

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

REC'D FEB 23 2024

I. (a) PLAINTIFFS

Bridget Powell

(b) County of Residence of First Listed Plaintiff Philadelphia
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS

City of Philadelphia, ETAL.

County of Residence of First Listed Defendant Philadelphia
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question
(U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|---------------------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SECURITIES <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAXES <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 42 U.S.C. 1983, 1985 under 28 U.S.C. 1331 (federal) and 1343 (civil) 28 U.S.C. 1367, claim 1-10 inclusive
Brief description of cause: Violations of U.S.C. 1983 and 1985, including deprivation of constitutional rights and state claims 1-10 inclusive

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$ 5,000,000.00

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

2/23/2024

SIGNATURE OF ATTORNEY OF RECORD

Bridget Powell

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

Bridget Powell
38 North Felton Street
Philadelphia, Pennsylvania 19139
215-808-7345
bridgetpowell267@gmail.com
Plaintiff Pro Se

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

BRIDGET POWELL
Plaintiff

Vs.

CITY OF PHILADELPHIA, TURNING POINTS FOR CHILDREN, NIKKIA PLUNKETT,
KENNISHA WHITE, JUANITA PARKS, JENNIFER KABA, CYDNEY DASENT, CEOLIA WARREN
BENTLEY, SAVANNAH CRAWFORD, KIMBERLY ALI, CYNTHIA FIGUEROA, AND DOES 1
THROUGH 10, INCLUSIVE,
Defendant(s)

CIVIL ACTION NO.:

COMPLAINT FOR DAMAGES

CLAIM 1: 42 U.S.C. § 1983 FOR DEPRIVATION CONSTITUTIONAL RIGHTS
CLAIM 2: 42 U.S.C. § 1983 JUDICIAL DECEPTION
CLAIM 3: 42 U.S.C. § 1983 PROCEDURAL AND SUBSTANTIVE DUE PROCESS
CLAIM 4: 42 U.S.C. § 1985 FOR CONSPIRACY
CLAIM 5: MONELL-RELATED CLAIMS
CLAIM 6: INVASION OF PRIVACY
CLAIM 7: NEGLIGENCE AND NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS
CLAIM 8: DEFAMATION
CLAIM 9: RELIEF FROM FRAUD
CLAIM 10: ABUSE OF PROCESS

JURY TRIAL DEMANDED

Dated February 23, 2024

Bridget Powell
Bridget Powell
Plaintiff Pro Se

COMPLAINT

I. INTRODUCTION

1. The Plaintiff, Bridget Powell, brings this action against the Defendants, Nikkia Plunkett (Turning Points Caseworker), Kennisha White (Turning Points Caseworker), Juanita Parks (Turning Points Supervisor), Cydney Dasent (Turning Points Director), Jennifer Kaba (Turning Points Caseworker), Ceolia Warren Bentley (Foster Parent), Cynthia Figueroa (City of Philadelphia Employee), Kimberly Ali (City of Philadelphia Employee), Savannah Crawford (City of Philadelphia Employee), City of Philadelphia, and Turning Points for Children aka Community Umbrella Agency aka CUA, pursuant to 42 U.S.C. § 1983, 42 U.S.C. § 1985, and state law claims arising from a series of egregious actions that have resulted in the violation of Plaintiff's constitutional and civil rights, as well as significant harm and distress to the Plaintiff. The defendants named herein, acting individually and in concert, deprived the Plaintiff of their rights to familial association, due process, equal protection and inflicted emotional distress, defamation, and false light leading to significant harm and damages.

II. PARTIES

2. Plaintiff Bridget Powell is an individual residing in the City of Philadelphia, Pennsylvania.

3. Defendants Turning Point for Children caseworkers Nikkia Plunkett, Kennisha White, Juanita Parks, Jennifer Kaba, Cydney Dasent are sued in their individual capacity as an employee of Turning Points and agent or contractor of the City of Philadelphia and defendants supervisors Cynthia Figueroa, Kimberly Ali, are sued and investigator Savannah Crawford in their official capacity as employees of the City of Philadelphia. At the time in which the harm was discovered on July 31, 2023 all of the individuals who, at all relevant times, were employed by or acting on behalf of the City of Philadelphia and/or Turning Points for Children as employees, agents or contractors acting under the color of state law.

