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11 **UNITED STATES DISTRICT COURT**  
12 **NOTHERN DISTRICT OF CALIFORNIA**

13 THE ESTATE OF KAYA CENTENO, BY  
14 AND THROUGH KRISTIN KAZZEE., AND  
15 SUCCESSORS IN INTEREST AND  
16 REPRESENTATIVES OF THE DECEASED  
17 KAYA CENTENO AND KRISTIN  
18 KAZZEE,

19 Plaintiffs,

20 vs.

21 SONOMA COUNTY, JOSE A. CENTENO,  
22 GINA M. CENTENO, AND DOES 1-100,  
23 INCLUSIVE,

24 Defendants.

Case No.: 3:22-cv-01202-JD

**FIRST AMENDED COMPLAINT FOR DAMAGES**

**FEDERAL CLAIMS**

1. **VIOLATION OF CIVIL RIGHTS UNDER 42 U.S.C. §§ 1983, 198542 U.S.C. § 1983 – Fourteenth Amendment Substantive Due Process: State Created Danger**
2. **VIOLATION OF CIVIL RIGHTS UNDER 42 U.S.C. §§ 1983, 1985 (Fourteenth Amendment Substantive Due Process (State Created Danger Violation of Liberty Interest)**
3. **VIOLATION OF CIVIL RIGHTS UNDER 42 U.S.C. §§ 1983, 1985 (Fourteenth Amendment Substantive Due Process.**
4. **MONELL CLAIMS against the COUNTY, and TLC**
5. **MONELL CLAIMS against the CITY/RPDPS**
6. **Monell: Failure to Train 42 U.S.C. § 1983**
7. **Trafficking Victim Private Civil Remedies 42 U.S.C. § 1983 AND 18 U.S.C. § 1595 –**



1 COMES NOW, Pursuant to the Court's order of December 8, 2022, Plaintiffs, Kristin  
2 Kazzee, The Estate of Kaya Centeno, By And Through Kristin Kazzee, Successors In Interest  
3 And Representatives of The Estate of Kaya Centeno, Presumed Deceased<sup>1</sup>, allege the following:

4 **I. THE PARTIES**

5 **PLAINTIFFS**

6 1. At all relevant times mentioned herein, KRISTIN KAZZEE AND KAYA  
7 CENTENO, presumed deceased, were residents of the County of SONOMA, State of California.  
8 Plaintiff KRISTIN KAZZEE is the oldest siblings of KAYA CENTENO, presumed deceased,  
9 MICHELLE K., and P. K..

10 2. KAYA CENTENO, presumed deceased, MICHELLE K., and P. K.. are victims of  
11 childhood sexual harassment, molestation, sexual slavery, torture and abuse. KAYA CENTENO  
12 is an adult but all time relevant hereto, was a minor and reached age of majority during the period  
13 of Defendants' illegal conduct perpetrated upon her. KAYA CENTENO. has been missing since  
14 age 8 in about 2010 when she was taken away from the foster home of Defendants Jose and Gina  
15 Centeno in an ambulance.

16 3. KRISTIN KAZZEE is an adult but all time relevant hereto, was a minor during the  
17 period of she witnessed Defendants' illegal conduct perpetrated upon her siblings and the death of  
18 her sister KAYA CENTENO.

19 **DEFENDANTS**

20 4. DEFENDANT SONOMA COUNTY is a governmental entity of the State of  
21 California, with a principal place of business located at 575 Administration Drive, Suite 100A  
22 Santa Rosa, CA 95403. DEFENDANT SONOMA COUNTY manages and operates Sonoma  
23 County Family, Youth and Children's Services ("FYCS"), located at 1202 Apollo Way, Santa Rosa,  
24 CA 95407.

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25  
26 <sup>1</sup> Plaintiffs are waiting for release of subpoenaed juvenile records to verify death and will seek an  
27 order from the Probate Court confirming presumption of death and seek leave of this Court to  
amend this Complaint to reflect the evidence proving presumption of death.

1           5.     5. At all times mentioned herein, JOSEPHINE MCCAY (“MCCAY”) was an  
2 employee of the COUNTY’S FYCS division. MCCAY is being named in the place and stead of  
3 DOE 1.

4           6.     6. At all times mentioned herein, FREDERICK JONES (“F. JONES”) was an  
5 employee of the COUNTY’S FYCS division. F. JONES is being named in the place and stead of  
6 DOE 2.

7           7.     7. At all times mentioned herein, JACQUELINE JOHNSON (“JOHNSON”) was  
8 an employee of the COUNTY’S FYCS division. JOHNSON is being named in the place and stead  
9 of DOE 3.

10          8.     8. At all times mentioned herein, MONISHA SASHITAL (“SASHITAL”) was an  
11 employee of the COUNTY’S FYCS division. SASHITAL is being named in the place and stead  
12 of DOE 4.

13          9.     At all times mentioned herein, BOB HARPER (“HARPER”) was an employee of  
14 the COUNTY’S FYCS division. HARPER is being named in the place and stead of DOE 5.

15          10.    10. At all times mentioned herein, LINDA MORRISSEY (“MORRISSEY”) was  
16 an employee of the COUNTY’S FYCS division. MORRISSEY is being named in the place and  
17 stead of DOE 6.

18          11.    At all times mentioned herein, LESLIE WINTERS (“WINTERS”) was an  
19 employee of the COUNTY’S FYCS division. WINTERS is being named in the place and stead of  
20 DOE 7.

21          12.    At all times mentioned herein, JANET TAYLOR (“TAYLOR”) was an employee  
22 of the COUNTY’S FYCS division. TAYLOR is being named in the place and stead of DOE 8.

23          13.    At all times mentioned herein, COUNTY social worker DE LA CRUZ (“DE LA  
24 CRUZ”) was an employee of the COUNTY’S FYCS division. DE LA CRUZ is being named in  
25 the place and stead of DOE 9.

1 14. At all times mentioned herein, ANDREA KROEZE (“KROEZE”) was an  
2 employee of the COUNTY’s FYCS division. KROEZE is being named in the place and stead of  
3 DOE 10.

4 15. At all times mentioned herein, DEBORAH GILDAY (“GILDAY”) was an  
5 employee of the COUNTY’s FYCS division. GILDAY is being named in the place and stead of  
6 DOE 11.

7 16. At all times mentioned herein, D. ROMERO (“ROMERO”) was an employee of  
8 the COUNTY’s FYCS division. D. ROMERO is being named in the place and stead of DOE 12.

9 17. At all times mentioned herein, the STATE OF CALIFORNIA (“STATE”) was and  
10 is a public entity. At all times relevant hereto, the STATE was working through its subdivisions,  
11 including its Department of Social Services, Health and Welfare Agency, Adoption Services  
12 Bureau – Rohnert Park Division (“Adoption Services”). The STATE is being named in the place  
13 and stead of DOE 31.

14 18. At all times mentioned herein, AMY LAFFERTY (“LAFFERTY”) was an  
15 employee of the STATE’S Adoption Services Bureau. LAFFERTY is being named in the place  
16 and stead of DOE 32.

17 19. At all times mentioned herein, TLC CHILD & FAMILY SERVICES (“TLC”) was  
18 and is a corporation organized and existing under the laws of the State of California. TLC is being  
19 named in the place and stead of DOE 41.

20 20. At all times mentioned herein, the CITY OF ROHNERT PARK (“CITY”) was and  
21 is a public entity. At all times relevant hereto, the CITY was working through its subdivisions,  
22 including its Department of Public Safety (“RPDPS”). CITY/RPDPS is being named in the place  
23 and stead of DOE 51.

24 21. At all times mentioned herein, OFFICER GONZALES (“GONZALES”) was an  
25 employee of RPDPS. GONZALES is being named in the place and stead of DOE 52.

26 22. At all times mentioned herein, OFFICER GROAT (“GROAT”) was an employee  
27 of RPDPS. GROAT is being named in the place and stead of DOE 53.

1           23.     DEFENDANT JOSE A. CENTENO is an adult individual, who is currently  
2 incarcerated in the County of Sonoma. At all times herein alleged, JOSE A. CENTENO was an  
3 employee, agent, and servant of DEFENDANT SONOMA COUNTY and Sonoma County Family,  
4 Youth and Children's Services and DOES 1-100 under the supervision of DEFENDANT  
5 SONOMA COUNTY and DOES 1-100. JOSE A. CENTENO acted as a foster parent to plaintiffs  
6 and subsequently adopted PLAINTIFFS. During this time and while acting in such capacity, he  
7 sexually harassed and abused them.

8           24.     DEFENDANT GINA M. CENTENO is an adult individual, who is currently  
9 incarcerated in the County of Sonoma. At all times herein alleged, GINA M. CENTENO was an  
10 employee, agent, and servant of DEFENDANTS SONOMA COUNTY AND Sonoma County  
11 Family, Youth and Children's Services, and DOES 1-100 under the supervision of DEFENDANT  
12 SONOMA COUNTY and DOES 1-100. GINA M. CENTENO adopted PLAINTIFFS. During this  
13 time and while acting in such capacity, she sexually harassed and abused them.

14           25.     The DOE DEFENDANTS are sued herein in their Individual Capacities and are  
15 individuals residing in the County of Sonoma, and other Counties in California, and are Managing  
16 agents and employees of COUNTY OF SONOMA Human Services Department (“HSD”), and  
17 Sonoma County Family, Youth and Children's Services, (“FYCS”).

18           26.     Plaintiffs are informed and believe, and based upon such information and belief  
19 allege, that at all times herein mentioned that Defendants COUNTY, MCCAY, F. JONES,  
20 JOHNSON, SASHITAL, HARPER, MORRISSEY, WINTERS, TAYLOR, DE LA CRUZ,  
21 KROEZE, GILDAY, ROMERO and DOES 13-30, and each of them, was the agent and/or  
22 employee of their co-Defendants, and each of them, acting at all relevant times herein under color  
23 of the authority and/or within the scope and purpose of a governmental entity under the statutes,  
24 ordinances, regulations, customs and usage of the State of California and/or the United States  
25 Constitution and related laws, and with the power and authority vested in them, or ratification,  
26 endorsement, or approval of the conduct with respect to the events and happenings alleged herein.

1           27.     Plaintiffs are informed and believe, and based upon such information and belief  
2 allege, that at all times herein mentioned that Defendants STATE, LAFFERTY and DOES 33-40,  
3 and each of them, was the agent and/or employee of their co-Defendants, and each of them, acting  
4 at all relevant times herein under color of the authority and within the scope and purpose of a  
5 governmental entity under the statutes, ordinances, regulations, customs and usage of the State of  
6 California and/or the United States Constitution and related laws, and with the power and authority  
7 vested in them, or ratification, endorsement, or approval of the conduct with respect to the events  
8 and happenings alleged herein.

9           28.     Plaintiffs are informed and believe, and based upon such information and belief  
10 allege, that at all times herein mentioned that Defendants TLC and DOES 42-50, and each of them,  
11 was the agent and/or employee of their co-Defendants, and each of them, acting at all relevant  
12 times herein under color of the authority and within the scope and purpose of a governmental entity  
13 under the statutes, ordinances, regulations, customs and usage of the State of California and/or the  
14 United States Constitution and related laws, and with the power and authority vested in them, or  
15 ratification, endorsement, or approval of the conduct with respect to the events and happenings  
16 alleged herein.

17           29.     Plaintiffs are informed and believe, and based upon such information and belief  
18 allege, that at all times herein mentioned that Defendants CITY/RPDPS, GONZALES, GROAT  
19 and DOES 54-90, and each of them, was the agent and/or employee of their co-Defendants, and  
20 each of them, acting at all relevant times herein under color of the authority and within the scope  
21 and purpose of a governmental entity under the statutes, ordinances, regulations, customs and  
22 usage of the State of California and/or the United States Constitution and related laws, and with  
23 the power and authority vested in them, or ratification, endorsement, or approval of the conduct  
24 with respect to the events and happenings alleged herein.

25           30.     Plaintiffs are informed and believe, and based upon such information and belief  
26 allege, that at all times herein mentioned each and every Defendant was the agent and/or employee  
27 of their co-Defendants, and each of them, acting at all relevant times herein under color of the

1 authority of a governmental entity under the statutes, ordinances, regulations, customs and usage  
2 of the State of California and/or the United States Constitution and related laws.

3 31. At all times mentioned herein, Defendants were the agents, representatives and  
4 employees of each and every other Defendant. In doing the things hereinafter alleged, Defendants  
5 were acting within the course and scope of said alternative personality, capacity, identity, agency,  
6 representation and/or employment and were within the scope of their authority, whether actual or  
7 apparent.

8 32. At all times mentioned herein. Defendants were the trustees, partners, servants,  
9 joint ventures, shareholders, contractors, and/or employees of each and every other Defendant, and  
10 the acts and omissions herein alleged were done by them, acting individually, through such  
11 capacities and within the scope of their authority, and with the permission and consent of each and  
12 every other Defendant and said conduct was thereafter ratified by each and every other Defendant,  
13 and each of them is jointly and severally liable to Plaintiffs

## 14 **II. JURISDICTION AND VENUE**

15 33. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1343.  
16 Plaintiffs further invoke the supplemental jurisdiction of this Court pursuant to 28 U.S.C. § 1367  
17 to hear and decide claims arising under state law.

18 34. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b) because a substantial  
19 part of the events or omissions giving rise to the claims in this case arise in this District.

20 35. In addition, administrative remedies have been exhausted. A timely government  
21 claim was presented pursuant to California Government Code section 910 et seq, and  
22 DEFENDANTS unwisely failed to respond, resulting in a rejection by operation of law. This  
23 lawsuit was then timely filed.

## 24 **III. STATEMENT OF FACTS**

25 36. KAYA CENTENO, presumed deceased, MICHELLE K., and P. K.. were removed  
26 from the care of their parents, and their custody was transferred to COUNTY Defendants, for the  
27 explicit purpose of keeping them safe from further harm and ensuring their well-being. But the



1 County's child welfare system failed in its legal obligations, duties, and responsibilities to  
2 Plaintiffs. The County's conduct, and that of the STATE, CITY, and TLC Defendants herein  
3 reflects deliberate indifference to the health and safety of Plaintiffs, that these Defendants are  
4 obligated to protect, as well as violating their Constitutional rights under both federal and state  
5 law. As a result, Plaintiffs have sustained numerous injuries detailed below including sexual abuse,  
6 physical abuse, emotional abuse, mental abuse, sexual abuse, shackling, and torture.

7 37. In 2007, DEFENDANTS placed three siblings, MICHELLE K., MINOR P.K., and  
8 KAYA CENTENO in DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO's home.  
9 DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO then engaged in their sexual  
10 abuse, molest, rape, torture, and slavery of MICHELLE K. P.K. and KAYA CENTENO. On  
11 information and belief, DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO caused  
12 KAYA CENTENO, presumed deceased and missing since she was 8 years old.

13 38. KAYA CENTENO born May 23, 2002, Michelle K. was born in July 10, 2003.  
14 P.K. was born in November 17, 2004 and Kristin Kazzee is age 26. born January 24, 1097. The  
15 siblings' biological parents struggled with mental health and substance abuse issues and did not  
16 provide adequate care to their 4 children (Michelle K., P.K., and their older sisters, Plaintiff Kristen  
17 Kazzee. and Kaya Centino). The children first came to the attention of the COUNTY in August  
18 2005. In September 2006, the COUNTY took temporary custody of the three younger children,  
19 and they were placed in foster care. The County was aware at the time the children were placed in  
20 foster care that they had emotional and psychological issues as a result of their removal from their  
21 home.

22 39. On or about October 20, 2006, Plaintiffs Michelle K. (age 3), P.K. (age 2) and  
23 KAYA CENTENO (age 4) were placed with Defendants Jose and Gina Centeno despite the fact  
24 that there had been reports to the COUNTY of suspected child abuse, including a January 2006  
25 report involving two other children being fostered by Jose and Gina Centeno.

26 40. Between October 20, 2006 and September 24, 2008, the children were provided  
27 with comprehensive support by the COUNTY, TLC, and the STATE. The COUNTY initially

1 ensured that the children were provided with opportunities to visit with their other sibling (Kristen)  
2 and their biological relatives. The children were provided with healthcare and daycare at no cost  
3 to the CONTENOS, and the CONTENOS were paid by the COUNTY and the STATE to care for  
4 the children. An assessment was performed by the Regional Center, through which additional  
5 services were provided for the children, including mental health services.

6 41. Despite the services being offered by the COUNTY to the children during this  
7 foster care period, the COUNTY, the STATE, and TLC received frequent reports from the  
8 children's biological extended family members and others that the children were being physically  
9 and emotionally abused. They were seen with bruising on their arms and legs and did not want to  
10 leave family visits with Gina Centeno. Even though these reports were frequent and ongoing,  
11 COUNTY social worker F. JONES assessed that the children were having their needs met  
12 "splendidly" by Defendants the CENTENOs.

