



TEXAS
JUVENILE  JUSTICE
DEPARTMENT

OFFICE OF INSPECTOR GENERAL



Annual Report FY 17

September 1, 2016 thru August 31, 2017



TEXAS JUVENILE JUSTICE DEPARTMENT

Office of Inspector General

Forrest A. Mitchell
Chief Inspector General

EXECUTIVE SUMMARY FISCAL YEAR 2017

The Office of Inspector General (OIG) was initially created in 2007 during the 80th Legislative Session to provide the primary law enforcement functions for the Texas Youth Commission (TYC). In 2011, following the 82nd Legislative Session, TYC and the Texas Juvenile Probation Commission (TJPC) were abolished, and the Texas Juvenile Justice Department (TJJD) was created. The OIG was established within TJJD for the purpose of investigating: (1) crimes committed by department employees, including parole officers employed by or under contract with the department; (2) crimes committed at a facility operated by the department or at a residential facility operated by another entity under contract with the department; and (3) crimes committed at any facility in which a child committed to the custody of TJJD is housed or receives medical or mental health treatment.

The OIG also operates a Legislative mandated "investigation hotline", which is now referred to as the Incident Reporting Center (IRC). Information received by the IRC is assigned or referred by the OIG for corrective action review, resolution, and/or investigation. During FY 2017, there were some organizational changes within the OIG. In December 2016, Chief Roland Luna accepted a new employment opportunity at the Office of the Inspector General for the Health and Human Services Commission. On December 12, 2016, Commander Xavier Casares was appointed as Interim Chief during the search process for a Chief Inspector General. After the March TJJD Regular Board Meeting, Major Forrest Mitchell of the Criminal Investigations Division of the Office of the Attorney General (OAG) was appointed by the board. Chief Mitchell transferred from the OAG and started on April 17, 2017.

During FY17, the IRC documented 12,496 calls, emails, and other communications (mail, fax, etc.) in the IRC database, which were assigned or referred as follows: 2,281 were assigned to OIG Criminal Investigations, 717 were referred to TJJD Administrative Investigations, 4,463 were referred to TJJD Youth Rights, 2,383 were referred to TJJD Probation, and 2,375 were closed requiring no further action. Some of these IRC call reports may include reports which do not involve TJJD facilities or interests, reports that have been forwarded to TJJD Human Resources, and duplicate reports.

During FY17, the OIG opened 2,319 Criminal investigations and closed 1,882, and OIG criminal investigations resulted in the following: 23 individuals were arrested, 53 cases were indicted, 74 cases had convictions, 61 cases were adjudicated, 243 cases were submitted to prosecution, 105 cases were accepted by prosecution, 24 cases were declined by prosecution, 111 cases resulted in being unfounded, and 487 cases were closed as not sustained. It should be noted that a closed criminal case can have multiple dispositions, such as arrest, indictment, and/or conviction. Additionally, OIG Apprehension

Specialists and Criminal Investigator Sergeants were involved in the execution of 24 TJJJ Directives to Apprehend.

During FY17, an investigation conducted by the OIG resulted in the arrest, indictment, prosecution and conviction of Samuel Wright in Cooke County. Wright had been employed as a Juvenile Correctional Officer (JCO) at the Gainesville State School until he was arrested on multiple counts of Sexual Assault and Sexual Activity with a Person in Custody. On July 5, 2017, Wright pled guilty to improper sexual activity with a person in custody and sexual assault, and was sentenced to ten (10) years in the Institutional Division of the Texas Department of Criminal Justice.

Also in FY 17, a youth temporarily escaped from the Gainesville State School in Cooke County. The incident occurred in the overnight hours of July 21, 2017 when the youth was able to exit his dorm through a room window, and then escaped through a hole in the perimeter fence. Working with State Programs staff, OIG investigators responded to the facility to assist in the effort to locate the missing youth. At the same time, OIG investigators from across the state mobilized in order to respond to the facility to assist in the search. On July 22, 2017, OIG staff located and captured the youth still in Cooke County. He was subsequently booked into the county jail on a felony Escape charge. The case is currently pending prosecution.

During FY17, a total of 49 cases for Assault on Public Servant were sustained for prosecution. One example of these prosecutions included a 17 year old youth that assaulted both a teacher and a Juvenile Correctional Officer at Giddings State School in Lee County. The assault on the Juvenile Correctional Officer required medical treatment. The case was investigated by OIG, and the 17 year old youth was charged and prosecuted with the assistance of the Special Prosecution Unit. The youth was sentenced to four (4) years in the Institutional Division of the Texas Department of Criminal Justice.

