

STATE OF MINNESOTA  
COUNTY OF CLEARWATER

DISTRICT COURT  
NINTH JUDICIAL DISTRICT

Case Type: Personal Injury

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Lincoln Singh,

Court File No.:

Plaintiff,

**SUMMONS**

vs.

Bagley Public Schools, Independent School  
District 162; The County of Clearwater; and  
Sheriff Darin Halverson,

Defendants.

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**THIS SUMMONS IS DIRECTED TO THE DEFENDANTS ABOVE NAMED.**

**1. YOU ARE BEING SUED.** The Plaintiff has started a lawsuit against you. The Plaintiff's Complaint against you is attached to this Summons. Do not throw these papers away. They are official papers that affect your rights. You must respond to this lawsuit even though it may not yet be filed with the Court and there may be no court file number on this Summons.

**2. YOU MUST REPLY WITHIN 20 DAYS TO PROTECT YOUR RIGHTS.** You must give or mail to the person who signed this Summons a **written response** called an Answer within 20 days of the date on which you received this Summons. You must send a copy of your Answer to the person who signed this Summons located at Jeff Anderson & Associates, P.A., 366 Jackson Street, Suite 100, St. Paul, MN 55101.

**3. YOU MUST RESPOND TO EACH CLAIM.** The Answer is your written response to the Plaintiff's Complaint. In your Answer, you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything asked for in the Complaint, you must say so in your Answer.

**4. YOU WILL LOSE YOUR CASE IF YOU DO NOT SEND A WRITTEN RESPONSE TO THE COMPLAINT TO THE PERSON WHO SIGNED THIS SUMMONS.**


If you do not Answer within 20 days, you will lose this case. You will not get to tell your side of the story, and the Court may decide against you and award the Plaintiff everything asked for in the Complaint. If you do not want to contest the claims stated in the Complaint, you do not need to respond. A default judgment can then be entered against you for the relief requested in the Complaint.

**5. LEGAL ASSISTANCE.** You may wish to get legal help from a lawyer. If you do not have a lawyer, the Court Administrator may have information about places where you can get legal assistance. **Even if you cannot get legal help, you must still provide a written Answer to protect your rights or you may lose the case.**

**6. ALTERNATIVE DISPUTE RESOLUTION.** The parties may agree to or be ordered to participate in an alternative dispute resolution process under Rule 114 of the Minnesota General Rules of Practice. You must still send your written response to the Complaint even if you expect to use alternative means of resolving this dispute.

Dated: July 10, 2023.

JEFF ANDERSON & ASSOCIATES, P.A.



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STATE OF MINNESOTA  
COUNTY OF CLEARWATER

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Lincoln Singh,

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**COMPLAINT**

vs,

Bagley Public Schools, Independent School  
District 162; The County of Clearwater; and  
Sheriff Darin Halverson,

Defendants.

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Plaintiff, for his cause of action against Defendants, alleges that:

**PARTIES**

1. Plaintiff Lincoln Singh is an adult male resident of Crow Wing County, State of Minnesota. Plaintiff's date of birth is 6/27/2003. At all times material, Singh was a minor resident of Clearwater County, State of Minnesota.

2. Defendant Bagley Public Schools, Independent School District 162 ("Bagley Schools") was and continues to be an independent public school district serving Bagley, Minnesota and surrounding communities. Bagley Schools is a non-profit governmental organization authorized to conduct business and conducting business in the State of Minnesota at 202 Bagley Avenue NW, Bagley, Minnesota 56621.

3. Defendant The County of Clearwater ("Clearwater County") is a political subdivision of the State of Minnesota. Clearwater County's primary place of business is located at 213 Main Avenue North, Bagley, Minnesota 56621. Clearwater County is a public corporation that can sue and be sued in its own name pursuant to Minn. Stat. § 373.01.

4. Defendant Sheriff Darin Halverson (“Sheriff Halverson”) was, at all times relevant, the Sheriff of Clearwater County. Sheriff Halverson is sued in his personal, official, and individual capacities. Sheriff Halverson has been Sheriff of Clearwater County since 2014.

### FACTS

5. Neil Henry Dolan (“Dolan”) is an adult male resident of Bon Homme County, in the State of South Dakota. At all times relevant to this Complaint, Dolan was a resident of Clearwater County, in the State of Minnesota. Dolan’s date of birth is 12/31/1987.

