

IN THE CIRCUIT COURT OF THE
15TH JUDICIAL CIRCUIT, IN AND FOR
PALM BEACH COUNTY, FLORIDA

JANE DOE [REDACTED]

Plaintiff,

vs.

ELLIOT ALLSWANG,
REJUVENATE COUNSELING LLC,
and PALM BEACH COUNTY
SHERIFF'S OFFICE,

CASE NO.:

Defendants.

COMPLAINT

Plaintiff JANE DOE [REDACTED] by and through the undersigned counsel, hereby files this Complaint against Defendants ELLIOT ALLSWANG, REJUVENATE COUNSELING LLC, and the PALM BEACH COUNTY SHERIFF'S OFFICE ("PBSO"), and alleges as follows:

JURISDICTION, VENUE, AND PARTIES

1. The cause of action accrued in Palm Beach County, Florida and therefore, under Section 47.011, Florida Statues, venue is proper in Palm Beach County, Florida.
2. This is an action for damages in excess of Fifty Thousand Dollars (\$50,000.00), exclusive of attorney's fees, interests, or costs.
3. At all times material, Plaintiff Jane Doe [REDACTED] was/is a resident and citizen of the state of Florida and Palm Beach County.
4. At all times material hereto, Plaintiff was over the age of eighteen (18), was a resident of Palm Beach County, Florida, and was otherwise *sui juris*.

5. Pursuant to Florida Law and the Rules of this Court, including Rule 2.40(c) of the Fla. R. Jud. Admin, as a survivor of sexual abuse, is identified by her initials only, as disclosure would necessarily reveal [REDACTED] identity.

6. At all times material, ELLIOT ALLSWANG was/is a resident of Palm Beach County, FL.

7. At all times material, ELLIOT ALLSWANG was the father and primary caregiver for Tzvi Allwang.

8. At all times material, ELLIOT ALLSWANG, allowed his son Tzvi Allwang to stay in his home unattended and without proper security measures in place knowing his mental status, prior misconduct, and prior incidents.

9. At all times material, Defendant ELLIOT ALLSWANG owned the property located at 22147 Larkspur Trail, Boca Raton, FL 33143.

10. At all times material, Defendant REJUVENATE COUNSELING LLC was a Florida Limited Liability Company owned, operated, and doing business in Palm Beach County, FL.

11. At all times material, Defendant REJUVENATE COUNSELING LLC held out to the public that they *“specialize in supporting individuals and families when faced with serious mental illness and/or substance abuse.”*

12. At all times material, Defendant REJUVENATE COUNSELING LLC was owned and operated by Moshe Winograd, PhD.

13. At all times material, Moshe Winograd and Elliot Allwang personally and professionally knew one another.

14. Both Moshe Winograd and Elliot Allswang were familiar with the severe mental health struggles of Tzvi Allswang.

15. At all times material, Defendant PALM BEACH COUNTY SHERIFF'S OFFICE responded to and led the missing person's investigation involving JANE DOE █ and otherwise responded as the lead investigating and responding entity for the incident taking place at Defendant Elliot Allswang's home involving his son Tzvi Allswang and missing person JANE DOE █

16. On or about June 18, 2024, Plaintiff put Defendant PALM BEACH COUNTY SHERIFF'S OFFICE put on notice pursuant to Fla. Stat. 768.28.

17. All conditions precedent to bringing this action have been satisfied or waived prior to service of the Complaint.

18. This action is being brought within the applicable statutes of limitation.

19. At all times material hereto, Defendant, PALM BEACH COUNTY SHERIFF'S OFFICE was a governmental agency that operated a police department that had jurisdiction over Palm Beach County, Florida.

20. At all times material, ELLIOT ALLSWANG entrusted his residence to his son Tzvi Allswang without supervision who he knew or should have known had severe mental health issues.

FACTS GIVING RISE TO CLAIMS

21. On July 1, 2022, JANE DOE █ was scheduled to meet Tzvi Allswang for a therapy session at 5:30pm.

22. At the time of the incident, JANE DOE █ worked as a mental health counselor.

23. Prior to this date, JANE DOE █ had spoken with Tzvi Allswang on four or five prior occasions.

24. Some of these occasions were at the Allswang residence but they were always other individuals also present at the home during ■ visit.

25. JANE DOE ■ was originally set to meet with Tzvi Allswang on June 27, 2022, but he cancelled and became unresponsive to follow messages to reschedule.

26. On July 1, 2022, Tzvi Allswang pushed their meeting back to 6:30pm.

27. As their session began to end, Tzvi Allswang began asking JANE DOE ■ personal questions and ■ began to feel uncomfortable.

28. JANE DOE ■ then attempted to leave the residence; however, ■ now observed the front door was covered with black material and all the window blinds were closed or covered up.

29. Suddenly, Tzvi Allswang grabbed her around her chest and told her she could not leave.

30. Tzvi Allswang then bound her hands together behind her back with duct tape.

31. Tzvi Allswang beat her multiple times and sexually assaulted her countless times during the 15 hours he kept her hostage.

The Report by Her Partner

32. On July 2, 2022, at or around 1:00 AM, Plaintiff's partner ■ contacted the Palm Beach County Sheriff's ("PBSO") office to report that JANE DOE ■ was missing who was a mental health ■apist.

33. PBSO advised Plaintiff's partner ■ to call Lantana Police because that was where she lived.

34. Plaintiff's partner ■ then called the Lantana Police Department to report her girlfriend, JANE DOE ■ missing after she did not return home.

35. [REDACTED] provided the [REDACTED] Police Department two text messages received from Plaintiff's phone.