4. Ceolia Warren Bentley was a foster parent and respite provider acting on behalf of the City of Philadelphia and/or Turning Points.

5. Defendant City of Philadelphia is a municipal corporation located in Philadelphia, Pennsylvania, responsible for the employment and oversight of its agents and employees, including Defendants Plunkett, White, Parks, Kaba, Dasent, Figueroa, Ali, and Crawford. Defendant Turning Points for Children aka Turning Points is an agency contracted by the City of Philadelphia to provide child welfare services, including but not limited to foster care and adoption placement.

III. JURISDICTION AND VENUE

6. This Court has jurisdiction over the federal claims pursuant to 28 U.S.C. §§ 1331 (federal question) and 1343 (civil rights), as well as supplemental jurisdiction over the state law claims pursuant to 28 U.S.C. § 1367.

7. Venue is proper in this district under 28 U.S.C. § 1391(b)(1) because a substantial part of the events giving rise to the claims occurred in this district.

IV. FACTUAL ALLEGATIONS

8. Plaintiff Bridget Powell is the maternal Aunt of Nasair Powell. Defendant Turning Point caseworkers Nikkia Plunkett, Kennisha White, Juanita Parks, Jennifer Kaba, Cydney Dasent, acting under color of state law, falsely stated and or corroborated to the court and on court documents and meetings that Plaintiff Bridget Powell kicked out her nephew, Nasair Powell, from her home, which was untrue and subsequently denied plaintiff due process, familial association, invasion of privacy, defamation, negligence, fraud, and conspiracy and evasion of a Judicial order. These details were tolled due to the protective nature of family courts and plaintiff discovered the harm on July 31, 2023 when discussing

grievances with her family placements and unwarranted removals as well as the failure to provide due process with David Fair, Deputy Chief Executive Officer of Turning Points now the CEO July 31, 2023.

9. Additional the negligent and negligent infliction of emotional distractions of the Defendants Nikkia Plunkett Caseworker, Turning Points for Children, The City of Philadelphia and its DHS Investigator Sannah Crawford who incorrectly identified Ceolia Warren Bently as a biological relative in documents that was on record as a Maternal Aunt on October 21, 2016 **EXHIBIT A** transcript and other documentation as a maternal cousin **EXHIBIT B** april 15, 2016 safety plan fraudulently to conspire against the plaintiff to deprive her of familial association and due process this error resulted in harm and damages to the biological relative and plaintiff, such as emotional distress, custody or visitation rights not being explored, and financial expenses, the relatives may have grounds to file a civil lawsuit for negligence, intentional infliction of emotional distress, or other legal claims against the investigator or the agency. fraudulently pursuant to the highlighted policies, egregiously violated the fundamental rights of the Plaintiff. In contravention of established legal protocols and constitutional safeguards, Defendant Turning Points undertook the removal of Nasair Powell from the residence of Bridget Powell and subsequently placed him under the care of Defendant Ceolia Warren Bentley, without due process or lawful authority and under fraudulent considerations which was applied and used in court records to further deprive the plaintiff of her familial association rights. This precipitous action not only transgressed the Plaintiff's due process rights but also resulted in the dissemination of inaccurate updates to official records, thereby impeding the Plaintiff's efforts to secure custody of her niece, who, consequently, has endured multiple unwarranted removals under the purview of Plaintiff Ceolia Warren Bentley and further impacted future placements and poor treatment as a foster parent.