6. From 2011 to 2019, Defendants Clearwater County and Sheriff Halverson employed Dolan as a Clearwater County Sheriff’s Deputy. During this same time period, Dolan was employed by Defendants Clearwater County, Sheriff Halverson, and Bagley Schools as a School Resource Officer. Clearwater County’s Website describes the SRO position as:

...a fully-licensed law enforcement officer who is assigned to a school district. The School Resource Officer Program is a partnership between the Clearwater County Sheriff’s Office and the Bagley School District. The School Resource Officer (SRO) is a resource used by the school to address issues related crime prevention and enforcing laws. The SRO protects the welfare of students, teachers and the school community. They are responsible for promoting public safety through education, prevention, and intervention...

...The SRO deputy is there as a resource to help improve the safety and quality of the school community. A SRO is the first line of defense against gangs, drugs, alcohol abuse and school violence. They also take care of minor problems so another deputy is not taken away from street patrol. The partnership between the school and deputy gives the school a more efficient way to help solve many issues that arise at the school and surrounding community.

The SRO works with staff, school administration, students and parents to identify problems and solutions for many law enforcement related issues that come up in the daily functioning of the school. Our goal is to be a resource to the school community to help make it a safe place to learn. The

SRO is called upon, to teach, enforce, counsel, supervise and mentor in order to achieve our goal.

“School Resource Officers,” Clearwater County Minnesota Website,

[https://www.co.clearwater.mn.us/index.asp?SEC=6EE12081-781D-4B66-BE1B-](https://www.co.clearwater.mn.us/index.asp?SEC=6EE12081-781D-4B66-BE1B-6537D8563010)

[6537D8563010](https://www.co.clearwater.mn.us/index.asp?SEC=6EE12081-781D-4B66-BE1B-6537D8563010), accessed, June 8, 2023.

7. Defendants Sheriff, Clearwater County and Bagley Schools were all responsible for vetting and selecting Dolan for his position as SRO.

8. Dolan wore his Sheriff’s Deputy Uniform and carried a gun as part of his duties as SRO at Bagley High School. Defendants provided Dolan with a private office inside Bagley High School as part of his position as SRO.

9. Dolan’s duties as SRO were guided by a committee comprised of Defendant Sheriff, Defendant Bagley Schools’ superintendent, and the Clearwater County attorney.

10. In addition to working as a Sheriff’s Deputy and SRO at Bagley Schools, Dolan was also employed by Bagley Schools as a football coach.

11. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson placed Dolan in a position of power and authority over students, including Plaintiff, at Bagley High School.

12. In approximately 2011 or 2012, when Dolan was working as SRO at Bagley High School, a Bagley Schools’ employee walked in on Dolan in his office while a seventh-grade student was straddling Dolan in a chair. After this incident, Dolan put paper on his office windows and Defendants Clearwater County, Sheriff Halverson and Bagley Schools retained Dolan as a Sheriff’s Deputy and SRO.

13. Plaintiff was 13-years-old and a 7<sup>th</sup> grade student at Bagley High School during the 2016-2017 school year. At all times material, Plaintiff was a minor student under the custody and

care of Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson at Bagley High School.

14. Plaintiff and his family came into contact with Dolan through his positions as a Clearwater County Sheriff's Deputy, and as SRO and a football coach at Bagley High School, and as an agent and representative of Defendants Clearwater County, Sheriff Halverson, and Bagley Schools.

15. Plaintiff participated in youth activities and educational activities at Bagley High School, including as a student and football player. During and through these activities, Plaintiff, as a minor and vulnerable child, was dependent on Defendants. Defendants had custody of Plaintiff and accepted the entrustment of Plaintiff.

16. Plaintiff, as a minor and student, was taught to respect Dolan and all other law enforcement officers.

17. Plaintiff was taught to respect the teachers, coaches, aides, agents and all employees and representatives of Defendants Bagley Schools, Clearwater County, and Sheriff Halverson, including Dolan.

18. Plaintiff developed great admiration, trust, reverence and respect for law enforcement officers, teachers, coaches, aides, agents and all employees and representatives of Defendants Bagley Schools, Clearwater County, and Sheriff Halverson, including Dolan.

