

Idaho County Sheriff's Office sued after deputy has relationship with minor

kxly.com

A federal civil lawsuit has been filed in connection with a sexual relationship between a former Idaho County Sheriff's Deputy and a 16-year-old girl.

According to documents in US District Court, Sheriff's officials knew about the relationship between 32-year-old Daniel Funderburg and the girl but failed to record it and took efforts to cover up the relationship, among other things. The lawsuit names Funderburg, the Idaho County Sheriff's Office, Idaho County, and several John Doe's, and demands damages in an amount to be determined at the time of trial.

Funderburg was sentenced in March of 2013 to 90 days in jail, given credit for 90 days served, placed on six years of supervised probation, and fined \$530.50 for having a sexual relationship with the girl. He pled guilty under a Rule 11 Plea Agreement in Lewis County's Second District Court to one count of sexual battery - "committed by lewd or lascivious acts on a minor child 16 or 17 years of age." He was arrested at his home on December 5, 2012 on a \$250,000 warrant.

According to the lawsuit, the "relationship commenced and continued while Deputy Funderburg was engaged in his official duties on behalf of Idaho County" and defendants - including Sheriff Doug Giddings, Undersheriff Jim Gorges, and others - knew that Funderburg was spending considerable time with the alleged victim "including times while Deputy Funderburg was on duty for Idaho County, which reasonably should have raised suspicions as to the nature of the relationship between Deputy Funderburg and (victim). "

The document states that neither Giddings nor Gorges took appropriate action to eliminate the contact between Funderburg and the girl in light of the knowledge they possessed, and Does 1-10 "had actual or constructive notice of the improper actions being perpetrated by Defendant Funderburg upon (victim) and failed to engage in the necessary conduct to stop those actions." In addition, Gorges also allegedly attempted to persuade the girl's mother not press charges against Funderburg.

The girl's parents discovered the sexual relationship, and the court document says that the relationship only became known to prosecutors through an independent tip given to a Clearwater County prosecutor. The lawsuit claims that the defendants should have known or should have "reasonably anticipated" that Funderburg would engage in such conduct, and should have known that Gorges would attempt to cover up the relationship.

As a direct result, the plaintiffs claim they have suffered and will continue to suffer the "injury to and interference with the parent-child relationship," "a loss of love and companionship," and "loss of enjoyment of life, injury, pain, mental anguish, mental injury, emotional distress, and suffering and related injuries," and will continue to incur medical and counseling expenses and other out-of-pocket expenses associated with these alleged injuries.

The girl and her parents are represented by Lewiston attorney Samuel Creason.