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Social worker receives \$225,000 judgment against city of Tulsa for malicious prosecution claim

By Samantha Vicent Tulsa World Apr 1, 2017



Laura Fox

A social worker who says she was falsely charged with failing to report child neglect has been awarded \$225,000 from the city of Tulsa in a malicious prosecution case.

Laura Lynn Fox claimed in a lawsuit that the charge damaged her reputation as a social worker.

A Tulsa County jury deliberated for about an hour before awarding her the judgment for her claims of malicious prosecution and negligence. However, the state's Governmental Tort Claims Act, which the city argued shielded it from liability in the case, caps the amount of damages a plaintiff in such a case can receive at \$175,000.

City of Tulsa spokeswoman Kim MacLeod said, "The city is considering an appeal, and as such the city considers this to be ongoing litigation, on which the city does not comment."

Fox filed a written notice of her tort claim in April 2014, which the city denied the next month, prompting her to file the civil suit on Aug. 25, 2014.

The lawsuit stemmed from her assertion that the Tulsa Police Department did not properly consider evidence before submitting a probable cause affidavit to prosecutors, who charged her in November 2013 with a misdemeanor count of failure to report child neglect. The case was dismissed about a month later after prosecutors received evidence from Fox's criminal defense attorney, Adam Banner.

Records of the case were expunged in April 2014.

"Laura is deeply grateful to the court for allowing her the opportunity to tell her story and for the jury in listening and understanding her story. She feels like her life has been given back to her," Fox's civil attorney, Paul DeMuro, said Friday.

Then-TPD Child Crisis Unit Detective Danielle Bishop, who now works on patrol, was also a defendant in the lawsuit. The petition alleged that Bishop acted without probable cause when she submitted the affidavit against Fox to prosecutors and failed to disclose evidence that Fox had reported seeing the neglect.

TPD Sgt. Shane Tuell said Bishop moved to patrol work in late 2016.

Fox, who was employed by a private company, had been working under the supervision of the Oklahoma Department of Human Services to assist a family with a trial reunion with their children. The children had been removed from the family residence previously due to reportedly "horrifying" conditions, but in August 2013 police records said the home still had odors of cat urine and feces, human waste, rotten food, cockroach nests and flies, among other things.

Fox was accused of visiting the home and not reporting its condition to DHS on the day police arrested the parents, Angela and Matthew Prior. However, DeMuro's 2014 petition says Fox made clinical notes of her observations and reported them to DHS as well as to her supervisor. The lawsuit alleged that Bishop intentionally withheld those notes from prosecutors.

“We definitely want police to be aggressive in protecting our children. But in this case, the jury found that there were some very troubling questions about how the charges were brought,” DeMuro said Friday.

He said trial testimony showed that authorities’ inaccurate public statements about the case negatively affected Fox’s career and self-confidence.

“We did an in-court demonstration of a live Google search,” DeMuro said. “We just typed in ‘Laura Fox Tulsa,’ and 3½ years (after the case), the first thing that popped up was the Tulsa World’s story reporting the charges and her mugshot, which was November 5, 2013.”

A trial brief filed by the city of Tulsa in February 2016 states the city’s belief that Fox could not prove that Bishop acted with ill will toward her, saying Bishop submitted the affidavit based on what she had uncovered in her investigation.

The Priors, along with Angela Prior’s mother, Janet Friend, were charged with child neglect Aug. 12, 2013. Matthew Prior pleaded guilty Dec. 19 of that year, while Friend and Angela Prior entered guilty pleas Jan. 28 and Feb. 20, 2014, respectively.

Friend received a three-year deferred sentence, but Matthew and Angela Prior are serving five-year prison sentences.

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