36. One message stated that she was pulled over by police and being driven to the police station to give blood and then later the second text stated that "all is okay" and the police were putting her up in a hotel for the night.

37. Both of these text messages [REDACTED] noted to police were odd. One message came in at around midnight and one came in around 3am.

38. The next text message stated that all was ok and she was being taken to a hotel for the night by police.

39. [REDACTED] Dispatch contacted the Boca Raton Police Department, Delray Beach Police Department, Boynton Beach Police Department, and Palm Beach County Sheriff Department to see if they had made contact with JANE DOE [REDACTED] or had her in custody.

40. All agencies advised they had not made contact with JANE DOE [REDACTED]

41. Plaintiff's partner [REDACTED] completed a [REDACTED] Police Department missing person document which she signed.

42. At that time, JANE DOE [REDACTED] was then entered as a missing person.

43. Plaintiff's partner [REDACTED] again called the [REDACTED] Police Department advising that she had spoken with JANE DOE [REDACTED]s supervisor at work and that Plaintiff JANE DO [REDACTED] was meeting a client for an at-home therapy session at 22147 Larkspur Trail, Boca Raton FL 33143.

44. Given the jurisdiction of the address, PBSO deputies responded to the location at the behest of [REDACTED] Police Department around 04:00 AM.

45. After being advised of this information, the Palm Beach County Sheriff's office went to 22147 Larkspur Trail, Boca Raton FL 33143 where missing person JANE DOE [REDACTED] last known address.

46. PBSO Deputy Satterfield, Deputy Marseille, and potentially other deputies responded at this time to the residence.

47. These deputies were advised that missing person JANE DOE [REDACTED] [REDACTED] was on the property.

48. These deputies were advised they "made several attempts to try and make contact with the residence with negative results."

49. Deputies spent their time trying to decide if the scream heard was a cry for help or a male and [REDACTED] engaging in sexual activity.

50. Upon information and belief, the PBSO deputies attempt was recorded using a body worn camera.

51. For the next five hours, Plaintiff remained inside a hostage to Tzvi Allswang. During that time Plaintiff was continuously assaulted both physically and sexually.

52. On July 2, 2022, at 6:32am, Officer Strong was dispatched again to the same address located at [REDACTED]

53. At this point, it has been 12 hours since JANE DOE [REDACTED] has been held captive at the residence.

54. Plaintiff's partner [REDACTED] spoke with PBSO representatives on a police recorded line. Plaintiff's [REDACTED] again expressed [REDACTED] was highly concerned about the welfare of her [REDACTED] who [REDACTED] had reported missing earlier that morning 5 1/2 hours earlier.

55. Plaintiff's [REDACTED] advised she had a visual on JANE DOE [REDACTED]'s vehicle, which was still located in the [REDACTED]

56. [REDACTED] was hysterically crying and again advised she thought something was wrong with JANE DOE H.H., who appeared to be located inside the residence.

57. Plaintiff's [REDACTED] reiterated that [REDACTED] had been trying to get in touch with JANE DOE H.H. for the last 5-6 hours and the text messages [REDACTED] received did not sound like [REDACTED] and [REDACTED] phone was since turned off.

58. PBSO Officer Strong attempted to contact JANE DOE [REDACTED] through [REDACTED] phone, but confirmed it was still off. PBSO Officer Strong called PBSO to send out additional deputies in attempt to make contact with JANE DOE [REDACTED] again.

59. On July 2, 2022, at 8:19am, Deputy Parent from PBSO called Officer Strong to gather more information. Deputy Parent advised Officer Strong that they had "knocked on the resident's door; however, there was no answer."

60. Shortly thereafter, Deputy Parent then did a welfare search around the home. While doing so, Deputy Parent and PBSO deputies observed that all of the windows and doors were locked, as well as secured, and that the blinds were drawn down.

61. Deputy Parent advised that when they entered into the backyard of the home, they heard one loud [REDACTED] scream and then silence.

62. This was approximately five to six hours after the initial wellness check was conducted where there were obvious signs of exigent circumstances. This included:

- a. The missing person JANE DOE [REDACTED] being in the [REDACTED]
- b. The responding deputy/deputies heard a scream;

- c. The house where the missing person was last believed to be had all the windows / doors closed up in a bizarre, unusual manner;
- d. The missing person sent bizarre text messages;
- e. The missing person was last seen with an individual with severe mental health issues;
- f. The missing person was last seen with an individual who had previously been charged with sexual misconduct.

63. On July 2, 2022, approximately 15 hours since [REDACTED] was last seen, Deputy Parent called to inform Officer Strong that the suspect Tzvi Allswang had been taken into custody and was on the way the hospital with a possible gunshot wound.

64. Deputy Parent advised that [REDACTED] was located inside the home with the suspect.

65. Deputy Parent confirmed that [REDACTED] had been kidnapped.

66. Tzvi Allswang was investigated for Attempted Murder, Sexual Battery with Force, and Kidnapping.

67. Tzvi Allswang is currently serving four life sentences for his crimes.

68. Upon information and belief, an active internal investigation is ongoing regarding Defendant Palm Beach County Sheriff's Office response to this incident.

69. At this time, Plaintiff has not yet been provided a copy of this internal investigation nor the results of same.

70. In further support of the facts that support [REDACTED] claims, see Exhibit A - "Night of Terror" article attached.

Elliot Allswang's knowledge before July 1, 2022

71. Prior to the incident on July 2, 2022, Defendant ELLIOT ALLSWANG was aware of his son's troubled history.

72. This included a prior sexual battery in a home involving Tzvi Allswang where a plea of guilty to lewd and lascivious battery of a minor occurred.

