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## **IMMUNITY - UTAH**

### [Scott v. Utah County](#)

**Supreme Court of Utah - August 5, 2015 - P.3d - 2015 WL 4642962 - 2015 UT 64**

Victim of violent sexual assault by prisoner who had escaped from private business's work site brought negligence action, for improper screening and placing participants in county's work-release program, against county, placement company, and private business. The District Court granted county, placement company, and private business's motion to dismiss. Victim appealed.

The Supreme Court of Utah held that:

- To impose a duty to protect others from one in the custody of another, the "others" likely to be harmed need not be identifiable, overruling *Higgins v. Salt Lake County*, 855 P.2d 231, *Rollins v. Petersen*, 813 P.2d 1156, and *Ferree v. State*, 784 P.2d 149;
- A custodian of a dangerous individual has a duty to prevent that individual from harming members of the public;
- County owed duty to victim; but
- Victim's negligence claim was barred by the Governmental Immunity Act.