10. Subsequent to Plaintiff Bridget Powell being informed of the necessity to pursue adoption proceedings for her niece, and being obstructed from initiating dependency and adoption petitions, the defendant City of Philadelphia under the Department of Human Services filed a motion to dismiss the Plaintiff adoption

petition. Upon initiating an appeal, the Plaintiff was confronted with the unsettling revelation that erroneous and fraudulent information had been presented in court proceedings, thereby prejudicing her capacity to provide a stable environment for her niece. On July 31, 2023 the plaintiff further learned that there were details in the record that did not reflect the reality of what occurred in the placements and further prejudiced the plaintiff causing additional injury **EXHIBIT C** July 31, 2023 Email from David Fair regarding review of caseworkers records to determine what sparked the nephew child removal, denial of niece placement and stay away order. This misinformation not only compromised the Plaintiff's reputation but also subjected her to unwarranted scrutiny, despite her longstanding certification as a foster parent and her commendable history of providing support to numerous non-family placements facilitated by the City of Philadelphia Department of Human Services and Turning Points for Children.

11. The Plaintiff brought to the attention of Turning Points' supervisors, including Jennifer Kaba and Cydney Dasent regarding caseworkers not attending the **EXHIBIT D** October 12, 2016 family meeting, email requesting a new caseworker due to failure to attend meetings. Subsequently, on October 28, 2016, a follow-up email was sent, which included Nikkia Plunkett along with Jennifer Kaba, Cydney Dasent, and Juanita Parks. This email detailed the concerning behavior of caseworker Nikkia Plunkett, who visited the plaintiff's nephew's school in an apparent attempt to elicit false or misleading statements that could reflect negatively on the plaintiff. The plaintiff's nephew expressed confusion regarding the purpose of Plunkett's actions, as they pertained to matters that did not correspond to his actual experiences or knowledge. **EXHIBIT E** Nephew Statement Regarding Caseworker Nikkia Plunkett In an executive team meeting in May of 2018 it was further shared among the City of Philadelphia Supervisors which included Cynthia Figueroa and Kimberly Ali that the plaintiff kicked out her nephew on **EXHIBIT F** defamatory statement regarding nephew removal page 59 August 19, 2020 transcript. As a result of the protective measures within the Philadelphia Family Court system, I was not made aware of the false statements and deprivations until after my motion to adopt my niece was denied on September 22, 2022, by the City of Philadelphia through the Department of Human Services. In the process of preparing for an

appeal, I began seeking information and requesting records. It wasn't until July 31, 2023, that I uncovered the details revealing the violations of my rights to due process and familial associations. This discovery was deeply troubling, especially considering my track record as a dedicated foster parent to non-family placements under Turning Points for Children, yet being denied similar rights in relation to my own biological relatives.

12. The actions described herein represent a clear breach of duty for Turning Points for Children and the City of Philadelphia's duty to establish, implement, and adhere to policies, procedures, and practices that safeguard the constitutional rights of individuals involved in dependency proceedings. Specifically, such actions contravened constitutional provisions enshrined within the First and Fourteenth Amendments, including protections pertaining to familial relations, privacy, defamation, and procedural due process. Moreover, the Defendants bore a legal obligation to exercise reasonable care in the selection, assignment, supervision, training, and oversight of their agents, officers, and employees, particularly within the City of Philadelphia and Turning Points for Children Caseworkers, to ensure the protection of constitutional rights. However, the Defendants' demonstrated indifference to these obligations and the resultant injuries and damages suffered by the Plaintiff underscore a deliberate disregard for constitutional safeguards and legal responsibilities.

13. These actions done by each caseworker defendants caused significant harm to the Powell family, disrupting family relationships and impeding Bridget Powell's ability to secure custody of her biological niece, whose placements were frequently interrupted due to fraudulent reports that the foster parent Ceolia Warren Bently was a biological relative calling her a maternal cousin Sannah Crawford DHS Investigator who did the criminal clearances on Ceolia Warren Bently and Nikkia Plunkett referred to her as a maternal Aunt in the dependency transcript of October 2016. Subsequently defendant Ceolia Warren Bently refers to herself in a Safety Plan for plaintiff niece and nephews as an Aunt further impeding the family finding court order in a conspiracy to support a fraudulent placement when multiple family

members of the plaintiff requested custody **EXHIBIT G** Family Finding. In addition, Ceolia Warren lied in court testimony to block the biological family from obtaining custody stating the child had no contact with the grandmother and the grandmother never inquired about contact **EXHIBIT H** Transcript where deceptive testimony was made by Ceolia Warren Bently on August 19, 2020. **EXHIBIT I** 2016 photo with child and grandmother sitting together with Ceolia Warren Bently in the same photo and this type of incidents of perjury prejudiced the family from associating with their biological relatives.