73. As a result of this sentencing, Defendant ELLIOTT ALLSWANG knew his son was not allowed (i) unsupervised contact with anyone under the age of 16 to the age of 12, (ii) was prohibited from accessing or view pornography and (iii) was subject to having his probation officer search any electronic devices he uses at any time. This incident occurred approximately three years before the incident at issue.

74. Upon information and belief, Elliot Allswang continued to provide support and services for Tzvi Allswang including his housing, medical care, food, mental health treatment, among other duties.

75. Upon information and belief, at that time of the incident Tzvi Allswang continued to rely on his father Elliot Allswang for all basic needs to which Elliot Allswang took responsibility for Tzvi Allswang's care.

Rejuvenate Counseling LLC

76. Defendant REJUVENATE COUNSELING LLC through Moshe Winograd asked [REDACTED] to go alone to Defendant Elliot Allswang's home without any back up and without an understanding of Tzvi Allswang's prior criminal history and scope of his mental illness.

77. Defendant REJUVENATE COUNSELING LLC did not appear to have any appropriate system in place to check on therapist's who were meeting with clients/patients.

78. Defendant REJUVENATE COUNSELING LLC unnecessarily required [REDACTED] to appear in person, by [REDACTED] rather than treating the client via telehealth, without any proper safety mechanisms in place.

79. Defendant REJUVENATE COUNSELING LLC further did not become aware of the problem until [REDACTED] [REDACTED] [REDACTED] became increasingly concerned for [REDACTED] wellbeing.

80. Defendant REJUVENATE COUNSELING LLC knew or had reason to know of the risks involved for home visits of its clients/patients.

81. Despite this knowledge, REJUVENATE COUNSELING LLC, did not adequately protect individuals, including [REDACTED] [REDACTED] [REDACTED] from foreseeable harm.

82. Upon information and belief, Defendant REJUVENATE COUNSELING LLC through Moshe Winograd and Defendant Elliot Allswang discussed Tzvi Allswang's prior criminal history and scope of his mental illness, yet did not fully prepare [REDACTED] [REDACTED] [REDACTED] adequately for any potential harm, which was reasonably foreseeable based on his known criminal history.

PBSO AND EXIGENT CIRCUMSTANCES

83. The right of police to enter and investigate an emergency without an accompanying intent either to seize or arrest is inherent in the nature of their duties as peace officers.

84. The community caretaker exception to the warrant requirement, arising from the duty of police officers to ensure the safety and welfare of the citizenry at large, functions focus on concern for the safety of the general public; thus, a warrantless search may be justified by exigent circumstances, which are those characterized by grave emergency, imperativeness for safety, and compelling need for action, as judged by the totality of the circumstances.

85. To constitute exigent circumstances, the emergency must be so that it makes a warrantless search imperative to the safety of the police and of the community, and safety is threatened when a need exists to protect life and to prevent serious bodily injury.

86. The kinds of exigencies or emergencies that may support a warrantless entry include those related to the safety of persons or property, as well as the safety of the police.

COUNT I – NEGLIGENCE OF ELLIOT ALLSWANG

87. Plaintiff, [REDACTED] realleges each and every allegation contained in paragraphs 1 through 82 above as if fully set forth herein.

88. Defendant ELLIOT ALLSWANG knew, and/or should have known, that his son Tzvi Allswang had severe mental health issues.

89. Upon information and belief, Tzvi Allswang was previously arrested and convicted for lewd and lascivious battery.

90. Upon information and belief, Defendant ELLIOT ALLSWANG frequently left his home located at 22147 Larkspur Trail, Boca Raton, FL 33433-4805 unattended to do travel for both work and pleasure.

91. Defendant ELLIOT ALLSWANG owed Plaintiff [REDACTED] a duty of reasonable care within his home.

92. Defendant ELLIOTT ALLSWANG breached that duty when he left his son unoccupied and unattended knowing his severe mental health issues and prior criminal history.

93. Defendant ELLIOT ALLSWANG breached this duty in the following ways:

- a. Failing to place reasonable security measures in place for the home given his son's mental health concerns and prior criminal history;

- b. Failing to warn [REDACTED] of the potential propensities of his son while in Defendant ELLIOT ALLSWANG's home;
- c. Failing to monitor his son and his home to allow the conduct to take place;
- d. Failing to have sufficient security monitors in place to ensure the safety of individuals entering and exiting the home;
- e. Failed to prohibit, restrict, or limit his activities given his son's mental wellbeing;
- f. Failure to have in place standards of acceptable and unacceptable conduct;
- g. Failing to properly supervise Tzvi Allswang within his home;
- h. Failing to otherwise act reasonable under the circumstances.

94. As a result of ELLIOTT ALLSWANG failing to use reasonable care, [REDACTED]

[REDACTED] suffered significant physical and emotional injuries.

95. As a direct and proximate result of the foregoing, Plaintiff, [REDACTED] suffered, and continues to suffer losses, damages, and physical injuries as follows: past and future economic and non-economic damages, including but not limited to bodily injury, past and future medical and related expenses and costs, the expense of hospitalization, medical, and nursing care and treatment, the cost and expense of rehabilitation, past and future wage loss, loss of earning capacity/loss of ability to earn money in the future, past and future physical pain and suffering, past and future mental pain and anguish, past and future disability and physical impairment, past and future loss of the capacity for the enjoyment of life, and inconvenience, among other damages.

These losses are permanent or continuing and the Plaintiff will suffer these losses in the future.

