



[Record-setting Child Sexual Abuse Settlement Sends Message: Vet Your Coaches](#)

Two youth soccer organizations agree to pay \$8.2 million to child sexual abuse victim as a result of not vetting coach.

Online PR News â€“ 21-August-2018â€” Childhood sexual abuse lawyers Stephen Estey of San Diego and Robert Allard of San Jose are announcing what is believed to be a record single plaintiff \$8.2 million settlement in a youth soccer child sex abuse case (Santa Clara County case #113CV238994). At the same time, the settlement reinforces a California Sixth District Court of Appeal's decision which ruled that youth organizations have a duty to require criminal background checks on coaches. The legal team included Kelly Raftery, Andrew Piunti and Lauren Cerri of San Jose.

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The case stems from West Valley Youth Soccer League coach Emanuele Fabrizio's sexual abuse of a 12-year-old player starting in May of 2011. Fabrizio pleaded no contest to the sexual molestation charges and was sentenced to 15 years in prison.

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At the time Fabrizio was hired, the two soccer organizations, US Youth Soccer Organization (USYSA) and its affiliate California Youth Soccer Association North (Cal North), had a self-reporting policy for coaching applicants and did not require or conduct criminal background checks of coaches.

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According to Estey, had the organizations required and conducted a criminal background check, they would have discovered a prior domestic violence conviction against Fabrizio which would have disqualified him from coaching under their policies.

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"The sexual abuse of our client was entirely preventable with a background check that was available to these non-profit organizations for free under California law," said Estey. "This case will make it safer for children in youth sports by sending a message to these organizations that they had better screen and background check their coaches," added Estey.

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This case also establishes important case law. The California Sixth District Court of Appeal decision stated that USYSA had a duty to require its affiliates such as Cal North to conduct criminal background checks of all adults who would have contact with children involved in their programs because: (A) there was a special relationship between USYSA and the victim, (B) it was foreseeable to USYSA that a coach would sexually abuse a player, and (C) the burden to USYSA to require criminal background checks was minimal. (Doe v. United States Youth Soccer Association, Inc. (2017) 8 Cal.App.5th 1118.) According to Estey, "Raftery was

the driving force behind the creation of this new law", adding, "I am pleased that through this tragedy other children will be spared from sexual abuse because youth programs will be held to a higher standard of care."

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"We hope that sporting organizations across this country will start making athlete safety the primary goal, placing it ahead of image, reputation or money generation," said Allard, adding, "the courts will hold accountable those who fail to do so."

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USYSA will pay \$6.5 million while \$1.7 million will come from Cal North.

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