is currently litigating in King County
4 Superior Court Cause Number 26-2-21670-3 SEA.

5 46. Defendant J.Y. is an individual and is currently litigating in King County Superior
6 Court Cause Number 26-2-21670-3 SEA.

7 47. Defendant D.Z. is an individual and is currently litigating in King County
8 Superior Court Cause Number 26-2-21670-3 SEA.

9 48. Defendant M.O. is an individual and is currently litigating in King County
10 Superior Court Cause Number 26-2-21670-3 SEA.

11 49. Defendant E.F. is an individual and is currently litigating in King County Superior
12 Court Cause Number 26-2-21670-3 SEA.

13 50. Defendant J.W. is an individual and is currently litigating in King County
14 Superior Court Cause Number 26-2-21670-3 SEA.

15 51. Defendant K.M. is an individual and is currently litigating in King County
16 Superior Court Cause Number 26-2-21670-3 SEA.

17 **III. JURISDICTION AND VENUE**

18 52. This Court has jurisdiction over this matter pursuant to chapter 2.08
19 RCW, chapter 7.16 RCW, chapter 7.24 RCW, and chapter 7.40 RCW.

20 53. Venue is proper in this Court under RCW 4.92.010(5).

21 **IV. STANDING**

22 54. The Counties are political subdivisions of the State of Washington under and are
23 “persons” entitled to relief under the Uniform Declaratory Judgments Act, RCW 7.24.130, which
24 defines “person” to include any “municipal or other corporation of any character whatsoever.”

1 55. The Counties' rights, status, and other legal relations are directly affected by the
2 constitutional provisions, statutes, and court rules whose construction and application are at issue
3 in this action, including article IV of the Washington Constitution, Section 1, chapters 13.04,
4 13.16, and 13.20 RCW, chapter 4.92 RCW, and GR 29, which allocate to the counties the
5 responsibilities for funding, constructing, and maintaining juvenile detention facilities on the one
6 hand, and to the judicial branch of the State, the responsibility for administering and supervising
7 juvenile court, juvenile probation, and juvenile detention services.

8 56. Pierce County has suffered, and continues to suffer, injury in fact that is actual,
9 concrete, and particular. Pierce County is presently named as a defendant or respondent in 14
10 separate lawsuits, with a total of 30 plaintiffs, and has received a total of 196 claims, alleging
11 sexual abuse that occurred while those plaintiffs were in the care, custody, and control of
12 juvenile probation and detention services at Remann Hall. Pierce County has incurred, and
13 continues to incur, substantial costs investigating and defending those claims. Pierce County
14 faces ongoing exposure to settlements or judgments potentially exceeding \$690 million. Pierce
15 County must budget for and pay for these liabilities that as a matter of law, are the responsibility
16 of the State, at the expense of other essential county services.

17 57. Snohomish County has suffered, and continues to suffer, injury in fact that is
18 actual, concrete, and particular. Snohomish County is presently named as a defendant or
19 respondent in two multiple plaintiff suits, and has received an additional 23 claims, alleging
20 sexual abuse that occurred while those plaintiffs were in the care, custody, and control of
21 juvenile probation and detention services at Denney Juvenile Justice Center. Snohomish County
22 has incurred, and continues to incur, substantial costs investigating and defending those claims.
23 Snohomish faces ongoing exposure to settlements or judgments potentially reaching over \$87
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1 million. Snohomish County must budget for and pay for these liabilities that as a matter of law,
2 are the responsibility of the State, at the expense of other essential county services.

3 58. For these reasons, the Counties possess clear legal and equitable rights whose
4 invasion supports its claim for injunctive relief under chapter 7.40 RCW.

5 59. In the alternative, and in addition, the questions presented in this action are
6 matters of serious and continuing public importance as they concern the allocation of
7 responsibility for the operation of the juvenile courts and the safety of children in detention, they
8 immediately affect almost every county in Washington, the state judicial branch, and the
9 hundreds of claims and suits asserting the underlying claims, and they will inevitably reoccur,
10 and Washington courts may entertain such questions even where traditional standing
11 requirements are in doubt. *Wash. Natural Gas Co. v. Pub. Util. Dist. No. 1 of Snohomish County*,
12 77 Wash.2d 94, 96, 459 P.2d 633 (1969).

13 V. STATEMENT OF FACTS

14 A. The Superior Court is the State of Washington

15 60. Superior court judges are State officers because of the character and extent of
16 their jurisdiction, the locality in which they may be called upon to discharge their duties, the fact
17 that they are paid at least in part by the state, and that vacancies in the office are filled by the
18 governor. *Parker v. Wyman*, 176 Wn.2d 212, 289 P.3d 628 (2012).

19 61. Article IV, section 1 of the Washington Constitution vests “[t]he judicial power of
20 the state” in “a supreme court, superior courts, justices of the peace, and such inferior courts as
21 the legislature may provide.” The superior courts, including the Pierce and Snohomish County
22 Superior Court, are courts of the State of Washington created by the state constitution, exercising
23 the judicial power of the State.
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1 62. Juvenile court is not a separate court. RCW 13.04.021(1) expressly states that the
2 juvenile court “shall be a division of the superior court.” The legislature “can promulgate laws
3 that govern procedures as to which ‘sessions’ of the superior court will hear certain types of
4 cases.” *State v. Posey*, 174 Wash.2d 131, 136, 272 P.3d 840 (2012). The juvenile court is merely
5 the superior court sitting in juvenile court session. *Id.* at 141, 272 P.3d 840.

6 63. The jurisdiction of the superior courts is likewise fixed by the state constitution,
7 Const. art. IV, § 6, and their procedures are governed by state statute and by rules promulgated
8 by the Washington Supreme Court.

9 64. The number of superior court judges serving each county is fixed by the state
10 legislature and may be increased only by the state legislature. Const. art. IV, § 5; RCW 2.08. The
11 legislature has also prescribed that 12 counties must share judges. The Counties have no
12 authority to add, eliminate, or reassign judicial positions on its superior court. Vacancies in the
13 office are filled not by any county official, but by the Governor of the State of Washington.
14 Const. art. IV, § 5.

15 65. Superior court judges answer for the performance of their office only to the State.
16 They may be removed by joint resolution of the state legislature, Const. art. IV, § 9, and are
17 subject to censure, suspension, or removal through the Commission on Judicial Conduct, an
18 agency of the State created by the state constitution. Const. art. IV, § 31. They are bound by the
19 Code of Judicial Conduct promulgated by the Washington Supreme Court. No county official
20 possesses any power to discipline, direct, or remove a superior court judge. The Supreme Court
21 has rulemaking over state courts, including GR 29.

22 66. Administrative Office of the Courts is a State Office and has power and control
23 over the Superior Courts. It is responsible for making recommendations for the improvement of
24 administrative methods and systems of the courts. It is also responsible for administering

1 programs and standards for the training of judicial personnel.¹ The Counties are not responsible
2 for training judicial personnel. RCW 2.56.010.

3 67. Superior Court Judges are bound to comply with all requests made by the
4 Administrator of the Courts, including “the expenditure of public moneys for the maintenance
5 and operation of the judicial system.” RCW 2.56.050.

6 68. The Administrator for the Courts (a State employee) has authority to: (1) Examine
7 the administrative methods and systems employed in the offices of the judges, clerks,
8 stenographers, and employees of the courts and make recommendations, through the chief
9 justice, for the improvement of the same; (10) Administer programs and standards for the
10 training and education of judicial personnel; (14) Within available funds, develop a curriculum
11 for a general understanding of child development, placement, and treatment resources, as well as
12 specific legal skills and knowledge of relevant statutes including chapters 13.32A, 13.34,
13 and 13.40 RCW, cases, court rules, interviewing skills, and special needs of the abused or
14 neglected child. The administrator must also make the curriculum available to all juvenile court
15 judges, court personnel, and service providers and be updated yearly to reflect changes in
16 statutes, court rules, or case law. RCW 2.56.030 (1)(10)(14).

17 69. Counties, by contrast, are political subdivisions and creatures of the State, Const.
18 art. XI, whose powers are limited to those granted by the constitution and the legislature. A
19 county home-rule charter adopted under Const. art. XI, § 4 provides for the organization of
20 *county* government; it neither encompasses nor may it regulate the superior court, which is an
21 organ of *state* government situated in the county. The Counties’ Charters accordingly do not, and
22 could not, purport to confer on the County Executive or the County Council any authority over
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24 ¹ At all times as used throughout this complaint “personnel” “includes volunteers.

1 Pierce County or Snohomish County Superior Court.

2 70. The Washington Supreme Court has recognized that the superior court possesses
3 inherent power derived from the constitutional separation of powers to administer its own affairs
4 and even to compel county funding of court functions reasonably necessary to its operations,
5 precisely because the court is not subordinate to county authority. *In re Salary of the Juvenile*
6 *Director*, 87 Wn.2d 232, 552 P.2d 163 (1976).

7 71. Consistent with that structure, the Washington Supreme Court has held that the
8 employees of a county's juvenile court are employees of the state judicial branch for "purposes
9 of hiring, firing, working conditions and other matters necessarily within the responsibility of the
10 juvenile court judges," and are county employees "only for purposes of negotiating matters
11 relating to wages." *Zylstra v. Piva*, 85 Wn.2d 743, 539 P.2d 823 (1975). As the Court held, "[t]he
12 court cannot, of course, relinquish either its power or its obligation to keep its own house in
13 order." *Id.* at 748.

14 72. The Public Employee Collective Bargaining Act, (PECBA) provides that "[t]his
15 chapter shall apply to any county or municipal corporation, or any political subdivision of the
16 state of Washington, including district courts and superior courts," and Superior Court is
17 responsible for bargaining nonwage-related matters of court employees. *Washington State*
18 *Council of Cnty. & City Emps., Council 2, AFSCME, AFL-CIO, Loc. 87 v. Hahn*, 151 Wn. 2d
19 163, 167, 86 P.3d 774, 776 (2004), *citing former RCW 41.56.020, emphasis added*.

20 73. The Washington State Constitution provides that "[t]he attorney general shall be
21 the legal advisor of the state officers, and shall perform such other duties as may be prescribed
22 by law." CONST. art. III, § 21. The legislature enacted a statutory scheme in accordance with
23 article III, section 21; this scheme describes when the attorney general must provide legal
24 representation for State elected officials, state officers, and state employees. *Sanders v. State*,

1 139 Wash. App. 200, 205, 159 P.3d 479, 481 (2007), aff'd, 166 Wash. 2d 164, 207 P.3d 1245
2 (2009); *Whatcom Cnty. v. State*, 99 Wn. App. 237, 250, 993 P.2d 273, 280 (2000).

3 74. When a state officer is sued for damages arising from “acts or omissions while
4 performing, or in a good faith purporting to perform, official duties,” such officers may seek a
5 defense at the State’s expense. RCW 4.92.060.

6 75. The Washington State Office of Risk Management is within the Washington State
7 Department of Enterprise Services. RCW 43.19.766. The Office of Risk Management manages
8 the State’s liability account, commonly known as the Risk Fund, and assists State agencies in
9 managing potential risk. RCW 43.19.760, RCW 43.19.766, RCW 43.19.778 and RCW
10 43.19.781. In this context, “State agency” is defined as “any state office, agency, commission,
11 department, or institution, including colleges, universities, and community colleges, financed in
12 whole or part from funds appropriated by the legislature.” RCW 43.19.763(4), *emphasis added*.

13 76. Under article IV, section 13 of the Washington Constitution, one-half of the salary
14 of each superior court judge is paid by the State. Superior Courts are funded, in part, by the
15 Legislature in the biennial budget. *See also* Const. Art. XXVIII, § 1; Laws of 2025, ch. 424, Sec.
16 114; RCW 2.08.092; RCW 43.03.01. The legislature has labeled superior court judges
17 “employees” of the State. RCW 2.10.030(5) (definition of judge); RCW 2.10.090(2) (“The state
18 as employer shall contribute an equal amount on a quarterly basis.”)

19 77. Original mandamus and quo warranto actions naming superior court judges are
20 subject to the jurisdiction of the Washington Supreme Court because they are “state officers.”
21 *State ex rel. Edelstein v. Foley*, 6 Wash.2d 444, 448, 107 P.2d 901 (1940).

22 78. Accordingly, when the Pierce and Snohomish County Superior Courts, through its
23 judges, its Presiding Judge, and its court-appointed administrator, administered and supervised
24 juvenile court, juvenile probation, and juvenile detention services pursuant to RCW 13.04.035,

1 RCW 13.04.040, and their predecessor statutes, it did so as the State of Washington and not as an
2 agency, department, or agent of the Counties themselves.

3 79. Representation and liability for the negligent exercise or non-exercise of
4 supervision attaches to the entity with the right and duty of control, not the entity that issues the
5 paycheck, otherwise the County is placed in an untenable position: liability without authority.

6 80. The State has a nondelegable duty to ensure the health, welfare and safety of its
7 detainees and to protect them from foreseeable harm – including sexual abuse. *Matter of*
8 *M.T.M.L.*, 35 Wn. App. 2d 868, 880, 580 P.3d 464, 472 (2025).

9 **B . Washington Judicial Branch Controls Juvenile Court, Probation and Detention**

10 ***Juvenile Court 1913-1945***

11 81. In 1913, the Washington Legislature enacted the State’s first comprehensive
12 juvenile court law, Laws of 1913, ch. 160, later known and codified as the Basic Juvenile Court
13 Act, 13.04 RCW. The 1913 Act designated the Superior Courts of the State of Washington as the
14 “Juvenile Court” and vested in the judges of the Superior Court plenary authority over dependent
15 and delinquent children, including authority over their detention.

16 82. The 1913 Act placed the personnel who staffed juvenile probation and detention
17 under the appointment, direction, and control of the juvenile court judge, not a county legislative
18 authority. Laws of 1913, ch. 160.

19 83. The statutory scheme was subsequently codified, and the persons “who shall have
20 charge of detention rooms or houses of detention” were appointed through the juvenile court’s
21 own administrative structure. RCW 13.04.040 (derived from Laws of 1913, ch. 160).

22 84. The county’s role under the 1913 Act was, by contrast, fiscal and ministerial. The
23 expenses of the court’s probation officers were made “a charge upon the county in which the
24 court appointing them has jurisdiction,” payable from the county treasury only “upon a written

1 order of the judge of the juvenile court of said county directing the county auditor to draw his or
2 her warrant upon the county treasurer.” RCW 13.04.130 (derived from Laws of 1913, ch. 160).