WHEREFORE, Plaintiff [REDACTED] demands judgment against Defendant ELLIOT ALLSWANG. in excess of Fifty Thousand Dollars (\$50,000.00), plus costs incurred herein and any other relief this court deems fit and proper.

COUNT II – NEGLIGENCE OF REJUVENATE COUNSELING LLC

96. Plaintiff, [REDACTED] realleges each and every allegation contained in paragraphs 1 through 82 above as if fully set forth herein.

97. Defendant REJUVENATE COUNSELING LLC. knew, and/or should have known, that Tzvi Allswang had severe mental health issues.

98. Defendant REJUVENATE COUNSELING LLC owed Plaintiff [REDACTED] a duty of reasonable care.

99. Upon information and belief, Tzvi Allswang, was previously arrested for sexual misconduct.

100. Upon information and belief, Defendant REJUVENATE COUNSELING LLC allowed [REDACTED] to conduct home visits without any security measures in place.

101. Defendant REJUVENATE COUNSELING LLC instructed [REDACTED] to go to the home located at 22147 Larkspur Trail, Boca Raton, FL 33433-4805 to provide services to Tzvi Allswang.

102. Defendant REJUVENATE COUNSELING LLC breached that duty when they allowed [REDACTED] to go alone to a home with an individual with mental health issues and prior criminal history.

103. Upon information and belief, REJUVENATE COUNSELING LLC was paid for services involving Tzvi Allswang by Defendant ELLIOTT ALLSWANG.

104. Upon information and belief, REJUVENATE COUNSELING LLC had █

under a

105. Upon information and belief, REJUVENATE COUNSELING LLC has not provided any [REDACTED] compensation [REDACTED] to [REDACTED] [REDACTED]

106. Upon information and belief, REJUVENATE COUNSELING LLC did not have adequate policies and procedures in place to ensure the safety of [REDACTED] nor clients/patients.

107. Upon information and belief, REJUVENATE COUNSELING LLC had the tools necessary to ensure individuals like [REDACTED] were safe through offering telehealth, monitoring the safety of individuals like [REDACTED] ensuring that all individuals safely left appointments timely and as appropriate, among other safety measures.

108. Defendant REJUVENATE COUNSELING LLC breached this duty in the following ways:

- a. Failing to place reasonable security measures in place for home visits given the client/patient's mental health concerns and prior criminal history;
- b. Failing to warn [REDACTED] of the potential propensities of the client/patient while in Defendant REJUVENATE COUNSELING LLC's home;
- c. Failing to reasonably monitor [REDACTED] while at a client/patient home visit;
- d. Failed to prohibit, restrict, or limit his in person sessions given the client/patient's mental wellbeing;
- e. Failure to have in place standards in place to avoid reasonably foreseeable events, including the one at issue;

f. Failing to otherwise act reasonable under the circumstances.

109. As a result of REJUVENATE COUNSELING LLC failing to use reasonable care,

██████████ suffered significant physical and emotional injuries.

110. As a direct and proximate result of the foregoing, Plaintiff, ██████████ suffered, and continues to suffer losses, damages, and physical injuries as follows: past and future economic and non-economic damages, including but not limited to bodily injury, past and future medical and related expenses and costs, the expense of hospitalization, medical, and nursing care and treatment, the cost and expense of rehabilitation, past and future wage loss, loss of earning capacity/loss of ability to earn money in the future, past and future physical pain and suffering, past and future mental pain and anguish, past and future disability and physical impairment, past and future loss of the capacity for the enjoyment of life, and inconvenience, among other damages.

These losses are permanent or continuing and the Plaintiff will suffer these losses in the future.

WHEREFORE, Plaintiff ██████████ demands judgment against Defendant REJUVENATE COUNSELING LLC. in excess of Fifty Thousand Dollars (\$50,000.00), plus costs incurred herein and any other relief this court deems fit and proper.

**COUNT III – NEGLIGENCE AGAINST
PALM BEACH COUNTY SHERIFF’S OFFICE**

111. Plaintiff, ██████████ realleges each and every allegation contained in paragraphs 1 through 86 above as if fully set forth herein.

112. At all times material hereto, PBSO owed a duty to its residents/taxpayers, including Plaintiff, to exercise reasonable care.

113. PBSO had a duty to take such precautions that were reasonably necessary to protect its residents, including Plaintiff, from physical harm, which was reasonably foreseeable.

114. PBSO failed to take the steps necessary to provide proper security and safety of the premises for individuals, including Plaintiff.

115. PBSO knew, or in the exercise of reasonable care should have known, that it was in the best position to take reasonable and necessary measures to maintain the property and its own staff.

116. PBSO was negligent and breached its duty of reasonable care for the safety and protection of its residents, including the Plaintiff, in one or more of the following ways:

- a. Failing to screen and/or conduct background check of Tzvi Allswang;
- b. Failing to properly investigate Tzvi Allswang;
- c. Failing to properly investigate / reach out to Elliot Allswang when suspicious behavior, including a missing person's vehicle was located at his home;
- d. Failing to properly respond when an exigent circumstance was occurring;
- e. Failing to properly respond when a resident/taxpayer was in clear obvious distress;
- f. Failing to properly move up the chain of command when a question/issue arose regarding [REDACTED] [REDACTED] [REDACTED] incident;
- g. Failing to supervise Deputy Satterfield, Deputy Marseille, and potentially other deputies;
- h. Failing to follow applicable policies and procedures governing the prevention of sexual assault;
- i. Failing to follow applicable policies and procedures governing exigent circumstances;
- j. Failing to properly hire, train and/or supervise staff;
- k. Failing to implement policies and procedures to protect Plaintiff from sexual assault;
- l. Failing to properly protect Plaintiff from sexual assault;
- m. Failing to promptly respond to Plaintiff after exigent circumstances arose;
- n. Failing to supervise, monitor, and provide a safe environment for Plaintiff;
- o. Failing to protect Plaintiff from foreseeable harm;
- p. Failing to use reasonable care given the circumstances.

