

JUNE 2012

SETTLEMENT - PIERCE COUNTY

AMBER WRIGHT v. STATE OF WASHINGTON, DEPARTMENT OF SOCIAL & HEALTH SERVICES (DSHS)

Number: 09-2-06018-1

Settlement Date: 5/4/12 (one month prior to trial)

Plff Atty: David P. Moody & Marty McLean of Hagens Berman Sobol Shapiro (Seattle); Carter Hick of Connolly Tacon & Merserve (Olympia)

Def. Atty: Eric Mentzer & John McIlhenny, Attorney General's Office, Tort Claims Division (Olympia)

Plff Exp.: Cloie Johnson (Vocational Rehabilitation) Bothell; D.P. Van Blaricom (Police Practices) Bellevue

Def. Exp.: Loreli Thompson Ph.D. (Psychologist) Lacey; Stanley Owings (Vocational Rehabilitation) Seattle; Janet Warren (Therapist) Charlotte VA; Kevin McGovern Ph.D. (Psychologist) Beaverton OR

Mediator: Larry Levy (not able to resolve the case)

STATE & DSHS NEGLIGENCE

PHYSICAL & SEXUAL ABUSE; EMOTIONAL DISTRESS

10/04-5/05 - In August 2004, Plff Amber Wright was a 13-year-old child residing in Sumner, Washington. On August 18, 2004, David Wright was arrested on suspicion of child molestation, providing methamphetamines to minors, and five (5) counts of communicating with a minor for immoral purposes. This arrest followed reports that David Wright was abusing numerous children, including Plff Amber, his daughter. On August 18, 2004, DSHS was notified of David Wright's arrest. DSHS assigned an inexperienced social worker named Bruce Morrison to investigate. During his deposition, Mr. Morrison admitted that he was unqualified to perform child abuse investigations when DSHS assigned him this investigation. Mr. Morrison's lack of experience was evident during his investigation on DSHS' behalf. Plff claimed that DSHS failed to take basic, common-sense steps to determine if Plff was being victimized. DSHS failed to: (1) interview Plff; (2) interview David Wright; (3) interview Plff's younger brother who was living in the same home and who was also victimized; (4) interview the seven other child-victims who had provided statements to the police regarding their own abuse at the hands of David Wright; (5) interview concerned neighbors who came forward with reports of abuse regarding their children; and (6) failed to cooperate with law enforcement officials conducting a concurrent investigation of David Wright. During the pendency of its investigation, DSHS elected to place Plff with David Wright's mother, a woman named

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Facts Cont'd: Ellen Buckner. Def. DSHS' own records showed that Ms. Buckner would do anything to protect her son and repeatedly pressured Plff to recant or deny reports that she was being physically and sexually abused. On October 23, 2004, having done virtually nothing to investigate the numerous reports that Plff was being abused, DSHS closed its investigation and returned Plff to David Wright's care. The next day, David Wright moved to a remote part of Pacific County, Washington, where he continued to physically and sexually abuse Plff on a regular basis. On May 26, 2005, Plff escaped through an unlocked door at David Wright's home and again reported her abuse. David Wright was charged with multiple counts of child abuse, molestation and incest. David Wright was convicted and sentenced to prison. On February 19, 2009, this lawsuit was filed against DSHS.

Injuries: Physical and sexual abuse; emotional distress. As a result of the abuse, Plff suffered significant pain and suffering. Permanency claimed.

Settlement: Two mediations with DSHS were unsuccessful, with DSHS refusing to offer more than \$200,000. The case eventually settled without assistance from a mediator.

Result: PLAINTIFF SETTLEMENT for \$2,850,000.