The OIG is required to report to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, the standing committees of the Senate and House of Representatives with primary jurisdiction of correctional facilities, the State Auditor, the Comptroller, the TJJJ Board, the TJJJ Executive Director, and on TJJJ's internet website. This report, in addition to all previous OIG quarterly and annual reports, can be viewed online at the TJJJ Internet website: <http://www.tjjd.texas.gov>

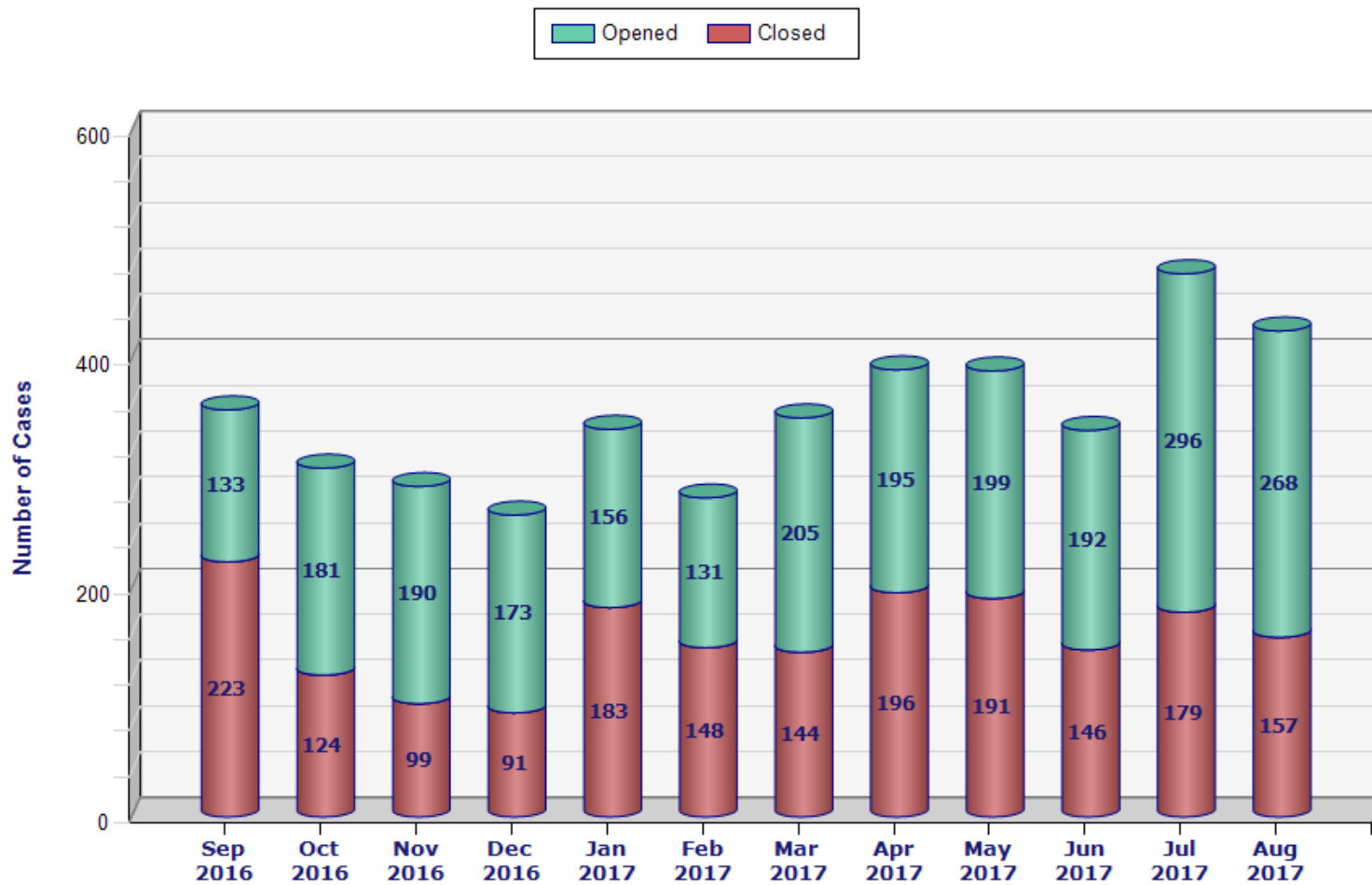
Total Reports by Month

Month	Total Reports
Sep 2016	1030
Oct 2016	1101
Nov 2016	1038
Dec 2016	1016
Jan 2017	961
Feb 2017	889
Mar 2017	1034
Apr 2017	1041
May 2017	1187
Jun 2017	1037
Jul 2017	1142
Aug 2017	1020
Total	12496