14. Due to defendant Ceolia Warren Bentley deception, fraud and negligent intentional emotional distress, invasion of privacy, false light and conspiracy, the plaintiff has suffered harm and deprivation of her rights and familial association. The instability of foster and adoptive placement with Ceolia Warren Bentley who failed to disclose to the court that she got married which she permitted an adult male in her home who has a criminal history and due to this conspiracy there was no consequences for her failure to disclose this information nor was there any attempt to place the child with her biological family when the defendants removed her from Ceolia Warren Bentley on multiple occasions due to the defendants desire to conspire and conceal any deficiencies in the foster parent home to deprive the plaintiff of her familial associations permanently in retaliation for the grievances and complaints filed by the plaintiff **EXHIBIT J** Jan 4, 2022 transcript on Ceolia Warren Bentley marriage. Ceolia Warren Bentley did not she was married, the defendant Ceolia Warren Bentley did not disclose her husband's criminal history of unlawful possession of a firearm and terroristic threats **EXHIBIT K** PA Court Document of Plaintiff Ceolia Warren Bentley Husband Criminal Background which resulted in multiple removals of the Plaintiff niece from her care with the latest as of February 15, 2024 where the plaintiff niece N.J was once again disrupted from her placement with Ceolia Warren Bentley due to ongoing violence involving the the defendant. The defendant caseworkers all failed to properly investigate the marriage dated November 30, 2018 of Ceolia Warren Bentley which was not discovered until October of 2021. There was no mention of this adult male residing in the home prior to 2018 and was not discovered by the caseworkers allegedly until around October 2021. All the defendants turned a blind eye to this very significant issue and attempted to amend

BRIDGET POWELL COMPLAINT - 7

the adoption paperwork to cover up their failed documentation and investigation procedures and allowed the child to remain in the home despite knowing the criminal background of Ceolia Warren Bentley husband and the failure to disclose the household composition as required by law. These non-disclosures of defendant Ceolia Warren Bentley further prejudiced the plaintiff and deprived the plaintiff of her rights to familial association, fraud, due process, abuse of process and conspiracy.

15. Defendants Turning Point caseworkers Nikkia Plunkett, Kennisha White, Juanita Parks, Jennifer Kaba, Cydney Dasent, and Foster parent/ Adoptive parent Ceolia Warren Bentley also engaged in defamation of the plaintiffs character, necessitating her defense against false allegations in multiple court proceedings and appeals due to Turning Points and City of Philadelphia policy of not informing families when allegations are made against them in order to defend and failure to give due process when moving to seize a child from a person's care caused Plaintiff harm and deprivations **EXHIBIT L** transcript page 56-57 Ceolia Warren Bentley Testimony on court record that defamed the plaintiff of her familial associations and assassinated the plaintiffs character october 1, 2021.

16. All defendants persist in their efforts to conceal and conspire in the permanent severance of the plaintiff's familial association and to adversely affect future placements through the dissemination of defamatory statements that lack veracity. Turning Point caseworkers, including their supervisor Plunkett, White, Parks, and Dasent, along with agents of the City of Philadelphia Department of Human Services, obtained a stay-away order against plaintiff Bridget Powell on the basis of false testimony. This action prevented her from challenging the order or pursuing an appeal, thereby depriving her of due process rights and further infringing upon her constitutional rights. Moreover, supervisors and executives of the City of Philadelphia, such as Cynthia Figueroa and Kimberly Ali, who hold authority over policies, failed in their duty to provide adequate training and supervision to their employees, including Turning Point caseworkers and their supervisor Plunkett, White, Parks, and Dasent. This deficiency extended to matters

concerning family rights, due process, child welfare laws, constitutional rights, and the critical importance of providing truthful testimony.