3 85. Thus, it was clear that the intent of the Legislature was that while the county pays,
4 the Court controls.

5 *Juvenile Court 1945-1955*

6 86. In 1945, after “[t]he attention of the legislature ha[d] been called to the absence of
7 juvenile detention facilities in the various counties of the state,” the Legislature enacted Laws of
8 1945, ch. 188, codified as chapter 13.16 RCW, declaring the lack of such facilities to “constitute
9 an emergency.” RCW 13.16.020.

10 87. RCW 13.16.030 declared that “[t]he construction, acquisition and maintenance of
11 juvenile detention facilities for dependent, wayward and delinquent children, separate and apart
12 from the detention facilities for adults,” is “a mandatory function” of the counties.

13 88. The subsequent subchapters of 13.16 RCW are directed to financing and physical
14 plant: it authorizes counties to acquire facilities and employ adequate staffs, RCW 13.16.040; to
15 seek federal or state aid, RCW 13.16.050; and to allocate budgeted funds, RCW 13.16.080.

16 89. However, nothing in RCW 13.16 transferred to the counties the administration,
17 supervision, or operational control of juvenile detention services or personnel. Those functions
18 remained vested in the juvenile court, a division of the superior court, under chapter 13.04 RCW.

19 90. Read together, chapters 13.04 and 13.16 RCW assign the county a mandatory
20 duty to build, acquire, maintain, and fund the detention facilities. The county is responsible for
21 the buildings and budget, while the operational supervision of detention services and the persons
22 who provide them remained a judicial responsibility.
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Juvenile Court 1955-1975

91. In 1955, the Legislature enacted Laws of 1955, ch. 232, codified as chapter 13.20 RCW. The original statute concerned only “Class AA Counties,” of which King County was the sole example. This Class AA requirement was changed in 1991, to a county with a population in excess of 1,000,000 people, of which King County is still the sole example.

92. Under RCW 13.20.010, the judges of the superior court of such a county are authorized, by majority vote, to appoint a board of managers “to administer, subject to the approval and authority of such superior court, the probation and detention services for dependent and delinquent children coming under the jurisdiction of the juvenile court.” The board includes the judge selected to preside over the juvenile court.

93. However, that delegated board’s authority over personnel was expressly subordinated to the court: “[s]ubject to the approval and authority of said superior court, the board of managers shall have authority and power to determine the type and extent of probation and detention services to be conducted in connection with the juvenile court, and authority over all matters concerning employment, job classifications, salary scales, qualifications, and number of personnel necessarily involved in the rendition of probation and detention services.” RCW 13.20.040(2).

94. The 1955 Act thus again confirmed the Legislature’s consistent intent: the administration of juvenile probation and detention services was a function belonging to the superior court, which only the judges could delegate, and even then only subject to the court’s continuing “approval and authority.”

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Juvenile Court 1975 to Present

95. In 1975, the Legislature enacted Laws of 1975, 1st Ex. Sess., ch. 124, § 1, codified at RCW 13.20.060, which provides in relevant part: “In addition, and alternatively, to

1 the authority granted by RCW 13.20.010, the judges of the superior court of any Class AA
2 County (later a county with a population of one million or more) operating under a county
3 charter providing for an elected county executive are hereby authorized, by a majority vote,
4 subject to approval by ordinance of the legislative authority of the county to transfer to the
5 county executive the responsibility for, and administration of all or part of juvenile court
6 services, including detention, intake and probation.”

7 96. Under RCW 13.20.060, any transfer of juvenile detention administration to the
8 county executive branch (a) may be initiated only by a majority vote of the superior court judges,
9 and (b) becomes effective only upon ratification by ordinance of the county legislative authority.

10 97. RCW 13.20.060 further authorizes the judges of the superior court, by majority
11 vote and subject to county ordinance, to retransfer such services to the superior court, confirming
12 that the superior court is the residual and default possessor of authority over juvenile court
13 services, including detention.

14 98. At the time of its enactment and at all times since, only King County has satisfied
15 the population and home-rule-charter criteria of RCW 13.20.060.

16 99. The 1975 act would have been superfluous and unnecessary if the administration
17 of juvenile detention already resided with a county legislative or executive body.

18 100. Under settled principles of statutory construction, the express authorization for
19 one county’s judges to move detention administration into the county executive branch confirms
20 that in every other county, including Pierce County and Snohomish County, administration of
21 juvenile detention remained with the superior court, there being no statutory mechanism by
22 which those counties could have assumed it.

1 101. In 1977, Washington enacted the Basic Juvenile Court Act. 1977 ex.s. c 291. The
2 1977 legislation reiterated, “The juvenile court shall be a division of the superior court.” RCW
3 13.04.021(1).

4 102. Prior to 1978, probation counselors and persons in charge of detention facilities
5 were appointed by the superior court judges. RCW 13.04.040. In 1978, the legislature amended
6 this provision to require all such appointments be made exclusively by the juvenile court
7 administrator. 1977 ex.s. c 291 § 8.

8 103. “Juvenile court shall be administered by the superior court.” RCW 13.04.035.
9 While counties may opt out of the superior court administration of juvenile court services and
10 transfer such authority to the legislative body, they may only do so if the court acquiesces. *Id.*

11 104. Similarly, “[j]uvenile probation counselor and detention services shall be
12 administered by the superior court,” unless by local court rule and agreement with the county
13 legislative authority, these services are transferred to the county legislative authority. RCW
14 13.04.035.

15 105. Statewide practice conformed to this statutory design. Throughout the relevant
16 period and continuing to the present, the local superior court has administered secure juvenile
17 detention in the substantial majority of Washington’s thirty-nine counties; only in Benton,
18 Clallam, King, Skagit, and Whatcom counties, and at one regional facility maintained by a multi-
19 county consortium, has administration passed to the county legislative authority or county
20 executive.

21 106. The juvenile court administrator is also in charge of appointing probation and
22 detention employees. *See* RCW 13.04.040 “This statute makes “clear . . . that the probation
23 counselor is an employee of the juvenile court, which is administered by the superior court of the
24 individual county” *State v. Poupart*, 54 Wn. App. 440, 447, 773 P.2d 893, 897 (1989); *State v.*

1 *Clark*, 91 Wn. App. 581, 586, 958 P.2d 1028, 1031 (1998)(“[p]robation officers or counselors are
2 agents of the juvenile court.”);

3 107. The professional standards for counselors also recognizes that “[r]egistered
4 agency affiliated counselor(s)” include “juvenile probation counselors who are *employees* of the
5 juvenile court under RCW 13.04.035 and 13.04.040 and juvenile court employees.” WAC 246-
6 810-010.

7 108. The juvenile court administrator is also responsible for adoption of standards for
8 detention facilities for juveniles. RCW 13.04.037.

9 109. Juvenile court employees are county “employees only for purposes of negotiating
10 matters relating to wages,” but for “purposes of hiring, firing, working conditions and other
11 matters necessarily within the responsibility of the juvenile court judges,” such employees are
12 employees of the “court and thus of the State’s judicial branch.” *Zylstra v. Piva*, 85 Wn.2d 743
13 (1975). “The court cannot, of course, relinquish either its power or its obligation to keep its own
14 house in order.” *Zylstra v. Piva*, 85 Wash. 2d 743, 748, 539 P.2d 823, 826 (1975).

15 110. The State of Washington vis-à-vis Superior Court is the administrator of juvenile
16 probation and detention facilities and has a nondelegable duty to protect the health, welfare and
17 safety of its detainees.

18 111. The State of Washington vis-à-vis Superior Court owes a duty of care to its
19 juvenile probationers and detainees to protect their health, welfare and safety.

20 112. When the superior court and its appointed administrator administered juvenile
21 probation and detention services pursuant to RCW 13.04.035 and its predecessor statutes, they
22 did so in the exercise of authority conferred by the State upon its judicial branch, as an arm of the
23 State of Washington, and not as agents, officers, or employees of the county legislative authority.
24

1 113. The Washington Supreme Court, the head of the state judicial branch, has by rule
2 confirmed that the administration of the courts, including supervision of court personnel, is a
3 judicial function. General Rule (GR) 29(e) provides that the Presiding Judge of each court “is
4 responsible for leading the management and administration of the court’s business,
5 recommending policies and procedures that improve the court’s effectiveness, and allocating
6 resources in a way that maximizes the court’s ability to resolve disputes fairly and
7 expeditiously.”

8 114. GR 29(f) provides that “[t]he judicial and administrative duties set forth in this
9 rule cannot be delegated to persons in either the legislative or executive branches of
10 government,” and that, in addition to exercising general administrative supervision over the
11 court, the Presiding Judge shall “[s]upervise the daily operation of the court including: (a) All
12 personnel assigned to perform court functions; and (b) All personnel employed under the judicial
13 branch of government, including but not limited to working conditions, hiring, discipline, and
14 termination decisions except wages, or benefits directly related to wages; and (c) The court
15 administrator, or equivalent employee, who shall report directly to the Presiding Judge.” GR
16 29(f)(5).

17 115. The official commentary to GR 29 states that “[t]he trial courts must maintain
18 control of the working conditions for their employees,” and that “[w]hile the executive branch
19 maintains control of wage issues, the courts must assert their control in all other areas of
20 employee relations.” GR 29 thus codifies at the level of a statewide court rule the same division
21 of responsibility the Legislature established in 1913: the executive and legislative branches
22 control wages and funding; the judicial branch controls hiring, supervision, discipline, and
23 termination.

24 116. Because the administrative supervision of court personnel, including the

1 personnel administering juvenile detention services under RCW 13.04.035 and RCW 13.04.040,
2 is a function of the judicial branch of the State of Washington that “cannot be delegated to
3 persons in either the legislative or executive branches of government,” GR 29(f), responsibility
4 for the exercise (or non-exercise) of that supervision rests with the State, not with the county
5 legislative or executive branches to which the function could not lawfully have been delegated.

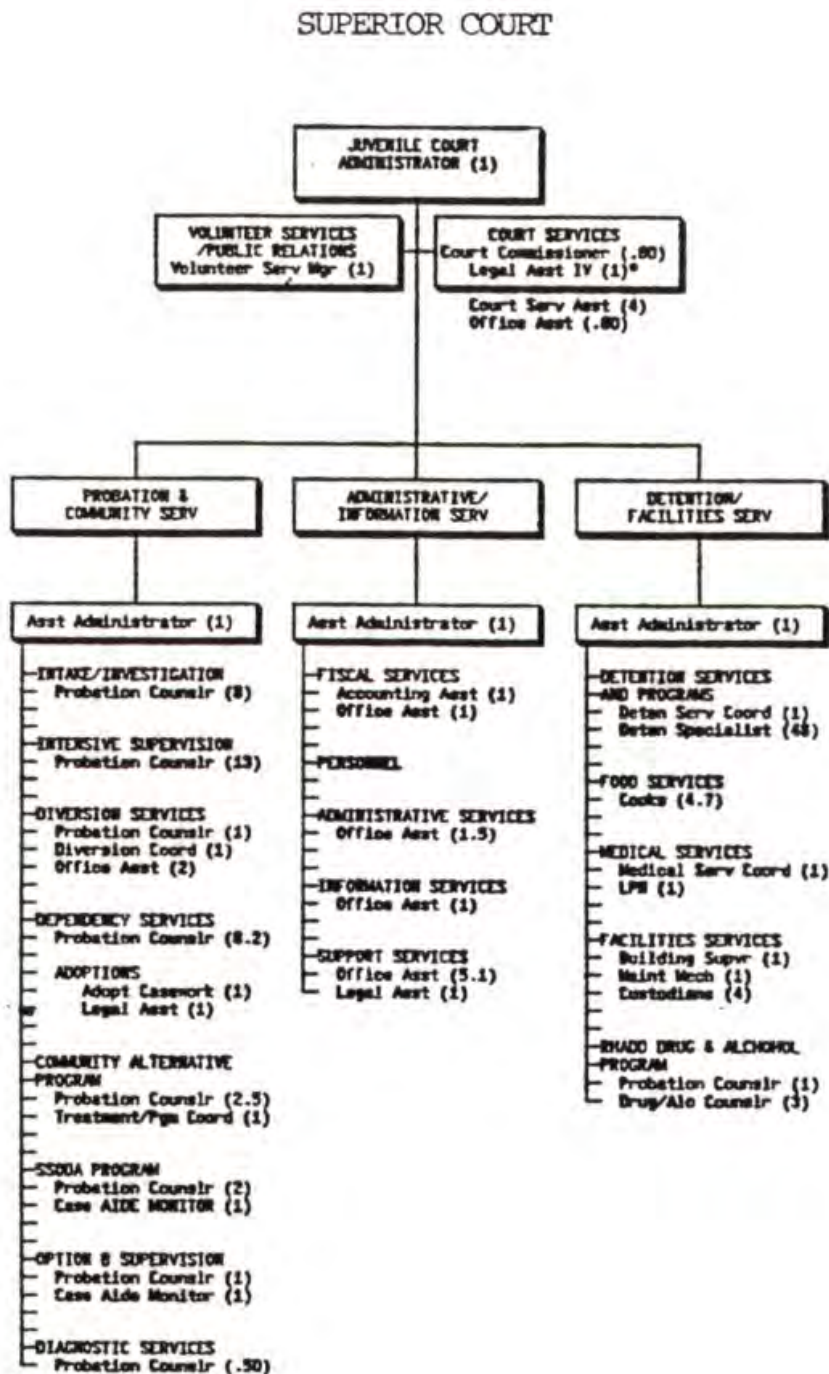
6 **C. Pierce County Juvenile Court and Remann Hall**

7 117. At all times material to the Underlying Claims, Pierce County owned,
8 constructed, maintained, and funded the Remann Hall juvenile detention facility in Tacoma,
9 Washington, in discharge of the mandatory duty imposed on counties by RCW 13.16.030.

10 118. At no time material to the underlying claims did the judges of the Pierce County
11 Superior Court adopt a local court rule, or enter into an agreement with the Pierce County
12 legislative authority, transferring the administration of juvenile probation counselor and
13 detention services to the county legislative authority pursuant to RCW 13.04.035.