Total Reports By Status

	Closed	Referred to OIG Administrative	Referred to OIG Criminal	Referred to Probation	Referred to Youth Rights	Referred to Youth Services	Totals
Sep 2016	252	94	132	193	359		1030
Oct 2016	269	85	181	147	412	7	1101
Nov 2016	209	49	205	163	384	28	1038
Dec 2016	206	69	161	227	322	31	1016
Jan 2017	172	71	154	183	357	24	961
Feb 2017	194	62	131	146	337	19	889
Mar 2017	199	60	215	185	352	23	1034
Apr 2017	200	42	200	241	346	12	1041
May 2017	250	42	196	294	368	37	1187
Jun 2017	156	47	194	231	379	30	1037
Jul 2017	146	42	253	207	460	34	1142
Aug 2017	122	54	259	166	387	32	1020
Total	2375	717	2281	2383	4463	277	12496

Total Cases Opened and Closed 9/1/2016 thru 8/31/2017



Total Cases by Category
Date Opened Between 9/1/2016 and 8/31/2017

Category	Total Reports
Abscond	54
Assault-Offender/Offender	89
Assault-Offender/Staff	736
Assault-Staff/Offender	4
Contraband	166
Destruction of State Property	15
Directive	103
Escape	9
Grievance	4
Inappropriate Relationship-Offender/Offender	7
Inappropriate Relationship-Staff/Offender	3
Information Only	51
Staff Misconduct	460
Staff Misconduct / Internal Affairs	2
Terroristic Threat	136
Use Of Force	215
Waste, Fraud, & Abuse	5
Youth Misconduct	260
Total	2319

Suspect Prosecution Dispositions by Facility

	Submitted to Prosecution	Declined by Prosecution	Accepted by Prosecution	Indicted	Arrested	Dismissed	Acquitted	Convicted	Adjudicated	No Billed	Taken Into Consideration (TIC)	Petition
EVINS REG JUV CNTR	40	9	26	9	5		1	15	13		8	3
GAINESVILLE	45	10			1			8	1		11	2
GIDDINGS	50	2	30	20	3	1		21	11	1	16	8
MCFA DDEN	1											
MCLENNAN II	22	2	15	7	5	1		4	5	5	2	2
MCLENNAN PHOENIX	6		4	2	1			1			7	
MCLENNAN RTC	10		7	2	2	2		3	1		2	2
RJ YOUNG MALE PRGM									3			1
RON JACKSON I & II	60	1	20	11	4			21	23	2	31	9
RON JACKSON O & A	6		1	1					4		5	2
THE OAKS	3		2	1	2			1				
THE OAKS	243	24	105	53	23	4	1	74	61	8	82	29

Total Cases Closed By Penal Code & Disposition

	Cleared by Exception	Closed- Accepted by Prosecution	Closed-Not Sustained	Sustained for Prosecution	Unfounded
Assault	39		9	2	
Assault On A Public Servant	137	16	100	49	2
Contraband (Except Drg/Weapon)			1		
Contraband In a Correctional Facility	34	1	71	4	5
Criminal Mischief	11			2	
Escape				1	
Escape/Attempt Escape (Es/Ae)			3	1	
Fail To Identify				1	
False Report To Police Officer/Law Enforce Empl					
Harassment By Persons In A Secure Correctional Facility	27	7	22	19	
Harrassment			1		
Indecency With A Child	13	1	87	1	20
Indecent Exposure	4		3		1
Obstruction or Retaliation	13	1	26	3	1
Official Oppression	5		123	7	61
Prohibited Substances Corr Facil			1		
Sexual Assault			6		4
Tamper W/Government Record					2
Terroristic Threat	11		14		6
Theft	2		2		1
Threatening U.S. President			2		
Viol Civil Rights Person In Custody			16	4	8
Total	296	26	487	94	111