13 42. The COUNTY, the STATE, and TLC, and particularly Defendants MCCAY, F.  
14 JONES, and LAFFERTY did not consider the children's extended family members as prospective  
15 adoptees for the children, instead pushing an agenda to place the children with Gina and Jose  
16 Centeno. During this time period, Defendants TLC, MCCAY, F. JONES, and LAFFERTY never  
17 met with or interviewed Jose Centeno, and never met with or interviewed the CENTENOs' three  
18 older biological children. Nor did Defendants TLC, MCCAY, F. JONES, and LAFFERTY follow  
19 up on prior reports of possible abusive behavior within the Centeno household involving other  
20 foster children. At all times, Defendants TLC, MCCAY, F. JONES, and LAFFERTY knew that  
21 the services that were being provided to the children during the foster care period would be  
22 withdrawn once the children were adopted, and that the children would be left without the safety  
23 net they so desperately required due to their maltreatment by their birth parents.

24 43. Immediately prior to the final adoption on September 24, 2008, Defendant F.  
25 JONES prepared a document concerning the children. In this document, the only "vulnerability"  
26 he listed for the children was their age; stating that the children had excellent communication skills,  
27 social development, physical health, school performance, behavioral health and resiliency.

1 However, all reports prior to this final report indicated that the children were experiencing  
2 significant issues in all of the listed areas. For example, a report just one month prior stated that  
3 Michelle K. was experiencing wetting/soiling accidents, ignoring rules, being rough with toys on  
4 siblings, and teachers reporting her not listening, not following class rules, and disrupting the class.  
5 The only “services” provided to the children by the COUNTY, the STATE, and TLC upon  
6 adoption were to advise the CENTENOs of services available in the community.

7 44. On September 24, 2008, Defendants Gina and Jose Centeno adopted Michelle K.,  
8 P.K., and their sister, KAYA CENTENO. Upon adoption, the COUNTY withdrew all services that  
9 had been provided to the children.

10 45. The adoption by Gina and Jose Centeno was a fraud, vitiating, destroying and  
11 rendering null and void all legal rights of a genuine legal “Adapted Parents” because Gina and  
12 Jose Centeno true motive for the adoption was to sexually abuse the adopted children, Michelle  
13 K., P.K., and their sister, Kaya Centeno. Gina and Jose Centeno’s abuse, sexual torture, sexual  
14 rape, sexual harassment was in was occurring, operation ongoing and continuing at all time before  
15 and after the application for adoption. Gina and Jose Centeno’s fraud and misrepresentation to  
16 Defendant Adoption agency and the Defendant public entities and each and every Defendant herein,  
17 was apparent, obvious and discoverable by Defendants, and each of them, but for the failure to  
18 exercise their statutory, federal and state law mandatory duties to protect the children who they  
19 place in foster homes.

20 46. As a result of the fraud and intentionally misrepresentations by the CONTENTOS  
21 regarding their intent to become foster parents and because the CONTENTOS was actively  
22 molesting, abusing, sexually raping and torturing the children at the time of the application to  
23 become foster parents, the CONTENTOS forfeit all legal rights to become the heir and successors  
24 in interest of the adoptive children and all such rights as an heir and successors in interest inure to  
25 the benefit of the siblings. Consequently, Kristin Kazzee, the oldest siblings is a proper  
26 representative of the Estate of Kaya Centeno, presumed deceased.

1 47. Prior to the adoption of the children by the CENTENOs, Defendants COUNTY,  
2 STATE, and TLC had an obligation to investigate the level of care Defendants Jose and Gina  
3 Centeno were providing to the children in their care. Plaintiffs are informed and believe, and based  
4 thereon allege, that Defendants COUNTY, STATE, and TLC failed to conduct full background  
5 checks on Defendants the CENTENOs, failed to properly inspect Defendant Jose and Gina  
6 Centeno's home, assess the well-being of the CENTENOs' three biological children, and failed to  
7 speak with KAYA CENTENO, Michelle K. and P.K. about the care they were receiving outside  
8 the presence of Defendants Jose and Gina Centeno. Further, prior to the adoption, Defendants  
9 COUNTY, STATE, and TLC failed to investigate allegations of abuse made by the maternal aunt  
10 and older sister of the children. In addition, at no time did Defendants COUNTY, STATE, or TLC  
11 interview or speak with Defendant Jose Centeno or the three biological Centeno children.

12 48. On or about June 23, 2009, the COUNTY placed another foster child (Pablo) with  
13 Defendants the CENTENOs. Plaintiffs are informed and believe that prior to Pablo's placement,  
14 the COUNTY did nothing to evaluate the safety of the children already living in the Centeno  
15 household, including KAYA CENTENO, Michelle K., and P.K., as required by law.

16 49. Within only a few weeks of Pablo's placement, there was evidence that the  
17 CENTENOs were incapable of caring for the children in their care and custody. In September  
18 2009, the CENTENOs had begun to "home school" Michelle K. due to her behavior. In addition,  
19 although the CENTENOs had been informed that all of the children in their care needed therapy,  
20 they had not sought therapy for the children. As of September 2009, Gina Centeno was reporting  
21 that Michelle K. was pulling her hair out, couldn't sit still, was bossy and aggressive, and would  
22 not follow rules.

23 50. On March 1, 2010, the COUNTY placed an infant (Maci, Pablo's sister) with  
24 Defendants Jose and Gina Centeno. Plaintiffs are informed and believe that prior to Maci's  
25 placement, the COUNTY did nothing to evaluate the safety of the children already living in the  
26 Centeno household, including KAYA CENTENO, Michelle K., and P.K., as required by law. With  
27 the March 1, 2010 foster child, Jose and Gina Centeno now had 8 children living in their household

1 – their three biological children, who were teenagers, KAYA CENTENO, Michelle K., and P.K.  
2 (8, 7, and 6 years old), a toddler (Pablo) and an infant (Maci).

3 51. Within only a few months of the COUNTY’s placement of an 8th child in the  
4 Centeno household, on September 7, 2010, there was a report to the COUNTY that Defendant Jose  
5 Centeno was physically abusing the children. The reporting teacher, who was affiliated with the  
6 school attended by KAYA CENTENO, Michelle K., and P.K. reported that all three children were  
7 coming to school with unexplained bruises. The reporting party advised that Defendant Gina  
8 Centeno had a history of telling her that the children (all of whom were under 8) were “difficult,  
9 are manipulative, and they lie.” She reported that when she told P.K. that she was going to call his  
10 mother to tell her that he had been wandering around the school grounds, he began to sob  
11 uncontrollably and scream. He told her that he would be in trouble and would be spanked 20 times.  
12 He said he got spanked every day. He said that he, KAYA CENTENO and Michelle were spanked  
13 with belts and “wooden spoons that never break.” He said that his parents (the CENTENOs) hit  
14 KAYA CENTENO, and scared him. The reporting party further reported that Gina Centeno was  
15 cold toward the children, that she told the reporting party that she didn’t know how to handle the  
16 children, and that pretty soon the school wouldn’t be able to “handle this shit.”

17 52. The COUNTY worker who took the emergency response call referred it to  
18 Defendant SASHITAL, who was the COUNTY’s social worker responsible for the safety of Pablo  
19 and Maci, who had recently been placed with the CENTENOs as foster children. No other action  
20 was taken on this referral.

21 53. On September 13, 2010, the reporting party called to report that P.K. and KAYA  
22 CENTENO told her that they are afraid of their parents, are called “bad,” “liars,” and “asshole,”  
23 and are told that they are going to get their asses kicked. She reported that on a daily basis, P.K.  
24 was visibly upset about being picked up. She reported that on a recent visit to the school, Gina  
25 Centeno told P.K. that she was “fed up with him and that his dad would deal with him.” P.K.  
26 reported that his dad spanked him with a “Raiders” belt on his bare bottom. P.K. said he wished  
27 he didn’t have parents. P.K. also told the reporting party that he was afraid his mother was there,

1 and that she was “always watching.” The day after these events took place, P.K. was absent from  
2 school.

3 54. The referral was assigned to Defendant JOHNSON. Her first contacts were on  
4 September 14, 2010. On that date, she learned that P.K. had come to school with a red mark around  
5 his neck which appeared that he had been pulled by his shirt. The teachers reported they were  
6 deeply concerned about the children. In fact, the school staff had made 4 reports to the COUNTY  
7 in the span of a single week. Defendant JOHNSON learned that Michelle K., also, had reported  
8 being spanked with a big black belt.

9 55. Over the next few days, Defendant JOHNSON interviewed the children. Michelle  
10 K. reported to her that her parents use their fists and hands to hit her, that her mom hit her with a  
11 hair brush, and that her mom hit her in the face and knocked her tooth out. Michelle K. reported  
12 that she was afraid of her parents. She stated that for time outs, her parents make her stand in a  
13 corner and put her hands up, stay in her bed “for weeks,” or stand in the shower holding something  
14 heavy. P.K. reported that “mom really hates me,” and calls him an “asshole” and a “liar.” He  
15 reported his mother spanks him with a belt or spoon and that his father pinches and twists his ear.  
16 He told Defendant JOHNSON that he was afraid of both of his parents, but was more afraid of his  
17 father. Defendant JOHNSON described P.K. as a “child who has been victimized and is seeing the  
18 world as a victim.” KAYA CENTENO told Defendant JOHNSON that she was “really scared of  
19 my dad.” She said he did mean things to her and hurts her feelings. He said that he pinches and  
20 twists her ears, and that both parents make her stay outside by herself all alone for a long time and  
21 hit her. She told Defendant JOHNSON that she did not feel safe at home. She reported that Jose  
22 Centeno would push her off a wooden stool, kick her, and call her names like “asshole” and  
23 “bonehead.”

24 56. On September 17, 2010, Defendant JOHNSON met with Gina and Jose Centeno,  
25 who were present along with Pablo and Maci. During this encounter, the Centenos placed all of  
26 the blame on the children. They said that KAYA CENTENO had sexualized behaviors, and that  
27 all three children are liars. The parents did admit to taping gloves on KAYA CENTENO’s hands

1 at night to keep her from masturbating, to making the children have time outs in the shower, and  
2 to putting alarms on their beds.

3 57. The notes from this encounter show that Defendant JOHNSON, like the teachers at  
4 the children's school, was deeply concerned about the welfare of the children. Following these  
5 meetings, Defendant JOHNSON discussed her concerns about the children and the parents with  
6 Defendant SASHITAL.

7 58. On September 21, 2010, Defendants JOHNSON, SASHITAL and HARPER  
8 discussed the referral. During this meeting, Defendant JOHNSON advised that she felt the family  
9 was overwhelmed due to the children's behavior problems and the number of children in their  
10 household. She advised that she believed some of the allegations were valid as the children's  
11 statements were consistent. Defendant JOHNSON informed Defendants SASHITAL and  
12 HARPER that she believed the system had taken advantage of the parents as it was inconceivable  
13 to her to think that 2 parents (only one of whom is home most of the day) could be successful in  
14 meeting the needs of these 3 traumatized children as well as 2 very young children who require  
15 significant time and attention and will have their own issues emerging soon. She advised that the  
16 family was in need of strong support and the children were in "dire need of intensive therapy  
17 immediately." She stated that the parents were in denial of their ability to cope with the behaviors  
18 appropriately, and that she believed them to be overwhelmed.

19 59. The information learned by Defendant JOHNSON during her investigation was  
20 also provided to the STATE and its representative LAFFERTY, who was the Adoption Services  
21 representative in charge of the adoption of Pablo and Maci and to TLC, who was the agency  
22 working with the COUNTY and the STATE on the adoption of Pablo and Maci.

23 60. Following her investigation, Defendant JOHNSON filed her Investigation  
24 Narrative, substantiating the allegation of emotional abuse against the parents, and finding the  
25 allegation of physical abuse inconclusive. In doing so, she stated that the interviews indicated a  
26 pattern of harsh physical punishment and verbal abuse, with all three children fearing their parents  
27 and describing similar punishments from their parents. In this report, Defendant JOHNSON stated

1 that she believed the CENTENOs were overwhelmed and should not care for Pablo and Maci. This  
2 information was provided to the STATE and its representative, Defendant LAFFERTY, and to  
3 TLC.

4 61. On September 24, 2010, Defendant JOHNSON met again with Defendant Gina  
5 Centeno. Again, Jose Centeno was not interviewed. After the meeting, Defendant JOHNSON  
6 again expressed her belief that the parents were overwhelmed and had asked them to look at their  
7 limitations honestly; advising it would be a “better and less damaging decision to give up the  
8 younger children at this time.” Defendant JOHNSON advised that she was concerned about the  
9 parents’ frustration level, volatility, and possibility of burn out, and told them that she “truly feel  
10 their trouble with the children’s behaviors are going to be more difficult as they grow older.”

11 62. On September 30, 2010, Defendant JOHNSON consulted with Defendants  
12 MORRISSEY, WINTERS, and SASHITAL. Once again, Defendant JOHNSON expressed her  
13 considerable concerns for this family and the parents’ ability to adequately and appropriately  
14 parent the children in their care. She identified KAYA CENTENO, Michelle K. and P.K. at “high  
15 risk” children, and that the risk would be increased with the adoption of the two younger children.  
16 This information was provided to the STATE and its representative, Defendant LAFFERTY, and  
17 to TLC. 55. A few days after this meeting, Defendants JOHNSON and LAFFERTY learned that  
18 Gina Centeno had taken her children out of school and had also pulled them out of after-school  
19 programs. There was now no one to observe or report on the welfare of the children in the care of  
20 the Defendant the CENTENOs.

21 63. Despite Defendant JOHNSON’s purported “considerable concerns,” and her  
22 consultations with Defendants SASHITAL, HARPER, WINTERS and MORRISSEY, her report  
23 that the children were at “high risk,” and that allowing the CENTENOs to adopt the other two  
24 children would increase that risk, no services of any kind were provided to KAYA CENTENO,  
25 Michelle K. or P.K. by the COUNTY, the STATE, or TLC. There is no indication that anybody  
26 from the COUNTY, the STATE, or TLC did anything further to check on the welfare of these  
27



1 “high risk” children, who were now at an increased risk as a result of the actions of the COUNTY,  
2 STATE, and TLC, and their employees.

3 64. Instead, the COUNTY, the STATE, and TLC went full-steam ahead with the plans  
4 for Defendants the CENTENOs to adopt Pablo and Maci, which placed the three older children in  
5 increased danger. This adoption was finalized on August 19, 2011.

6 65. As a result of the actions of Defendants COUNTY, JOHNSON, SASHITAL,  
7 HARPER, WINTERS, MORRISSEY, STATE, LAFFERTY, and TLC, Plaintiffs Michelle K. and  
8 P.K., and their sister KAYA CENTENO, became trapped in a true house of horrors.

9 66. Between the adoption of Maci and Pablo in August 2011 and late 2018, it is clear  
10 that Defendant JOHNSON’s concerns became reality. During that time period, Jose and Gina  
11 Centeno shackled KAYA CENTENO, Michelle K., and P.K, to their beds in their rooms or kept  
12 them in cages. KAYA CENTENO hasn’t been seen since approximately 2012. Gina and Jose  
13 Centeno won’t say what happened to KAYA CENTENO, and she is feared to be dead. Plaintiffs  
14 Michelle K. and P.K. were abused emotionally, physically, and sexually by the CENTENOs,  
15 severely neglected by the CENTENOs, and tortured by the CENTENOs. Alarms were placed on  
16 their beds to prevent them from leaving. Plaintiffs Michelle K. and P.K. were treated worse than  
17 animals.

18 67. During that same time, Defendant JOHNSON’s fears regarding Maci and Pablo  
19 began to manifest themselves. On October 31, 2018, a Suspected Child Abuse Report (“SCAR”)  
20 was submitted to the COUNTY, and specifically to Defendant DE LA CRUZ, by Maci and Pablo’s  
21 school with concerns about their behavior. Defendant DE LA CRUZ took no action of any kind  
22 on this SCAR until January 3, 2019, when she finally forwarded it to Defendant KRUEZE. In the  
23 SCAR, it was reported that Pablo was creating an unsafe environment at home and was  
24 endangering himself and others. He deliberately rode his bike in front of traffic, and was destroying  
25 things within his home. The reporting party advised that both Maci and Pablo were in emotionally  
26 disturbed special education classes, and that “Mom Gina needs support at home.” Pablo reported  
27 to the reporting party that his father was emotionally and mentally abusive.

1           68.     The Emergency Response Referral concerning the October 31, 2018 SCAR listed  
2 the history of emotional and physical abuse toward KAYA CENTENO, Michelle K. and P.K. The  
3 only investigation performed on this SCAR and Emergency Response Referral was to speak with  
4 the reporting party. Defendant KRUEZE did not speak with Pablo, Maci, Gina or Jose Centeno,  
5 or evaluate their home and living conditions. Defendant KRUEZE instead marked it as “evaluate  
6 out. Insufficient information to show that either parent has failed to protect either minor or failed  
7 to seek proper mental health support services for them. Insufficient information that the father’s  
8 actions have caused and/or will lead to further emotional trauma to the minors.” Although KAYA  
9 CENTENO, Michelle K. and P.K. were listed as additional children living in the home, there is no  
10 reference to any questions or investigation taken by the COUNTY, or any reference to Defendants  
11 DE LA CRUZ and/or KRUEZE reviewing this past history (and specifically Defendant  
12 JOHNSON’s extensive notes about the children in the Centeno home being at “high risk” of abuse  
13 and neglect.) This SCAR was simply closed.