14 119. The 1991 Pierce County Juvenile Court Administrative Policy Manual declared:
15 “[e]mployees of the Pierce County Juvenile Court enjoy a special and unique status among other
16 Pierce County employees in that they are employed by and come under the administrative
17 authority of the Superior Court of the State of Washington in and for the County of Pierce.
18 Employees of the Juvenile Court are Judicial employees and therefore are not subject to the
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Pierce County Personnel -Code.” The organizational chart shows:



1 120. The Pierce County Superior Court’s own local rules confirm that authority over
2 the Juvenile Court located at Remann Hall flows exclusively through the judicial branch. Pierce
3 County Local Rule (PCLR) 0.3(a), as amended effective September 1, [2026], provides that
4 “[a]uthority of the Juvenile Court located at Remann Hall is delegated by the Superior Court
5 Presiding Judge to a: Juvenile Court Presiding Judge[,], Juvenile Court Deputy Presiding Judge[,]
6 Juvenile Court Executive Committee[, and] Juvenile Court Deputy Court Executive.” Authority
7 over Juvenile Court is delegated *by the Superior Court Presiding Judge*, not by the Pierce
8 County Executive or the Pierce County Council, and is delegated exclusively to other judicial
9 officers and judicial-branch administrators.

10 121. PCLR 0.5, as amended effective September 1, [2026] (formerly captioned “Court
11 Administrator”), provides that the Court Executive Officer “shall be appointed by a majority of
12 all of the Judges and shall serve at the pleasure of the appointing authority under the direction
13 and supervision of the Presiding Judge,” PCLR 0.5(a), and that the Court Executive Officer’s
14 general powers and duties include “[a]dministrative control of all non-judicial activities of the
15 Superior and Juvenile court,” implementation of “all policies regarding judicial functions of the
16 court,” and “[s]upervision of all court employees, except Commissioners and judicial
17 departmental employees.” PCLR 0.5(b)(1)–(3).

18 122. No Pierce County local rule, past or present, has delegated the administration of
19 the Juvenile Court or of juvenile detention services at Remann Hall to the county legislative or
20 executive branch. To the contrary, under GR 29(f) the judicial and administrative duties of the
21 Presiding Judge including supervision of all personnel employed under the judicial branch
22 “cannot be delegated to persons in either the legislative or executive branches of government.”

23 123. Accordingly, at all times material to the underlying claims, the persons in charge
24 of probation and detention at Remann Hall, and the detention staff working under them,

1 performed their duties under the administration, direction, and supervision of the Pierce County
2 Superior Court and its appointed administrator, pursuant to RCW 13.04.021, RCW 13.04.035
3 and RCW 13.04.040.

4 124. At all times material to the underlying claims, the operative functions of hiring,
5 training, assigning, supervising, disciplining, retaining, and adopting operational policies
6 governing detention personnel at Remann Hall were committed by statute and court rule to the
7 Superior Court's administrative structure. Pierce County's executive and legislative branches
8 possessed no statutory authority to control or direct the day-to-day administration and
9 supervision of detention services or personnel at Remann Hall.

10 125. Pierce County's statutory role with respect to Remann Hall: constructing,
11 acquiring, maintaining, and funding the facility, and serving as payer for court-administered
12 services, did not include, and could not lawfully have included, the supervisory and
13 administrative functions upon which the underlying claims are premised.

14 **D. Snohomish County Juvenile Court – Denney Juvenile Detention Center.**

15 126. At all times material to the Underlying Claims, Snohomish County owned,
16 constructed, maintained, and funded the juvenile detention facility, located in Everett,
17 Washington, in discharge of the mandatory duty imposed on counties by RCW 13.16.030.

18 127. At no time material to the underlying claims did the judges of the Snohomish
19 County Superior Court adopt a local court rule, or enter into an agreement with Snohomish
20 County legislative authority, transferring the administration of juvenile probation counselor and
21 detention services to the county legislative authority pursuant to RCW 13.04.035.

22 128. Consistent with statutory authority, the Juvenile Court in Snohomish County is a
23 department of the Snohomish County Superior Court under local court rule SCLAR 0.02(a).
24 Under SCLAR 0.03, the administration of the court is by such rules, policies, and administrative

1 orders as are established by a majority of the superior court judges. The juvenile detention and
2 probation operations are overseen by a Court Administrator who is supervised by the Superior
3 Court judges.

4 129. No Snohomish County local rule, past or present, has delegated the administration
5 of the Juvenile Court or of juvenile detention services to the county legislative or executive
6 branch. To the contrary, under GR 29(f) the judicial and administrative duties of the Presiding
7 Judge including supervision of all personnel employed under the judicial branch “cannot be
8 delegated to persons in either the legislative or executive branches of government.”

9 130. At all times material to the Underlying Claims, the persons in charge of probation
10 and detention at Snohomish County, and the detention staff working under them, performed their
11 duties under the administration, direction, and supervision of the Snohomish County Superior
12 Court and its appointed administrator, pursuant to RCW 13.04.021, RCW 13.04.035 and RCW
13 13.04.040.

14 131. Accordingly, at all times material to the underlying claims, juvenile probation and
15 detention services at Snohomish County were, by operation of RCW 13.04.035 and its
16 predecessor statutes, administered by the Snohomish County Superior Court through the court-
17 appointed administrator of juvenile court, probation counselor, and detention services:

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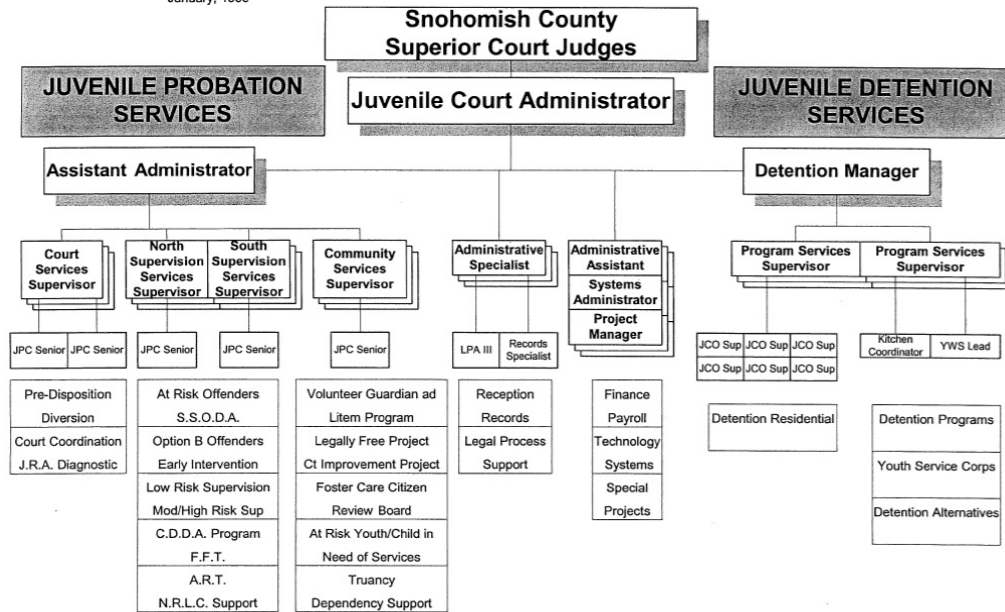
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**Snohomish County Juvenile
Court Services**
Management Organization & Functions
January, 1999



132. At all times material to the Underlying Claims, the operative functions of hiring, training, assigning, supervising, disciplining, retaining, and adopting operational policies governing detention and probation personnel at Snohomish County Juvenile Court were committed by statute and court rule to the Superior Court's administrative structure. Snohomish's executive and legislative branches possessed no statutory authority to control or direct the day-to-day administration and supervision of detention services or personnel at Snohomish County Juvenile Detention Facility.

133. Snohomish County's statutory role with respect to Snohomish County Juvenile Court Detention was only: constructing, acquiring, maintaining, and funding the facility, and serving as payer for court-administered services, did not include, and could not lawfully have included, the supervisory and administrative functions upon which the underlying claims are premised.

1 **E. Sexual Assault of a Minor Cases**

2 134. Since 2024, all counties in Washington who have or had a juvenile detention
3 center have seen a spike in the filing of historic SAM claims. For example, the Washington
4 Counties Risk Pool, which has 24 counties in the pool, currently has 268 total SAM claims, and
5 73 of those claims are currently in filed litigation.

6 135. The claims and complaints filed against the various counties allege various
7 theories of vicarious liability based on negligence/gross negligence, and in some cases
8 Washington Law Against Discrimination.

9 136. The claims and complaints filed generally assert that:

- 10 a. Plaintiffs were minor children placed in the care, custody and control of
11 juvenile court and detention facilities, e.g. Remann Hall and Denney Youth
12 Center/Denney Juvenile Justice Center.
13 b. Counties failed to adequately supervise, monitor, train, investigate, and
14 protect detained youth from sexual abuse at said facilities.
15 c. Counties knew or should have known their agents and employees posed a
16 danger to children in juvenile detention facilities.
17 d. Counties failed to take reasonable steps to protect children from the known
18 danger of sexual abuse by its agents and employees.
19 e. Counties through its agents and employees, managed, maintained, operated,
20 and controlled facilities, including the staff who worked there and include the
21 policies and procedures regarding the sexual abuse of children.
22 f. Counties were responsible for recruitment and staffing of volunteers at
23 facilities.
24 g. Counties were responsible for supervising the agents, staff, and employees at
said facilities.

See Appendices (sample complaints filed).

137. Each of the functions the Claimants allege was negligently performed - the hiring,
supervision, retention, discipline, and operational oversight of probation detention personnel -
was, at all material times, a function vested by RCW 13.04.035, RCW 13.04.040, and their
predecessor statutes in the superior court, an arm of the State of Washington.

1 indemnify Pierce County and Snohomish County. The Counties are now defendants in numerous
2 pending lawsuits and pre-suit claims arising from the administration and supervision of juvenile
3 probation and detention services at Remann Hall and Denney Youth Center/Denney Juvenile
4 Justice Center, and counties statewide face more than one thousand such claims.

5 144. Second, the controversy is between parties having genuine and opposing interests:
6 The Counties contend that the administration and supervision of juvenile probation and detention
7 services at Remann Hall and Denney Youth Center/Denney Juvenile Justice Center was at all
8 material times a function of the State of Washington acting through its judicial branch, and that
9 responsibility for the Underlying Claims premised on those functions, including the obligation to
10 defend, indemnify, and satisfy any resulting settlements or judgments, ultimately rests with the
11 State. Upon information and belief, the State denies, or will deny, each of those contentions and
12 will likely contend that such responsibility rests with the Counties.

13 145. The Counties are presently expending County funds to investigate, defend, and
14 resolve the Underlying Claims, and face potential liability of great magnitude. The State has an
15 interest in avoiding responsibility for the defense and satisfaction of those same claims.

16 146. A judicial determination of the controversy between the State and the Counties will
17 resolve with finality, which entity bore the statutory and legal responsibility for the
18 administration and supervision of juvenile probation and detention services during the period of
19 the underlying claims.

20 147. In the alternative, even if any element of justiciability is found lacking, this matter
21 raises questions of major public importance and judicial determination will benefit the public,
22 other branches of government, plaintiffs in SAM cases, and counties across Washington State.

23 148. The Counties have suffered and will continue to suffer immediate damage and harm
24 if this court does not declare that the State, and not the Counties, is solely and exclusively liable

1 for the acts and failure to act of the administer and other officers and employees of the Court's
2 juvenile detention and juvenile probation services.

3 149. The Counties are therefore entitled to a judgment, pursuant to RCW 7.24.010-80,
4 declaring: (a) that at all times material to the Underlying Claims, the administration and
5 supervision of juvenile probation and detention services at Remann Hall and Denney Youth
6 Center/Denney Juvenile Justice was a function of the Pierce County Superior Court and the
7 Snohomish County Superior Court, arms of the State of Washington pursuant to RCW
8 13.04.035, RCW 13.04.040, their predecessor statutes, GR 29, and the Washington State
9 Constitution Article IV section 1; (b) that responsibility for the alleged negligent hiring,
10 supervision, retention, discipline, and oversight of probation and detention personnel at Remann
11 Hall and Denney Youth Center/Denney Juvenile Justice Center rests with the State of
12 Washington; (c) the Counties' statutory role with respect to Remann Hall and Denney Youth
13 Center/Denney Juvenile Justice Center was limited to constructing, acquiring, maintaining, and
14 funding the facility and paying for court-administered services, and did not include, and could
15 not lawfully have included, the administrative and supervisory functions upon which the
16 Underlying Claims are premised; (d) responsibility and legal liability for the acts and omissions
17 alleged in the Underlying Claims, to the extent premised on the administration and/or
18 supervision of juvenile probation and detention services at Remann Hall and Denney Youth
19 Center/Denney Juvenile Justice Center, rests solely with the State of Washington; (e) the
20 attorney general has a duty to defend and indemnify all actions of the state and its agents under
21 Const. art. III, §21; RCW 4.92.030, RCW 4.92.060, RCW 4.92.070, RCW 43.19.760, RCW
22 43.19.766, (f) in the alternative, that the State of Washington is obligated to defend, indemnify,
23 and hold harmless the Counties from the Underlying Claims, including all defense costs, attorney
24

1 fees, settlements, and judgments; and (d) such further relief as the Court deems just and proper
2 pursuant to RCW 7.24.080.

3 150. If the alternative relief is granted, the Counties request an order requiring the State
4 of Washington to accept the tender of, and assume the defense of, the Underlying Claims, to
5 reimburse the Counties for defense costs, settlements, and judgments heretofore incurred and/or
6 paid.

7 **B. SECOND CAUSE OF ACTION: INJUNCTIVE RELIEF**

8 151. Plaintiffs repeat and re-allege each of the foregoing allegations as though fully set
9 forth herein.

10 152. The Counties possess legal and equitable rights arising from RCW 13.04.035,
11 RCW 13.04.040, and their predecessor statutes, chapter 13.16 RCW, chapter 13.20 RCW, GR
12 29, and the Washington Constitution, including the right to have the State of Washington bear
13 the legal responsibilities attendant to the State's exclusive administration and supervision of
14 juvenile probation and detention services, and the corresponding right not to expend county
15 funds discharging obligations that the law places upon the State.