As a result of Defendants' actions the plaintiffs suffered based on the policies and or practices, procedures or customs described throughout:

17. GPS-Dependency Policy: All of The Defendants Turning Point Caseworkers Nikkia Plunkett, Kennisha White, Juanita Parks, Jennifer Kaba, Cydney Dasent and the City of Philadelphia and Turning Points failed to adhere to the prescribed guidelines outlined in the GPS-Dependency Policy, particularly concerning the removal and placement of children in foster care settings without due process **EXHIBIT M** May 27, 2016 Transcript page 6 Removal without Due Process.

18. Investigative Procedures: All of The Defendants Turning Point Caseworkers Nikkia Plunkett, Kennisha White, Juanita Parks, Jennifer Kaba, Cydney Dasent, City of Philadelphia Investigator Sannah Crawford, Supervisors Cynthia Figueroa, Kimberly Ali and the City of Philadelphia and Turning Points on investigative procedures, as mandated by your agency, were not followed diligently, leading to inaccurate updates and misinformation being disseminated in official records. Per home visit with Nikkia Plunkett, the plaintiff nephew spent a weekend in respite care according to the defendant Nikkia Plunkett however the caseworker did not return the plaintiff nephew and moved to remove him from the plaintiff care without due process on December 12, 2016. Such negligence compromised the Plaintiff's ability to secure familial associations and impacted future considerations for family placements. **EXHIBIT N** Transcript Nephew Moved to Ceolia Warren Bently without Due Process 12-12-2016.

19. Safety Plans: All of The Defendants Turning Point Caseworkers Nikkia Plunkett, Kennisha White, Juanita Parks, Jennifer Kaba, Cydney Dasent, City of Philadelphia Investigator Sannah Crawford, Supervisors Cynthia Figueroa, Kimberly Ali and the City of Philadelphia and Turning Points and the

implementation of safety plans, designed to ensure the well-being and stability of children in dependency proceedings, was not conducted in accordance with established protocols **EXHIBIT B** safety plan 4-15-2016 .

20. Family Decision Making Meeting: All of The Defendants Turning Point Caseworkers Nikkia Plunkett, Kennisha White, Juanita Parks, Jennifer Kaba, Cydney Dasent, City of Philadelphia Investigator Sannah Crawford, Supervisors Cynthia Figueroa, Kimberly Ali and the City of Philadelphia and Turning Points and the caseworkers neglected to convene a family decision-making meeting to assess the best interests of the Plaintiffs biological family members and to formulate a cohesive plan for his care. This oversight resulted in unilateral actions that disregarded the input and concerns of the plaintiff **EXHIBIT O** The defendant Caseworkers did not follow policies and procedures email 09-22-16.

21. Foster Care Removal Appeal Procedures and Family Placement, Custody Requests and Policies: The failure to adhere to the prescribed foster care removal appeal procedures and offer due process and blocking from court proceedings, meetings and considerations that prejudiced the plaintiff and defamed her name without due process. Whereas the plaintiffs received placements of children in her home in 2018 and May of 2021 **EXHIBIT P** Placement of non relative child with plaintiff after being denied biological family placements 2018 and **EXHIBIT Q** placement of non relative child with plaintiff after being denied biological family placements 2021 with non family placements and their were instances even with a background as a Nurse that the defendant caseworkers and City of Philadelphia attempted to interfere in placements without due process and lied on record stating they would consider the plaintiff for placement after the plaintiff questioned why her niece was in a non certified placement with Ceolia Warren Bently for over 60 days which violated their policies and procedures. According to **EXHIBIT R** In a transcript dated July 1, 2019, Judge Furlong noted that the biological family had been endeavoring to get custody of the plaintiff niece for four years who was 4 years old at the time. It is indicative that absent the deceptive testimony and failure to follow child welfare laws on family placement and consideration the defendants

rights may not have been deprived. Absent fraudulent and false defamatory statements provided by the defendant caseworkers of Turning Points for Children Nikkia Plunkett, Kennisha White, Jennifer Kaba, City of Philadelphia Investigator Savannah Crawford and Foster Parent Ceolia Warren Bentley, as well as if proper training and oversight from the City Of Philadelphia, Turning Points For Children, Juanita Parks, Cydney Dasent ,Kimberly Ali, Cynthia Figueroa, And Does 1 Through 10, then the plaintiffs' rights might not have been infringed upon and breached.