14           69.     On February 7, 2019, yet another Emergency Response Referral was received by  
15 the COUNTY regarding concerning behaviors by Pablo and Maci, including a “marked increase  
16 in Maci’s physical outbursts at school ‘possibly related to the conflict in the home.’ ” The Referral  
17 stated “the mother is trying very hard to address this dynamic and has expressed that she does not  
18 know what to do. The mother presents as very overwhelmed.” This Referral was assigned to  
19 Defendant TAYLOR. The Referral listed KAYA CENTENO, Michelle K. and P.K. as other  
20 children living in the home and referred to the 2010 investigation regarding emotional and physical  
21 abuse of those children.

22           70.     On February 11, 2019, Defendant TAYLOR presented to the Centeno home to  
23 investigate the February 7, 2019, referral. Defendant TAYLOR met with Maci and Pablo. They  
24 informed Defendant TAYLOR that they lived with Gina, Jose, and the Centeno’s biological  
25 children Jose and Genaro. Neither child mentioned KAYA CENTENO, Michelle K., or P.K. In  
26 addition, Gina Centeno informed Defendant TAYLOR that she was doing everything she could to  
27 care for her “two children.” Although the Referral listed KAYA CENTENO, Michelle K. and P.K.

1 (who would have been teenagers), Defendant TAYLOR did not ask Gina any questions about their  
2 whereabouts. Nor is there any evidence that Defendant TAYLOR had reviewed any documents  
3 pertaining to the 2010 referral, including, but not limited to Defendant JOHNSON's extensive  
4 notes about the children being at "high risk" with this family.

5 71. Although Defendant TAYLOR's notes refer to the home having 5 bedrooms, she  
6 did not actually tour the home, but just recorded Gina Centeno's answer to her question about the  
7 number of bedrooms.

8 72. During TAYLOR's interview, Gina Centeno mentioned that the family received  
9 subsidy payments from their adoption of the children. Although the Referral mentioned five  
10 adopted children, Defendant TAYLOR did nothing to ask questions about the other three.  
11 Shockingly, Defendant TAYLOR wrote in her note "Neither parent has a history of child abuse."  
12 Defendant TAYLOR concluded her investigation by stating "no safety concerns identified." She  
13 closed the investigation as "unfounded." 66. In completing the SDM Risk Management tool  
14 connected with this Referral, Defendant TAYLOR concluded "no safety threats were identified at  
15 this time. Based on currently available information, there are no children likely to be in immediate  
16 danger of serious harm."

17 73. At or about this time, Defendants Jose and Gina Centeno made the decision to rid  
18 themselves of Plaintiffs Michelle K. and P.K, in fear that Defendant COUNTY social workers  
19 would return. The CENTENOs traveled to Guanajuato, Mexico with Plaintiffs Michelle K. and  
20 P.K. and left them with a distant relative of Jose Centeno. The CENTENOs then came back to  
21 Sonoma County. Although the CENTENOs only had two children left to care for (as their  
22 biological children were now adults), reports of abuse of those children continued to be received  
23 by the COUNTY.

24 74. In or about late March or early April 2019, the COUNTY, and specifically  
25 Defendants KROEZE and ROMERO, received a report of multiple bruises on Maci's arm which  
26 Gina Centeno claimed were inflicted at Maci's school. Although this report generated an  
27 Emergency Response Referral which included the names of all of the children who were supposed

1 to be in the care of Gina and Jose Centeno, Defendants KROEZE and ROMERO made the  
2 determination to designate the report as “evaluated out,” stating “no reported concerns for Maci in  
3 the home.” No person from the COUNTY, including, but not limited to Defendants KROEZE and  
4 ROMERO, questioned Maci or Gina Centeno, or inquired about the other children in the home.

5 75. On July 23, 2019, another referral was received by the COUNTY, through  
6 Defendant GILDAY. Although this report generated an Emergency Response Referral which  
7 included the names of all of the children who were supposed to be in the care of Gina and Jose  
8 Centeno, and the prior substantiated findings of emotional abuse and inconclusive findings of  
9 physical abuse of Plaintiffs Michelle K. and P.K., it was “evaluated out” by Defendant GILDAY.

10 70. On October 22, 2019, Maci threatened to jump off the roof the Centeno residence or hang  
11 herself. This was reported to the RPDPS, with GONZALES responding. GONZALES placed Maci  
12 on a 5150 hold. GONZALES and RPDPS failed to report this incident to the COUNTY, as required  
13 by law.

14 76. On January 1, 2020, the COUNTY received a report that Maci had disclosed her  
15 father hit her. Although this report generated an Emergency Response Referral which included the  
16 names of all of the children who were supposed to be in the care of Gina and Jose Centeno, and  
17 the prior substantiated findings of emotional abuse and inconclusive findings of physical abuse of  
18 Plaintiffs Michelle K. and P.K., it was “evaluated out” by the COUNTY.

19 77. On February 13, 2020 and February 26, 2020, Officers with RPDPS, including  
20 GROAT, responded to the Centeno house three times. On the first occasion, they arrived due to a  
21 report that Pablo was throwing items around the house. On the second occasion, Maci was again  
22 placed on a 5150 hold. Defendant GROAT and RPDPS failed to cross report this incident to the  
23 County as required by law.

24 78. On June 30, 2020, an American citizen noticed Michelle K. and P.K. in a store in  
25 Mexico. She was told by the woman accompanying the children that they had been left with her.  
26 She was told by the woman that Michelle K. had disclosed to her that they had been “kidnapped  
27 for 8 years” before being brought to Mexico, and that her father had raped her while he was holding

1 her hostage in a room. Further questioning revealed that Michelle K. and P.K. had been sexually  
2 and physically abused for years before and after they were taken to Mexico. The American citizen  
3 contacted the authorities, and on or about July 4, 2020, Plaintiffs Michelle K. and P.K were taken  
4 by Mexican social services.

5 79. The children were interviewed and examined while in the custody of Mexican  
6 social services. Michelle K. informed them that Jose Centeno “blamed” them for “everything,”  
7 and began to beat them. He locked them in a room and chained them to the bed. She revealed that  
8 Jose Centeno had sexually abused her since she was about 9 years old (approx. 2012 – after the  
9 2010 COUNTY investigation), including putting his penis in her mouth, her vagina, and in her  
10 anus, and telling her that he wanted to get her pregnant. Both children revealed that they hadn’t  
11 been to school since they were 6-7 years old (i.e. 2010). A sexual abuse examination performed  
12 on Michelle K. revealed findings consistent with her narrative.

13 80. The COUNTY was notified of the claims of abuse, neglect and abandonment of the  
14 children on or about July 23, 2020. The notes from the initial ER referral state “Review of CPS  
15 history collaborates some of the story, such as being in a room with a sensor to alarm parents when  
16 they leave and the physical abuse.”

17 81. Defendants’ failure to comply with their duties under both state and federal law  
18 resulted in years of abuse, torture, and degradation of the Plaintiffs. Had the Defendants complied  
19 with their duties under the law, they would have learned the following details, among others: That  
20 Michelle and P.K. had not seen KAYA CENTENO (their sister) for many years; that Defendants  
21 Jose and Gina Centeno inflicted abuse, molestation, torture, and enslavement upon Michelle K.  
22 and P.K.; that Defendants Jose and Gina Centeno would routinely restrict food to Michelle K. and  
23 P.K.; and that Michelle K. and P.K. were not receiving routine medical and dental care.

24 82. Defendants also would have learned that Defendants Jose and Gina Centeno were  
25 shackling Michelle K. and P.K. in an upstairs room for hours and days at a time, with no access to  
26 a bathroom; that P.K. was made to sleep on a mat inside of a cage; that Michelle K. had a security  
27 alarm placed on her bed that prevented her from the leaving the bed and the room; that the children

1 were made to run barefoot on a wooden patio for punishment; that Michelle K. was dragged by  
2 her hair by Defendants Jose and Gina Centeno; that the children were told they could not talk to  
3 each other; that the children were locked into a dog cage for punishment; that Defendants Jose and  
4 Gina Centeno would punch, hit and otherwise physically abuse the children; that Defendants Jose  
5 and Gina Centeno would hit the children with a wooden spoon while they were forced to bend  
6 over.

7 83. Prior to the time Defendant COUNTY placed Pablo and Maci with Defendants Jose  
8 and Gina Centeno, P.K. had reported to Defendant COUNTY, through its social worker, Defendant  
9 JOHNSON, that he was being abused by Defendants Jose and Gina Centeno, including that they  
10 forced him to run barefoot on a wooden patio, that they spanked him with a wooden spoon and a  
11 belt with a Raiders belt buckle, and that they denied him a bed to sleep in. Despite these reports,  
12 and Defendant JOHNSON's significant concern about the increased risk to and safety of Plaintiffs  
13 Michelle K. and P.K. if the CENTENOs were allowed to adopt Maci and Pablo, Defendants  
14 COUNTY, SASHITAL, and other defendants whose identities are presently unknown moved  
15 forward with the adoption process and ultimately approved the adoption, thus increasing the risk  
16 of harm that ultimately occurred to these children. During this process, Plaintiffs were not provided  
17 with any services, and no further investigations were done concerning their welfare, health, or  
18 safety.

19 84. In addition, prior to the time the COUNTY placed Pablo and Maci with Defendants  
20 Jose and Gina Centeno, Michelle K. had reported to Defendant COUNTY, through its social  
21 worker, Defendant JOHNSON, that she was being abused by Defendants Jose and Gina Centeno,  
22 including that they spanked and hit her. Michelle K. had bruises on her body that would have been  
23 visible to COUNTY social workers, including Defendant JOHNSON, had they conducted any type  
24 of reasonable inspection or interview with Michelle K. Despite these reports, and Defendant  
25 JOHNSON's significant concern about the risk to and safety of Plaintiffs Michelle K. and P.K. if  
26 the CENTENOs were allowed to adopt Maci and Pablo, Defendants COUNTY, SASHITAL, and  
27 other defendants whose identities are presently unknown moved forward with the adoption process

1 and ultimately approved the adoption. During this process, Plaintiffs were not provided with any  
2 services, and no further investigations were done concerning their welfare, health, or safety.

3 85. Prior to the time the COUNTY, including its social worker Defendant SASHITAL,  
4 approved Defendants Jose and Gina Centeno's adoption of Maci and Pablo, Michelle K., KAYA  
5 CENTENO and P.K. were sharing a single bedroom in the Centeno home, with one bunk bed for  
6 the three children and alarms affixed to it to alert Defendants Jose and Gina Centeno if the children  
7 got out of their beds. Had the COUNTY conducted any reasonable inspection of the Centeno home,  
8 they would have seen and observed there were insufficient beds for the children who had been  
9 placed with the CENTENOs.

10 86. Prior to the time the COUNTY placed Maci and Pablo with Defendants Jose and  
11 Gina Centeno, and after the school had reported their abuse to the COUNTY, the CENTENOs  
12 pulled KAYA CENTENO, Michelle K., and P.K. out of public school to "homeschool" them.  
13 During the process to approve the CENTENOs and their home to adopt Pablo and Maci, Defendant  
14 COUNTY conducted no investigation as to the "homeschooling" purportedly being provided to  
15 the children by the CENTENOs. Plaintiffs are informed and believe, and based thereon allege, that  
16 any reasonable investigation would have revealed that the CENTENOs were not providing any  
17 meaningful education to the children placed by the COUNTY in their home, and that they were  
18 abusing and neglecting the children.

19 87. On or before the time that the COUNTY placed Pablo and Maci with Jose and Gina  
20 Centeno, Defendant Jose Centeno committed rape by force, sodomy by force, lewd and lascivious  
21 acts on a child, and sexual penetration against the will of another (as charged in criminal  
22 proceedings filed in August 2020). Jose Centeno sexually abused all three children who had been  
23 placed by the COUNTY in the Centeno household. Plaintiffs are informed and believe, and based  
24 thereon allege, that Defendant Gina Centeno knew, or should have known, of Defendant Jose  
25 Centeno's sexual abuse of the children, but did nothing to intervene. Had the COUNTY conducted  
26 any reasonable inspection, interviews, or investigation of the Centeno home and the children living  
27

1 in that home before allowing Pablo and Maci to be adopted, the COUNTY would have learned of  
2 the sexual abuse of the children.

3 88. Defendants Jose and Gina Centeno were arrested Aug. 19, 2020, and booked into  
4 the Sonoma County Jail on \$18 million bail. They have been charged with felony torture and other  
5 crimes, according to the 14-count complaint filed Aug. 20, 2020, in Sonoma County Superior  
6 Court. Defendant Jose Centeno was also charged with an additional nine felony crimes for his  
7 suspected sexual abuse of KAYA CENTENO. Defendants Jose and Gina Centeno face life  
8 sentences if convicted. Defendants Jose and Gina Centeno are in custody and charged with  
9 multiple felonies. Due to their danger to the public and specifically to Plaintiffs, the Court has not  
10 allowed bail.

11 89. Defendant Jose Centeno has been charged with the following crimes: 3 counts of  
12 California Penal Code section 209, subdivision (a) (kidnapping for ransom) and 2 counts of  
13 California Penal Code section 206 (torture) occurring on or about October 1, 2010; 2 counts of  
14 California Penal Code section 261, subd. (a)(2) (rape by force) with two special allegations for sex  
15 crimes for each count, 1 count of California Penal Code section 286, subd. (c)(2)(A) (sodomy by  
16 use of force) with two special allegations for sex crimes, 1 count of California Penal Code section  
17 288, subd. (b)(1) (lewd & lascivious act with a child) with a special allegation for sex crimes, 2  
18 counts of Penal Code section 289, subd. (a)(1)(A) (sexual penetration against the will of another),  
19 and 1 count of California Penal Code section 220, subd. (a)(2) (assault with the intent to commit  
20 a felony) occurring on about January 1, 2012; 1 count of California Penal Code section 220, subd.  
21 (a)(2) (assault with the intent to commit a felony).

22 90. Defendant Gina Centeno has been charged with the following crimes: 3 counts of  
23 California Penal Code section 209, subdivision (a) (kidnapping for ransom) and 2 counts of  
24 California Penal Code section 206 (torture) occurring on or about October 1, 2010. 85. Defendants'  
25 actions have caused Plaintiffs to suffer from significant emotional and mental distress. Plaintiffs  
26 have suffered and will continue to suffer from PTSD, anxiety, fear, mental and emotional distress,  
27



1 loss of enjoyment of life, humiliation, and other trauma-based physical, mental and emotional  
2 signs and symptoms.

3 91. On November 9, 2021, Plaintiff presented the COUNTY with their Government  
4 Code §910 claim. The claim was rejected by operation of law.

5 92. On December 1, 2022, Plaintiffs first received their Juvenile Case Files from the  
6 County of Sonoma pursuant to an order from the Juvenile Court for the County of Sonoma. These  
7 records detailed the involvement of the State of California and City of Rohnert Park as alleged in  
8 this Complaint. On December 16, 2022, the State was served with Plaintiffs' Government Code  
9 §910 claim. The claim was rejected by operation of law on January 11, 2023. On December 29,  
10 2022, the City of Rohnert Park was served with Plaintiffs' Government Code §910 claim. The  
11 claim was rejected by operation of law on February 8, 2023.

12 93. DEFENDANT COUNTY had an obligation to investigate the conditions of the  
13 home and provide services to the children. DEFENDANT COUNTY further had an obligation to  
14 investigate the level of care DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO  
15 provided to MICHELLE K., MINOR P.K., and KAYA CENTENO had DEFENDANT COUNTY  
16 provided appropriate oversight, it would have learned that DEFENDANTS JOSE A. CENTENO  
17 and GINA M. CENTENO sexually abused, molested, raped and tortured MICHELLE K., MINOR  
18 P.K., and KAYA CENTENO. PLAINTIFFS allege on information and belief that prior to the  
19 adoption DEFENDANT COUNTY failed to properly inspect DEFENDANTS JOSE A.  
20 CENTENO and GINA M. CENTENO's home and failed to speak with the Plaintiffs outside of the  
21 presences of DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO to determine the  
22 care provided by DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO

23 94. In 2010, KAYA CENTENO. attended John Reed Elementary School as a second-  
24 grader, when DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO abruptly pulled her  
25 out of school ostensibly to be "homeschooled". KAYA CENTENO. has not been seen since.  
26 DEFENDANTS were on notice to investigate DEFENDANTS JOSE A. CENTENO and GINA

1 M. CENTENO when DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO removed  
2 PLAINTIFF KAYA CENTENO. from school, allegedly to homeschool her.