16 153. The Counties have a valid fear of immediate invasion of those rights. The State
17 has failed, and upon information and belief will refuse, to acknowledge its responsibility for the
18 Underlying Claims, to accept the tender of their defense, or to indemnify the Counties against
19 them, even as additional claims and suits continue to be filed and prosecuted against the
20 Counties.

21 154. The acts and omissions complained of are resulting in, and will continue to result
22 in, actual and substantial injury to the Counties, including the continuing expenditure of public
23 funds on defense costs, settlements, and judgments in the Underlying Claims; the diversion of
24 county funds from essential public services; and exposure to numerous separate lawsuits. These

1 injuries are continuing and irreparable, and the Counties have no plain, complete, speedy, or
2 adequate remedy at law for them.

3 155. The Counties are therefore entitled, pursuant to chapter 7.40 RCW and the court's
4 equitable powers, to both preliminary and permanent injunctive relief: (a) requiring the State of
5 Washington to accept the tender of, and assume, the defense of the Underlying Claims to the
6 extent they are premised on the administration and supervision of juvenile probation and
7 detention services at Remann Hall and the Denney Youth Center/Denney Juvenile Justice
8 Center; (b) requiring the State of Washington to indemnify and hold harmless the Counties from
9 and against all defense costs, settlements, and judgments arising from the Underlying Claims;
10 and (c) restraining the State of Washington from disclaiming, or refusing to discharge the
11 responsibilities committed to its judicial branch.

12 VII. PRAYER FOR RELIEF

13 WHEREFORE, the Counties respectfully request that this Court enter judgment in its
14 favor and against the State of Washington as follows:

15 A. On the First Cause of Action, a declaratory judgment pursuant to chapter 7.24 RCW
16 declaring that:

17 (1) At all times material to the Underlying SAM Claims, the administration and
18 supervision of juvenile court, juvenile probation, and juvenile detention services
19 at Remann Hall and Denney Youth Center/Denney Juvenile Justice Center,
20 including the hiring, training, assignment, supervision, discipline, and retention of
21 personnel, and the adoption of governing policies, procedures, and programming
22 was a function of the Counties' Superior Courts, an arm of the State of
23 Washington;

24 (2) The personnel who administered and staffed those services were, for all purposes
material to the Underlying Claims, personnel of the judicial branch of the State of
Washington and not of the Counties;

(3) The Counties' role was limited to constructing, acquiring, maintaining, and
funding the facility and paying for court-administered services;

(4) Responsibility and legal liability for the acts and omissions alleged in the

Underlying Claims, to the extent premised on the administration and supervision of juvenile probation and detention services, rests solely and exclusively with the State of Washington;

(5) The attorney general has a duty to defend and indemnify all actions of the state and its agents. Const. art. III, §21; RCW 4.92.030, RCW 4.92.060, RCW 4.92.070, RCW 43.19.760, RCW 43.19.766,

(6) The State of Washington is obligated to defend, indemnify, and hold harmless the Counties from and against the Underlying SAM Claims, including all defense costs, settlements, and judgments.

B. On the First Cause of Action, supplemental relief pursuant to RCW 7.24.080, including orders requiring the State to accept the tender of and assume the defense of the Underlying SAM Claims, and to reimburse the Counties for all defense costs, settlements, and judgments heretofore incurred or paid;

C. On the First Cause of Action, enjoin the parties who have pending suits against the Counties which are the subject matter of this action from litigating the cases further until final resolution of this matter.

D. On the Second Cause of Action, preliminary and permanent injunctive relief pursuant to chapter 7.40 RCW as follows:

(1) Enter a preliminary injunction against the parties who have pending suits against the Counties which are the subject matter of this action from litigating the cases further until final resolution of this matter.

(2) Requiring the State of Washington to accept the tender of, and assume, the defense of the Underlying Claims and future claims;

(3) Requiring the attorney general to duty to defend and indemnify all actions of the state and its agents.

(4) Requiring the State of Washington to indemnify and hold harmless the Counties from and against all defense costs, settlements, and judgments arising from the Underlying Claims and future claims; and

(5) Restraining the State of Washington from disclaiming or refusing to discharge its responsibility for the administration and supervision of juvenile probation and detention services;

E. An award of the Counties' costs under RCW 7.24.100.

1 **F.** Such other and further relief as the Court deems just and equitable.

2 DATED this 24th of July, 2026.

3 MARY E. ROBNETT
4 Pierce County Prosecuting Attorney

5 s/ PETER J. HELMBERGER
6 PETER J. HELMBERGER, WSBA # 23041
7 Deputy Prosecuting Attorney / Civil
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APPENDIX 1

March 04 2026 3:26 PM

PIERCE COUNTY CLERK
NO: 26-2-06733-9

SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR PIERCE COUNTY

W.B,

Plaintiff,

v.

PIERCE COUNTY, a political subdivision of
the State of Washington,

Defendants.

NO.

COMPLAINT FOR DAMAGES

COMES NOW, the above-named Plaintiff, by and through his attorneys of record, Lincoln C. Beauregard and Nathan Roberts of Connelly Law Offices, PLLC, and by way of claim avers and alleges on personal knowledge as to her own actions, and on information and belief as to all other matters, as follows:

I. PARTIES

1. Defendant, PIERCE COUNTY, is a political subdivision of the State of Washington.

2. Plaintiff W.B. is an adult male and resident of Pierce County, Washington. As a child, W.B. was sexually abused while incarcerated as a minor at Remann Hall.

CONNELLY LAW OFFICES, PLLC

2301 North 30th Street
Tacoma, WA 98403
(253) 593-5100 Phone - (253) 593-0380 Fax

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4. Venue is proper in Pierce County pursuant to RCW 4.12.020 because the events giving rise to this claim occurred in whole or in part in Pierce County, Washington.

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1 11. The aforementioned Pierce County employee's inappropriate and abusive
2 conduct and actions towards W.B. occurred openly and obviously at Remann Hall. The
3 perpetrator's conduct and actions were not deterred by his employer, Pierce County, and he
4 openly preyed on W.B. at Remann Hall. On other occasions, the Pierce County employee
5 and/or agent would also isolate W.B., and nothing was done to protect or monitor W.B.,
6 supervise or monitor or deter the perpetrator's open and obvious conduct, or prevent W.B.
7 from being isolated and subjected to sexual abuse and inappropriate sexual conduct at the
8 hands of the Pierce County employee and/or agent.
9

10 12. Pierce County failed to protect W.B., failed to ensure his safety and well-
11 being, failed to properly monitor and supervise W.B., failed to properly monitor and supervise
12 Remann Hall, failed to properly monitor and supervise and control its employees including
13 but not limited to employee contact with W.B., failed to investigate, failed to intervene, failed
14 to properly act on actual and/or constructive knowledge and/or notice of danger or harm to
15 W.B. and other youths, failed to properly act on actual and/or constructive knowledge and/or
16 notice of danger or harm presented by its employees, failed to implement and/or follow proper
17 policies and procedures and protocols relating to the safety and well-being of youths, failed to
18 make reasonable placement and/or youth-related safety and protection decisions within
19 Remann Hall, failed to make proper contacts and communications with W.B., failed to
20 properly verify and/or ascertain the background or qualifications of its employees, failed to
21 train its employees, failed to discipline or suspend or terminate its employees, and failed to
22 investigate and/or take adequate action in response to known or suspected child abuse at
23 Pierce County, among other failures. As a direct and proximate result, W.B. suffered harm,
24 including but not limited to sexual abuse.
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26

1 13. While placed, residing, enrolled, and/or receiving educational or counseling
2 services at Remann Hall, DCYF also failed to protect W.B., failed to ensure his safety and
3 well-being, failed to properly monitor and supervise W.B., failed to properly monitor and
4 supervise his placement, residence, enrollment, education, and/or counseling in Remann Hall,
5 failed to respond to disclosures and signs of abuse and harm, failed to ensure that Remann
6 Hall had proper policies and procedures and protocols, failed to properly investigate and/or
7 respond to known or suspected child abuse or harm at Remann Hall, and failed to remove
8 W.B. from Remann Hall, among other failures. As a direct and proximate result, W.B.
9 suffered harm, including but not limited to sexual abuse.
10

11 14. As a direct and proximate result of Defendants' failures, as set forth above and
12 in other respects as well to be shown through the course of discovery including other
13 instances of abuse and neglect, W.B. suffered severe injuries and damages resulting from this
14 significant sexual, emotional, and physical abuse and neglect to be further detailed and
15 explored through the course of litigation in this matter.
16

17 **V. CAUSES OF ACTION: NEGLIGENCE & STRICT LIABILITY**

18 15. According to RCW Chapter 49.60, the defendant is strictly liable to the
19 plaintiff for the sex acts of the offending staff members.
20

21 16. Pierce County failed to protect the Plaintiff, failed to ensure his safety and
22 well-being, failed to properly monitor and supervise Plaintiff, failed to properly monitor and
23 supervise Remann Hall facility, failed to properly monitor and supervise and control its
24 employees including but not limited to employee contact with Plaintiff, failed to investigate,
25 failed to intervene, failed to properly act on actual and/or constructive knowledge and/or
26 notice of danger or harm to Plaintiff and other youths, failed to properly act on actual and/or

1 constructive knowledge and/or notice of danger or harm presented by its employees, failed to
2 implement and/or follow proper policies and procedures and protocols relating to the safety
3 and well-being of youths, failed to make reasonable placement decisions within Remann Hall,
4 failed to make proper contacts and communications with Remann Hall, failed to properly
5 verify and/or ascertain the background or qualifications of its employees, failed to train its
6 employees, failed to discipline or suspend or terminate its employees, and failed to investigate
7 and/or take adequate action in response to known or suspected child abuse at Remann Hall,
8 among other failures. As a direct and proximate result, Plaintiff suffered harm, including but
9 not limited to sexual abuse.
10

11 **VII. PRAYER FOR RELIEF**

12 WHEREFORE, Plaintiff requests a judgment against Defendants:

- 13 (a) Awarding Plaintiff general and special damages in an amount to be proven at
14 trial;
15
16 (b) Awarding him reasonable attorney's fees and costs as available under law;
17 (c) Awarding him any and all applicable interest on the judgment; and
18 (d) Awarding him such other and further relief as the Court deems just and proper
19 under the circumstances of this case.
20

21 DATED this 3rd day of March, 2026.

22 CONNELLY LAW OFFICES, PLLC
23

24 /s/ Lincoln C. Beauregard

25 By _____
26 Lincoln C. Beauregard, WSBA No. 32878
Nathan P. Roberts, WSBA No. 40457
Attorneys for Plaintiff W.B.

CONNELLY LAW OFFICES, PLLC

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Tacoma, WA 98403
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APPENDIX 2

ELECTRONICALLY FILED
11/24/2025 11:24 AM
David T. Lewis III
County Clerk
Kitsap County, WASH
Case Number: 25-2-03063-18

SUPERIOR COURT OF WASHINGTON FOR KITSAP COUNTY

D.P., R.B., R.M., Z.M., W.W., B.M., T.T.,
T.K., V.M., K.P., V.R., and C.S.,

Plaintiffs,

vs.

PIERCE COUNTY,

Defendant.

No. 25-2-03063-18

COMPLAINT

Plaintiffs D.P., R.B., R.M., Z.M., W.W., B.M., T.T., T.K., V.M., K.P., V.R., and C.S.,
through their attorneys, Kirk C. Davis and Jonah L. Ohm Campbell, Law Office of Kirk C.
Davis, PLLC allege as follows:

I. INTRODUCTION

1. Nature of Case. This is an action arising from child sexual abuse against the Plaintiffs
caused by the negligent actions of the above-entitled Defendant and its agents.

II. PARTIES

2. Plaintiff D.P.: Plaintiff was the victim of childhood sexual abuse caused by
Defendant's and Defendant's agents' negligent actions. At all times relevant, Plaintiff

1 was a minor. At all times relevant, Plaintiff was a resident of Pierce County,
2 Washington.

3 3. Plaintiff R.B.: Plaintiff was the victim of childhood sexual abuse caused by
4 Defendant's and Defendant's agents' negligent actions. At all times relevant, Plaintiff
5 was a minor. At all times relevant, Plaintiff was a resident of Pierce County,
6 Washington.

7
8 4. Plaintiff R.M.: Plaintiff was the victim of childhood sexual abuse caused by
9 Defendant's and Defendant's agents' negligent actions. At all times relevant, Plaintiff
10 was a minor. At all times relevant, Plaintiff was a resident of Pierce County,
11 Washington.

12
13 5. Plaintiff Z.M.: Plaintiff was the victim of childhood sexual abuse caused by
14 Defendant's and Defendant's agents' negligent actions. At all times relevant, Plaintiff
15 was a minor. At all times relevant, Plaintiff was a resident of Pierce County,
16 Washington.

17
18 6. Plaintiff W.W.: Plaintiff was the victim of childhood sexual abuse caused by
19 Defendant's and Defendant's agents' negligent actions. At all times relevant, Plaintiff
20 was a minor. At all times relevant, Plaintiff was a resident of Pierce County,
21 Washington.

22
23 7. Plaintiff B.M.: Plaintiff was the victim of childhood sexual abuse caused by
24 Defendant's and Defendant's agents' negligent actions. At all times relevant, Plaintiff
25 was a minor. At all times relevant, Plaintiff was a resident of Pierce County,
26 Washington.

1 8. Plaintiff T.T.: Plaintiff was the victim of childhood sexual abuse caused by
2 Defendant's and Defendant's agents' negligent actions. At all times relevant, Plaintiff
3 was a minor. At all times relevant, Plaintiff was a resident of Pierce County,
4 Washington.

5
6 9. Plaintiff T.K.: Plaintiff was the victim of childhood sexual abuse caused by
7 Defendant's and Defendant's agents' negligent actions. At all times relevant, Plaintiff
8 was a minor. At all times relevant, Plaintiff was a resident of Pierce County,
9 Washington.

10 10. Plaintiff V.M.: Plaintiff was the victim of childhood sexual abuse caused by
11 Defendant's and Defendant's agents' negligent actions. At all times relevant, Plaintiff
12 was a minor. At all times relevant, Plaintiff was a resident of Pierce County,
13 Washington.