22. Substantive and Procedural Due Process: The defendant caseworkers' actions violated the Plaintiff's substantive and procedural due process rights guaranteed under the United States Constitution. This egregious oversight denied the Plaintiff the opportunity to present evidence and arguments in her defense.

23. First and Fourteenth Amendments Protections: The Defendant's actions infringed upon the Plaintiff's rights protected under the First and Fourteenth Amendments, including the right to familial relations, privacy, and freedom from governmental deception and fraud.

V. LEGAL CLAIMS

Section 1983 and 1985 Claims

24. Claim 1 and 2 Plaintiff asserts claims under 42 U.S.C. § 1983 for judicial deception and deprivation of their constitutional rights under color of law. Federal: 42 U.S.C. § 1983 provides a cause of action for individuals whose constitutional rights have been violated by persons acting under color of state law.

25. Claim 1 and 2 Deprivation of Rights Under Color of Law: Defendants, acting under color of state law, deprived Plaintiff of their constitutional rights under the First and Fourteenth Amendments, including the right to familial association, procedural due process and freedom from defamation and false light.

Defendants' actions in removing Nasair Powell from Bridget Powell's home without due process violated Plaintiff rights under the Fourteenth Amendment.

26. Claim 3 Procedural and Substantive Due Process Violations: Defendants denied Plaintiff procedural due process by failing to provide adequate notice or an opportunity to be heard before taking actions affecting their familial association rights. The Due Process Clause of the Fourteenth Amendment to the U.S. The Constitution guarantees both procedural and substantive due process rights. Rights under Child Protective Services Law (CPSL) (23 Pa. C.S. §6303) and the Juvenile Act (42 Pa.C.S. §6301), removal procedures from guardians, investigative policies, procedures and documentation practice with additional details via discovery due to protective nature of family courts and the defendants actions to deprive plaintiff of her rights.

27. Claim 1 and 2 First and Fourteenth Amendment Claims: Defendants' actions interfered with Plaintiff First Amendment right to familial association by disrupting their family relationships and visitation.

28. Claim 4 Plaintiff asserts claims under 42 U.S.C. § 1985 for conspiracy to interfere with their civil rights as alleged throughout, depriving them of equal protection. 42 U.S.C. § 1985 provides a cause of action for conspiracies to interfere with civil rights, including rights protected under the Constitution or federal law.

29. Claim 5 Monell v. Department of Social Services of the City of New York, 436 U.S. 658 (1978), established municipal liability under 42 U.S.C. § 1983 for violations of constitutional rights. Monell Claim against the City of Philadelphia: The City of Philadelphia is liable for the actions of its employees, including Defendants Plunkett, White, Parks, Dasent, Figueroa, Ali, and Crawford, under the Monell doctrine, as their conduct represents official policy or custom. The City of Philadelphia is liable for the

actions of its employees under the Monell doctrine due to its failure to train and provide proper oversight, resulting in the deprivation of Plaintiff constitutional rights.

