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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

JANE DOE 5 and JOHN DOE 6

Plaintiffs,

v.

CHILDNET YOUTH AND FAMILY
SERVICES, INC.; FOSTER FAMILY
NETWORK; COUNTY OF RIVERSIDE and
DOES 1 through 50, inclusive,

Defendants.

Case No.: **CVRI 2202989**

COMPLAINT FOR DAMAGES; DEMAND FOR
JURY TRIAL

Plaintiffs hereby allege as follows:

1. Fictitious names are being used for plaintiffs, in order to protect plaintiffs' privacy as victims of childhood abuse and neglect, particularly in light of the immense publicity that has surrounded them in recent years.

2. Defendants ChildNet Youth and Family Services, Inc. and Foster Family Network (collectively "ChildNet") are related business entities with their principal places of business in California. They are licensed by the State of California as foster family agencies and are in the business of recruiting, certifying and training foster parents, placing children in foster homes and overseeing children when they are living in its certified foster homes.

1 3. Defendant Does 1 through 50 are individuals and/or entities doing business or residing in
2 California whose true names and capacities are unknown to plaintiff, who therefore sue such defendants
3 by such fictitious names. Plaintiffs will amend the complaint to show the true names and capacities of
4 each such Doe defendant when ascertained. Each such defendant is legally responsible in some manner
5 for the events, happenings and/or tortious and unlawful conduct that caused the injuries and damages
6 alleged in this complaint.

7 4. Each defendant is the agent, servant, and/or employee of the other defendants, and each
8 defendant was acting within the scope of his, her or its authority as an agent, servant, and/or employee
9 of the other defendants. Defendants, and each of them, are individuals, corporations, partnerships, and
10 other entities which engaged in, joined in, and conspired with the other wrongdoers in carrying out the
11 tortious and unlawful activities described in this complaint, and defendants, and each of them, ratified
12 the acts of the other defendants as described in this complaint.

13
14 Defendants' Failure to Protect Plaintiffs from Severe Abuse and Neglect

15 5. In early 2018, the County of Riverside removed plaintiffs and their additional 11 siblings
16 from their biological parents (David and Louise Turpin) because of a long history of severe abuse and
17 neglect. Plaintiffs and their siblings had been imprisoned in their home and allowed virtually no contact
18 with the outside world for most or all of their lives. Plaintiffs were in an extremely fragile state, both
19 physically and emotionally, and therefore needed to be placed in a home where they could recover from
20 their trauma and learn how to integrate into society. The County and ChildNet (collectively
21 "Defendants") were highly aware of plaintiffs' extremely fragile state. The County asked ChildNet to
22 find a placement for plaintiffs and four of their siblings.

23 6. Mr. and Ms. O. were a married couple whom ChildNet had certified to act as foster
24 parents. Defendants knew that they were unfit to be foster parents, particularly for children as
25 vulnerable as plaintiffs, because Mr. and Ms. O. had a prior history of physically and emotionally
26 abusing children as well as severely neglecting children who had been placed in their care. Defendants
27 were aware of credible reports of abuse and neglect committed by Mr. and Mrs. O and their adult
28 daughter. However, defendants did not act upon that information. They failed in their duties as a foster

1 family agency, as a child protective services agency and as mandated reporters. As to ChildNet, it had a
2 financial motive to continue placing a large number of children in this foster home and thereby
3 strengthen its relationship with the County of Riverside, and it put that financial motive ahead of its
4 responsibility to children.

5 7. After placing plaintiffs and four of their siblings with Mr. and Ms. O., defendants were
6 put on notice that Mr. and Mrs. O and their adult daughter were sexually, physically and emotionally
7 abusing and severely neglecting them. At least one of the plaintiffs had conversations with defendants'
8 social workers in which she conveyed that information and asked for help. The abuse and neglect that
9 plaintiffs were subjected to included:

- 10 a. Mr. O. sexually abused Jane Doe 5 and her siblings by, among other things, grabbing and
11 fondling their buttocks, legs and breasts, kissing them on their mouths and making
12 sexually suggestive comments.
- 13 b. Mr. and Mrs. O and their daughter physically abused plaintiffs, including but not limited
14 to pulling their hair, hitting them with a belt and striking their heads.
- 15 c. Mr. and Mrs. O subjected plaintiffs to severe emotional abuse, including but not limited
16 to:
 - 17 i. As "punishment," making plaintiffs sit by themselves, sometimes outside, for many
18 hours at a time.
 - 19 ii. Making plaintiffs sit in a circle and recount in detail the horrors that they had
20 experienced while living with their biological parents.
 - 21 iii. Preventing plaintiffs from communicating with their other siblings.
 - 22 iv. Verbally abusing plaintiffs, cursing at them, and telling them that they were
23 worthless and should commit suicide. Mr. and Mrs. O went as far as to suggest
24 how the plaintiffs should commit suicide.
 - 25 v. Threatening to return plaintiffs to their biological parents.
 - 26 vi. Forcing plaintiffs to eat excessive amounts of food, which led to eating disorders.
 - 27 vii. Forcing them to eat until they began to vomit. After they began to vomit, they
28 forced them to eat their own vomit.

1 viii. Forcing them to watch as a foster child in the adult daughter's care was severely
2 physically abused and tortured.

3 ix. Mr. and Mrs. O and their daughter would tell plaintiffs that nobody would ever
4 love them.

5 d. Mr. and Ms. O subjected plaintiffs to severe neglect, including failure to provide them
6 with sufficient or appropriate food.

7 8. Defendants had a duty to protect plaintiffs, but instead protected Mr. and Mrs. O by
8 failing to report the abuse and neglect of plaintiffs to Child Protective Services or to law enforcement
9 and by failing to intervene and interfere when abuse and neglect was reported by others. Defendants
10 allowed plaintiffs to remain in the home for three years.

11 9. Eventually, in March 2021, an investigation by the Riverside County Sheriff's
12 Department led to the arrest of Mr. and Ms. O. and their daughter for lewd acts with a child, inflicting
13 injury on a child, willful child cruelty and false imprisonment, and plaintiffs were removed from their
14 home. By then, plaintiffs had suffered physical and psychological injuries and severe emotional distress
15 as a result of three years of abuse and neglect. These injuries were particularly severe because plaintiffs
16 were in a very vulnerable state to begin with.

17
18 FIRST CAUSE OF ACTION – Violation of Child Abuse and Neglect Reporting Act

19 (Against All Defendants)

20 10. Plaintiffs hereby incorporate by this reference all paragraphs of this complaint as if fully
21 set forth herein.

22 11. Pursuant to the Child Abuse and Neglect Reporting Act ("CANRA"), Penal Code
23 sections 11164 et. seq., defendants, by and through their employees and agents, are "mandated
24 reporters" and must report any reasonable suspicion of child abuse or neglect. Defendants knew or
25 reasonably suspected that plaintiffs and others experienced abuse and neglect in the home of Mr. and
26 Mrs. O, but repeatedly failed to report that to either Child Protective Services or law enforcement.
27 Indeed, defendants actively withheld this information from the authorities. Moreover, defendants failed
28 to properly train their employees regarding the duties of mandated reporters. Had defendants properly

1 reported the abuse and neglect by the foster parents, it is likely that plaintiffs never would have been
2 placed in their home in the first place or would have been removed much earlier.

3 12. As a result of defendants' violation of CANRA, plaintiffs sustained injuries and damages
4 as alleged herein.

5
6 SECOND CAUSE OF ACTION – Negligence

7 (Against defendants CHILDNET YOUTH AND FAMILY SERVICES, INC.; FOSTER FAMILY
8 NETWORK and DOES 1 through 50, inclusive)

9 13. Plaintiffs hereby incorporate by this reference all paragraphs of this complaint as if fully
10 set forth herein.

11 14. Defendant CHILDNET owed a duty of care to plaintiffs to protect them from abuse and
12 neglect. This duty arose from CHILDNET'S role as the foster family agency that certified Mr. and Ms.
13 O. as foster parents, placed plaintiffs in the home and oversaw plaintiffs while they lived in the home,
14 including visiting them on a weekly basis. This duty also arose from the special relationship that
15 defendants had with plaintiffs and with the foster parents and from the relevant statutes and regulations
16 governing foster family agencies, including but not limited to Title 22, California Code of Regulations,
17 sections 88000 et. seq.

18 15. Defendant CHILDNET breached this duty of care by, among other things, failing to
19 report the abuse and neglect by the foster parents to Child Protective Services and/or law enforcement,
20 actively withholding this information from the authorities, placing plaintiffs in the home and allowing
21 plaintiffs to remain in the home for three years despite being aware of the ongoing abuse and neglect
22 detailed above.