14
15 11. Plaintiff K.P.: Plaintiff was the victim of childhood sexual abuse caused by
16 Defendant's and Defendant's agents' negligent actions. At all times relevant, Plaintiff
17 was a minor. At all times relevant, Plaintiff was a resident of Pierce County,
18 Washington.

19
20 12. Plaintiff V.R.: Plaintiff was the victim of childhood sexual abuse caused by
21 Defendant's and Defendant's agents' negligent actions. At all times relevant, Plaintiff
22 was a minor. At all times relevant, Plaintiff was a resident of Pierce County,
23 Washington.

24 13. Plaintiff C.S.: Plaintiff was the victim of childhood sexual abuse caused by
25 Defendant's and Defendant's agents' negligent actions. At all times relevant, Plaintiff
26

1 was a minor. At all times relevant, Plaintiff was a resident of Pierce County,
2 Washington.

3 14. Defendant Pierce County: At all times relevant, Pierce County, a municipal
4 corporation, was charged with the care of Plaintiffs, and with the responsibility to
5 investigate its facilities for conditions dangerous to the welfare of children placed
6 there, including Plaintiffs.
7

8 **III. JURISDICTION AND VENUE**

9 15. Jurisdiction. Under article IV, section 6 of the Washington State Constitution, the
10 Superior Court for Kitsap County has universal original jurisdiction over this lawsuit.
11 Jurisdiction is also proper under RCW 2.08.010 and RCW 36.01.050.

12 16. Venue. Venue lies within Kitsap County, under RCW 36.01.050, which is a county
13 adjacent to Pierce County.
14

15 17. Tort Claim. More than sixty (60) days have elapsed since Plaintiffs served their tort
16 claim forms on Defendant Pierce County.

17 **IV. FACTS**

18 18. Between 1998 and 2001, Plaintiff D.P. was incarcerated in the Pierce County Juvenile
19 Detention Center. The County had placed Plaintiff into that facility and Plaintiff was
20 a ward of Pierce County.
21

22 19. While Plaintiff D.P. resided at the Pierce County Juvenile Detention Center, a Pierce
23 County staff member sexually abused Plaintiff.

24 20. At all times relevant, this staff member worked as an agent of Pierce County. This
25 staff member's employment with the County facilitated ongoing interactions between
26

1 the staff member and Plaintiff D.P., proximately causing Plaintiff's damages. At all
2 times relevant, Pierce County knew or should have known of the abusive tendencies
3 of the staff member and failed to investigate or take reasonable measures to protect
4 Plaintiff D.P.

5
6 21. As a direct and proximate cause of Defendant's conduct, Plaintiff D.P. suffered, and
7 continues to suffer indefinitely, from psychological and emotional trauma.

8 22. In or around 1996, Plaintiff R.B. was incarcerated in the Pierce County Juvenile
9 Detention Center. The County had placed Plaintiff into that facility and Plaintiff was
10 a ward of Pierce County.

11 23. While Plaintiff R.B. resided at the Pierce County Juvenile Detention Center, a Pierce
12 County staff member sexually abused Plaintiff.

13
14 24. At all times relevant, this staff member worked as an agent of Pierce County. This
15 staff members' employment with the County facilitated ongoing interactions between
16 the staff member and Plaintiff R.B., proximately causing Plaintiff's damages. At all
17 times relevant, Pierce County knew or should have known of the abusive tendencies
18 of the staff member and failed to investigate or take reasonable measures to protect
19 Plaintiff R.B.

20
21 25. As a direct and proximate cause of Defendant's conduct, Plaintiff R.B. suffered, and
22 continues to suffer indefinitely, from psychological and emotional trauma.

23 26. In or around the early to mid-1990s, Plaintiff R.M. was incarcerated in the Pierce
24 County Juvenile Detention Center. The County had placed Plaintiff into that facility
25 and Plaintiff was a ward of Pierce County.
26

1 27. While Plaintiff R.M. resided at the Pierce County Juvenile Detention Center, a Pierce
2 County staff member sexually abused Plaintiff.

3 28. At all times relevant, this staff member worked as an agent of Pierce County. This
4 staff member's employment with the County facilitated ongoing interactions between
5 that staff member and Plaintiff R.M., proximately causing Plaintiff's damages. At all
6 times relevant, Pierce County knew or should have known of the abusive tendencies
7 of the staff member and failed to investigate or take reasonable measures to protect
8 Plaintiff R.M.

9 29. As a direct and proximate cause of Defendant's conduct, Plaintiff R.M. suffered, and
10 continues to suffer indefinitely, from psychological and emotional trauma.

11 30. In or around 1995, Plaintiff Z.M. was incarcerated in the Pierce County Juvenile
12 Detention Center. The County had placed Plaintiff into that facility and Plaintiff was
13 a ward of Pierce County. Plaintiff was a minor at the time of his incarceration in the
14 Pierce County Juvenile Detention Center.

15 31. While Plaintiff Z.M. resided at the Pierce County Juvenile Detention Center, a Pierce
16 County staff member sexually abused Plaintiff.

17 32. At all times relevant, this staff member worked as an agent of Pierce County. This
18 staff member's employment with the County facilitated ongoing interactions between
19 that staff member and Plaintiff Z.M., proximately causing Plaintiff's damages. At all
20 times relevant, Pierce County knew or should have known of the abusive tendencies
21 of the staff member and failed to investigate or take reasonable measures to protect
22 Plaintiff Z.M.

1 33. As a direct and proximate cause of Defendant's conduct, Plaintiff Z.M. suffered, and
2 continues to suffer indefinitely, from psychological and emotional trauma.

3 34. In or around 1995, Plaintiff W.W. was incarcerated in the Pierce County Juvenile
4 Detention Center. The County had placed Plaintiff into that facility and Plaintiff was
5 a ward of Pierce County. Plaintiff was a minor at the time of his incarceration in the
6 Pierce County Juvenile Detention Center.

7 35. While Plaintiff W.W. resided at the Pierce County Juvenile Detention Center, a Pierce
8 County staff member sexually abused Plaintiff.

9 36. At all times relevant, this staff member worked as an agent of Pierce County. This
10 staff member's employment with the County facilitated ongoing interactions between
11 that staff member and Plaintiff W.W., proximately causing Plaintiff's damages. At all
12 times relevant, Pierce County knew or should have known of the abusive tendencies
13 of the staff member and failed to investigate or take reasonable measures to protect
14 Plaintiff W.W.

15 37. As a direct and proximate cause of Defendant's conduct, Plaintiff W.W. suffered, and
16 continues to suffer indefinitely, from psychological and emotional trauma.

17 38. In the early to mid-1990s, Plaintiff B.M. was incarcerated in the Pierce County
18 Juvenile Detention Center. The County had placed Plaintiff into that facility and
19 Plaintiff was a ward of Pierce County. Plaintiff was a minor at the time of his
20 incarceration in the Pierce County Juvenile Detention Center.

21 39. While Plaintiff B.M. resided at the Pierce County Juvenile Detention Center, a Pierce
22 County staff member sexually abused Plaintiff.

1 40. At all times relevant, this staff member worked as an agent of Pierce County. This
2 staff member's employment with the County facilitated ongoing interactions between
3 that staff member and Plaintiff B.M., proximately causing Plaintiff's damages. At all
4 times relevant, Pierce County knew or should have known of the abusive tendencies
5 of the staff member and failed to investigate or take reasonable measures to protect
6 Plaintiff B.M.
7

8 41. As a direct and proximate cause of Defendant's conduct, Plaintiff B.M.. suffered, and
9 continues to suffer indefinitely, from psychological and emotional trauma.

10 42. In or around 2001, Plaintiff T.T. was incarcerated in the Pierce County Juvenile
11 Detention Center. The County had placed Plaintiff into that facility and Plaintiff was
12 a ward of Pierce County. Plaintiff was a minor at the time of his incarceration in the
13 Pierce County Juvenile Detention Center.
14

15 43. While Plaintiff T.T. resided at the Pierce County Juvenile Detention Center, a Pierce
16 County staff member sexually abused Plaintiff.

17 44. At all times relevant, this staff member worked as an agent of Pierce County. This
18 staff member's employment with the County facilitated ongoing interactions between
19 that staff member and Plaintiff T.T., proximately causing Plaintiff's damages. At all
20 times relevant, Pierce County knew or should have known of the abusive tendencies
21 of the staff member and failed to investigate or take reasonable measures to protect
22 Plaintiff T.T.
23

24 45. As a direct and proximate cause of Defendant's conduct, Plaintiff T.T. suffered, and
25 continues to suffer indefinitely, from psychological and emotional trauma.
26

1 46. In or around 1991, Plaintiff T.K. was incarcerated in the Pierce County Juvenile
2 Detention Center. The County had placed Plaintiff into that facility and Plaintiff was
3 a ward of Pierce County. Plaintiff was a minor at the time of his incarceration in the
4 Pierce County Juvenile Detention Center.

5
6 47. While Plaintiff T.K. resided at the Pierce County Juvenile Detention Center, a Pierce
7 County staff member sexually abused Plaintiff.

8 48. At all times relevant, this staff member worked as an agent of Pierce County. This
9 staff member's employment with the County facilitated ongoing interactions between
10 that staff member and Plaintiff T.K., proximately causing Plaintiff's damages. At all
11 times relevant, Pierce County knew or should have known of the abusive tendencies
12 of the staff member and failed to investigate or take reasonable measures to protect
13 Plaintiff T.K.

14
15 49. As a direct and proximate cause of Defendant's conduct, Plaintiff T.K. suffered, and
16 continues to suffer indefinitely, from psychological and emotional trauma.

17 50. In or around 1997, Plaintiff V.M. was incarcerated in the Pierce County Juvenile
18 Detention Center. The County had placed Plaintiff into that facility and Plaintiff was
19 a ward of Pierce County. Plaintiff was a minor at the time of his incarceration in the
20 Pierce County Juvenile Detention Center.

21
22 51. While Plaintiff V.M. resided at the Pierce County Juvenile Detention Center, a Pierce
23 County staff member sexually abused Plaintiff.

24 52. At all times relevant, this staff member worked as an agent of Pierce County. This
25 staff member's employment with the County facilitated ongoing interactions between
26

1 that staff member and Plaintiff V.M., proximately causing Plaintiff's damages. At all
2 times relevant, Pierce County knew or should have known of the abusive tendencies
3 of the staff member and failed to investigate or take reasonable measures to protect
4 Plaintiff V.M.

5
6 53. As a direct and proximate cause of Defendant's conduct, Plaintiff V.M. suffered, and
7 continues to suffer indefinitely, from psychological and emotional trauma.

8 54. In or around 2002, Plaintiff K.P. was incarcerated in the Pierce County Juvenile
9 Detention Center. The County had placed Plaintiff into that facility and Plaintiff was
10 a ward of Pierce County. Plaintiff was a minor at the time of his incarceration in the
11 Pierce County Juvenile Detention Center.

12 55. While Plaintiff K.P. resided at the Pierce County Juvenile Detention Center, a Pierce
13 County staff member sexually abused Plaintiff.

14
15 56. At all times relevant, this staff member worked as an agent of Pierce County. This
16 staff member's employment with the County facilitated ongoing interactions between
17 that staff member and Plaintiff K.P., proximately causing Plaintiff's damages. At all
18 times relevant, Pierce County knew or should have known of the abusive tendencies
19 of the staff member and failed to investigate or take reasonable measures to protect
20 Plaintiff K.P.

21
22 57. As a direct and proximate cause of Defendant's conduct, Plaintiff K.P. suffered, and
23 continues to suffer indefinitely, from psychological and emotional trauma.

24 58. Between 1992 and 1996, Plaintiff V.R. was incarcerated in the Pierce County Juvenile
25 Detention Center. The County had placed Plaintiff into that facility and Plaintiff was
26

1 a ward of Pierce County. Plaintiff was a minor at the time of his incarceration in the
2 Pierce County Juvenile Detention Center.

3 59. While Plaintiff V.R. resided at the Pierce County Juvenile Detention Center, a Pierce
4 County staff member sexually abused Plaintiff.

5
6 60. At all times relevant, this staff member worked as an agent of Pierce County. This
7 staff member's employment with the County facilitated ongoing interactions between
8 that staff member and Plaintiff V.R., proximately causing Plaintiff's damages. At all
9 times relevant, Pierce County knew or should have known of the abusive tendencies
10 of the staff member and failed to investigate or take reasonable measures to protect
11 Plaintiff V.R.

12
13 61. As a direct and proximate cause of Defendant's conduct, Plaintiff V.R. suffered, and
14 continues to suffer indefinitely, from psychological and emotional trauma.

15 62. Between 1986 and 1989, Plaintiff C.S. was incarcerated in the Pierce County Juvenile
16 Detention Center. The County had placed Plaintiff into that facility and Plaintiff was
17 a ward of Pierce County. Plaintiff was a minor at the time of his incarceration in the
18 Pierce County Juvenile Detention Center.

19
20 63. While Plaintiff C.S. resided at the Pierce County Juvenile Detention Center, a Pierce
21 County staff member sexually abused Plaintiff.

22 64. At all times relevant, this staff member worked as an agent of Pierce County. This
23 staff member's employment with the County facilitated ongoing interactions between
24 that staff member and Plaintiff C.S., proximately causing Plaintiff's damages. At all
25 times relevant, Pierce County knew or should have known of the abusive tendencies
26

of the staff member and failed to investigate or take reasonable measures to protect Plaintiff C.S.

65. As a direct and proximate cause of Defendant's conduct, Plaintiff C.S. suffered, and continues to suffer indefinitely, from psychological and emotional trauma.

V. CAUSES OF ACTION

66. Negligence. Based on the paragraphs set forth and alleged above, Defendant had a duty to exercise ordinary care and refrain from negligent acts and omissions, duties that arose out of special relationships and custodial control of Plaintiffs. Defendant's multiple failures in its duties owed to Plaintiffs proximately caused Plaintiffs' damages.

67. Agency. Based on the paragraphs set forth and alleged above, Defendant at all relevant times had control over Plaintiffs' abusers and otherwise allowed Plaintiffs' abusers to act as actual or apparent agents, giving rise to vicarious liability under Washington State common law, all of which proximately caused the sexual abuse of Plaintiffs and resultant damages for which Defendant is liable.