117. PBSO, by and through its agents, employees, servants, and/or others, over which it has responsibility and control, in the course and scope of their duties and in furtherance of the

interest of the Defendant, caused, created, and/or allowed a dangerous condition and hazardous condition on the premises as described herein.

118. PBSO failed to implement and/or enforce policies and procedures reasonably calculated to reduce the regularity of the dangerous condition that caused the injuries suffered by Plaintiff.

119. As a direct and proximate result of the foregoing, Plaintiff, [REDACTED] suffered, and continues to suffer losses, damages, and physical injuries as follows: past and future economic and non-economic damages, including but not limited to bodily injury, past and future medical and related expenses and costs, the expense of hospitalization, medical, and nursing care and treatment, the cost and expense of rehabilitation, past and future wage loss, loss of earning capacity/loss of ability to earn money in the future, past and future physical pain and suffering, past and future mental pain and anguish, past and future disability and physical impairment, past and future loss of the capacity for the enjoyment of life, and inconvenience, among other damages. These losses are permanent or continuing and the Plaintiff will suffer these losses in the future.

WHEREFORE, Plaintiff [REDACTED] demands judgment against Defendant PALM BEACH COUNTY SHERIFF'S OFFICE in excess of Fifty Thousand Dollars (\$50,000.00), plus costs incurred herein and any other relief this court deems fit and proper.

**COUNT IV – NEGLIGENT TRAINING
AGAINST PALM BEACH COUNTY SHERIFF OFFICE**

120. Plaintiff, [REDACTED] realleges each and every allegation contained in paragraphs 1 through 86 above as if fully set forth herein.

121. At all times material hereto, Defendant PALM BEACH COUNTY SHERIFF'S OFFICE hired, employed and/or supervised the deputies which responded to the incident involving [REDACTED]

122. At all times material, Defendant PALM BEACH COUNTY SHERIFF'S OFFICE had a duty to exercise reasonable care for members of the general public/taxpayers, including [REDACTED]

123. At all times material hereto, Defendant, PALM BEACH COUNTY SHERIFF'S OFFICE had a duty to supervise and properly train the deputies involved in this case who responded to the incident involving [REDACTED]

124. At all times material hereto, Defendant, PALM BEACH COUNTY SHERIFF'S OFFICE breached that duty when they failed to properly train its deputies, including the deputies who responded to this incident including Deputy Satterfield, Deputy Marseille, and potentially other deputies.

125. PALM BEACH COUNTY SHERIFF'S OFFICE failed to properly train the Deputy Satterfield, Deputy Marseille, and potentially other deputies, which responded to the incident involving [REDACTED]

126. Had the PALM BEACH COUNTY SHERIFF'S OFFICE properly trained its officers on Exigent or Emergency Circumstances and exceptions for warrantless searches, they could have prevented another five plus hours of [REDACTED] from being tortured and assaulted.

127. As a direct and proximate result of the foregoing, Plaintiff, [REDACTED] suffered, and continues to suffer losses, damages, and physical injuries as follows: past and future economic and non-economic damages, including but not limited to bodily injury, past and future medical and related expenses and costs, the expense of hospitalization, medical, and nursing care and treatment, the cost and expense of rehabilitation, past and future wage loss, loss of earning capacity/loss of ability to earn money in the future, past and future physical pain and suffering,

past and future mental pain and anguish, past and future disability and physical impairment, past and future loss of the capacity for the enjoyment of life, and inconvenience, among other damages. These losses are permanent or continuing and the Plaintiff will suffer these losses in the future.

WHEREFORE, Plaintiff [REDACTED] demands judgment against Defendant PALM BEACH COUNTY SHERIFF'S OFFICE in excess of Fifty Thousand Dollars (\$50,000.00), plus costs incurred herein and any other relief this court deems fit and proper.

**COUNT V- NEGLIGENT HIRING, RETENTION AND SUPERVISION
AGAINST PALM BEACH COUNTY SHERIFF OFFICE**

128. Plaintiff, [REDACTED] realleges each and every allegation contained in paragraphs 1 through 86 above as if fully set forth herein.

129. At all times material hereto, Defendant, PALM BEACH COUNTY SHERIFF'S OFFICE, hired, employed and/or supervised Deputy Satterfield, Deputy Marseille, and potentially other deputies who responded at approximately 4:00am to the residence owned by Defendant Allswang.

130. At all times material hereto, Defendant, PALM BEACH COUNTY SHERIFF'S OFFICE, had a duty to supervise its deputies, including Deputy Satterfield, Deputy Marseille, and potentially other deputies who responded in this case.

131. At all times material hereto, PALM BEACH COUNTY SHERIFF'S OFFICE, was required to make an appropriate investigation of Deputy Satterfield, Deputy Marseille, and potentially other deputies before they were hired and/or before they was permitted to and/or tasked with doing wellness checks, investigating missing persons, understanding exigent or emergency circumstances, amongst other related responsibilities.

132. PALM BEACH COUNTY SHERIFF'S OFFICE failed to make appropriate investigation of Deputy Satterfield, Deputy Marseille, and potentially other deputies.