3 95. Plaintiffs allege on information and belief that after KAYA CENTENO.  
4 disappeared and without the proper oversight and investigation into the care provided by  
5 DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO, COUNTY DEFENDANT did  
6 the unthinkable by placing two additional minors, Minor Does 3 and 4 2, siblings, in  
7 DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO's home. DEFENDANTS JOSE  
8 A. CENTENO and GINA M. CENTENO then engaged in their sexual abuse, molest, rape, torture,  
9 and slavery of Minor Does 3 and 4. MOREOVER, DEFENDANTS failed to remove MICHELLE  
10 K., MINOR P.K., and KAYA CENTENO. from DEFENDANTS JOSE A. CENTENO and GINA  
11 M. CENTENO's nightmarish home.

12 96. Plaintiffs allege on information and belief that prior to placing Minor Does 3 and 4  
13 into DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO's home COUNTY  
14 DEFENDANTS were required to conduct a detailed home inspection and to speak with all children  
15 in the home outside the presences of DEFENDANTS JOSE A. CENTENO and GINA M.  
16 CENTENO's. Any such investigation would have revealed that KAYA CENTENO. was no longer  
17 living in the home. This would have put any reasonable social worker on notice to further  
18 investigate the care provided by DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO  
19 Moreover, once COUNTY DEFENDANT placed Minor Does 3 and 4 in the home, COUNTY  
20 DEFENDANT had an ongoing obligation to inspect the home and speak with all children in the  
21 home outside the presence of DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO  
22 Plaintiffs allege on information and belief that COUNTY DEFENDANT failed to properly inspect  
23 DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO's home after placing Minor Does  
24 3 and 4 into DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO's home. Plaintiffs  
25 further allege on information and belief that DEFENDANT COUNTY failed to properly

1 investigate the care provided by DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO  
2 including speaking with Plaintiffs and ascertaining the whereabouts of KAYA CENTENO.

3 97. MICHELLE K., and MINOR P.K., ages 18 and 17, the younger sister and brother,  
4 of KAYA CENTENO., told police KAYA CENTENO. was between 8 and 12 years old when they  
5 last saw her. DEFENDANTS JOSE A. CENTENO AND GINA M. CENTENO, the foster/adopted  
6 parents inflicted abuse, molestation, torture, and enslavement upon the minors for years. In  
7 addition, DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO would routinely restrict  
8 food to MICHELLE K., MINOR P.K., and KAYA CENTENO. and KAYA CENTENO. in  
9 particular was obviously extremely malnourished. Any reasonable person would be able to tell  
10 from merely looking at her that she was not being properly cared for. Accordingly, DEFENDANT  
11 COUNTY was deliberately indifferent to KAYA CENTENO.'s health and medical needs.  
12 DEFENDANT COUNTY's failure to adequately provide medical, dental, and mental health  
13 services, including but not limited to standardized periodic health screenings and treatments to  
14 MICHELLE K., MINOR P.K., and KAYA CENTENO. resulted in the horrendous abuse they  
15 endured.

16 98. DEFENDANT COUNTY placed Minor Does 3 and 4 in the home, while Defendant  
17 foster/adopted parents were actively torturing, raping, and shackling MICHELLE K., MINOR P.K.,  
18 and KAYA CENTENO. in another room in the home. After placing Minor Does 3 and 4 in the  
19 home, DEFENDANT COUNTY had an obligation to inspect the home at regular intervals and to  
20 investigate the care provided by DEFENDANTS JOSE A. CENTENO AND GINA M. CENTENO  
21 to all children in the home. Further, DEFENDANT COUNTY had an obligation to speak with all  
22 children in the home, outside of the presence of DEFENDANTS JOSE A. CENTENO and GINA  
23 M. CENTENO. Plaintiffs allege on information and belief, that DEFENDANTS failed to  
24 adequately inspect the home where DEFENDANTS JOSE A. CENTENO and GINA M.  
25 CENTENO kept the minor plaintiffs shackled. Plaintiffs further allege that after placing Minor  
26 Does 3 and 4 in the home, DEFENDANTS did not speak with Plaintiffs to ascertain the level of  
27 care provided by DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO. Had

1 DEFENDANTS conducted the proper investigation, they would have discovered the horrible  
2 conditions.

3 99. DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO subjected  
4 PLAINTIFFS MICHELLE K., MINOR P.K., and KAYA CENTENO. to nightmarish conditions  
5 – MINOR P.K. was not provided a bed and was made to sleep on a mat inside a cage; MICHELLE  
6 K. had a security alarm placed on her bunk bed she shared with KAYA CENTENO. that prevented  
7 her from leaving the room. PLAINTIFFS MICHELLE K., MINOR P.K., and KAYA CENTENO.  
8 were made to run outside on a wooden patio barefoot while DEFENDANTS JOSE A. CENTENO  
9 and GINA M. CENTENO smoked cigarettes.

10 100. MICHELLE K. was dragged by her hair causing bald spots, as was KAYA  
11 CENTENO.. DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO subjected  
12 MICHELLE K., MINOR P.K., and KAYA CENTENO. to draconian rules such as they could not  
13 talk to each other and would be placed in a locked dog cage for punishment. DEFENDANTS JOSE  
14 A. CENTENO and GINA M. CENTENO would punch, hit, smack, and physically abuse  
15 MICHELLE K., MINOR P.K., and KAYA CENTENO. They would hit MICHELLE K., MINOR  
16 P.K., and KAYA CENTENO. with a wooden spoon. Specifically, DEFENDANT GINA M.  
17 CENTENO would say, “bend over and touch your toes” prior to abusing them with the wooden  
18 spoon.

19 101. Before PLAINTIFF MINOR P.K. was adopted, he reported to DEFENDANT  
20 COUNTY that DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO abused him.  
21 MINOR P.K. told a social worker about the mistreatment including that DEFENDANTS JOSE A.  
22 CENTENO and GINA M. CENTENO forced him to run barefoot on a wooden patio, spanked him  
23 with a wooden spoon, and denied him a bed to sleep on. Despite these reports of abuse,  
24 DEFENDANT COUNTY failed to investigate DEFENDANTS JOSE A. CENTENO and GINA  
25 M. CENTENO, their home, or the care provided to MICHELLE K., MINOR P.K., and KAYA  
26 CENTENO..

1           102. When DEFENDANT GINA M. CENTENO found out about the report MINOR  
2 P.K. made to the DEFENDANT COUNTY social worker, DEFENDANT GINA M. CENTENO  
3 punished MINOR P.K. five times for each of the three reports he made, making him run barefoot  
4 on the patio and spanking him with a wooden spoon.

5           103. Prior to being adopted by DEFENDANTS JOSE A. CENTENO and GINA M.  
6 CENTENO, PLAINTIFF MICHELLE K. told DEFENDANT COUNTY'S agents that  
7 DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO spanked and abused her. Despite  
8 this report of abuse DEFENDANT COUNTY failed to investigate DEFENDANTS JOSE A.  
9 CENTENO and GINA M. CENTENO more fully prior to allowing DEFENDANTS JOSE A.  
10 CENTENO and GINA M. CENTENO to adopt plaintiffs. An investigation into the plaintiffs true  
11 living conditions, prior to the adoption, would have unearthed the abuse by DEFENDANTS JOSE  
12 A. CENTENO and GINA M. CENTENO.

13           104. Prior to being adopted by DEFENDANTS JOSE A. CENTENO and GINA M.  
14 CENTENO, during one of the few visits by DEFENDANT COUNTY'S social workers,  
15 PLAINTIFF MICHELLE K. had bruises on her body that would have been visible on inspection.  
16 However, since the DEFENDANT COUNTY social worker did not make any inspection of  
17 PLAINTIFF MICHELLE K., or even speak with her outside the presence of DEFENDANTS  
18 JOSE A. CENTENO and GINA M. CENTENO, DEFENDANT COUNTY failed to detect the  
19 signs of abuse.

20           105. Prior to being adopted by DEFENDANTS JOSE A. CENTENO and GINA M.  
21 CENTENO, PLAINTIFFS MICHELLE K., MINOR P.K., and KAYA CENTENO. shared a  
22 bedroom in DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO's home. In the  
23 bedroom, there was one bunk bed for three children. Further, DEFENDANTS JOSE A.  
24 CENTENO and GINA M. CENTENO had affixed alarms to the bunkbed to alert DEFENDANTS  
25 JOSE A. CENTENO and GINA M. CENTENO if the plaintiffs got out of their beds. Any  
26 inspection of this bedroom by a social worker would have alerted the social worker to the fact that  
27 one of the then foster children, did not have a bed to sleep on. In fact, at the time, DEFENDANTS

1 JOSE A. CENTENO and GINA M. CENTENO made PLAINTIFF MICHELLE K. sleep on the  
2 floor of a closet. Further, any minimal investigation into the Plaintiffs' living conditions would  
3 have revealed that DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO restricted their  
4 movement by placing alarms on their bed. However, while plaintiffs were foster children,  
5 DEFENDANT COUNTY'S social workers made no meaningful investigation into the Plaintiffs'  
6 living conditions.

7 106. Before DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO adopted  
8 Minor Does 3 and 4 and while PLAINTIFF MICHELLE K. was still regularly attending school at  
9 John Reed, MICHELLE K. reported to school personnel that DEFENDANTS JOSE A.  
10 CENTENO and GINA M. CENTENO abused her. MICHELLE K. showed the school personnel  
11 bruises on her body from the abuse and the school reported the abuse to the DEFENDANT  
12 COUNTY. DEFENDANT COUNTY'S agents met with PLAINTIFF MICHELLE K., heard her  
13 report about being dragged by her hair, being spanked with the wooden spoon, and made to run  
14 barefoot on the patio, but failed to intervene to end the abuse or even to investigate PLAINTIFF  
15 MICHELLE K.'s allegations.

16 107. Before DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO adopted  
17 Minor Does 3 and 4, when they were still foster children, PLAINTIFFS MICHELLE K., MINOR  
18 P.K., and KAYA CENTENO., were not attending school. DEFENDANTS JOSE A. CENTENO  
19 and GINA M. CENTENO pulled PLAINTIFFS MICHELLE K., MINOR P.K., and KAYA  
20 CENTENO. out of public school to homeschool them. DEFENDANT COUNTY'S social workers  
21 made no meaningful investigation into the state of the homeschooling provided by  
22 DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO when it was obligated to ensure  
23 that DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO were providing a safe home  
24 to then foster children Minor Does 3 and 4. Any meaningful investigation into conditions, would  
25 have revealed the abuse suffered by PLAINTIFFS MICHELLE K., MINOR P.K., and KAYA  
26 CENTENO.

1 108. Instead, DEFENDANT COUNTY abandoned Minor PLAINTIFFS, in violation of  
2 Minor PLAINTIFFS' state and federal and constitutional rights. DEFENDANT COUNTY  
3 emboldened the abuse, torture and slavery committed by DEFENDANTS JOSE A. CENTENO  
4 and GINA M. CENTENO, resulting in sexual abuse, rape, torture, and almost certainly, murder of  
5 KAYA CENTENO.

6 109. DEFENDANT COUNTY failed to monitor, inspect, and evaluate DEFENDANT  
7 JOSE A. CENTENO and GINA M. CENTENO, the foster/adopted parents before and after placing  
8 the children in the home of these foster parents. Government DEFENDANTS failed to allow blood  
9 relatives to become foster and adoptive parents, despite repeated requests by close relatives.

10 110. 2012 – DEFENDANT JOSE A. CENTENO RAPES, SODOMIZES BY FORCE,  
11 MOLESTS, AND SEXUALLY PENETRATES PLAINTIFF(S)

12 111. As charged in the criminal case described below, DEFENDANT JOSE A.  
13 CENTENO committed rape by force, sodomy by force, lewd and lascivious acts on a child, and  
14 sexual penetration against the will of another on or about January 1, 2012.

15 112. Despite such, Government DEFENDANTS fail to remove PLAINTIFFS from  
16 DEFENDANT foster parents' home.

17 **CRIMINAL CHARGES FILED AGAINST DEFENDANTS JOSE A. CENTENO and GINA**  
18 **M. CENTENO**

19 113. For the treatment of PLAINTIFFS DESCRIBED ABOVE, DEFENDANTS JOSE  
20 A. CENTENO AND GINA M. CENTENO, the foster/adopted parents were arrested Aug. 19, 2020,  
21 and booked into the Sonoma County Jail on \$18 million bail. They have been charged with felony  
22 torture and other crimes, according to the 14-count complaint filed Aug. 20, 2020, in Sonoma  
23 County Superior Court. DEFENDANTS JOSE A. CENTENO was also charged with an additional  
24 nine felony crimes for his suspected sexual abuse of the 17-year-old girl, who is referred to as  
25 KAYA CENTENO. herein. DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO, the  
26 foster/adopted parents face life sentences if convicted. DEFENDANTS JOSE A. CENTENO and  
27 GINA M. CENTENO are in custody and charged with multiple felonies enumerated below. Once

1 DEFENDANTS JOSE A. CENTENO and GINA M. CENTENO appeared in Court and were  
2 arraigned, the Court set their bail at NO BAIL due to their DANGER TO THE PUBLIC and  
3 PLAINTIFFS.

4 114. DEFENDANT JOSE A. CENTENO has been charged with the following crimes:  
5 3 counts of California Penal Code section 209, subdivision (a) (kidnapping for ransom) and 2  
6 counts of California Penal Code section 206 (torture) occurring on or about October 1, 2010; 2  
7 counts of California Penal Code section 261, subd. (a)(2) (rape by force) with two special  
8 allegations for sex crimes for each count, 1 count of California Penal Code section 286, subd.  
9 (c)(2)(A) (sodomy by use of force) with two special allegations for sex crimes, 1 count of  
10 California Penal Code section 288, subd. (b)(1) (lewd & lascivious act with a child) with a special  
11 allegation for sex crimes, 2 counts of Penal Code section 289, subd. (a)(1)(A) (sexual penetration  
12 against the will of another), and 1 count of California Penal Code section 220, subd. (a)(2) (assault  
13 with the intent to commit a felony) occurring on about January 1, 2012; 1 count of California Penal  
14 Code section 220, subd. (a)(2) (assault with the intent to commit a felony) occurring on about  
15 January 1, 2016.

16 115. DEFENDANT GINA M. CENTENO has been charged with the following crimes:  
17 3 counts of California Penal Code section 209, subdivision (a) (kidnapping for ransom) and 2  
18 counts of California Penal Code section 206 (torture) occurring on or about October 1, 2010.

19 **IV. DAMAGES**

20 116. PLAINTIFFS have suffered and will be burdened with lifelong PTSD, anxiety,  
21 fear, mental and emotional distress, loss of enjoyment of life, damage to self-image, damage to  
22 career, discomfort, misery, humiliation, loss of childhood, alienation of affection, personality  
23 disorder, life skills, coping skills, affection, solace, society, loss of spiritual connection, joy,  
24 happiness, the pursuit of happiness, freedom, choice, and life as a normal functioning human  
25 person. Kaya Centeno has been murdered.

26  
27 **V. RESPONDEAT SUPERIOR**



1 117. All of the described conduct, acts, and failures to act are attributed to agents and  
2 managing agents of DEFENDANT COUNTY. Said acts, conduct and failures to act were within  
3 the scope of such agency and employment. At all times relevant herein, each participant was acting  
4 within the course and scope of his or her employment and agency. Further, at all relevant times  
5 each Defendant was acting in agreement, and with the endorsement, ratification, and consent of  
6 each of the other Defendants.

#### 7 **VI. RATIFICATION, ADOPTION AND AUTHORIZATION**

8 118. DEFENDANT COUNTY and its managing agents, in both their individual and  
9 official capacities, ratified, adopted and authorized each of the Defendants and managing agents'  
10 illegal conduct. DEFENDANT COUNTY and its managing agents, in both their individual and  
11 official capacities, knew, or should have known, that Defendant and managing agents were  
12 engaging in illegal conduct and had been warned, informed, and given prior notice of the illegal  
13 conduct.

14 119. It is well established that when an employer ratifies the tortious conduct of an  
15 employee, he or she becomes "liable for the employee's wrongful conduct as a joint participant."  
16 *Fretland v. County of Humboldt* (1999) 69 Cal. App. 4th 1478, 1489-1490. An employer who fails  
17 to discipline an employee after being informed of that employee's improper conduct can be deemed  
18 to have ratified that conduct. *Hart v. National Mortgage & Land Co.* (1987) 189 Cal. App. 3d 1420,  
19 1430; *Iverson v. Atlas Pacific Engineering* (1983) 143 Cal. App. 3d 219, 228. According to the  
20 court in *Iverson*, supra, if an employer is informed that an employee has committed an intentional  
21 tort and nevertheless declines to "censure, criticize, suspend or discharge" that employee, a claim  
22 can be made for ratification. *Id.*

23 120. "Ratification is the voluntary election by a person to adopt in some manner as his  
24 own, an act which was purportedly done on his behalf by another person, the effect of which, as  
25 to some or all persons, is to treat the act as if originally authorized by him. A purported agent's  
26 act may be adopted expressly, or it may be adopted by implication based on conduct of the  
27 purported principal from which an intention to consent to or adopt the act may be fairly inferred.