VI. PRAYER FOR RELIEF

68. Relief. Plaintiffs respectfully request the following relief:

- A. That the Court award Plaintiffs 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 attorney's fees and costs;

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

3 F. That the Court enter such other and further relief as the Court may deem
4 just and proper.
5

6 DATED this 24th day of November, 2025.

7 LAW OFFICE OF KIRK C. DAVIS

8 
9

10 Kirk C. Davis, WSBA #21461
11 Jonah L. Ohm Campbell, WSBA #55701
12 Attorneys for Plaintiff
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APPENDIX 3

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JUL 08 2026

PROSECUTING ATTORNEY
FOR SNOHOMISH COUNTY
CIVIL DIVISION

TIME _____

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

M.H., J.B., G.R., J.Y., D.Z, M.O., E.F., J.W.,
and K.M.,

Plaintiffs,

v.

SNOHOMISH COUNTY,

Defendant.

Case No. _____

COMPLAINT

COMPLAINT

003411-12/5027134 V1

HAGENS BERMAN

1301 Second Avenue, Suite 2000, Seattle, WA 98101
(206) 623-7282 OFFICE (206) 623-0594 FAX

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I. INTRODUCTION

1. This is a case about the degradation and sexual abuse of incarcerated children made possible by the negligence of Snohomish County.

2. Snohomish County employed numerous sexual predators in roles that gave them near-absolute power over some of the most vulnerable people imaginable: child prisoners. Snohomish County hired individuals to work at the Denney Youth Center and Denney Juvenile Justice Center who vaginally raped, orally raped, sodomized, masturbated and digitally penetrated children in their care. This abuse was only possible because of the neglect and indifference of Snohomish County.

3. At all times, Snohomish County was fully aware of the danger that sexual abuse by staff posed to the children in its care. Nevertheless, Snohomish County failed to implement a variety of popular and statutorily mandated policies and procedures that would have protected these children from such abuse and a lifetime of subsequent pain.

4. Plaintiffs bring this lawsuit to ensure that no more children are victimized by Snohomish County.

II. PARTIES

A. Plaintiffs

5. All Plaintiffs are adults and residents of Washington State. As detailed below, each Plaintiff was a victim of childhood sexual abuse occurring in Snohomish County by an employee of Defendant Snohomish County.¹

1. **K.M.**

6. Plaintiff, K.M., was a minor during all times relevant to this action.

2. **G.R.**

7. Plaintiff, G.R., was a minor during all times relevant to this action.

3. **J.W.**

8. Plaintiff, J.W., was a minor during all times relevant to this action.

¹ See RCW 4.16.340(5) (defining "childhood sexual abuse").

1 **4. M.O.**

2 9. Plaintiff, M.O., was a minor during all times relevant to this action.

3 **5. M.H.**

4 10. Plaintiff, M.H., was a minor during all times relevant to this action.

5 **6. J.B.**

6 11. Plaintiff, J.B., was a minor during all times relevant to this action.

7 **7. J.Y.**

8 12. Plaintiff, J.Y., was a minor during all times relevant to this action.

9 **8. D.Z.**

10 13. Plaintiff, D.Z., was a minor during all times relevant to this action.

11 **9. E.F.**

12 14. Plaintiff, E.F., was a minor during all times relevant to this action.

13 **B. Defendants**

14 **1. Snohomish County**

15 15. Defendant Snohomish County ("the County") is a municipal entity within the
16 State of Washington. Snohomish County was and is responsible for the care and custody of all
17 children in detention. At all times relevant, the County had a special, custodial relationship with
18 Plaintiffs, which required the County to take reasonable steps to protect Plaintiffs from
19 foreseeable harm. At all times relevant, this foreseeable harm included sexual abuse.

20 **2. Does 1-20**

21 16. Plaintiffs are ignorant of the true names or capacities of Defendants named Does
22 1-20 ("Doe Defendants") and therefore sue Doe Defendants by fictitious names.

23 17. Plaintiffs are informed and believe that Doe Defendants may also be responsible
24 for the acts and omissions claimed herein.

25 **III. JURISDICTION AND VENUE**

26 18. Jurisdiction is proper under RCW 2.08.010.

1 19. Venue is proper under RCW 36.01.050 as this action is brought against the
2 County and is commenced in the Superior Court of King County, one of the two nearest judicial
3 districts to the County.

4 **IV. COMPLIANCE WITH THE TORT CLAIM REQUIREMENT**

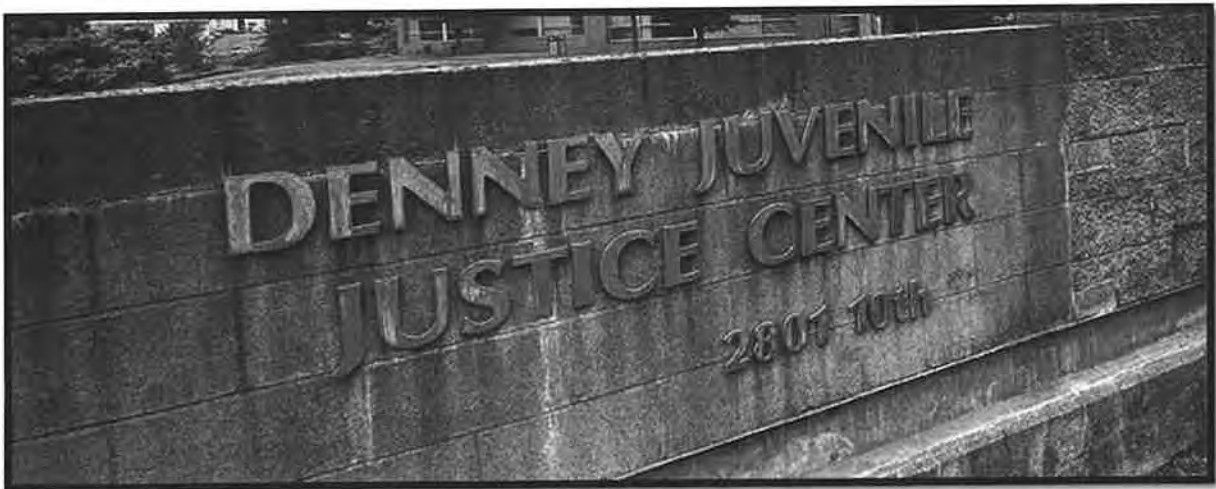
5 20. Each Plaintiff properly filed a tort claim and waited more than 60 days before
6 filing suit.²

7 **V. FACTUAL BACKGROUND**

8 **A. Snohomish County Operates Denney Juvenile Justice Center.**

9 21. In 1945, the State of Washington declared that the “absence of juvenile detention
10 facilities across the various counties” constituted an emergency. It declared that the
11 “construction, acquisition, and maintenance of juvenile facilities for dependent, wayward, and
12 delinquent children, separate and apart from the detention facilities for adults” would be a
13 mandatory function of counties in the state.³

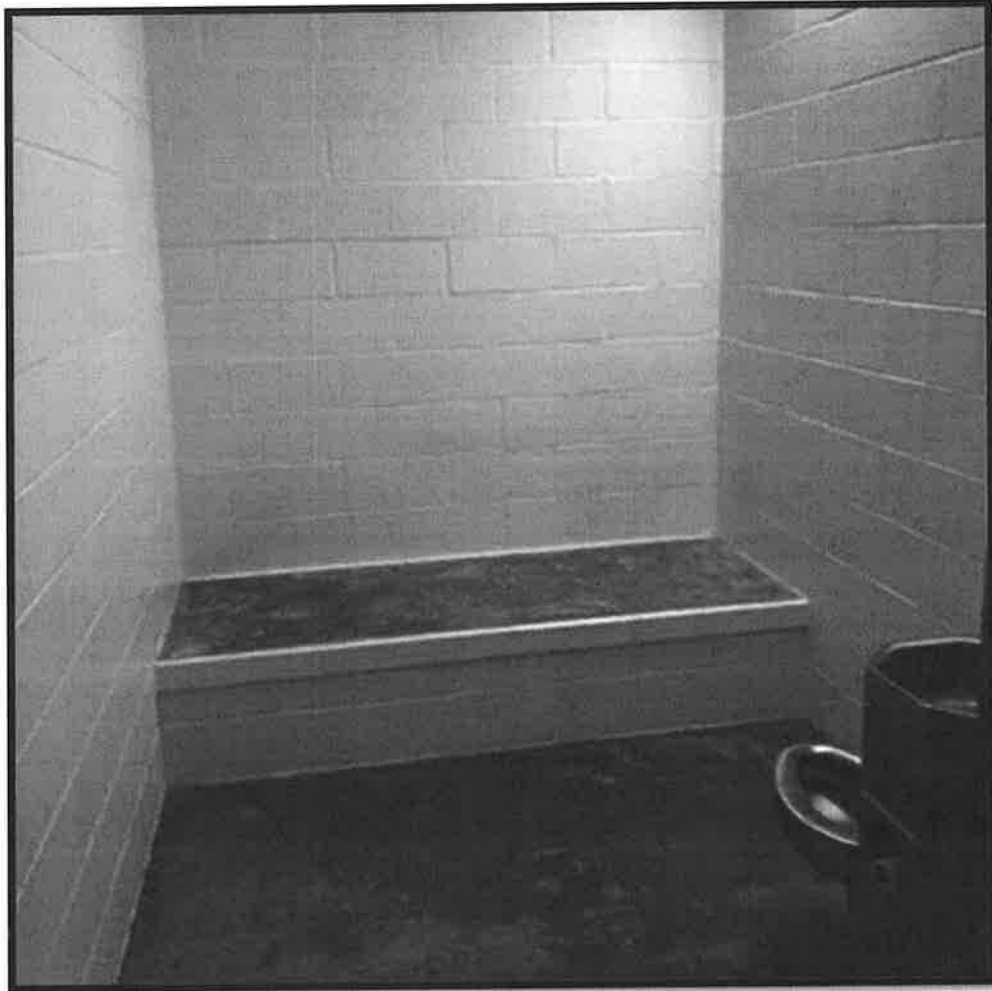
14 22. In response, the County constructed its juvenile detention facility, named Denney
15 Youth Center, in Everett, Washington. In 1998, the County built a new juvenile detention facility
16 to replace Denney Youth Center called the Denney Juvenile Justice Center (Denney Youth
17 Center and Denney Juvenile Justice Center are referenced throughout as “Denney”).



27 ² See RCW § 4.96.020(4) (requiring 60-days to elapse after filing tort notice).

28 ³ RCW § 13.16 *et seq.*

1 23. In every meaningful way, Denney was and is a prison for children operated by the
2 County.⁴



20 **B. Snohomish County Fails to Protect Incarcerated Children from Sexual Abuse.**

21 24. By the 1970s, the problem of sexual abuse in America's prisons and jails was
22 well-documented in social science literature, with preventative solutions readily available to
23 entities responsible for their management, including Snohomish County. For example,
24 specialized training emerged for correctional staff on preventing and properly responding to

25
26 ⁴ At Denney, children live in cells and are subject to 24/7 surveillance, just as incarcerated
27 adults. The children are subject to "room confinement" and "isolation." Snohomish County,
28 *RCW 13.22 Report*, 2025 RCW 13.22 Report,
[https://snohomishcountywa.gov/DocumentCenter/View/112769/Snohomish-County-Juvenile-](https://snohomishcountywa.gov/DocumentCenter/View/112769/Snohomish-County-Juvenile-Detention-Confinement-Tracking-2024-pdf)
[Detention-Confinement-Tracking-2024-pdf](https://snohomishcountywa.gov/DocumentCenter/View/112769/Snohomish-County-Juvenile-Detention-Confinement-Tracking-2024-pdf) (last visited May 12, 2026).

1 sexual assault, including recognizing signs of abuse, de-escalation skills and trauma-informed
2 approaches.⁵

3 25. In 1977, the Washington State legislature passed the Juvenile Justice Act, which
4 required that “all county juvenile facilities provide a humane, safe, and rehabilitative
5 environment” to inmates.⁶ This legislation did nothing to change the abusive environment at
6 Denney.

7 26. For example, in the 1980s, guards repeatedly digitally penetrated and fondled
8 K.M. during strip and cavity searches. In the showers, guards leered at K.M. At night, guards
9 repeatedly entered K.M.’s cell, cornered him, and touched his genitals. No part of K.M.’s
10 environment was safe or rehabilitative as mandated by the Juvenile Justice Act.

11 27. In the 1990s, guards sexually assaulted G.R., J.W., M.O., and M.H. The assaults
12 included forced oral sex, shower voyeurism, strip searches, digital penetration, fondling, and
13 vaginal rape.

14 28. In 1999, the Washington legislature recognized that “people who are under arrest
15 or incarcerated are exceptionally vulnerable to sex offenses by persons with supervisory
16 authority.”⁷ It adopted a special criminal statute to address “custodial sexual misconduct.”⁸

17 29. This statute specifically recognized the risk of custodial misconduct where the
18 victim “reasonably believes the perpetrator has the ability to influence the terms, conditions,
19 length, or fact of incarceration or correctional supervision.”⁹

20 30. Despite the passage of this law in 1999—and the fact that its inmates were
21 vulnerable children—the County failed to educate the children in its care about their right to be
22
23

24 ⁵<https://www.prearesourcecenter.org/sites/default/files/library/theimpactofprisonersexualviolence.pdf>

25 ⁶ RCW 13.40 *et seq.*

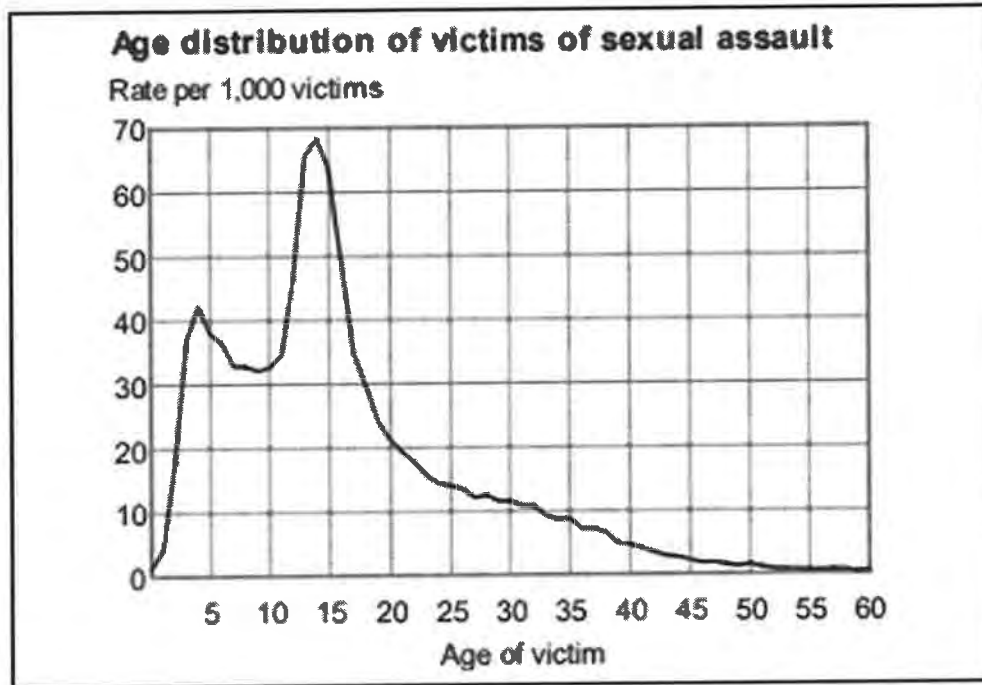
26 ⁷ Substitute Senate Bill 5234 (1999); *see also* RCW 9A.44.160 (“Custodial Sexual
27 Misconduct in the first degree”).