133. At all times material hereto, PALM BEACH COUNTY SHERIFF'S OFFICE may have received active and/or constructive notice and/or knowledge Deputy Satterfield, Deputy Marseille, and potentially other deputies being unfit for job/employment.

134. At all times material hereto, it was unreasonable for PALM BEACH COUNTY SHERIFF'S OFFICE not to investigate or take corrective action regarding the background of Deputy Satterfield, Deputy Marseille, and potentially other deputies.

135. At all times material hereto, Defendant, PALM BEACH COUNTY SHERIFF'S OFFICE had a duty to ensure that Deputy Satterfield, Deputy Marseille, and potentially other deputies had the appropriate background and had the necessary skills and competency to perform the job of investigating missing persons, responding to wellness checks, and understanding when appropriate for emergency or dangerous situations, known as "exigent circumstances."

136. Here, there were obvious signs of exigent circumstances. This included:

- a. The missing person [REDACTED]
- b. The responding deputy/deputies heard a scream;
- c. The house where the missing person was last believed to be had all the windows / doors closed up in a bizarre, unusual manner;
- d. The missing person sent bizarre text messages;
- e. The missing person was last seen with an individual with severe mental health issues;
- f. The missing person was last seen with an individual who had previously been charged with sexual misconduct.

137. At all times material hereto, Defendant, PALM BEACH COUNTY SHERIFF'S OFFICE, through its agents, employees and/or representatives was aware or should have been aware of the unknown deputies' background and his lack of competency or training.

138. As a direct and proximate result of PBSO negligently hiring, retaining, and supervising the unknown deputies, Plaintiff, [REDACTED] was caused to suffer bodily injury due to the negligent inactions of the unknown deputies.

139. As a direct and proximate result of the foregoing, Plaintiff, [REDACTED] suffered, and continues to suffer losses, damages, and physical injuries as follows: past and future economic and non-economic damages, including but not limited to bodily injury, past and future medical and related expenses and costs, the expense of hospitalization, medical, and nursing care and treatment, the cost and expense of rehabilitation, past and future wage loss, loss of earning capacity/loss of ability to earn money in the future, past and future physical pain and suffering, past and future mental pain and anguish, past and future disability and physical impairment, past and future loss of the capacity for the enjoyment of life, and inconvenience, among other damages. These losses are permanent or continuing and the Plaintiff will suffer these losses in the future.

WHEREFORE, Plaintiff [REDACTED] demands judgment against Defendant PALM BEACH COUNTY SHERIFF'S OFFICE in excess of Fifty Thousand Dollars (\$50,000.00), plus costs incurred herein and any other relief this court deems fit and proper.

DEMAND FOR TRIAL BY JURY

Plaintiff, [REDACTED] hereby demand a trial by jury of all issues so triable, as a matter of right.

CERTIFICATE OF FILING

Plaintiff, [REDACTED] hereby certifies that a copy of this Complaint was filed through the e-filing portal on June 30, 2025.

Lipinski Law
601 Heritage Drive, Suite 210
Jupiter, FL 33458
Office (561) 453-4800
Fax (561) 453-4801
Attorney for Plaintiff



Jennifer Lipinski, Esq.
Florida Bar Number: 99524
Primary e-mail for correspondence
and communications:
jen@lipinskilaw.com
alice@lipinskilaw.com

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PALM BEACH POST INVESTIGATION

NIGHT OF TERROR

Deputies did nothing as a woman was tortured – even as they heard screams coming from inside the house



The knife Tzvi Allswang held to the throat of his [REDACTED] on the floor of the closet where deputies shot Allswang in the head. PROVIDED BY PALM BEACH COUNTY STATE ATTORNEY'S OFFICE



Tzvi Allswang pleaded guilty on March 12 to multiple counts of sexual assault as well as attempted murder of his [REDACTED].

GREG LOVETT/THE PALM BEACH POST

INSIDE

Risks associated with health care, social services jobs make them some of the deadliest occupations. **20A**

Antigone Barton Palm Beach Post | USA TODAY NETWORK

Tzvi Allswang prepared for his home [REDACTED]'s upcoming visit with care to avoid problems that had stopped him the last time he had raped someone. • He had duct tape for [REDACTED] wrists. • He bought black plastic tablecloths to cover the front windows. • He scheduled the visit to ensure his family would not interrupt him. • He arranged to have 24 hours to do whatever he wanted to [REDACTED].

Still, the night of terror he had planned for July 1, 2022, could have ended when deputies found the [REDACTED] [REDACTED].

It did not end then, or even when they heard [REDACTED] scream.

Instead, Palm Beach County Sheriff's deputies ignored evidence for six hours that a missing [REDACTED] was in danger and left [REDACTED] to be tortured, raped and terrorized, a Palm Beach Post investigation has found.

Deputies who came to the house where the [REDACTED] was held captive failed to run routine checks that would have revealed Allswang's previous violent sexual assault conviction. They ignored pertinent facts shared by people who knew the [REDACTED]. They overlooked repeated clues that the [REDACTED] was inside the house against [REDACTED] will.

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A scorching warning: PBC has first May heat advisory

Feels-like temperature index soars up to 115 in West Palm

Kimberly Miller
Palm Beach Post
USA TODAY NETWORK

A wave of swampy misery triggered the first May heat advisory in at least two decades Saturday for Palm Beach County with heat index or "feels like" temperatures rocketing to 115 degrees in West Palm Beach.

With the swelter expected to continue Sunday, it's possible another heat advisory will be issued by the National Weather Service, whose forecasters said the days-long heat streak is unusual for this time of year.