1 including conduct which is 'inconsistent with any reasonable intention on his part, other than that  
2 he intended approving and adopting it.' Fretland, supra 69 Cal. App. 4th 1478.

3 121. At all relevant times alleged herein, DEFENDANT COUNTY and its managing  
4 agents, in both their individual and official capacities, had actual and constructive knowledge of  
5 Defendants', and managing agents' illegal conduct and have endorsed, ratified, and encouraged  
6 Defendants' illegal behavior. DEFENDANT COUNTY, and its managing agents, in both their  
7 individual and official capacities, failed to take any corrective action to protect employees and the  
8 public from Defendants' illegal behavior.

9 WHEREFORE, PLAINTIFFS pray judgment as hereinafter set forth.

10  
11 **FIRST CAUSE OF ACTION**  
12 **VIOLATION OF CIVIL RIGHTS UNDER 42 U.S.C. §§ 1983, 1985**  
13 **(Fourteenth Amendment Substantive Due Process (Tamas Claim),**  
14 **(By Plaintiffs Against Defendants MCCAY, F. JONES, LAFFERTY, TLC, and**  
15 **DOES 13-30, 33-40, AND 42-50)**

16 122. PLAINTIFFS KRISTIN KAZZEE, and the Heirs. Successors in Interest and  
17 Representatives of the KAYA CENTINO, Presumed Deceased, hereby incorporate allegations  
18 contained in the preceding paragraphs, as though fully set forth herein.

19 123. At all applicable times herein, Defendants MCCAY, F. JONES, LAFFERTY, TLC,  
20 and Does 13-30, 33-40 and 42-50, and each of them, were acting under color of state law.

21 124. Defendants MCCAY, F. JONES, LAFFERTY, TLC, and Does 13-30, 33-40 and  
22 42-50, and each of them, deprived Plaintiffs of their clearly established and well-settled rights  
23 under the Fourteenth Amendment to the United States Constitution, including their right to be free  
24 from harm while involuntarily in government custody and their right to medical care, treatment,  
25 and services. Defendants' conduct includes the following acts and omissions: (a) failure to  
26 adequately respond to reports of abuse; and (b) failure to ensure adequacy and primacy of relative  
27 caregiver placements.

125. Defendants MCCAY, F. JONES, LAFFERTY, TLC, and Does 13-30, 33-40 and  
42-50, and each of them, deprived Plaintiffs of their clearly established and well-settled rights

1 under the Fourteenth Amendment to the United States Constitution, including the liberty interest  
2 and right, as foster children, to state protection.

3 126. Plaintiffs are informed and believe that Defendants MCCAY, F. JONES,  
4 LAFFERTY, TLC, and Does 13-30, 33-40 and 42-50, and each of them, acted, knew and/or agreed,  
5 and/or thereby conspired together, to deprive and continue to deprive Plaintiffs of their  
6 constitutional rights without proper reason or authority, court order, probable cause, and with  
7 deliberate indifference to said Plaintiffs' rights and/or by failing to correct the wrongful conduct  
8 of other Defendants.

9 127. As a direct result of the conduct by Defendants MCCAY, F. JONES, LAFFERTY,  
10 TLC, and Does 13-30, 33-40 and 42-50, and in accordance with 42 U.S.C. §1983 and §1985,  
11 Plaintiffs' civil rights have been violated in that they have suffered, and will continue to suffer,  
12 damages, including but not limited to, significant physical and emotional harm, mental anxiety  
13 and anguish; as well as to incur attorneys' fees, costs and expenses in this matter as authorized by  
14 42 U.S.C. §1988, in an amount not yet ascertained, all of which shall be shown according to proof  
15 at trial.

16 128. The wrongful and unlawful conduct of Defendants MCCAY, F. JONES,  
17 LAFFERTY, TLC, and Does 13-30, 33-40 and 42-50, as herein alleged was intentional, done with  
18 malice, and/or performed with conscious disregard for Plaintiffs' rights. As a result of their  
19 despicable conduct, Plaintiffs are entitled to recover punitive damages from Defendants MCCAY,  
20 F. JONES, LAFFERTY, TLC, and Does 13-30, 33-40 and 42-50 for their wrongful acts in in an  
21 amount to be shown according to proof at trial.

22 WHEREFORE, PLAINTIFFS pray judgment as hereinafter set forth.

23 **SECOND CAUSE OF ACTION**

24 **VIOLATION OF CIVIL RIGHTS UNDER 42 U.S.C. §§ 1983, 1985**

25 **(Fourteenth Amendment Substantive Due Process (State Created Danger Violation  
26 of Liberty Interest)**

27 **(By All Plaintiffs Against Defendants MCCAY, F. JONES, JOHNSON, SASHITAL,  
HARPER, MORRISSEY, WINTERS, TAYLOR, DE LA CRUZ, KROEZE, GILDAY,  
ROMERO, LAFFERTY, TLC, GONZALES, GROAT, and DOES 13-30, 33-40, 42-50, and  
54-90)**

1 129. PLAINTIFFS KRISTIN KAZZEE, and the Heirs. Successors in Interest and  
2 Representatives of the KAYA CENTINO, Presumed Deceased, hereby incorporate allegations  
3 contained in the preceding paragraphs, as though fully set forth herein.

4 130. At all applicable times herein, Defendants MCCAY, F. JONES, JOHNSON,  
5 SASHITAL, HARPER, MORRISSEY, WINTERS, TAYLOR, DE LA CRUZ, KROEZE,  
6 GILDAY, ROMERO, LAFFERTY, TLC, GONZALES, GROAT, and DOES 13-30, 33-40, 42-  
7 50, and 54-90, and each of them, were acting under color of state law.

8 131. Defendants MCCAY, F. JONES, JOHNSON, SASHITAL, HARPER,  
9 MORRISSEY, WINTERS, TAYLOR, DE LA CRUZ, KROEZE, GILDAY, ROMERO,  
10 LAFFERTY, TLC, GONZALES, GROAT, and DOES 13-30, 33-40, 42-50, and 54-90, and each  
11 of them, knew and agreed, and thereby conspired, to interfere with and continue to interfere with,  
12 all Plaintiffs' clearly established and well-settled rights to personal liberty under the Fourteenth  
13 Amendment to the United States Constitution. Said Defendants' conduct includes, without  
14 limitation: a. As to Defendants MCCAY, F. JONES, LAFFERTY, and TLC: Acting with  
15 deliberate indifference to known or obvious dangers to Plaintiffs in failing to respond to or  
16 investigate claims of abuse of neglect within the Centeno household while Plaintiffs were placed  
17 in that household as foster children, failing to interview

18 132. Jose Centeno or the other children living in the Centeno household (including the  
19 CENTENOs' biological children and other foster children), and pushing permanent placement  
20 with the CONTENOS rather than investigating and considering the primacy of relative caregivers.  
21 b. As to Defendants JOHNSON, SASHITAL, HARPER, MORRISSEY, WINTERS, LAFFERTY,  
22 and TLC: Acting with deliberate indifference to the known or obvious danger in placing additional  
23 children in the care and custody of Defendants the CENTENOs when said Defendants knew said  
24 parents were overwhelmed with the children already in their care and custody (including Plaintiffs  
25 Michelle K. and P.K.), and had proved themselves unfit to care for said children. Defendants  
26 JOHNSON, SASHITAL, HARPER, MORRISSEY, WINTERS, LAFFERTY, and TLC knew or  
27 should have known that Plaintiffs, who were identified by the COUNTY as "high risk" children,

1 would be at even higher risk of abuse and neglect if they allowed Defendants the CENTENOs to  
2 accept for adoption the additional special needs children. The actions of Defendants JOHNSON,  
3 SASHITAL, HARPER, MORRISSEY, WINTERS, LAFFERTY, and TLC increased the danger  
4 already threatening Plaintiffs Michelle K. and P.K.

5 133. As to Defendants TAYLOR, DE LA CRUZ, KROEZE, GILDAY, ROMERO,  
6 GONZALES and GROAT: Acting with deliberate indifference to the known or obvious danger to  
7 Plaintiffs by failing to investigate reports of child abuse and neglect within the Centeno home,  
8 including, but not limited to, failing to ask any questions or investigate at all concerning the safety  
9 and wellbeing of Plaintiffs and their sister, Kaya.

10 134. Plaintiffs are informed and believe that said Defendants, and each of them, acted,  
11 knew and/or agreed, and/or thereby conspired together, to continue to deprive Plaintiffs of their  
12 constitutional rights without proper reason or authority, court order, probable cause, and with  
13 deliberate indifference to Plaintiffs' rights and/or by failing to correct the wrongful conduct of  
14 other Defendants.

15 135. As a direct result of the conduct by Defendants MCCAY, F. JONES, JOHNSON,  
16 SASHITAL, HARPER, MORRISSEY, WINTERS, TAYLOR, DE LA CRUZ, KROEZE,  
17 GILDAY, ROMERO, LAFFERTY, TLC, GONZALES, GROAT, and DOES 13-30, 33-40, 42-  
18 50, and 54-90, and in accordance with 42 U.S.C. §1983 and §1985, Plaintiffs' civil rights have  
19 been violated in that they have suffered, and will continue to suffer, damages, including but not  
20 limited to, physical and/or mental anxiety and anguish; as well as to incur attorneys' fees, costs  
21 and expenses in this matter as authorized by 42 U.S.C. §1988, in an amount not yet ascertained,  
22 all of which shall be shown according to proof at trial.

23 136. The wrongful and unlawful conduct of Defendants MCCAY, F. JONES,  
24 JOHNSON, SASHITAL, HARPER, MORRISSEY, WINTERS, TAYLOR, DE LA CRUZ,  
25 KROEZE, GILDAY, ROMERO, LAFFERTY, TLC, GONZALES, GROAT, and DOES 13-30,  
26 33-40, 42-50, and 54-90 as herein alleged was intentional, done with malice, and/or performed  
27 with conscious disregard for Plaintiffs' rights. As a result of their despicable conduct, Plaintiffs

1 are entitled to recover punitive damages from Defendants MCCAY, F. JONES, JOHNSON,  
2 SASHITAL, HARPER, MORRISSEY, WINTERS, TAYLOR, DE LA CRUZ, KROEZE,  
3 GILDAY, ROMERO, LAFFERTY, TLC, GONZALES, GROAT, and DOES 13-30, 33-40, 42-  
4 50, and 54-90 for their wrongful acts in in an amount to be shown according to proof at trial.

5 WHEREFORE, PLAINTIFFS pray judgment as hereinafter set forth.  
6  
7  
8  
9

10 **THIRD CAUSE OF ACTION**  
11 **VIOLATION OF CIVIL RIGHTS UNDER 42 U.S.C. §§ 1983, 1985**  
12 **(Fourteenth Amendment Substantive Due Process,**  
13 **(By Plaintiffs Against Defendants MCCAY, F. JONES, LAFFERTY, TLC, and**  
14 **Does 13-30, 33-40, and 42-50)**

15 137. PLAINTIFFS KRISTIN KAZZEE, and the Heirs. Successors in Interest and  
16 Representatives of the KAYA CENTINO, Presumed Deceased, hereby incorporate allegations  
17 contained in the preceding paragraphs, as though fully set forth herein.

18 138. At all applicable times herein, Defendants MCCAY, F. JONES, LAFFERTY, TLC,  
19 and Does 13-30, 33-40 and 42-50, and each of them, were acting under color of state law.

20 139. Defendants MCCAY, F. JONES, LAFFERTY, TLC, and Does 13-30, 33-40 and  
21 42-50, and each of them, deprived Plaintiffs of their clearly established and well-settled rights  
22 under the Fourteenth Amendment to the United States Constitution, by acting and conspiring,  
23 without just, reasonable, or proper cause or warrant to interfere with the proper placement of  
24 Plaintiffs by providing knowingly wrongful and false information to the Court.

25 140. As a direct result of the conduct by Defendants MCCAY, F. JONES, LAFFERTY,  
26 TLC, and Does 13-30, 33-40 and 42-50, and in accordance with 42 U.S.C. §1983 and §1985,  
27 Plaintiffs' civil rights have been violated in that they have suffered, and will continue to suffer,  
damages, including but not limited to, significant physical and emotional harm, mental anxiety

1 and anguish; as well as to incur attorneys' fees, costs and expenses in this matter as authorized by  
2 42 U.S.C. §1988, in an amount not yet ascertained, all of which shall be shown according to proof  
3 at trial.

4 141. The wrongful and unlawful conduct of Defendants MCCAY, F. JONES,  
5 LAFFERTY, TLC, and Does 13-30, 33-40 and 42-50, as herein alleged was intentional, done with  
6 malice, and/or performed with conscious disregard for Plaintiffs' rights. As a result of their  
7 despicable conduct, Plaintiffs are entitled to recover punitive damages from Defendants MCCAY,  
8 F. JONES, LAFFERTY, TLC, and Does 13-30, 33-40 and 42-50 for their wrongful acts in in an  
9 amount to be shown according to proof at trial.

10 WHEREFORE, PLAINTIFFS pray judgment as hereinafter set forth.

11  
12 **FOURTH CAUSE OF ACTION**  
13 **MONELL CLAIMS**  
14 **(By Plaintiffs against the COUNTY, and TLC)**

15 142. PLAINTIFFS KRISTIN KAZZEE, and the Heirs. Successors in Interest and  
16 Representatives of the KAYA CENTINO, Presumed Deceased, hereby incorporate allegations  
17 contained in the preceding paragraphs, as though fully set forth herein.

18 143. 107. At all relevant times herein, Defendant COUNTY, including through its FYCS,  
19 and Defendant TLC, as an agent of Defendant COUNTY, established, implemented, promulgated  
20 and/or followed written policies and procedures and/or longstanding and widespread customs  
21 and/or practices (hereinafter collectively referred to as "policy" or "policies") which policies were  
22 the cause of violation of Plaintiffs' constitutional rights granted to them pursuant to 42 U.S.C.  
23 §1983, as well as the case of Monell v. New York City Department of Social Services (1978) 436  
24 U.S. 658, including those under the Fourteenth Amendment. These written policies and procedures,  
25 and longstanding and widespread customs and/or practices include, but are not limited to:  
26  
27

- 1 a. The policy of placing children with foster/adoptive parents without conducting a
- 2 thorough and complete investigation of the prospective foster/adoptive parents, their home,
- 3 and the children living within that home.
- 4 b. The policy of placing multiple children with foster/adoptive parents without
- 5 interviewing and examining the children already placed with such parents.
- 6 c. The policy of conducting inadequate investigations of reports of abuse and neglect;
- 7 d. The policy of deliberate indifference to children designated as “high-risk”;
- 8 e. The policy of limiting child abuse investigations to the subject of
- 9 the report, and deliberate indifference to the status of other children living in the home;
- 10 f. By acting with deliberate indifference in implementing a policy of inadequate training,
- 11 and/or by failing to train and supervise its officers, agents and employees, in providing the
- 12 Constitutional protections guaranteed to individuals, including those under the Fourteenth
- 13 Amendment, and under California law, when performing actions related to the
- 14 investigation of child abuse and neglect, including dependency type proceedings;
- 15 g. The policy of acting with deliberate indifference in failing to correct the wrongful
- 16 conduct of other employees failing to provide the Constitutional protections guaranteed to
- 17 individuals, including those under the Fourteenth Amendment, when performing actions
- 18 related to child abuse and neglect, and dependency-type proceedings.

19 144. (The list is not exhaustive due to the pending nature of discovery and the privileged  
20 and protected records of investigative and juvenile records, which are subject to access, use, and/or  
21 disclosure pursuant to California Welf. & Inst. Code §§ 827 and 828.)

22 145. Defendant COUNTY, including its FYCS, and Defendant TLC, as the agent of  
23 Defendant COUNTY, had a duty to Plaintiffs at all times to establish, implement and follow  
24 policies, procedures, customs and/or practices which confirm and provide for the protections  
25 guaranteed them under the United States Constitution, including the Fourteenth Amendment; to  
26 use reasonable care to select, supervise, train, control and review the activities of all agents,  
27 officers and employees in their employ and to counsel and discipline such employees; and further,



1 to refrain from acting with deliberate indifference to the Constitutional rights of Plaintiffs herein  
2 so as to not cause the injuries and damages alleged herein.