19. During his 7<sup>th</sup> grade year at Bagley High School, during the 2016-2017 school year, Dolan came to Plaintiff's class on numerous occasions and told Plaintiff's teacher he needed to take Plaintiff to his office. Dolan was on duty as Bagley High School's SRO and was dressed in his Sheriff's Deputy uniform and armed with a gun at the time. Some weeks during the 2016-2017 school year, Dolan took Plaintiff out of class three times a week.

20. On numerous occasions, after Dolan used his authority and duties as a Sheriff's Deputy, SRO and coach to remove Plaintiff from class during the school day, he brought Plaintiff to his office inside Bagley High School, where he closed and locked the door.

21. On numerous occasions during the 2016-2017 school year, Dolan sexually assaulted then 13-year-old Plaintiff inside Dolan's locked office after taking the boy out of class.

22. On some occasions, Plaintiff attempted to leave the office but Dolan prevented him from doing so using words or actions. Dolan told Plaintiff he could not leave the office on some occasions. On some occasions, Dolan motioned to his firearm to coerce Plaintiff's compliance with the sexual abuse.

23. On at least one occasion, Plaintiff began to cry when Dolan confined him in Dolan's office. Plaintiff asked Dolan if he could "please" leave the office, but Dolan told the crying boy he could not leave.

24. Dolan used his position and authority to confine Plaintiff in his office at Bagley High School, where he sexually assaulted Plaintiff, sometimes, multiple times a week throughout the 2016-2017 school year, when Plaintiff was 13 years old. Dolan threatened Plaintiff that he could get him in trouble if the boy did not comply or if Plaintiff told anyone about the abuse. Dolan gave Plaintiff candy on some occasions after sexually abusing him. During the dozens of sexual assaults Plaintiff endured at Bagley High School that school year, no employee, agent or volunteer of Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson checked on Plaintiff when he was alone with Dolan in Dolan's office during the school day. No one knocked on the door of the office during all the times Plaintiff was confined by Dolan and being sexually assaulted by Dolan at Bagley High School that year.

25. During the 2017-2018 school year, Plaintiff was 14 years old and an 8<sup>th</sup> grade student at Bagley High School, where Dolan was still employed as SRO. Dolan took Plaintiff out of class and brought him to his office, where he closed the door and sexually assaulted the boy on at least two occasions. Again, nobody knocked on the door or checked on Plaintiff during the incidents in 2017-2018.

26. Dolan was employed by, and working for all Defendants when he engaged in the confinement and unpermitted sexual contact with the minor Plaintiff.

27. The source of Dolan's attacks on Plaintiff was related to his duties as a Sheriff's Deputy, and as a coach and SRO at Bagley High School.

28. Dolan used his position as an SRO, coach, and Sheriff's Deputy, and the authority given to him by Defendants, as a means to access and sexually assault Plaintiff, who was a 7<sup>th</sup> and 8<sup>th</sup> grade student at Bagley High School at the time. On numerous occasions, Dolan used his unique position and authority granted to him by his position to take Plaintiff out of class during the school day to come to his office inside Bagley High School, where Dolan closed and locked the door, and sexually assaulted Plaintiff. Similar abuse sometimes occurred multiple times each week during the 2016-2017 school year and happened on at least two occasions during the 2017-2018 school year.

29. On some occasions, when Plaintiff attempted to resist the sexual abuse, Dolan told Plaintiff, "You'd better fucking do this or else I'm going to get you in trouble." On some occasions, Dolan motioned to his gun, frightening Plaintiff severely.

30. Dolan was acting on behalf of Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson in the performance of his duties as a Sheriff's Deputy, coach and SRO at



the time he took Plaintiff out of class and sexually assaulted Plaintiff inside a locked office at Bagley High School.

31. On April 12, 2023, Dolan plead guilty to Criminal Sexual Conduct in the First Degree (MINN. STAT. 609.342.2(a)) for the sexual assault of Plaintiff. At his plea hearing, Dolan admitted he was on duty and acting in his capacity as SRO at Bagley Schools and as a Clearwater County Sheriff's Deputy when he sexually assaulted Plaintiff. On May 10, 2023, Dolan was sentenced to 36 years in prison for the sexual assault of Plaintiff.

32. Prior to the sexual abuse of Plaintiff, Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson learned, or should have learned that Dolan was not fit to work with children.

33. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson knew or should have known that Dolan was a danger to children before he sexually abused Plaintiff.