28 ⁸ RCW 9A.44.160 (“Custodial sexual misconduct in the first degree”).

⁹ *Id.*

1 free from sexual abuse by guards and other County staff. Instead, the County employees
2 routinely threatened Plaintiffs, stating that they could influence the terms of their incarceration.

3 31. In 2000, the Department of Justice found that victims of sexual assault were most
4 likely to be children.¹⁰ Across all categories of sexual offenses, children accounted for the
5 greatest number of reported victims.



18 **C. The Prison Rape Elimination Act.**

19 32. In 2003, Congress enacted the Prison Rape Elimination Act to prevent, reduce,
20 and eliminate the incidence of sexual assault and misconduct within confinement settings,
21 including in juvenile jails and prisons.¹¹

22 33. The Prison Rape Elimination Act states that “experts have conservatively
23 estimated that at least 13 percent of the inmates in the United States have been sexually assaulted
24 in prison. Many inmates have suffered repeated assaults.” The Prison Rape Elimination Act
25 also states that “[p]rison rape often goes unreported, and inmate victims often receive inadequate

26

27 ¹⁰ See Dept. of Justice, Bur. of Justice Statistics, *Sexual Assault of Young Children as Reported to Law Enforcement*, <https://bjs.ojp.gov/content/pub/pdf/saycrle.pdf> (2000).

28 ¹¹ 34 U.S.C § 30301-30309.

1 treatment for the severe physical and psychological effects of sexual assault—if they receive
2 treatment at all.”¹²

3 34. The Prison Rape Elimination Act highlights that “[y]oung first-time offenders are
4 at increased risk of sexual victimization. ... Most prison staff are not adequately trained or
5 prepared to prevent, report, or treat inmate sexual assaults.”¹³

6 35. The Prison Rape Elimination Act also acknowledges that “[v]ictims of prison rape
7 suffer severe physical and psychological effects that hinder their ability to integrate into the
8 community and maintain stable employment upon their release from prison. They are thus more
9 likely to become homeless and/or require government assistance.”¹⁴ The Prison Rape
10 Elimination Act explicitly states that rape increases “the rate of post-traumatic stress disorder,
11 depression, suicide, and the exacerbation of existing mental illnesses among current and former
12 inmates.”¹⁵

13 36. The Prison Rape Elimination Act not only prohibits sexual contact of any kind
14 between staff and incarcerated people, but also prohibits undue familiarity and fraternization
15 between staff and inmates, which are known pre-cursors to custodial sexual abuse, including
16 isolating inmates and initiating one-on-one contact with them, providing inmates with gifts, or
17 using profane language with inmates.

18 37. Under the Prison Rape Elimination Act, correctional facilities are required to
19 impose a strict “zero tolerance” standard on jails to protect inmates like Plaintiffs from sexual
20 abuse. Regulations implementing the Prison Rape Elimination Act mandate:¹⁶

- 21 a. “An agency shall have a written policy mandating zero tolerance toward
22 all forms of sexual abuse and sexual harassment and outlining the
23
24

25 ¹² 34 U.S.C § 30301(2), (6).

26 ¹³ 34 U.S.C § 30301(4)-(5).

27 ¹⁴ 34 U.S.C § 30301(11).

28 ¹⁵ 34 U.S.C § 30301(15)(C).

¹⁶ 28 C.F.R § 115.

1 agency's approach to preventing, detecting, and responding to such
2 conduct."

3 b. "During the intake process, inmates shall receive information explaining
4 the agency's zero-tolerance policy regarding sexual abuse and sexual
5 harassment and how to report incidents or suspicions of sexual abuse or
6 sexual harassment."

7 c. "The agency shall provide multiple internal ways for inmates to privately
8 report sexual abuse and sexual harassment[.]"

9 d. "The agency shall establish a policy to protect all inmates and staff who
10 report sexual abuse or sexual harassment[.]"

11 e. "The agency shall ensure that each facility it operates shall develop,
12 document, and make its best efforts to comply on a regular basis with a
13 staffing plan that provides for adequate levels of staffing, and, where
14 applicable, video monitoring, to protect inmates against sexual abuse."

15 f. "Each agency operating a facility shall implement a policy and practice of
16 having intermediate-level or higher-level supervisors conduct and
17 document unannounced rounds to identify and deter staff sexual abuse and
18 sexual harassment."

19 g. "Agencies shall make best efforts to avoid placing youthful inmates in
20 isolation[.]"

21 h. "The facility shall not conduct cross-gender strip searches or cross-gender
22 visual body cavity searches (meaning a search of the anal or genital
23 opening) except in exigent circumstances or when performed by medical
24 practitioners."

25 i. "[T]he facility shall not permit cross-gender pat-down searches of female
26 inmates, absent exigent circumstances."

27 j. "The agency shall ensure that an administrative or criminal investigation is
28 completed for all allegations of sexual abuse and sexual harassment."

- 1 k. "The agency shall train all employees who may have contact with inmates
2 on:
3 i. Its zero-tolerance policy for sexual abuse and sexual harassment;
4 ii. How to fulfill their responsibilities under agency sexual abuse
5 and sexual harassment prevention, detection, reporting, and
6 response policies and procedures;
7 iii. Inmates' right to be free from sexual abuse and sexual
8 harassment;
9 iv. The right of inmates and employees to be free from retaliation
10 for reporting sexual abuse and sexual harassment;
11 v. The dynamics of sexual abuse and sexual harassment in
12 confinement;
13 vi. The common reactions of sexual abuse and sexual harassment
14 victims;
15 vii. How to detect and respond to signs of threatened and actual
16 sexual abuse;
17 viii. How to avoid inappropriate relationships with inmates;
18 ix. How to communicate effectively and professionally with
19 inmates, including lesbian, gay, bisexual, transgender, intersex,
20 or gender nonconforming inmates; and
21 x. How to comply with relevant laws related to mandatory reporting
22 of sexual abuse to outside authorities."

23 **D. Ongoing Institutional Failures.**

24 38. Snohomish County failed to adequately implement and/or enforce the standards
25 imposed by the Prison Rape Elimination Act.

26 39. The Prison Rape Elimination Act, and other statutes aimed at preventing sexual
27 abuses, were not enacted in a vacuum. They reflected the known and ongoing failures at
28 detention centers over the preceding decades.

1 40. Despite the growing awareness of sexual abuse and the express legislative
2 directives to protect inmates from these behaviors and other acts of abuse, Snohomish County
3 staff routinely subjected incarcerated children to sexual abuse in violation of the long-standing
4 standard of care.

5 41. Snohomish County's failure to take action to protect Plaintiffs from sexual abuse
6 constituted negligence. Rather than protect these children and teenagers, Snohomish County
7 sustained a culture of abuse through a variety of harmful practices that harmed the child inmates.

8 42. Among these harmful practices, the County allowed and/or encouraged staff to
9 engage in strip and cavity searches on the children at Denney that were often without cause and
10 highly sexualized. These "searches" were not secretive and were in fact treated as standard
11 protocol. Sometimes these "searches" were used as punishment for the children at Denney.

12 43. For example, E.F., J.W., K.M., and D.Z., were all subject to invasive and
13 sexualized strip and/or cavity searches. These routinized "searches" created a guise of legitimacy
14 to cover officers' sexual abuse of children. That this abuse was tied to a practice treated as
15 acceptable and routine made it substantially more difficult for children to identify or to report.

16 44. The County did not create or operate any legitimate or safe procedures for the
17 children in its care to report sexual abuse and misconduct. It offered Plaintiffs no assurance that
18 reporting would not result in retaliation, which staff commonly threatened.

19 45. Both D.Z. and E.F. attempted to report their abuse. However, in response, the
20 County failed to take any action to protect either child.

21 46. The sexual abuse of Plaintiffs was further facilitated because the County
22 permitted guards to have unfettered access to each child's cell. Among others, Plaintiffs M.H.,
23 G.R., J.Y., K.M., M.O., and J.B., were all sexually abused when guards entered their cells.

24 47. M.H.'s abuser entered her cell to rape her on at least ten separate occasions.

25 48. The County also allowed staff unsupervised access to Plaintiffs while in the
26 showers and other "blind spots" in the facility. Staff used the lack of adequate supervision to
27 perpetrate sexual abuses. For example, K.M., G.R. and D.Z. were all sexually abused in the
28 showers.

1 49. The County failed to place surveillance cameras in appropriate locations and to
2 provide for the direct supervision of staff.

3 50. The County permitted inappropriate boundaries between staff and the jailed
4 Plaintiffs in their care. One guard befriended Plaintiff D.Z., playing chess with him regularly to
5 gain his trust. However, these chess games were only a grooming¹⁷ tactic. Eventually, the guard
6 coerced D.Z. into oral sex in exchange for greater privileges.

7 51. The County failed to intervene and prevent these and other grooming behaviors.

8 52. The County failed to properly screen employees to prevent sexual predators from
9 working in its youth detention facilities.

10 53. The County failed to train its employees regarding sexual abuse of inmates, the
11 prevention of sexual abuse, and reporting sexual abuse. As a result, even brazen sexual abuse and
12 humiliation were *de facto* acceptable at Denney.

13 54. Both G.R. and J.B. were subject to repeated and public acts of sexual abuse and
14 humiliation. G.R. was forced, along with the other children in his pod, to strip down and stand in
15 the hall fully nude while awaiting the showers. J.B. was repeatedly groped by an officer when he
16 passed him in the hallways and during walkthrough. This officer did so, despite the public nature
17 of the hallway.

18 55. Due to the County's negligence in allowing this culture of sexual abuse to flourish
19 and in failing to protect the children in its custody from harm, Plaintiffs suffered physical,
20 emotional, and psychological trauma, leading to significant anguish and distress that they will
21 live with for the rest of their lives.

22 56. Each Plaintiff was sexually abused as a direct result of the County's policy and
23 procedures failures. These failures resulted in or allowed for the abuse described in the following
24 section to be inflicted on Plaintiffs. The descriptions that follow are merely summaries and do

25 _____
26 ¹⁷ Grooming is the preparatory (or 'lead up') stage of child sexual abuse that offenders use to
27 gain the trust and compliance of the child or young person (and those around them) and to
28 establish secrecy and silence to avoid disclosure. Bravehearts, *What is Grooming*,
<https://bravehearts.org.au/about-child-sexualabuse/what-is-grooming/> (last visited May 12,
2026).

not include every single act of abuse Plaintiffs endured. All dates and ages set forth below are approximate. In most cases, because of the nature of Plaintiffs' short-term detention, Plaintiffs did not learn the names of the employees who harmed them. Plaintiffs provided a description of each perpetrator to the County before filing this suit.

VI. PLAINTIFFS' SPECIFIC ALLEGATIONS

57. Plaintiff K.M.

Approximate dates of abuse	1982
Plaintiff age at time of abuse	14 years old
Perpetrator description	The guard who assaulted K.M. may have been named "Glenn." Glenn had sandy blonde hair, wore glasses, and appeared to be in his late 20s or early 30s. K.M. does not at this time recall the name or description of the other guards who assaulted him.
Details	K.M. was subjected to repeated invasive strip and cavity searches at Denney. K.M. was forced to strip fully naked, and guards digitally penetrated K.M.'s anus and touched K.M.'s genitals. Guards also watched K.M. while he showered. Additionally, during the first 30 days of his incarceration, K.M. was housed in an apparent "monitoring" cell, where lights were on 24-hours per day. Two guards (Glenn and one other) who worked the night shift assaulted K.M. repeatedly. On at least 12 occasions these guards entered K.M.'s cell at night, cornered him, and touched his genitals.

58. Plaintiff G.R.

Approximate dates of abuse	1990-1991
Plaintiff age at time of abuse	13 or 14 years old.
Perpetrator description	G.R. does not recall the name of the officer, but believes his name began with the letter "S". S was a white man who appeared to be in his late forties. S was slightly overweight, around 5'8" tall, and had grey, receding hair. S smelled strongly of cigarettes.
Details	Guards at Denney forced the boys to strip naked and line up to shower in front of one another and guards. One guard in particular, S, began to make sexual comments and advances towards G.R. Later, S approached G.R. and threatened him. S told G.R. that if he did not perform oral sex on S, that S would keep G.R. from returning home. S also told G.R. that he would kill G.R.'s family if G.R. did not comply. On about three

	occasions, S used these threats to force G.R. to perform oral sex on him. G.R. was terrified and believed he had no choice but to comply. One night, while G.R. slept in his cell, a guard entered his cell and assaulted him. Because Denney left the lights on at night, G.R. and other boys slept with their pants around their eyes. When the officer entered G.R.'s cell, he kept G.R.'s pants around his head and attempted (unsuccessfully) to anally rape him. The officer was unable to and eventually he stopped.
--	---

59. Plaintiff J.W.

Approximate dates of abuse	1992-1997
Plaintiff age at time of abuse	12 to 18 years old
Perpetrator description	J.W. was assaulted by multiple guards at Denney. He does not recall all of their names but does remember that one of the guards who assaulted him was called "Dick." Dick was a white man with a bushy mustache, brown hair, and a receding hairline. Dick appeared to be a supervisor because other officers seemed to follow him and mimic his behaviors.
Details	Dick, along with two other guards, would conduct routine strip searches of J.W., where he was forced to strip completely naked. Some strip searches occurred during intake. In other instances, strip searches were treated as "punishment," or to get children to comply with orders. Guards digitally penetrated J.W.'s anus and made J.W. move his genitals. The very first time J.W. was strip searched, he cried the whole time. The guard conducting that search told J.W. "get over it, you'll be doing this for the rest of your life." In some instances, Dick removed his own penis from his pants while strip searching J.W. saying "see, I can show you mine, I don't know why you're scared to show yours." Dick also touched himself sexually while J.W. was naked and attempted to make J.W. touch Dick's penis. In these instances, Dick would say "you can call me 'Richard' for long," seemingly referencing the size of Dick's own penis. When J.W. resisted the assaults, he was punished with loss of recreation time, shortened meals, or being held back in his cell from school. Guards also threatened to tell the court that J.W. was "misbehaving" at Denny, which J.W. knew could impact his case or prolong his stay.