3 146. Defendant COUNTY, and Defendant TLC, as the agent of Defendant COUNTY,  
4 breached its duties and obligations to Plaintiffs, including but not limited to, failing to establish,  
5 implement and follow correct and proper Constitutional policies, procedures, customs and  
6 practices; by failing to properly select, supervise, train, control, and review their agents and  
7 employees as to their compliance with Constitutional safeguards; by failing to counsel or discipline  
8 their agents and employees; and by permitting Defendants MCCAY, F. JONES, JOHNSON,  
9 SASHITAL, HARPER, MORRISSEY, WINTERS, TAYLOR, DE LA CRUZ, KROEZE,  
10 GILDAY, ROMERO, and DOES 13-30, Inclusive, to engage in the unlawful and unconstitutional  
11 conduct as herein alleged.

12 147. Plaintiffs are informed and believe, and based thereon allege, that Defendant  
13 COUNTY, and Defendant TLC, as the agent of Defendant COUNTY, has known for years that  
14 their policies, procedures, practices, and customs violate the civil rights of children and their  
15 families. Other civil rights actions have been brought against Defendant COUNTY regarding its  
16 unconstitutional policies, procedures, practices and customs, including but not limited to Bradley  
17 v. County of Sonoma, and Anderson-Francois v. County of Sonoma, yet Defendant COUNTY has  
18 continued to follow the unconstitutional policies set forth above.

19 148. Defendant COUNTY, and Defendant TLC, as the agent of Defendant COUNTY,  
20 knew, or should have known, that by breaching the aforesaid duties and obligations that it was  
21 foreseeable that it would, and did, cause Plaintiffs to be injured and damaged by its wrongful  
22 policies and acts as alleged herein and that such breaches occurred in contravention of public  
23 policy and as to its legal duties and obligations to Plaintiffs.

24 149. These actions, or inactions, of Defendant COUNTY, and Defendant TLC, as the  
25 agent of Defendant COUNTY, are the legal cause of injuries to Plaintiffs as alleged herein; and as  
26 a result thereof, Plaintiffs have sustained general and special damages, as well as incurring  
27 attorneys' fees, costs and expenses, including those as authorized by 42 U.S.C. §1988, to an extent

1 and in an amount subject to proof at trial. 113. Based upon the foregoing, Plaintiffs request the  
2 Court to enjoin Defendant COUNTY, and Defendant TLC, as the agent of Defendant COUNTY,  
3 from proceeding with its unconstitutional policies and to order it to conform to the mandates of  
4 the United States Constitution and laws.

5 WHEREFORE, PLAINTIFFS pray judgment as hereinafter set forth.

6  
7 **FIFTH CAUSE OF ACTION**  
8 **MONELL-RELATED CLAIMS**  
9 **(By Plaintiffs against the CITY/RPDPS)**

10 150. PLAINTIFFS KRISTIN KAZZEE, and the Heirs. Successors in Interest and  
11 Representatives of the KAYA CENTINO, Presumed Deceased, hereby incorporate allegations  
12 contained in the preceding paragraphs, as though fully set forth herein.

13 151. At all relevant times herein, Defendant CITY, including through its RPDPS,  
14 established, implemented, promulgated and/or followed written policies and procedures and/or  
15 longstanding and widespread customs and/or practices (hereinafter collectively referred to as  
16 “policy” or “policies”) which policies were the cause of violation of Plaintiffs’ constitutional rights  
17 granted to them pursuant to 42 U.S.C. § 1983, as well as the case of Monell v. New York City  
18 Department of Social Services (1978) 436 U.S. 658, including those under the Fourteenth  
19 Amendment. These written policies and procedures, and longstanding and widespread customs  
20 and/or practices include, but are not limited to:

- 21 a. The policy of conducting inadequate investigations of reports of abuse and neglect;  
22 b. The policy of not cross-reporting incidents of children in danger to the COUNTY;  
23 c. The policy of limiting child abuse investigations to the subject of the report, and  
24 deliberate indifference to the status of other children living in the home;  
25 d. By acting with deliberate indifference in implementing a policy of inadequate training,  
26 and/or by failing to train and supervise its officers, agents and employees, in providing the  
27 Constitutional protections guaranteed to individuals, including those under the Fourteenth

1 Amendment, and under California law, when performing actions related to the  
2 investigation of child abuse and neglect, including dependency type proceedings.

3 e. The policy of acting with deliberate indifference in failing to correct the wrongful  
4 conduct of other employees failing to provide the Constitutional protections guaranteed to  
5 individuals, including those under the Fourteenth Amendment, when performing actions  
6 related to child abuse and neglect, and dependency-type proceedings.

7 (The list is not exhaustive due to the pending nature of discovery and the privileged and  
8 protected records of investigative and juvenile records, which are subject to access, use,  
9 and/or disclosure pursuant to California Welf. & Inst. Code §§ 827 and 828.)

10 152. Defendant CITY, including RPDPS, had a duty to Plaintiffs at all times to establish,  
11 implement and follow policies, procedures, customs and/or practices which confirm and provide  
12 for the protections guaranteed them under the United States Constitution, including the Fourteenth  
13 Amendment; to use reasonable care to select, supervise, train, control and review the activities of  
14 all agents, officers and employees in their employ and to counsel and discipline such employees;  
15 and further, to refrain from acting with deliberate indifference to the Constitutional rights of  
16 Plaintiffs herein so as to not cause the injuries and damages alleged herein.

17 153. Defendant CITY, including RPDPS, breached its duties and obligations to Plaintiffs,  
18 including but not limited to, failing to establish, implement and follow correct and proper  
19 Constitutional policies, procedures, customs and practices; by failing to properly select, supervise,  
20 train, control, and review their agents and employees as to their compliance with Constitutional  
21 safeguards; by failing to counsel or discipline their agents and employees; and by permitting  
22 Defendants GONZALES, GROAT and DOES 54-90, Inclusive, to engage in the unlawful and  
23 unconstitutional conduct as herein alleged. 118. Plaintiffs are informed and believe, and based  
24 thereon allege, that Defendant CITY, including RPDPS, has known for years that their policies,  
25 procedures, practices, and customs violate the civil rights of children and their families. Other civil  
26 rights actions have been brought against Defendant CITY regarding its unconstitutional policies,  
27

1 procedures, practices and customs, yet Defendant CITY has continued to follow the  
2 unconstitutional policies set forth above.

3 154. Defendant CITY knew, or should have known, that by breaching the aforesaid  
4 duties and obligations that it was foreseeable that it would, and did, cause Plaintiffs to be injured  
5 and damaged by its wrongful policies and acts as alleged herein and that such breaches occurred  
6 in contravention of public policy and as to its legal duties and obligations to Plaintiffs.

7 155. These actions, or inactions, of Defendant CITY are the legal cause of injuries to  
8 Plaintiffs as alleged herein; and as a result thereof, Plaintiffs have sustained general and special  
9 damages, as well as incurring attorneys' fees, costs and expenses, including those as authorized by  
10 42 U.S.C. §1988, to an extent and in an amount subject to proof at trial.

11 156. Based upon the foregoing, Plaintiffs request the Court to enjoin Defendant CITY  
12 from proceeding with its unconstitutional policies and to order it to conform to the mandates of  
13 the United States Constitution and laws.

14 WHEREFORE, PLAINTIFFS pray judgment as hereinafter set forth.

15  
16 **SIXTH CAUSE OF ACTION**

17 42 U.S.C. § 1983 – Monell – Failure to Train  
18 **(Plaintiffs Against All Defendants)**

19 157. PLAINTIFFS KRISTIN KAZZEE, and the Heirs. Successors in Interest and  
20 Representatives of the KAYA CENTINO, Presumed Deceased, hereby incorporate allegations  
21 contained in the preceding paragraphs, as though fully set forth herein.

22 158. Defendants' acts and omissions as alleged herein deprived Plaintiffs of their particular  
23 rights under the United States Constitution. Each Defendant acted under color of state law as to the  
24 matters set forth herein.

25 159. The training policies of DEFENDANT COUNTY, AND DEFENDANT PUBLIC  
26 ENTITIES were not adequate to train its employees to handle the usual and recurring situations with  
27 which they must deal.

1 160. Defendant COUNTY was deliberately indifferent to the known or obvious  
2 consequences of its failure to train its employees adequately.

3 161. The failure of the Defendant COUNTY to provide adequate training caused the  
4 deprivation of Plaintiffs' rights by the Defendant COUNTY's employees; that is, Defendant  
5 COUNTY's failure to train is so closely related to the deprivation of the Plaintiffs' rights as to be the  
6 moving force that caused the ultimate injury.

7 WHEREFORE, PLAINTIFFS pray judgment as hereinafter set forth.

8 **SEVENTH CAUSE OF ACTION**  
9 **18 U.S.C. § 1595 – Trafficking Victims Private Civil Remedies**  
10 **(Plaintiffs. Against All Defendants)**

11 162. 77 PLAINTIFFS KRISTIN KAZZEE, and the Heirs. Successors in Interest and  
12 Representatives of the KAYA CENTINO, Presumed Deceased, hereby incorporate allegations  
13 contained in the preceding paragraphs, as though fully set forth herein.

14 163. PLAINTIFFS MICHELLE K., Minor P.K., and KAYA CENTENO. are victims of 18  
15 USC § 1581 *et seq* and therefore may bring a civil action against Defendants JOSE A. CENTENO and  
16 GINA M. CENTENO as well as whoever knowingly benefits, financially or by receiving anything of  
17 value from participation in a venture which that person knows or should have known has engaged in  
18 an act in violation of 18 USC §§ 1581 *et seq*.

19 164. Plaintiffs timely bring this claim as it has been less than 10 years after plaintiffs'  
20 eighteenth birthday and the conduct occurred when each was a minor. DEFENDANT COUNTY  
21 knowingly benefited, financially or by receiving anything of value from DEFENDANTS JOSE A.  
22 CENTENO and GINA M. CENTENO through their agreement to be foster parents which the  
23 DEFENDANT COUNTY should have known had engaged in an act in violation of 18 USC §§ 1581  
24 *et seq*. Pursuant to *Ditullio v. Boehm*, 662 F.3d 1091 (9th Cir. 2011), Plaintiffs are entitled to punitive  
25 damages. Per the statute, Plaintiffs are also entitled to attorney's fees and costs.

26 WHEREFORE, PLAINTIFFS pray judgment as hereinafter set forth.

27 **EIGHTH CAUSE OF ACTION**  
**BREACH OF MANDATORY DUTY**

**(By Plaintiffs Against Defendants COUNTY, MCCAY, F. JONES, STATE, LAFFERTY, TLC, and DOES 13-30, 33-40, and 42-50)**

1  
2 165. PLAINTIFFS KRISTIN KAZZEE, and the Heirs. Successors in Interest and  
3 Representatives of the KAYA CENTINO, Presumed Deceased, hereby incorporate allegations  
4 contained in the preceding paragraphs, as though fully set forth herein.

5 166. Defendants COUNTY, MCCAY, F. JONES, STATE, LAFFERTY, TLC and  
6 DOES 13-30, 33-40, and 42-50 had a special duty to protect Plaintiffs while such children were  
7 entrusted to their care. Under State Adoption Program Regulations §§ 35177, 35181, and 35183,  
8 among other statutes, regulations, and ordinances, Defendants COUNTY, MCCAY, F. JONES,  
9 STATE, LAFFERTY, TLC and DOES 13-30, 33-40, and 42-50 had a duty to investigate  
10 prospective adoptive parents, which sections were designed to protect children such as Plaintiffs  
11 from physical abuse, sexual abuse, and severe neglect, such as that meted out by Defendants the  
12 CENTENOs.

13 167. These regulations, among others, required said Defendants to conduct separate  
14 face-to-face interviews with Gina Centeno, Jose Centeno, and all other individual children living  
15 in the home, and did not allow any application for adoption to be approved without conducting  
16 this investigation. Despite these requirements, Defendants COUNTY, MCCAY, F. JONES,  
17 STATE, LAFFERTY, TLC and DOES 13-30, 33-40, and 42-50 did not interview or meet with  
18 Jose Centeno, or interview any of the children residing in the Centeno home, including the  
19 CENTENOs' biological children and other foster children.

20 168. In addition, Child Welfare Services Program 31-405.12 requires that social workers  
21 give preferential consideration for placement of a child to an adult who is a grandparent, aunt,  
22 uncle, or sibling of the child. Despite these requirements, Defendants COUNTY, MCCAY, F.  
23 JONES, STATE, LAFFERTY, TLC and DOES 13-30, 33-40, and 42-50 did not give preferential  
24 consideration to Plaintiffs' maternal relatives, who had expressed that they wished to adopt  
25 Plaintiffs. Instead, said Defendants pushed their agenda to place the children in the home of the  
26 CENTENOs.  
27

1           169. In addition, Welfare & Institutions Code §16507.5 requires that when a minor is  
2 separated from his or her family, the county welfare department or adoption agency shall make  
3 any and all reasonable and necessary provisions for the care, supervision, custody, conduct,  
4 maintenance and support of the minor. Despite this requirement, and having received reports of  
5 possible abuse of Plaintiffs within the Centeno home, Defendants COUNTY, MCCAY, F. JONES,  
6 STATE, LAFFERTY, TLC and DOES 13-30, 33-40, and 42-50 placed Plaintiffs with the  
7 CENTENOs for adoption when Plaintiffs' relatives were ready, willing, and able to adopt them  
8 and were entitled to preferential placement. 127. By failing to adhere to the statutory and regulatory  
9 requirements, Defendants created the risk and danger contemplated by these regulations, and as a  
10 result, unreasonably and wrongfully exposed Plaintiffs to sexual molestation, physical abuse, and  
11 severe neglect, among other acts.

12           170. The physical, mental, and emotional damages and injuries resulting from the  
13 physical abuse, sexual abuse, and severe neglect of Plaintiffs by Defendants the CENTENOs were  
14 the type of occurrence and injuries that the statutory and regulatory provisions were designed to  
15 prevent.

16           171. As a result, Defendants' failure to comply with the statutory and regulatory  
17 provisions constituted a per se breach of said Defendants' duties to Plaintiffs.

18           172. As a result of the above-described conduct, Plaintiffs suffered and continue to suffer  
19 great pain of mind and body, shock, emotional distress, physical manifestations of emotional  
20 distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life;  
21 have suffered and continue to suffer and were prevented and will continue to be prevented from  
22 performing daily activities and obtaining the full enjoyment of life; will sustain loss of earnings  
23 and earning capacity, and have incurred and will continue to incur expenses for medical and  
24 psychological treatment, therapy, and counseling.

25           WHEREFORE, PLAINTIFFS pray judgment as hereinafter set forth.

26  
27           **NINTH CAUSE OF ACTION**  
          **BREACH OF MANDATORY DUTY**

**(By Plaintiffs Against All Defendants)**

1  
2 173. PLAINTIFFS KRISTIN KAZZEE, and the Heirs. Successors in Interest and  
3 Representatives of the KAYA CENTINO, Presumed Deceased, hereby incorporate allegations  
4 contained in the preceding paragraphs, as though fully set forth herein.

5 174. Under Welfare & Institutions Code §328, among other statutes, regulations, and  
6 ordinances, Defendants had a duty to immediately investigate a potential claim for child abuse or  
7 neglect to determine whether child welfare services should be offered to the family. This includes  
8 a mandatory duty to investigate interview any child four years of age or older within the family to  
9 ascertain the child's view of the home environment.

10 175. Despite this mandatory duty, at no time relevant to this action did Defendants  
11 interview and/or meet with all children living in the Centeno home.

12 176. In addition, Penal Code §11164 requires that, during an investigation of suspected  
13 child abuse or neglect, all persons participating in the investigation shall consider the needs of the  
14 child victim and "shall do whatever is necessary to prevent psychological harm to the child victim."

15 177. As alleged above, Defendants knew, or in the exercise of reasonable care should  
16 have known, that the children within the Centeno household were, at a bare minimum, subjected  
17 to emotional abuse. Defendants also knew, or had valid reason to know, that the children were  
18 subjected to physical abuse and neglect. Despite this knowledge, Defendants continued to maintain  
19 the children in the Centeno home and provided no services to the children or the CENTENOs. In  
20 fact, in 2010, with a sustained finding of emotional abuse against Jose Centeno, Defendants  
21 COUNTY, JOHNSON, SASHITAL, HARPER, MORRISSEY, WINTERS, STATE, LAFFERTY,  
22 and TLC placed additional children within the Centeno household, increasing the danger to  
23 Plaintiffs.

24 178. By failing to adhere to the statutory and regulatory requirements, Defendants  
25 created the risk and danger contemplated by these regulations, and as a result, unreasonably and  
26 wrongfully exposed Plaintiffs to sexual molestation, physical abuse, and severe neglect, among  
27 other acts. The physical, mental, and emotional damages and injuries resulting from the physical



1 abuse, sexual abuse, and severe neglect of Plaintiffs by Defendants the CENTENOs were the type  
2 of occurrence and injuries that the statutory and regulatory provisions were designed to prevent. As  
3 a result, Defendants' failure to comply with the statutory and regulatory provisions constituted a  
4 per se breach of said Defendants' duties to Plaintiffs.