34. Prior to the sexual abuse Plaintiff suffered, sexual abuse of minors was a well-known hazard in the educational and youth-serving industries in which Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson employed Dolan.

35. Prior to the sexual abuse Plaintiff suffered, sexual misconduct and sexual abuse of minors by law enforcement officers was a well-known hazard in the law enforcement industry in which Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson employed Dolan.

36. At all times material, Plaintiff, as a student, minor, and vulnerable child, was dependent on and relied on all Defendants. Defendants had custody of Plaintiff and accepted the entrustment of Plaintiff. Defendants had responsibility for Plaintiff and authority over Plaintiff.

37. By accepting custody of Plaintiff, Defendants established an *in loco parentis* relationship with Plaintiff and in so doing, owed Plaintiff a duty to protect him from injury.

38. Further, Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson, by holding themselves out as being able to provide a safe environment for vulnerable children, solicited and/or accepted this position of empowerment. This empowerment prevented Plaintiff from effectively protecting himself and Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson thus entered into a fiduciary relationship with Plaintiff.

39. Defendants had a special relationship with Plaintiff.

40. At all times material, Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson employed, had responsibility for, and/or had control over Dolan, including the ability to control and supervise his conduct and access to minor children, including Plaintiff.

41. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson had a special relationship with Dolan.

42. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson owed Plaintiff a duty of reasonable care because they had superior knowledge about the risk that Dolan posed, the risk of sexual abuse and sexual assault in general in their programs and industries, and/or the risks that their facilities posed to minor children.

43. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson owed Plaintiff a duty of reasonable care because they solicited youth and parents for participation in their programs; encouraged vulnerable youth and parents to have vulnerable youth participate in their programs; undertook custody of minor children, including Plaintiff; promoted their facilities and programs as being safe for children; and held their agents, including Dolan, out as well-trained and safe to work with and supervise children at their facilities and/or participate in their programs.

44. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson owed a duty to Plaintiff to protect him from generally foreseeable harm because Defendants' actions

created a foreseeable risk of harm to Plaintiff. As a vulnerable child participating in the programs and activities that Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson offered to minors at Defendants' facilities, Plaintiff was a foreseeable victim. As a vulnerable child, who Dolan had access to through Defendants Bagley Schools', Clearwater County's and/or Sheriff Halverson' facilities and programs, Plaintiff was a foreseeable victim.

45. As a child under the custody and care of Defendants, Plaintiff was a foreseeable victim.

46. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson knew or should have known that their facilities were not safe.

47. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson knew or should have known that they did not have sufficient information about whether or not their facilities were safe.

48. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson knew or should have known that there was a risk of child sex abuse and sexual assault for children participating in their programs.

49. Defendants Clearwater County, Sheriff Halverson, and/or Bagley Schools knew or should have known that they did not have sufficient information about whether or not there was a risk of child sexual abuse or sexual assault for children participating in their programs.

50. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson knew or should have known that they had employees and/or agents who had sexually assaulted children. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson knew or should have known that there was a specific danger of child sexual abuse and sexual assault for children

participating in youth and educational activities at their facilities and/or in their programs, including those children under their care at Bagley High School.

51. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson breached their duties to Plaintiff. Defendants' breach of their duties include, but are not limited to: failure to have sufficient policies and procedures to prevent child sexual abuse and sexual assault, failure to properly implement the policies and procedures to prevent child sexual abuse and/or sexual assault, failure to take reasonable measures to make sure that the policies and procedures to prevent child sex abuse and sexual assault were working, failure to adequately inform families and children of the risks of child sexual abuse and sexual assault, failure to investigate risks of child sexual abuse and sexual assault, failure to properly train their employees, failure to have any outside agency test their safety procedures, failure to protect the children in their programs from child sexual abuse and sexual assault, failure to adhere to the applicable standard of care for child safety, failure to investigate the amount and type of information necessary to represent the institutions, programs, leaders, and people as safe, failure to realize Plaintiff and other minors had initially been assaulted by Dolan and then failing to prevent further assaults from Dolan on Plaintiff, and failure to train their employees properly to identify signs of child molestation and sexual assault by employees and/or agents in their programs.

52. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson failed to use ordinary care in determining whether their facilities, including Bagley High School, and/or their programs, including the Student Resource Officer program, were safe and/or in determining whether they had sufficient information to represent their facilities and programs as safe. Defendants' failures include, but are not limited to: failure to have sufficient policies and procedures to prevent abuse at their facilities or in their programs, failure to investigate risks at

their facilities and in their programs, failure to properly train workers at their facilities and in their programs, failure to have any outside agency test their safety procedures, failure to investigate the amount and type of information necessary to represent their facilities and programs as safe, failure to properly supervise minors to prevent foreseeable sexual abuse, and failure to train their employees properly to identify signs of sexual assault in their programs.

53. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson also breached their duties to Plaintiff by failing to warn him and his family of the risks of sexual assault at facilities like Bagley School and by law enforcement officers. Defendants also failed to warn them about any of the knowledge that Defendants had about child sex abuse and sexual assault.

54. As a direct result of Defendants' conduct described herein, Plaintiff has suffered, and will continue to suffer, great pain of mind and body, severe and permanent emotional distress, physical manifestations of emotional distress, embarrassment, loss of self-esteem, humiliation, physical, personal and psychological injuries. Plaintiff has suffered from depression, post-traumatic stress disorder, and has attempted suicide. Plaintiff has been hospitalized for treatment related to the sexual abuse and resulting severe emotional distress and suicidal ideation. Plaintiff was prevented, and will continue to be prevented, from performing normal daily activities and obtaining the full enjoyment of life; and/or has incurred and will continue to incur expenses for psychological treatment, therapy, and counseling, and, on information and belief has and/or will incur loss of income and/or loss of earning capacity.

**COUNT I:**  
**VICARIOUS LIABILITY/RESPONDEAT SUPERIOR AGAINST DEFENDANTS**  
**BAGLEY PUBLIC SCHOOLS, CLEARWATER COUNTY, AND SHERIFF HALVERSON**

Plaintiff incorporates all consistent paragraphs of this Complaint as if fully set forth under this count.

55. At all times material, Dolan was employed by Defendants Bagley Schools, and/or Clearwater County and/or Sheriff Halverson, and was under each Defendant's direct supervision, employ and control when he committed the wrongful acts alleged herein. Dolan engaged in the wrongful conduct while acting in the course and scope of his employment with Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson, and/or accomplished the sexual abuse by virtue of his job-created authority.

56. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson are responsible for the actions of Dolan, under the theory of respondeat superior.

57. Dolan gained authority over, and access to Plaintiff while acting on behalf of Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson by virtue of his position, authority and duties as a Sheriff's Deputy, coach, and SRO. Dolan confined Plaintiff and sexually abused him while acting on behalf of Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson in the performance of duties and tasks lawfully assigned to him as part of his regular duties as a Sheriff's Deputy, coach, and SRO. Dolan used the authority lawfully assigned him as a Sheriff's Deputy, coach, and SRO to remove Plaintiff from class during the school day, confine Plaintiff in an office at Bagley High School, sexually abuse Plaintiff, and threaten Plaintiff that he could get Plaintiff in trouble if Plaintiff did not comply with Dolan's demands for sexual conduct and secrecy.

58. The wrongful acts of Dolan were committed incidental to Defendants Bagley Schools', Clearwater County's and Sheriff Halverson's employment of Dolan and would not have occurred but for Defendants' employment of Dolan.

59. The source of Dolan's confinement and sexual abuse of Plaintiff was related to Dolan's duties as a Sheriff's Deputy, coach, and SRO at Bagley High School.

60. The wrongful acts of Dolan were committed within work-related limits of time and place of Dolan's employment.

61. The specific harm caused by Dolan, specifically the sexual abuse of children, was a well-known hazard within the industries in which Defendants Bagley Schools, Clearwater County, and Sheriff Halverson employed Dolan, and was therefore a foreseeable risk of doing business at the time Dolan sexually abused Plaintiff.

62. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson are liable for the intentional misconduct of its employee, servant and/or agent Dolan committed within the scope of his employment and are vicariously liable for the injuries suffered by Plaintiff as described herein.

**COUNTY II:**  
**NEGLIGENCE AGAINST DEFENDANTS BAGLEY SCHOOLS,**  
**CLEARWATER COUNTY, AND SHERIFF HALVERSON**

Plaintiff incorporates all consistent paragraphs of this Complaint as if fully set forth under this count.

63. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson owed Plaintiff a duty of reasonable care.

64. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson owed Plaintiff a duty of care because they had a special relationship with Plaintiff.

65. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson owed Plaintiff a duty to warn and protect him from harm by Dolan because they had a special relationship with Dolan.

66. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson owed Plaintiff a duty to protect him from harm because their active misfeasance created a foreseeable

risk of harm.

67. Defendant Bagley Schools owed Plaintiff a duty to protect him from harm because Defendant invited him onto their property, and Dolan posed a dangerous condition on their property.

68. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson owed Plaintiff a duty of care because the sexual abuse he suffered was foreseeable.

69. By establishing and operating Bagley High School, accepting the enrollment, attendance, and participation of Plaintiff in their programs, holding Bagley High School out to be a safe environment for Plaintiff to participate in educational and youth activities at, accepting custody of Plaintiff *in loco parentis*, and by establishing a fiduciary relationship with Plaintiff, Defendant Bagley Schools entered into an express and/or implied duty to properly supervise the minor Plaintiff and provide a reasonably safe environment.

70. By establishing and operating Bagley High School, which offered programs and activities to vulnerable minor children through educational and extracurricular programs, and by accepting the enrollment and participation of Plaintiff as a child participant in their programs at their facilities, Defendant Bagley Schools owed Plaintiff a duty to properly supervise Plaintiff to prevent harm from generally foreseeable dangers.

71. By establishing the Student Resource Officer program and presenting the program to children and their families as safe for minor children who would be subjected to the authority SROs, Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson owed Plaintiff a duty to properly operate the SRO program to prevent harm from generally foreseeable dangers.

72. Plaintiff was under the care, custody, and control of Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson at the time of the sexual abuse by Dolan. Defendants



were responsible for Plaintiff's safety and security. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson were negligent in providing services to Plaintiff.

73. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson knew or should have known that Dolan was a danger to children before he sexually molested Plaintiff.

74. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson negligently or recklessly believed that Dolan was fit to work with children and/or that any previous problems he had were fixed and cured; that Dolan would not sexually molest children and that Dolan would not injure children; and/or that Dolan would not hurt children.

75. By holding Dolan out as safe to work with children, and by undertaking the custody, supervision of, and/or care of the Plaintiff, Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson entered into a fiduciary relationship with Plaintiff. As a result of Plaintiff being a minor, and by Defendants undertaking the care and guidance of Plaintiff, Defendants held a position of empowerment over Plaintiff.

76. Further, Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson, by holding themselves out as being able to provide a safe environment for children, solicited and/or accepted this position of empowerment. This empowerment prevented the Plaintiff from effectively protecting himself and Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson thus entered into a fiduciary relationship with him.

77. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson owed a nondelegable duty to operate and provide services in compliance with all applicable federal, state and local laws, regulations and codes, and with accepted professional standards, duties and principles that apply to providing services at their facilities.

78. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson breached their duties to Plaintiff. Defendants' failures include but are not limited to: failing to properly supervise Dolan, failing to properly supervise Plaintiff to prevent him from foreseeable harm, and failing to protect Plaintiff from a known danger.

79. As a direct result of Defendants Bagley Schools', Clearwater County's and/or Sheriff Halverson's negligent conduct, Plaintiff has suffered the injuries and damages described herein.

**COUNT III:**  
**NEGLIGENT SUPERVISION AGAINST DEFENDANTS**  
**BAGLEY SCHOOLS, CLEARWATER COUNTY AND SHERIFF HALVERSON**

Plaintiff incorporates all consistent paragraphs of this Complaint as if fully set forth under this count.

80. At all times material, Dolan was employed by Defendants Bagley Schools, Clearwater County, and Sheriff Halverson, and/or was under Defendants' direct supervision, employ and control when he committed the wrongful acts alleged herein. Dolan engaged in the wrongful conduct while acting in the course and scope of his employment with Defendants, and/or accomplished the sexual abuse by virtue of his job-created authority.

81. Dolan gained authority over, and access to Plaintiff while acting on behalf of Defendants in the performance of his duties and tasks lawfully assigned to him as part of his regular duties as a Deputy Sheriff, coach, and SRO.