Five record daytime high temperatures were recorded since May 12 at Palm Beach International Airport, including on Saturday when it reached 97 degrees. That toppled the previous record of 94 degrees set in 1922.

"In May, this is not a common occurrence," said Tony Reynes, a senior forecaster with the National Weather Service in Miami about the stretch of ab-

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Roderick Underwood cools off in the Centennial Fountain during an excessive heat warning in West Palm Beach on Aug. 8, 2023.

GREG LOVETT/THE PALM BEACH POST

**BUYING COINS, GOLD,
SILVER & JEWELRY**



EXHIBIT "A"

Terror

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When they heard [redacted] scream, they debated whether they had heard a cry for help, or a sound of pleasure from consensual sex.

By the time deputies got into the house in the morning, Allswang was holding a knife against [redacted] throat. He did not drop it until a deputy shot him.

Allswang survived the shooting. He remains in jail. In March, he pleaded guilty to attempted murder, kidnapping and five counts of sexual battery, each of which carry a potential penalty of life in prison. His sentencing is scheduled for June.

The [redacted] also survived and recounted everything Allswang did to [redacted]

Two years later, Palm Beach County sheriff's internal investigation remains open

The deputy's shooting of Allswang was justified, the Palm Beach County State Attorney's Office and the Florida Department of Law Enforcement had concluded by the spring of 2023.

Nearly two years after the deputies' decisions prolonged the [redacted] terror, however, the sheriff's office internal investigation remains open, in spite of state law requiring such investigations to close within six months if they are to lead to disciplinary action.

The lesson the night offered the department and its deputies have not led to any form of reprimand, discipline or training.

Citing the open investigation, PBSO leadership has declined to respond to The Post's questions about the deputies' decisions that night.

For mental health workers, home visits bring risks

Of 23,000 workplace assaults between 2011 and 2013, 75% happened to healthcare and mental health workers. In 2019 and again in 2022, U.S. congressional bills citing that data proposed that employers be required to put protocols in place to better protect workers paying home visits.

The [redacted] employer would tell deputies the [redacted] didn't usually go into the home unless other people were there.



The suburban Boca Raton home where Tzvi Allswang held his [redacted] captive after their session on July 1, 2022. Deputies arrived hours later to find [redacted]

[redacted] GREG LOVETT/THE PALM BEACH POST

[redacted] had told her [redacted] that a "weird dynamic" in the house worried her. Colleagues had warned [redacted] of the client's troubled history.

These facts told a story that the [redacted] would spend hours begging deputies to listen to.

The Post is not identifying the [redacted] because it doesn't identify victims of sexual assault.

Tzvi Allswang: A record of sexual violence

Tzvi Allswang's family fit in with the Orthodox Jewish community surrounding them in suburban Boca Raton. They lived in a spacious home on Larkspur Trail that Elliot, a financial adviser, and his wife, Margo, bought in 2000.

With their neighbors, they worshiped at a synagogue they could walk to. They faithfully observed their sabbath — *Shabbat* — from sundown every Friday until after dark Saturday night. They followed the biblical commandment to keep the Sabbath day holy, as a time of spiritual reflection, forgoing the use of technology. During *Shabbat*, they put aside their phones.

When Margo Allswang died in 2009, neighbors remembered her as a pillar of her faith. They hoped her memory would comfort her children: two older daughters as well as Tzvi, then 7 years old and his twin brother.

By the summer of 2022, the girls had left and started their own lives. Tzvi's twin worked as a camp counselor. Tzvi Allswang, tall and thickset, had grown into a dangerously disturbed young man.

At 17, he had repeatedly raped a classmate after wrangling an invitation to "hang out" at her home.



Tzvi Allswang duct-taped black disposable table coverings to the front door glass and front windows at his home on Larkspur Trail to ensure no one could see what he was doing inside the house. PROVIDED BY PALM BEACH COUNTY STATE ATTORNEY'S OFFICE

The classmate's account of that 2019 attack would turn out to be, in striking ways, similar to what happened to the [redacted].

Allswang pleaded guilty to lewd and lascivious battery and as a juvenile, was sentenced to probation.

Tzvi Allswang and his [redacted] would be alone

Allswang received psychotherapy at a practice where the owner also observed

ed Orthodox Jewish sabbath.

The practice assigned a new [redacted] [redacted] and help him develop job-seeking skills.

In the last week of June 2022, he was home alone, his brother at camp and his father and stepmother in New York. On Monday, he moved his home therapy appointment to Friday. On Wednesday he went to Party City. There, he bought seven black disposable tablecloths — enough to cover 300 square feet of eating surfaces.

With his father's and stepmother's cars parked out front, the [redacted] [redacted] wouldn't know she was going to be alone with Allswang. His family, his neighbors and his [redacted]'s boss would stop answering their phones at sunset. They would be observing *Shabbat*. He would not.

Tzvi Allswang tells [redacted]: 'You need to be a [redacted]

Allswang led the [redacted] to the den about 6:30 p.m.

He was unusually talkative. He also kept excusing himself to get water and to go to the bathroom.

He was still talking after the session ended. His questions became personal. He moved too close.

When [redacted] headed for the door, [redacted] saw what he had done when he excused himself.

He had taped sheets of black plastic tablecloths over the glass on the front door and windows.

Then Allswang tackled [redacted] from behind. He snatched [redacted] phone. He taped [redacted] hands behind [redacted] back in a praying position.

"You need to be a good girl," he said.

He put [redacted] phone in airplane mode, wrapped it in foil and threw it in a drawer.