30. State Law Claims 6-10: Pennsylvania recognizes invasion of privacy as a common law tort. Invasion of Privacy, Defamation, fraud, abuse of process, negligence and negligent infliction of emotional distress claims may arise under state law and be adjudicated in federal court based on diversity jurisdiction. Plaintiff asserts state law claims for intentional infliction of emotional distress, negligence, defamation, fraud, invasion of privacy, and false light. Intentional Infliction of Emotional Distress: Defendants' actions caused Plaintiff severe emotional distress, constituting intentional infliction of emotional distress under Pennsylvania law. Negligence: Defendants breached their duty of care towards Plaintiff, resulting in harm, constituting negligence under Pennsylvania law. Defamation: Defendants' false statements defamed Plaintiff character, constituting defamation under Pennsylvania law. Fraud and Invasion of Privacy: Defendants engaged in fraudulent conduct to deceive the court, to conspire against the plaintiff and interfere with policies, laws and procedures and invaded Plaintiff's privacy by making false statements and disclosing information that put the Plaintiff in a false light to the detriment of the Plaintiff. The defendant caseworkers conduct was so egregious that the defendants continue to ignore non disclosures of the defendant Ceolia Warren Bently, ignored policies when the defendant Ceolia Warren Bentley home was uncertified, the defendant caseworkers ignored requests for placement of the plaintiff niece in her certified home to the detriment and safety of the child. Further subjecting the plaintiffs niece to trauma while she remains in a tumultuous placement disregarding multiple incidents where the child had to be removed from the defendant Ceolia Warren Bently due to safety concerns while residing with the defendant. These concerns that may not have been in consideration if the defendants City Of Philadelphia, Turning Points For Children, Nikkia Plunkett, Kennisha White, Juanita Parks, Jennifer Kaba, Cydney Dasent, Ceolia Warren Bentley, Savannah Crawford, Kimberly Ali, Cynthia Figueroa, And Does 1 Through 10, inclusive followed the Child welfare laws, policies, procedures and entered truthful and honest testimony to the record described throughout and as referenced in Exhibits A-R. It is not the

plaintiff's aim to overturn or reverse any rulings made in the prior family court case. Rather, the objective is to pursue justice and seek appropriate redress for the violations of rights and injustices experienced.

VI. CONCLUSION & RELIEF REQUESTED

The foregoing establishes a compelling case for redress based on the egregious violations of Plaintiff Bridget Powell's constitutional and statutory rights by the Defendants. The actions detailed herein, ranging from the fabrication of false statements to the deprivation of due process and familial association, have inflicted significant harm and distress upon the Plaintiff. As such, Plaintiff respectfully requests this Honorable Court to grant the following relief:

Monetary Damages: Plaintiff seeks compensation in the amount of \$5,000,000 in monetary damages to account for the emotional distress, harm to familial relationships, and financial losses incurred as a direct and proximate result of the Defendants' actions.

Punitive Damages: In light of the willful and deliberate nature of the Defendants' conduct, Plaintiff requests punitive damages to deter similar misconduct in the future and to punish the Defendants for their flagrant disregard of Plaintiff's constitutional and civil rights.

Injunctive Relief: Plaintiff seeks injunctive relief to prevent further harm and to ensure that Defendants adhere to proper protocols and procedures in future child welfare proceedings, thereby safeguarding the rights of individuals involved in dependency proceedings.

Attorney's Fees: Plaintiff requests reimbursement for attorney's fees and costs incurred in pursuing this action, as authorized under applicable federal and state laws.

Any Other Relief Deemed Just and Proper: Plaintiff asks this Court to consider any additional relief deemed just and proper under the circumstances, including but not limited to measures aimed at restoring Plaintiff's reputation, as well as instituting reforms within the City of Philadelphia and Turning Points for Children to prevent similar injustices from occurring in the future. In summary, Plaintiff seeks comprehensive redress for the injuries and damages suffered as a result of Defendants' unlawful actions, and respectfully urges this Court to grant the relief requested to rectify the injustices perpetrated against them.

VII. DEMAND FOR JURY TRIAL

Plaintiff Bridget Powell hereby demands a trial by jury on all triable issues presented in this case. As the matters at hand involve complex legal and factual determinations concerning the deprivation of constitutional and civil rights, as well as the assessment of damages resulting from the Defendants' actions, Plaintiff believes that the presentation of evidence and arguments before a jury of their peers is essential to ensure a fair and just resolution of this dispute. Accordingly, Plaintiff respectfully requests that this Honorable Court honor their demand for a jury trial to adjudicate the issues raised in this complaint.

Dated: _____

Signature: _____