5 179. As a result of the above-described conduct, Plaintiffs suffered and continue to suffer  
6 great pain of mind and body, shock, emotional distress, physical manifestations of emotional  
7 distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life;  
8 have suffered and continue to suffer and were prevented and will continue to be prevented from  
9 performing daily activities and obtaining the full enjoyment of life; will sustain loss of earnings  
10 and earning capacity, and have incurred and will continue to incur expenses for medical and  
11 psychological treatment, therapy, and counseling.

12 WHEREFORE, PLAINTIFFS pray judgment as hereinafter set forth.

13  
14 **TENTH CAUSE OF ACTION**  
**BREACH OF MANDATORY DUTY**

15 **(By Plaintiffs Against Defendants COUNTY, JOHNSON, SASHITAL, HARPER,**  
16 **MORRISSEY, WINTERS, TAYLOR, DE LA CRUZ, KROEZE, GILDAY,**  
**ROMERO, and DOES 13-30)**

17 180. PLAINTIFFS KRISTIN KAZZEE, and the Heirs. Successors in Interest and  
18 Representatives of the KAYA CENTINO, Presumed Deceased, hereby incorporate allegations  
19 contained in the preceding paragraphs, as though fully set forth herein.

20 181. Under Welfare & Institutions Code §16504, among other statutes, regulations, and  
21 ordinances, Defendants COUNTY, JOHNSON, SASHITAL, HARPER, MORRISSEY,  
22 WINTERS, TAYLOR, DE LA CRUZ, KROEZE, GILDAY, ROMERO and DOES 13-30 had a  
23 duty, upon learning of the report to the COUNTY's child welfare services department, to evaluate  
24 the risk of abuse, neglect or exploitation of the children who were the subject of that report. This  
25 evaluation is required to include collateral contacts and a review of previous referrals.

26 182. Despite these requirements, Defendants COUNTY, JOHNSON, SASHITAL,  
27 HARPER, MORRISSEY, WINTERS, TAYLOR, DE LA CRUZ, KROEZE, GILDAY, ROMERO

1 and DOES 13-30 did not consider or gather information from collateral contacts available to them  
2 or review previous referrals when they made their evaluations of risk upon learning of reports to  
3 the COUNTY of child abuse and neglect within the Centeno household.

4 183. By failing to adhere to the statutory and regulatory requirements, Defendants  
5 created the risk and danger contemplated by these regulations, and as a result, unreasonably and  
6 wrongfully exposed Plaintiffs to sexual molestation, physical abuse, and severe neglect, among  
7 other acts.

8 184. The physical, mental, and emotional damages and injuries resulting from the  
9 physical abuse, sexual abuse, and severe neglect of Plaintiffs by Defendants the CENTENOs were  
10 the type of occurrence and injuries that the statutory and regulatory provisions were designed to  
11 prevent.

12 185. As a result, Defendants' failure to comply with the statutory and regulatory  
13 provisions constituted a per se breach of said Defendants' duties to Plaintiffs.

14 186. As a result of the above-described conduct, Plaintiffs suffered and continue to suffer  
15 great pain of mind and body, shock, emotional distress, physical manifestations of emotional  
16 distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life;  
17 have suffered and continue to suffer and were prevented and will continue to be prevented from  
18 performing daily activities and obtaining the full enjoyment of life; will sustain loss of earnings  
19 and earning capacity, and have incurred and will continue to incur expenses for medical and  
20 psychological treatment, therapy, and counseling.

21 WHEREFORE, PLAINTIFFS pray judgment as hereinafter set forth.

22  
23  
24 **ELEVENTH CAUSE OF ACTION**  
25 **BREACH OF MANDATORY DUTY**  
26 **(By Plaintiffs Against Defendants COUNTY, JOHNSON, SASHITAL, HARPER,**  
27 **MORRISSEY, WINTERS, STATE, LAFFERTY, TLC, and DOES 13-30, 33-40, 42-**  
**50)**

1 187. PLAINTIFFS KRISTIN KAZZEE, and the Heirs. Successors in Interest and  
2 Representatives of the KAYA CENTINO, Presumed Deceased, hereby incorporate allegations  
3 contained in the preceding paragraphs, as though fully set forth herein.

4 188. Under Welfare & Institutions Code §16519, among other statutes, regulations, and  
5 ordinances, Defendants COUNTY, JOHNSON, SASHITAL, HARPER, MORRISSEY,  
6 WINTERS, STATE, LAFFERTY, TLC and DOES 13-30, 33-40, and 42-50 had a duty, to ensure  
7 the safety, permanency, and well-being of children in their care, and were required to consider the  
8 psychosocial history of the home into which children were being placed.

9 189. Despite these requirements, Defendants COUNTY, JOHNSON, SASHITAL,  
10 HARPER, MORRISSEY, WINTERS, STATE, LAFFERTY, TLC and DOES 13-30, 33-40, and  
11 42-50 did not take into consideration the psychosocial history of the Centeno home when placing  
12 Maci and Pablo into that home in 2010. These actions endangered the children already living in  
13 that home, including Plaintiffs.

14 190. Additionally, Child Welfare Services Program 31-405.22 requires that social  
15 workers monitor the physical and emotional condition of children and take necessary actions to  
16 safeguard that growth and development. Despite these requirements, and knowing that Plaintiffs  
17 were suffering from emotional and physical abuse while in the CENTENOs' care, Defendants  
18 COUNTY, JOHNSON, SASHITAL, HARPER, MORRISSEY, WINTERS, STATE, LAFFERTY,  
19 TLC and DOES 13-30, 33-40, and 42-50 did nothing to safeguard Plaintiffs' growth and  
20 development. Instead, they pushed forward with permanent placement of two additional special  
21 needs children in the Centeno household.

22 191. By failing to adhere to the statutory and regulatory requirements, Defendants  
23 created the risk and danger contemplated by these regulations, and as a result, unreasonably and  
24 wrongfully exposed Plaintiffs to sexual molestation, physical abuse, and severe neglect, among  
25 other acts. 152. The physical, mental, and emotional damages and injuries resulting from the  
26 physical abuse, sexual abuse, and severe neglect of Plaintiffs by Defendants the CENTENOs were  
27 the type of occurrence and injuries that the statutory and regulatory provisions were designed to

1 prevent. As a result, Defendants' failure to comply with the statutory and regulatory provisions  
2 constituted a per se breach of said Defendants' duties to Plaintiffs.

3 192. As a result of the above-described conduct, Plaintiffs suffered and continue to suffer  
4 great pain of mind and body, shock, emotional distress, physical manifestations of emotional  
5 distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life;  
6 have suffered and continue to suffer and were prevented and will continue to be prevented from  
7 performing daily activities and obtaining the full enjoyment of life; will sustain loss of earnings  
8 and earning capacity, and have incurred and will continue to incur expenses for medical and  
9 psychological treatment, therapy, and counseling.

10 WHEREFORE, PLAINTIFFS pray judgment as hereinafter set forth.

11  
12 **TWELELF CAUSE OF ACTION**  
13 **BREACH OF MANDATORY DUTY**  
14 **(By Plaintiffs Against Defendants COUNTY, TAYLOR, DE LA CRUZ, KROEZE,**  
15 **GILDAY, ROMERO, and DOES 13-30)**

16 193. PLAINTIFFS KRISTIN KAZZEE, and the Heirs. Successors in Interest and  
17 Representatives of the KAYA CENTINO, Presumed Deceased, hereby incorporate allegations  
18 contained in the preceding paragraphs, as though fully set forth herein.

19 194. Under Welfare & Institutions Code §16501.1, among other statutes, regulations,  
20 and ordinances, Defendants COUNTY, TAYLOR, DE LA CRUZ, KROEZE, GILDAY,  
21 ROMERO and DOES 13-30 had a duty to utilize the CWS-CMS system to access child and family  
22 specific information in order to make appropriate and expeditious case decisions. Despite these  
23 requirements, there is no evidence said Defendants utilized the CWS-CMS system to access the  
24 prior contacts between the COUNTY and the Centeno family, and specifically, the 2010 contacts  
25 and sustained finding of emotional abuse against Jose Centeno.

26 195. Welfare & Institutions Code §16501.35, among other statutes, requires that social  
27 workers identify children who are at risk of becoming victims of commercial sexual exploitation,  
and to locate any child missing from care. Despite these requirements, said Defendants did nothing

1 to locate Plaintiffs, who were missing from care at the time of said Defendants' involvement with  
2 the Centeno family, and who were at risk of becoming victims of commercial sexual exploitation.

3 196. Additionally, Child Welfare Services Program 31-125 requires that a social worker  
4 initially investigating a referral shall determine the potential for or the existence of any condition(s)  
5 which places the child, or any other child in the family or household, at risk and in need of services.  
6 Said Defendants did not do anything to determine the risk to Plaintiffs when they "investigated"  
7 the referrals in 2018 and 2019.

8 197. By failing to adhere to the statutory and regulatory requirements, Defendants  
9 created the risk and danger contemplated by these regulations, and as a result, unreasonably and  
10 wrongfully exposed Plaintiffs to sexual molestation, physical abuse, and severe neglect, among  
11 other acts.

12 198. The physical, mental, and emotional damages and injuries resulting from the  
13 physical abuse, sexual abuse, and severe neglect of Plaintiffs by Defendants the CENTENOs were  
14 the type of occurrence and injuries that the statutory and regulatory provisions were designed to  
15 prevent. As a result, Defendants' failure to comply with the statutory and regulatory provisions  
16 constituted a per se breach of said Defendants' duties to Plaintiffs.

17 199. As a result of the above-described conduct, Plaintiffs suffered and continue to suffer  
18 great pain of mind and body, shock, emotional distress, physical manifestations of emotional  
19 distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life;  
20 have suffered and continue to suffer and were prevented and will continue to be prevented from  
21 performing daily activities and obtaining the full enjoyment of life; will sustain loss of earnings  
22 and earning capacity, and have incurred and will continue to incur expenses for medical and  
23 psychological treatment, therapy, and counseling.

24 WHEREFORE, PLAINTIFFS pray judgment as hereinafter set forth.

25  
26 **THIRTEENTH CAUSE OF ACTION**  
27 **BREACH OF MANDATORY DUTY**

1 **(By Plaintiffs Against Defendants CITY/RPDPS, GONZALES, GROAT, and DOES**  
2 **54-90)**

3 200. PLAINTIFFS KRISTIN KAZZEE, and the Heirs. Successors in Interest and  
4 Representatives of the KAYA CENTINO, Presumed Deceased, hereby incorporate allegations  
5 contained in the preceding paragraphs, as though fully set forth herein.

6 201. Under Penal Code §11166, among other statutes, regulations, and ordinances,  
7 Defendants CITY/RPDPS, GONZALES, GROAT and DOES 54-90 had a duty to make a report  
8 to the COUNTY when they had knowledge of or observed a child who is reasonably suspected to  
9 be the victim of child abuse or neglect, and/or where it is reasonable to suspect the home in which  
10 the child resides is unsuitable for that child. Despite these requirements, there is no evidence said  
11 Defendants reported the incidents occurring in October 2019 and February 2020 to the County's  
12 child welfare services.

13 202. By failing to adhere to the statutory and regulatory requirements, Defendants  
14 created the risk and danger contemplated by these regulations, and as a result, unreasonably and  
15 wrongfully exposed Plaintiffs to sexual molestation, physical abuse, and severe neglect, among  
16 other acts. The physical, mental, and emotional damages and injuries resulting from the physical  
17 abuse, sexual abuse, and severe neglect of Plaintiffs by Defendants the CENTENOs were the type  
18 of occurrence and injuries that the statutory and regulatory provisions were designed to prevent.

19 203. As a result, Defendants' failure to comply with the statutory and regulatory  
20 provisions constituted a per se breach of said Defendants' duties to Plaintiffs.

21 204. As a result of the above-described conduct, Plaintiffs suffered and continue to suffer  
22 great pain of mind and body, shock, emotional distress, physical manifestations of emotional  
23 distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life;  
24 have suffered and continue to suffer and were prevented and will continue to be prevented from  
25 performing daily activities and obtaining the full enjoyment of life; will sustain loss of earnings  
26 and earning capacity, and have incurred and will continue to incur expenses for medical and  
27 psychological treatment, therapy, and counseling.

WHEREFORE, PLAINTIFFS pray judgment as hereinafter set forth.

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**FOURTEENTH CAUSE OF ACTION**  
**NEGLIGENCE**  
**(By Plaintiffs Against TLC and DOES 42-50)**

205. PLAINTIFFS KRISTIN KAZZEE, and the Heirs. Successors in Interest and Representatives of the KAYA CENTINO, Presumed Deceased, hereby incorporate allegations contained in the preceding paragraphs, as though fully set forth herein.

206. At all times alleged herein, TLC and DOES 42-50 were acting within the course and scope of their agency with the COUNTY.

207. Defendants TLC and DOES 42-50 had a duty to Plaintiffs to act with reasonable care to ensure that Plaintiffs did not suffer from harm.

208. Defendants TLC and DOES 42-50 breached their duties of care to Plaintiffs by failing to investigate the home and services provided to Plaintiffs by the CENTENOs, by failing to separately interview Plaintiffs to ensure they were receiving adequate care and services and were not being physically abused, sexually abused, or neglected, and by failing to interview or examine the other children who had been placed in the Centeno home to ensure they were not being physically abused, sexually abused, or neglected.

209. As a result of the above-described conduct, Plaintiffs suffered and continue to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life; have suffered and continue to suffer and were prevented and will continue to be prevented from performing daily activities and obtaining the full enjoyment of life; will sustain loss of earnings and earning capacity, and have incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

WHEREFORE, PLAINTIFFS pray judgment as hereinafter set forth.

**FIFTEENTH CAUSE OF ACTION**  
**INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**  
**(By Plaintiffs Against All Defendants)**

1 210. PLAINTIFFS KRISTIN KAZZEE, and the Heirs. Successors in Interest and  
2 Representatives of the KAYA CENTINO, Presumed Deceased, hereby incorporate allegations  
3 contained in the preceding paragraphs, as though fully set forth herein.

4 211. Defendants' conduct toward Plaintiffs, as described herein, was outrageous and  
5 extreme.

6 212. A reasonable person would not expect or tolerate the physical abuse, sexual abuse,  
7 and severe neglect which Defendants the CENTENOs inflicted upon Plaintiffs.

8 213. Moreover, the conduct of Defendants, described hereinabove, which enabled  
9 Defendants the CENTENOs to physically abuse, sexually abuse, severely neglect, and torture  
10 Plaintiffs over the course of many years was more than any reasonable person would expect or  
11 tolerate.

12 214. As a result of the above-described conduct, Plaintiffs suffered and continue to suffer  
13 great pain of mind and body, shock, emotional distress, physical manifestations of emotional  
14 distress, embarrassment, loss of self-esteem, disgrace, humiliation, and loss of enjoyment of life;  
15 have suffered and continue to suffer and were prevented and will continue to be prevented from  
16 performing daily activities and obtaining the full enjoyment of life; will sustain loss of earnings  
17 and earning capacity, and have incurred and will continue to incur expenses for medical and  
18 psychological treatment, therapy, and counseling. 179. The wrongful and unlawful conduct of  
19 Defendants as herein alleged was intentional, done with malice, and/or performed with conscious  
20 disregard for Plaintiffs' rights. As a result of their despicable conduct, Plaintiffs are entitled to  
21 recover punitive damages from Defendants for their wrongful acts in in an amount to be shown  
22 according to proof at trial.

23 WHEREFORE, PLAINTIFFS pray judgment as hereinafter set forth.

24  
25 **SIXTEENTH CAUSE OF ACTION**  
26 **ASSAULT**  
27 **(By Plaintiffs Against all Defendants)**



1 215. PLAINTIFFS KRISTIN KAZZEE, and the Heirs. Successors in Interest and  
2 Representatives of the KAYA CENTINO, Presumed Deceased, hereby incorporate allegations  
3 contained in the preceding paragraphs, as though fully set forth herein.

4 216. Through their physical abuse, severe neglect, and torture of Plaintiffs, Defendants  
5 the CENTENOs put Plaintiffs in imminent apprehension of harmful or offensive contact. Plaintiffs  
6 reasonably and actually believed that Defendants the CENTENOs had the ability to make harmful  
7 or offensive contact with Plaintiffs' persons.

8 217. Plaintiffs did not consent to the harmful or offensive contact by Defendants the  
9 CENTENOs. Additionally, because they were minors, Plaintiffs lacked the ability to consent to  
10 the harmful or offensive contact.

11 218. In addition to common law assault, Defendants the CENTENOs violated Plaintiffs'  
12 rights pursuant to Civil Code §§ 43 and 1708.