82. Dolan accessed Plaintiff and sexually assaulted him by virtue of his job-created authority as a Deputy Sheriff, coach, and School Resource Officer. Dolan used the duties and authority given him by virtue of his employment to remove Plaintiff from class and take him to his office inside Bagley School, where he locked the door, and repeatedly sexually assaulted

Plaintiff and threatened Plaintiff not to tell anyone.

83. Defendants knew, had reason to know, or should have known of Dolan's dangerous propensities and that he was a danger to minors before he sexually abused Plaintiff.

84. Dolan's wrongful conduct was foreseeable to Defendants because it was a well-known and foreseeable risk that employees, volunteers and/or youth workers in Defendants' industries may engage in sexually inappropriate conduct with students and children in youth programs and activities, including students and participants in school activities at its facilities, and minors subject to the authority of a law enforcement officer, coach, and/or SRO.

85. Defendants failed to exercise ordinary care in supervising Dolan in his duties and/or employment and failed to prevent the foreseeable misconduct of Dolan from causing harm to others, including Plaintiff.

86. As a direct result of Defendant Bagley Schools', Clearwater County's and/or Sheriff Halverson's negligent conduct, Plaintiff has suffered the injuries and damages described herein.

**COUNT IV:**  
**NEGLIGENT RETENTION AGAINST DEFENDANTS**  
**BAGLEY SCHOOLS, CLEARWATER COUNTY, AND SHERIFF HALVERSON**

Plaintiff incorporates all consistent paragraphs of this Complaint as if fully set forth under this count and further alleges the following:

87. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson, by and through their agents, servants and/or employees, became aware, or should have become aware, of problems indicating that Dolan was an unfit employee with dangerous and exploitive propensities, prior to Dolan's confinement and sexual abuse of Plaintiff, yet Defendants failed to take any

appropriate action to remedy the problem and failed to investigate or remove Dolan from his employment and/or from having access to and working with children.

88. As a direct result of Defendants' negligent conduct, Plaintiff has suffered the injuries and damages described herein.

**COUNT V:**  
**NEGLIGENT HIRING AGAINST DEFENDANTS**  
**BAGLEY SCHOOLS, CLEARWATER COUNTY, AND SHERIFF HALVERSON**

Plaintiff incorporates all consistent paragraphs of this Complaint as if fully set forth under this count and further alleges the following:

89. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson owed Plaintiff a duty of reasonable care in hiring their agents and employees.

90. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson further assumed this duty by holding Dolan out to residents and their families as a competent and trustworthy supervisor, SRO, law enforcement officer, mentor and agent.

91. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson knew or should have known of Dolan's unfitness for his positions at Bagley High School, which could have been discovered by reasonable investigation prior to hiring him. Defendants further knew the risk of child sexual abuse by adults for minors in their industries, including that it was a well-known and foreseeable risk that employees, agents and volunteers may engage in sexually inappropriate contact with minor students under their care and/or subject to their authority. Defendants therefore had a duty to hire employees and volunteers who were fit for carrying out Defendants' duty to protect minors from such harm.

92. Defendants Bagley Schools, Clearwater County and/or Sheriff Halverson breached their duties to Plaintiff by failing to exercise reasonable care in hiring its employees, including Dolan.

93. As a direct result of Defendants' negligent conduct, Plaintiff has suffered the injuries and damages described herein.

**PRAYER FOR RELIEF**

Plaintiff demands judgment against Defendants, individually, jointly and severally in an amount in excess of \$50,000.00, plus costs, disbursements, reasonable attorney's fees, interest, and such other and further relief as the court deems just and equitable.

DEMAND IS HEREBY MADE FOR A TRIAL BY JURY.

Dated: July 10, 2023.

JEFF ANDERSON & ASSOCIATES, P.A.

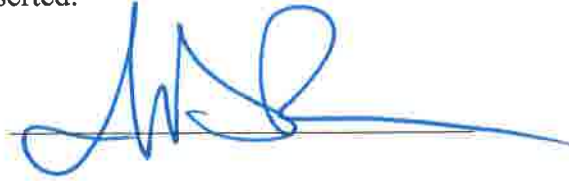


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**ACKNOWLEDGMENT**

The undersigned hereby acknowledges that sanctions, including costs, disbursements, and reasonable attorney fees may be awarded pursuant to Minn. Stat. § 549.211 to the party against whom the allegations in this pleading are asserted.

A handwritten signature in blue ink, consisting of stylized initials and a long horizontal line extending to the right.