23 16. As a result of CHILDNET'S breach of their duty of care, plaintiffs sustained injuries and
24 damages as alleged herein.

25
26 THIRD CAUSE OF ACTION – Breach of Mandatory Duties

27 (Against All Defendants)

28 17. Plaintiff hereby incorporates by this reference all paragraphs of this complaint as if fully

1 set forth herein.

2 18. In addition to CANRA, defendants violated various other mandatory duties intended to
3 protect children from abuse and neglect and are therefore liable for plaintiffs' injuries. These mandatory
4 duties include, but are not limited to:

- 5 a. California Department of Social Services ("CDSS") regulation 31-125.1, which required
6 defendants to determine whether the children were at risk of abuse or neglect and in need
7 of child welfare services.
- 8 b. CDSS regulation 31-125.2, which required defendants to have in-person contact with
9 all of the children alleged to have been abused or neglected, both at the time of an initial
10 investigation and at the time of any follow-up investigation. This regulation also required
11 in-person contact with the parents and "collateral contacts" with knowledge of the
12 condition of the children.
- 13 c. CDSS regulations 31-101.5, 31-125.3, 31-125.4 and 31-125.5, which required
14 defendants to determine whether child welfare services were, or were not, necessary and
15 to document that decision. If services were determined to be necessary, defendants were
16 required to create a case plan.

17 19. Defendants breached each of the aforementioned mandatory duties by, among other acts
18 and omissions:

- 19 a. Not having the mandated in-person contacts and interviews with the children, their foster
20 parents and collateral contacts. Had defendants done so, there would have been
21 absolutely no doubt that the children were being subjected to abuse and neglect.
- 22 b. Not making a determination whether services were required and not providing the
23 services that this family needed in order to avoid further abuse and neglect of the
24 children. Defendants knew that services were necessary in order to protect the children,
25 but simply chose not to take the steps to provide those services or, if services were
26 refused, to take other necessary steps to protect the children.
- 27 c. Not creating a case plan that would have provided a means for evaluating the ongoing
28 safety of the children and whether they could safely remain in the home.

20. As a result of defendants' breaches of mandatory duties, plaintiffs sustained injuries and damages as alleged herein.

FOURTH CAUSE OF ACTION – Breach of Duties Arising under Special Relationship

(Against All Defendants)

21. Plaintiffs hereby incorporate by this reference all paragraphs of this complaint as if fully set forth herein.

22. A special relationship was established between defendants, on the one hand, and plaintiffs, on the other hand, by virtue of defendants having entered upon the task of purporting to protect the children. This induced reliance and dependence on the part of the children and their siblings, who reasonably believed that defendants would take meaningful steps to protect them.

23. Defendants increased the danger to plaintiffs by ratifying and sanctioning the foster parents' abuse and neglect of the children. This led others, including mandated reporters and plaintiffs' siblings, to refrain from taking any further steps to protect the children. As a result of the special relationship, defendants owed a duty to exercise reasonable care. Defendants breached that duty, as discussed above, by failing to take meaningful steps to protect the children from abuse and neglect. Defendants knew that the children were being abused and neglected, that the abuse and neglect were almost certain to continue, that the children would suffer lasting damage as a result and that this family needed child welfare services, but defendants willfully chose to do nothing because that was the easier course to take. Defendants never considered trying to remove the children from the home and never made a discretionary decision to allow them to remain in the home.

24. As a result of defendants' breach of their duty of care, plaintiffs sustained injuries and damages as alleged herein.

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1 WHEREFORE plaintiffs pray for the following relief:

2 1. Compensatory damages for the physical and psychological injuries and emotional distress
3 that plaintiffs suffered.

4 2. Costs of suit and such other and further relief as the Court deems just and proper.
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6 Date: July 19, 2022

OAKWOOD LEGAL GROUP, LLP


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8 By: 
9 Elan Zektser
10 Attorneys for plaintiffs
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DEMAND FOR JURY TRIAL

Pursuant to Code of Civil Procedure section 631, plaintiffs demand a jury trial on all issues so triable.

Date: July 19, 2022

OAKWOOD LEGAL GROUP, LLP

By: 
Elan Zektser
Attorney for Plaintiffs