13 219. Defendants COUNTY, MCCAY, F. JONES, JOHNSON, SASHITAL, HARPER,  
14 MORRISSEY, WINTERS, TAYLOR, DE LA CRUZ, KROEZE, GILDAY, ROMERO, STATE,  
15 LAFFERTY, TLC, CITY, GONZALES, GROAT, and DOES 13-30, 33-40, 42-50, and 54-90  
16 authorized and/or ratified the conduct of Defendants the CENTENOs and/or Does 91-100 by  
17 leaving Plaintiffs in the care of the CENTENOs despite the actual and/or implied knowledge of  
18 Defendants COUNTY, MCCAY, F. JONES, JOHNSON, SASHITAL, HARPER, MORRISSEY,  
19 WINTERS, TAYLOR, DE LA CRUZ, KROEZE, GILDAY, ROMERO, STATE, LAFFERTY,  
20 TLC, CITY, GONZALES, GROAT, and DOES 13-30, 33-40, 42-50, and 54-90 that Defendants  
21 the CENTENOs were unfit parents, had neglected, physically abused, and sexually abused other  
22 children in their care, and had neglected and abused, and were continuing to neglect and abuse,  
23 Plaintiffs.

24 220. As a result of said authorization and ratification, Defendants COUNTY, MCCAY,  
25 F. JONES, JOHNSON, SASHITAL, HARPER, MORRISSEY, WINTERS, TAYLOR, DE LA  
26 CRUZ, KROEZE, GILDAY, ROMERO, STATE, LAFFERTY, TLC, CITY, GONZALES,  
27 GROAT, and DOES 13-30, 33-40, 42-50, and 54-90 are vicariously responsible for the actions of

1 Defendants the CENTENOs and/or DOES 91-100. 185. As a legal result of the said Defendants'  
2 conduct, Plaintiffs suffered, and will continue to suffer, damages, including but not limited to,  
3 mental anxiety and anguish, in an amount not yet ascertained, all of which shall be shown  
4 according to proof at trial.

5 221. Defendants the CENTENO's wrongful and unlawful conduct as herein alleged was  
6 intentional, done with malice, and/or performed with conscious disregard for Plaintiffs' rights. As  
7 a result of their despicable conduct, Plaintiffs are entitled to recover punitive damages from  
8 Defendants the CENTENOs for their wrongful acts in an amount to be shown according to proof  
9 at trial.

10 WHEREFORE, PLAINTIFFS pray judgment as hereinafter set forth.

11 **SEVENTEENTH CAUSE OF ACTION**  
12 **SEXUAL BATTERY**  
13 **(By Plaintiffs Against all Defendants)**

14 222. PLAINTIFFS KRISTIN KAZZEE, and the Heirs. Successors in Interest and  
15 Representatives of the KAYA CENTINO, Presumed Deceased, hereby incorporate allegations  
16 contained in the preceding paragraphs, as though fully set forth herein.

17 223. While in the care and custody of Defendants Jose and Gina Centeno, the  
18 CENTENOs intentionally, recklessly and wantonly did acts which were intended to, and did result  
19 in harmful and offensive contact with intimate parts of Plaintiffs' persons, including, but not  
20 limited to, sexual touching, contact and conduct. Defendants the CENTENOs performed these acts  
21 with the intent to cause a harmful or offensive contact with an intimate part of Plaintiffs' persons  
22 that would offend a reasonable sense of personal dignity; and did in fact cause a harmful and/or  
23 offensive contact with an intimate part of Plaintiffs' persons that would offend a reasonable sense  
24 of personal dignity. 189. Plaintiffs did not consent to the harmful or offensive contact by  
25 Defendants the CENTENOs. Additionally, because they were minors, Plaintiffs lacked the ability  
26 to consent to the harmful or offensive contact.  
27



**SEX SLAVERY (Civil Code §52.5)**  
**(By Plaintiffs Against all Defendants)**

1  
2 227. PLAINTIFFS KRISTIN KAZZEE, and the Heirs. Successors in Interest and  
3 Representatives of the KAYA CENTINO, Presumed Deceased, hereby incorporate allegations  
4 contained in the preceding paragraphs, as though fully set forth herein.

5 228. Any person who deprives or violates the personal liberty of another with the intent  
6 to obtain forced labor or services is guilty of human trafficking under Section 236.1 of the Penal  
7 Code. Forced labor or services is labor or services that are performed or provided by a person and  
8 are obtained or maintained through force, fraud, duress, coercion or equivalent conduct that would  
9 reasonably overbear the will of the person. Under Civil Code §52.5, a victim of human trafficking  
10 may bring a civil action for actual damages, compensatory damages, punitive damages, and  
11 injunctive relief, and may be awarded attorneys' fees and costs and up to three times his or her  
12 actual damages upon proof of defendants' malice, oppression, fraud, or duress in committing the  
13 act of human trafficking.

14 229. Defendants the CENTENOs sexually, physically and emotionally abused Plaintiffs  
15 while Plaintiffs were in their care and custody, forcing them to perform labor and sexual and other  
16 services. 197. Defendants COUNTY, MCCAY, F. JONES, JOHNSON, SASHITAL, HARPER,  
17 MORRISSEY, WINTERS, TAYLOR, DE LA CRUZ, KROEZE, GILDAY, ROMERO, STATE,  
18 LAFFERTY, TLC, CITY, GONZALES, GROAT, and DOES 13-30, 33-40, 42-50, and 54-90  
19 authorized and/or ratified the conduct of Defendants the CENTENOs and/or Does 91-100 by  
20 leaving Plaintiffs in the care of the CENTENOs despite the actual and/or implied knowledge of  
21 Defendants COUNTY, MCCAY, F. JONES, JOHNSON, SASHITAL, HARPER, MORRISSEY,  
22 WINTERS, TAYLOR, DE LA CRUZ, KROEZE, GILDAY, ROMERO, STATE, LAFFERTY,  
23 TLC, CITY, GONZALES, GROAT, and DOES 13-30, 33-40, 42-50, and 54-90 that Defendants  
24 the CENTENOs were unfit parents, had neglected, physically abused, and sexually abused other  
25 children in their care, and had neglected and abused, and were continuing to neglect and abuse,  
26 Plaintiffs. As a result of said authorization and ratification, Defendants COUNTY, MCCAY, F.  
27 JONES, JOHNSON, SASHITAL, HARPER, MORRISSEY, WINTERS, TAYLOR, DE LA

1 CRUZ, KROEZE, GILDAY, ROMERO, STATE, LAFFERTY, TLC, CITY, GONZALES,  
2 GROAT, and DOES 13-30, 33-40, 42-50, and 54-90 are vicariously responsible for the actions of  
3 Defendants the CENTENOs and/or Does 91-100.

4 230. As a legal result of the said Defendants' conduct, Plaintiffs suffered, and will  
5 continue to suffer, damages, including but not limited to, mental anxiety and anguish, in an amount  
6 not yet ascertained, all of which shall be shown according to proof at trial.

7 231. Defendants the CENTENO's wrongful and unlawful conduct as herein alleged was  
8 intentional, done with malice, and/or performed with conscious disregard for Plaintiffs' rights. As  
9 a result of their despicable conduct, Plaintiffs are entitled to recover punitive damages from  
10 Defendants the CENTENOs for their wrongful acts in in an amount to be shown according to proof  
11 at trial.

12 WHEREFORE, PLAINTIFFS pray judgment as hereinafter set forth.

13  
14 **NINETEENTH CAUSE OF ACTION**  
15 **FALSE IMPRISONMENT**

16 **(By Plaintiffs Against Jose and Gina Centeno and DOES 91-100)**

17 232. PLAINTIFFS KRISTIN KAZZEE, and the Heirs. Successors in Interest and  
18 Representatives of the KAYA CENTINO, Presumed Deceased, hereby incorporate allegations  
19 contained in the preceding paragraphs, as though fully set forth herein.

20 233. Defendants the CENTENOs and/or DOES 91-100 deprived Plaintiffs of their  
21 personal civil liberties through their physical abuse, severe neglect, and torture.

22 234. As a legal result of the said Defendants' conduct, Plaintiffs suffered, and will  
23 continue to suffer, damages, including but not limited to, mental anxiety and anguish, in an amount  
24 not yet ascertained, all of which shall be shown according to proof at trial.

25 235. Said Defendants' wrongful and unlawful conduct as herein alleged was intentional,  
26 done with malice, and/or performed with conscious disregard for Plaintiffs' rights. As a result of  
27 their despicable conduct, Plaintiffs are entitled to recover punitive damages from Defendants the

1 CENTENOs and/or DOES 91-100 for their wrongful acts in in an amount to be shown according  
2 to proof at trial.

3 WHEREFORE, PLAINTIFFS pray judgment as hereinafter set forth.  
4

5 **TWENTIETH CAUSE OF ACTION**  
6 **SURVIVAL ACTION**  
7 **(By Plaintiffs Against all Defendants)**

8 236. PLAINTIFFS KRISTIN KAZZEE, and the Heirs. Successors in Interest and  
9 Representatives of the KAYA CENTINO, Presumed Deceased, hereby incorporate allegations  
10 contained in the preceding paragraphs, as though fully set forth herein.

11 237. Pursuant to Code of Civil Procedure 377.30, PLAINTIFFS and the Heirs,  
12 Successors in Interest, and Representatives of the Deceased Plaintiffs assert claims for damages,  
13 injuries and harm suffered by their loved ones before her deaths.

14 238. Code of Civil Procedure 377.30 provides: —A cause of action that survives the  
15 death of the person entitled to commence an action or proceeding passes to the decedent's  
16 successor in interest...and an action may be commenced by the decedent's personal representative  
17 or, if none, by the decedent's successor in interest.

18 239. Defendants, and each of them, were the actual and proximate cause of foreseeable  
19 and preventable damages, injures and harm, including worry, fear, mental and emotional distress,  
20 lost of enjoyment of live, misery, discomfort, and anguish to deceased Plaintiffs before their  
21 untimely and premature deaths.

22 240. DEFENDANTS' misconduct was deliberate, and undertaken with oppression,  
23 fraud or malice within the meaning of California Civil Code § 3294, justifying an award of  
24 exemplary damages sufficient to punish DEFENDANTS and to deter them from such misconduct  
25 in the future.

26 WHEREFORE, PLAINTIFFS pray judgment as hereinafter set forth.

27 **TWENTY-FIRST CAUSE OF ACTION**  
**WRONGFUL DEATH**

**(By Plaintiffs Against all Defendants)**

1  
2 241. PLAINTIFFS and the Heirs. Successors in Interest and Representatives of the  
3 Deceased Plaintiffs, hereby incorporate allegations contained in the preceding paragraphs, as  
4 though fully set forth herein.

5 242. PLAINTIFFS and the Heirs. Successors in Interest and Representatives of the  
6 Deceased Plaintiffs bring claims for wrongful death, including lost financial support: the loss of  
7 gifts or benefit that the PLAINTIFFS and class members would have expected to receive from the  
8 decedent; funeral and burial expenses; and the reasonable value of household services that the  
9 decedent would have provided. PLAINTIFFS and the Heirs. Successors in Interest and  
10 Representatives of the Deceased Plaintiffs also bring Claims the noneconomic damages: The loss  
11 of the decedent's love, companionship, comfort, care, assistance, protection, affection, society,  
12 moral support; the loss of the enjoyment of sexual relations; the loss of decedent's training and  
13 guidance and solace.

14 WHEREFORE, PLAINTIFFS pray judgment as hereinafter set forth.

15 **TWENTY-SECOND CAUSE OF ACTION**  
16 **NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS**  
17 **(By PLAINTIFF KRISTIN KAZZEE Against All Defendants)**

18 243. PLAINTIFFS KRISTIN KAZZEE, and the Heirs. Successors in Interest and  
19 Representatives of the KAYA CENTINO, Presumed Deceased, hereby incorporate allegations  
20 contained in the preceding paragraphs, as though fully set forth herein.

21 244. PLAINTIFF KRISTIN KAZZEE is the sister of Kaya Centeno, presumed deceased.  
22 During the period of time 2008 through 2009, PLAINTIFF KRISTIN KAZZEE and family  
23 members engaged in periodic visitation with her siblings at the home and public locations such as  
24 parks arranged by Defendant Jose and Gina Centeno. Her siblings on each occasion continually  
25 asked to go home with the family members, and PLAINTIFF KRISTIN KAZZEE observed her  
26 siblings, including Kaya, crying when visits ended, begging family members to take them home.  
27 PLAINTIFF KRISTIN KAZZEE saw and heard Kaya and her siblings asking over and over when  
told they couldn't leave with their family members.

1           245. PLAINTIFF KRISTIN KAZZEE was emotionally traumatized at hearing Kaya  
2 stating to their aunt Kory that Defendant Gina was using a clothes iron on her hair. PLAINTIFF  
3 KRISTIN KAZZEE emotional upset upon seeing each visit her sibling were always wearing long  
4 sleeves tops even in the summertime. PLAINTIFF KRISTIN KAZZEE observed this strange  
5 behavior and her siblings pleading almost every visit she and her family had together.

6           246. During a visit between 2008-2009 at a Pumpkin patch visit, PLAINTIFF KRISTIN  
7 KAZZEE observed all three siblings—Kaya, Michelle and P.K.-- were crying inconsolably at end  
8 of visit, asking to go home with family members. PLAINTIFF KRISTIN KAZZEE observed that  
9 Kaya seems to be staring off into space and appears emotionally down, depressed. T PLAINTIFF  
10 KRISTIN KAZZEE that all the children all seem withdrawn.

11           247. Also, on other visits during the period of 2008-2009: PLAINTIFF KRISTIN  
12 KAZZEE observed that during visits, all three children, including Kaya seemed down and not  
13 themselves. PLAINTIFF KRISTIN KAZZEE observed that Kaya and her other sister and her  
14 brother were not their previous very upbeat, normal happy children. It was clear to PLAINTIFF  
15 KRISTIN KAZZEE that her siblings didn't like where they were living and showed fear toward  
16 Gina, especially at the end of visits.

17           248. PLAINTIFF KRISTIN KAZZEE observed that when Kaya and her siblings would  
18 see Gina come to pick them up, is when the children would make desperate pleas to return home  
19 with their family members. PLAINTIFF KRISTIN KAZZEE saw the children holding, clinging  
20 to legs of their grandmother; they would run, hiding, and searching for any way to stop from going  
21 with Defendant Gina. PLAINTIFF KRISTIN KAZZEE saw P. K. cry for his "Mimi" (Grandma  
22 Fran).

23           249. On other occasions during 2008-2009, PLAINTIFF KRISTIN KAZZEE visited  
24 Defendant Centeno's home by alone with her siblings. One time Defendant Gina took PLAINTIFF  
25 KRISTIN KAZZEE and her siblings to the Target store and bought an item of toy for PLAINTIFF  
26 KRISTIN KAZZEE but did not buy anything for her siblings. PLAINTIFF KRISTIN KAZZEE's  
27 observations were distressing because she also saw her siblings acting very cautious, fearful, alert



1 and very careful about their actions around Defendant Gina, which was strange due to their young  
2 ages.

3 250. PLAINTIFF KRISTIN KAZZEE observed her siblings seemed very afraid of  
4 getting in trouble with Defendant Gina. PLAINTIFF KRISTIN KAZZEE observed that her  
5 siblings didn't talk much, which was very weird and unusual because Kaya especially was very  
6 active and talkative before. Kaya also had always had nice beautiful long hair, but PLAINTIFF  
7 KRISTIN KAZZEE observed that Kaya's hair seemed to be thinning and PLAINTIFF KRISTIN  
8 KAZZEE observed bald patches in Kaya's hair. PLAINTIFF KRISTIN KAZZEE was severely  
9 distressed seeing Kaya's hair much thinner than she had ever been.

10 WHEREFORE, PLAINTIFFS pray judgment as hereinafter set forth.

11  
12  
13 **PRAYER**

14 WHEREFORE, Plaintiffs request trial by jury and pray judgment against the Defendants  
15 as follows:

- 16 1. For special, general and compensatory damages in amounts to be proven at the time of  
17 trial;
- 18 2. For punitive and exemplary damages in amounts to be proven at the time of trial against  
19 all individual defendants named herein, including individual Doe defendants;
- 20 3. For attorneys' fees;
- 21 4. For pre-judgment interest at the prevailing statutory rates;
- 22 5. For costs of suit;
- 23 6. For injunctive relief; and
- 24 7. For such other relief as the Court may deem proper.

25 **DEMAND FOR JURY TRIAL**

26 251. Plaintiffs hereby demand a jury trial for all causes of action set forth above.

27 Respectfully submitted,

1 DATED: March 31, 2023  
2  
3

4 /s/Charles A. Bonner  
5 CHARLES A. BONNER,  
6 ATTORNEY FOR PLAINTIFFS

7 **DEMAND FOR JURY TRIAL**

8 252. PLAINTFFS, MICHELLE K., MINOR P.K., a minor, by his Guardian Ad Litem,  
9 KRISTIN K.; and KAYA CENTENO. AND KRISTIN K. hereby demand a trial by jury.

10  
11 DATED: March 31, 2023

12 LAW OFFICES OF BONNER & BONNER

13  
14 /s/Charles A. Bonner  
15 CHARLES A. BONNER,  
16 ATTORNEY FOR PLAINTIFFS  
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