People would come looking for [redacted] she said.

He demanded the passcode to [redacted] phone so he could text them. When she didn't give it to him, he began to beat [redacted]

[redacted]'s partner starts getting strange texts

The [redacted] had been trying to reach [redacted] for two hours when [redacted] got the first strange text message after 9 p.m.

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Health care and social services among the deadliest occupations

Antigone Barton
Palm Beach Post
USA TODAY NETWORK

The horror a South Florida [REDACTED] endured for the 2022 night her client held her captive was just one of scores of deadly threats faced yearly by home health and social workers across the nation.

That year also, visiting nurse Douglas Brant was shot to death by his patient's grandson while providing care in their Spokane, Washington, home. The following year, visiting nurse Joyce Grayson was found strangled in the basement of a Willimantic, Connecticut, halfway house for sexual offenders where she had come to administer medicine.

The [REDACTED] trapped in client Tzvi Allswang's suburban Boca Raton home survived her ordeal, but was sexually tortured by the convicted rapist for hours, while deputies ignored the dan-

ger she was in. Allswang has since pleaded guilty to all charges against him in connection with the 2022 attack, including attempted murder.

The risks these health and social service providers faced are part of a larger pattern that has made work in facilities as well as in the field among the most dangerous of all occupations.

Violence to workers underreported

Out of 23,000 workplace assaults between 2011 and 2013, 75% occurred in health and social service settings, OSHA – the U.S. Occupational Safety and Health Administration – found. A 2016 American Federation of Government employees survey found that rate is likely an underestimate, with high numbers of assaults going unreported.

Health and social service workers providing services were five times as likely to suffer a serious workplace-vio-

lence injury than workers in other sectors, the Bureau of Labor Statistics found in 2018.

The threats to those workers, however, while inherent and apparent, have gone unaddressed by both employers and policymakers, according to professional organizations that are pushing once again this year for requirements that could improve health and social-service worker safety.

The Workplace Violence Prevention for Health Care and Social Service Workers Act, introduced in April 2023, would require employers in health care and social-service fields to assess threats to their workers and develop vi-

olence-prevention plans. Such plans could include protocols in some cases that would keep workers from going to homes unaccompanied.

U.S. Rep. Joe Courtney of Connecticut, who introduced similar legislation that did not pass during the last congressional session, cited the murder of Grayson, whose district he serves, as he introduced a new version of the bill.

The safety of workers who care for people in their homes crosses political lines, he said.

"We rely on them," he said. "It's time for us to care for them. It's time for us to listen to them."

Terror

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She raised the hanger between the blade and her neck.

He forced it down.

She edged her thumbs against the blade.

That's how deputies found her when they opened the closet door.

Palm Beach County sheriff's sergeant: It was like 'a horror movie'

A deputy with SWAT experience took over.

Haugh, directly behind that deputy, found himself staring at the man he had shown no interest in learning anything about throughout the night.

What he saw shook him.

"Completely emotionless," he said later. "Honestly straight out of a f---ing movie. A horror movie."

The SWAT deputy ordered Allswang to drop the knife. He told him: "You don't have to do this."

He talked to him for almost a minute. Holding the [REDACTED] as a shield, All-

swang kept the knife poised to cut her throat.

His size advantage had allowed him to control the [REDACTED] all night.

Now, the height difference gave the deputy a clear shot at his head.

Allswang fell to the floor when the bullet struck him.

The [REDACTED] ran.

Afterward: 'Microscopic slant' of bullet's path allowed Tzvi Allswang to live

"In the end, it was Allswang who made the decision to force the Sergeant to shoot him," a State Attorney's Office report on the shooting concluded.

"The result of a microscopic slant of the bullet's trajectory was the odd quirk of fate that made the difference between a relatively minor, survivable gunshot wound and the death Allswang obviously preferred."

A deputy led the [REDACTED] from the house. A paramedic pressed a towel to Allswang's wound. Handcuffed to a gurney, complaining of pain, Allswang was loaded into an ambulance that sped to Delray Medical Center.

A paramedic gave the [REDACTED] a phone to call her partner and took her to

another hospital.

Outside, law enforcement, fire rescue flood the street

The street that had been silent all night was now jammed with sheriff's deputies and rescue responders' vehicles. Abus was used as a command center where investigators began to gather information on the events and decisions leading to the shooting.

Investigators took statements from Haugh, Parent and Udell, and would take statements from Satterfield and Marseille, when their shifts began again.

Finally, a sheriff's investigator listened to the [REDACTED] partner.

On a recording of their conversation, her voice is steady. She answers questions clearly and concisely. She recounts the chronology of the night, the strange messages, her many calls to her partner and her partner's employer and her efforts through the early morning hours to persuade sheriff's responders to rescue the woman inside the house.

The partner's voice begins to break only after she says that the [REDACTED] had just told her she heard her urge the deputies to act.



Tzvi Allswang's mug shot. He had been shot in the head by a PBSO deputy as he held a knife to his [REDACTED]'s throat.

PROVIDED BY PALM BEACH COUNTY SHERIFF'S OFFICE

"I just don't understand how this could be the correct way to handle the situation," the partner tells the investigator, "to have deputies telling us we should go for breakfast and brunch while this is happening, and chit-chatting with the neighbors who were outside drinking their coffee, watching us have mental breakdowns on the road, because no one is doing anything."

The investigator reassures her: "We are looking into how the call was handled."

Antigone Barton is a reporter with The Palm Beach Post. You can reach her at avbarton@pbpost.com. Help support our work: [Subscribe today](#).