60. Plaintiff M.O.

Approximate dates of abuse	1994
Plaintiff age at time of abuse	14 years old
Perpetrator description	M.O. was assaulted by a male guard named "Cal."
Details	Cal entered M.O.'s cells and rubbed M.O.'s genitals over the clothes and then under the clothes. Then Cal forced M.O. to perform oral sex on Cal. Cal did this on two occasions. Cal threatened M.O., telling M.O. that if he told anyone, Cal would extend M.O.'s sentence at Denney. Cal returned to M.O.'s cell a few nights later and again forced M.O. to perform oral sex on Cal.

61. Plaintiff M.H.

Approximate dates of abuse	1996-1997
Plaintiff age at time of abuse	15 years old
Perpetrator description	M.H. was assaulted by a man who may have been called "Bob." Bob was white with short brown hair and worked the night shift.
Details	Bob vaginally raped M.H. on multiple occasions and anally raped her on one occasion. The assaults began on the first night that M.H. was incarcerated at Denney. Bob entered M.H.'s cell at night while she slept. He made her stand up and face the wall. Bob then pulled down M.H.'s pants and threatened to extend her time at Denney if she made any noise. Bob began to rub M.H.'s vagina with his hand, pulled down his own pants, and vaginally raped her. Immediately after, Bob grabbed M.H.'s hair and told her that no one would believe her if she tried to report what he had done. Before exiting M.H.'s cell, Bob raised his voice and said, "what the hell are you doing, get back in your bunk and go to sleep now." Bob returned to M.H.'s cell the next night and vaginally raped her again. During M.H.'s next stay at Denney, Bob returned to her cell and vaginally and anally raped her. He told M.H. "you must have missed me." During the assaults M.H. was terrified. She felt she had no choice but to comply with Bob. Bob returned to her cell seven or eight additional nights, and vaginally raped M.H. each time.

62. Plaintiff J.B.

Approximate dates of abuse	2001
Plaintiff age at time of abuse	12 years old
Perpetrator description	J.B. was assaulted by a male guard. The guard was white, around six feet tall, and had dark brown hair and a goatee. He worked during the late evenings and nights.
Details	J.B. was repeatedly assaulted by this guard. On at least ten occasions, the guard groped J.B.'s genitals over his clothes. In some instances, the guard groped J.B. during walkthroughs. In others, the guard groped J.B. as J.B. walked past him to return to his cell. The guard repeatedly threatened J.B., telling him no one would believe J.B. because J.B. was a "delinquent." On one occasion, shortly before J.B.'s release, the guard entered J.B.'s cell and forced J.B. to perform oral sex on the guard.

63. Plaintiff J.Y.

Approximate dates of abuse	2003
Plaintiff age at time of abuse	18 years old
Perpetrator description	J.Y. was assaulted by a male guard who was white, around 5'7" and was in his late twenties or early thirties. He was thin and had short brown hair and no facial hair.
Details	J.Y. was incarcerated for just one night at Denney. While J.Y. was in a single cell, the guard entered the cell and forced J.Y. to perform oral sex on him.

64. Plaintiff D.Z.

Approximate dates of abuse	2008-2010
Plaintiff age at time of abuse	16 to 18 years old
Perpetrator description	D.Z. is uncertain of the precise name of the guard who assaulted him. However, the best of his recollection, the guard's name was "Alan" or something similar.
Details	Alan repeatedly performed oral sex on D.Z., digitally penetrated D.Z., and placed his penis around D.Z.'s mouth. This guard groomed D.Z., playing chess with him regularly and giving D.Z. special privileges in exchange for sex acts. During his stay at Denney, D.Z. also endured repeated strip cavity searches and was forced to shower with other boys while the guards watched. When D.Z. tried to report this abuse, staff ignored him. D.Z. was made to feel like a liar for attempting to seek help.

65. Plaintiff E.F.

Approximate dates of abuse	2009-2012
Plaintiff age at time of abuse	13 to 16 years old
Perpetrator description	A female guard called "Amy" was one of the officers who assaulted E.F., however, E.F. does not recall all the names of the guards who assaulted her.
Details	Upon intake a Denney, E.F. was forced to strip fully naked, spread her cheeks, bend over, and cough. A female guard then inserted two fingers inside of E.F.'s vagina and made a circular motion with her fingers. The search was painful and humiliating. On at least ten other occasions, E.F. was subjected to fully nude strip searches and vaginal cavity searches at Denney. During some of these searches, there was a male guard present in the room as well.

VII. CLAIMS FOR RELIEF

COUNT I:

NEGLIGENCE

66. Plaintiffs incorporate by reference the preceding paragraphs.

67. Plaintiffs allege common law negligence claims against Defendant Snohomish County.

68. The liability-creating conduct of the County consisted of, among other things, breaching its duty to refrain from negligently placing dependent children in situations that would foreseeably cause grave harm; the negligent hiring, training, and supervision of its staff, including permitting unsupervised one-on-one contact between staff and vulnerable inmates and failing to exercise reasonable control over their staff; the failure to create and/or enforce policies and procedures to protect children from sexual abuse, harassment, and retaliation, including inadequate or no education being provided to young inmates about how to report misconduct; violating its special trust relationship with Plaintiffs, who were held within their facilities, by failing to protect them from the foreseeable criminal acts of their employees and other inmates; and acting in reckless disregard of the consequences under such surrounding circumstances and conditions that a reasonable person would know, or should know, that such conduct would, to a high degree of probability, result in substantial harm to others, including Plaintiffs.

1 69. Plaintiffs further allege claims under the doctrines of agency, vicarious liability,
2 and respondeat superior and allege that the County is liable for all damages sustained by
3 Plaintiffs as a result of its staff people's actions committed within the scope of their employment.
4 In particular, sexual abuse, humiliation, and harassment were regular and foreseeable
5 consequences of employment-related activities completed in furtherance of the maintenance of
6 detention facilities where the County:

7 A. Authorized its employees and agents to use force to gain compliance of
8 and to subdue inmates and to maintain jail safety and security;

9 B. Allowed employees and agents to bring in contraband and other high-
10 value items to motivate and control inmates;

11 C. Required regular "one-on-one" meetings between staff and inmates to
12 groom inmates and build their trust;

13 D. Condoned its employees' and agents' failures to report abuse claims and
14 other acts and efforts intended to discourage the escalation of abuse claims to protect the
15 County's reputation and other interests;

16 E. Permitted employees and staff to use acts of sexual abuse, humiliation,
17 and harassment to punish inmates;

18 F. Directed employees and agents to conduct invasive strip searches; and

19 G. Allowed its employees and agents to disregard policies designed to
20 prevent the abuse of inmates, including related to decisions about the ratio between
21 inmates and guards/staff members during waking and sleeping hours.

22 70. Across the time period at issue, custody and control of inmates, enforcing
23 discipline, and maintaining detention security were among the primary duties of County
24 employees and agents. In each applicable instance of abuse, the County authorized its
25 employees and agents to exercise their discretion in carrying out that authority such that the
26 alleged conduct was of the same general nature as that authorized, or was incidental to
27 authorized conduct, and rightfully considered within the scope of employment.
28

1 71. Even where the conduct was excessive or the employee or agent derived sexual
2 gratification or pleasure, the alleged sexual abuse remained a reasonably foreseeable
3 consequence of the employment-related activity, was at least partly in service of the employer's
4 interest, and did not involve a degree of conduct that was beyond that expected by the employer,
5 and/or was consistent with written rules and policies, unwritten rules and policies, or common
6 practice.

7 72. These claims for vicarious liability and the scope of employment do not limit
8 claims alleged for the County's breaches of its own duty of care. Liability under those theories is
9 analytically distinct and separate from vicarious liability, even when premised on the same
10 policies and procedures.

11 73. The County failed to exercise reasonable care in its conduct towards Plaintiffs.

12 74. As a direct and proximate result of the County's negligence, Plaintiffs suffered,
13 and continue to suffer, severe injuries.

14 **COUNT II:**

15 **GROSS NEGLIGENCE**

16 75. Plaintiffs incorporate by reference the preceding paragraphs.

17 76. Plaintiffs allege common law gross negligence claims against Defendant
18 Snohomish County.

19 77. The liability-creating conduct of the County consisted of, among other things,
20 breaching its duty to refrain from grossly negligently placing dependent children in situations
21 that would foreseeably cause grave harm; the grossly negligent hiring, training, and supervision
22 of its staff, including permitting unsupervised one-on-one contact between staff and vulnerable
23 inmates and failing to exercise control over their staff; the failure to create and/or enforce
24 policies and procedures to protect children from sexual abuse, harassment, and retaliation,
25 including inadequate or no education being provided to young inmates about how to report
26 misconduct; violating its special trust relationship with Plaintiffs, who were held within their
27 facilities, by failing to protect them from the foreseeable criminal acts of their employees and
28 other inmates; and acting in reckless disregard of the consequences under such surrounding

1 circumstances and conditions that a reasonable person would know, or should know, that such
2 conduct would, to a high degree of probability, result in substantial harm to others, including
3 Plaintiffs.

4 78. Plaintiffs further allege claims under the doctrines of agency, vicarious liability,
5 and respondeat superior and allege that the County is liable for all damages sustained by
6 Plaintiffs as a result of its staff people's actions committed within the scope of their employment.
7 In particular, sexual abuse, humiliation, and harassment were regular and foreseeable
8 consequences of employment-related activities completed in furtherance of the maintenance of
9 detention facilities where the County:

10 A. Authorized its employees and agents to use force to gain compliance of
11 and to subdue inmates and to maintain jail safety and security;

12 B. Allowed employees and agents to bring in contraband and other high-
13 value items to motivate and control inmates;

14 C. Required regular "one-on-one" meetings between staff and inmates to
15 groom inmates and build their trust;

16 D. Condoned its employees' and agents' failures to report abuse claims and
17 other acts and efforts intended to discourage the escalation of abuse claims to protect the
18 County's reputation and other interests;

19 E. Permitted employees and staff to use acts of sexual abuse, humiliation,
20 and harassment to punish inmates;

21 F. Directed employees and agents to conduct invasive strip searches; and

22 G. Allowed its employees and agents to disregard policies designed to
23 prevent the abuse of inmates, including related to decisions about the ratio between
24 inmates and guards/staff members during waking and sleeping hours.

25 79. Across the time period at issue, custody and control of inmates, enforcing
26 discipline, and maintaining detention security were among the primary duties of County
27 employees and agents. In each applicable instance of abuse, the County authorized its
28 employees and agents to exercise their discretion in carrying out that authority such that the

1 alleged conduct was of the same general nature as that authorized, or was incidental to
2 authorized conduct, and rightfully considered within the scope of employment.

3 80. Even where the conduct was excessive or the employee or agent derived sexual
4 gratification or pleasure, the alleged sexual abuse remained a reasonably foreseeable
5 consequence of the employment-related activity, was at least partly in service of the employer's
6 interest, and did not involve a degree of conduct that was beyond that expected by the employer,
7 and/or was consistent with written rules and policies, unwritten rules and policies, or common
8 practice.

9 81. These claims for vicarious liability and the scope of employment do not limit
10 claims alleged for the County's breaches of its own duty of care. Liability under those theories is
11 analytically distinct and separate from vicarious liability, even when premised on the same
12 policies and procedures.

13 82. The County failed to exercise slight care in its conduct towards Plaintiffs.

14 83. As a direct and proximate result of the County's gross negligence, Plaintiffs
15 suffered, and continue to suffer, severe injuries.

16 **COUNT III:**

17 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

18 84. Plaintiffs incorporate by reference the preceding paragraphs.

19 85. Plaintiffs allege common law intentional infliction of emotional distress claims
20 against the County.

21 86. The County's conduct towards Plaintiffs was extreme and outrageous.

22 87. As a direct and proximate result of the County's outrageous conduct, Plaintiffs
23 suffered, and continue to suffer, severe injuries, including severe mental and emotional distress.

24 88. Plaintiffs reserve the right to assert additional claims as may be appropriate
25 following further investigation and discovery.

1 **PRAYER FOR RELIEF**

2 WHEREFORE, Plaintiffs respectfully request that the Court enter judgment in their favor
3 and against Defendant Snohomish County as follows:

- 4 A. An award of compensatory, general, and special damages;
5 B. An award of Plaintiffs' costs and attorneys' fees as appropriate and permitted by
6 law;
7 C. An award of prejudgment interest; and
8 D. Such other or further relief as may be appropriate.

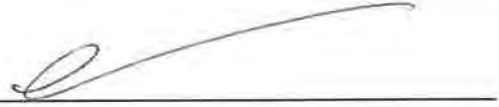
9 **JURY TRIAL DEMANDED**

10 Plaintiffs request a trial by jury of all claims that can be so tried.

11
12 DATED: July 7, 2026

Respectfully submitted,

13 HAGENS BERMAN SOBOL SHAPIRO LLP

14
15 By: /s/ 

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21
22
23
24 *Attorneys for Plaintiffs*

1 DATED this 6th day of November, 2025

Respectfully submitted,

2 HAGENS BERMAN SOBOL SHAPIRO LLP

3
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