TEXAS YOUTH COMMISSION

OFFICE OF INSPECTOR GENERAL

1\textsuperscript{ST} QUARTER REPORT
FY – 08

(September 1, 2007 to November 30, 2007)
Introduction

The Office of Inspector General (OIG) was officially created by Senate Bill 103, and House Bill 914, as an independent law enforcement division of the Texas Youth Commission (TYC). Both bills were signed into law in June 2007. OIG was established for the purpose of investigating: (1) Crimes committed by commission employees, including parole officers employed by or under contract with the commission; and (2) Crimes committed at a facility operated by the commission or at a residential facility operated by another entity under contract with the commission.

OIG was also tasked with the operation of the Incident Reporting Center (IRC), which operates the SB 103, mandated hotline. The hotline was established on March 6, 2007, as part of the task force initiative as a means for youth, family, staff, and other to report violations and crimes that occur in relation to TYC. The IRC hotline is answered 24 hours a day, 7 days a week.

Once a call is received, a determination is made in reference to it being criminal, administrative, youth rights issues or youth care issues. The complaint is then forwarded to the appropriate division for review and/or investigation.

Both bills require the submission of quarterly reports to the following:

1) The Executive Commissioner;
2) The Advisory Board;
3) The Governor;
4) The Lieutenant Governor;
5) The Speaker of the House of Representatives;
6) The standing committees of the Senate and House of Representatives with primary jurisdiction over correctional facilities;
7) The State Auditor;
8) The Comptroller; and on
9) The Commission’s Internet Website.
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This report is also available at:

http://www.tyc.state.tx.us/oig/reports/oig_FY08_Qtr1.html
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- Civil Rights Violation
- Trust Fund

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Total Investigations

- Al Pine
- Carthage
- Crosscut
- Elmo
- Gainesville
- Grievings
- Heflin County
- Heflin County
- Ron Jackson
- Sheffield
- Victory Field
- West Texas
- Other
- Unknown
Total Reports by Half-Way House

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- Offender/Offender
- Staff/Offender

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- Beto
- Cottrell
- McFadden
- Schaeffer
- Tamayo
- Tuman
- Willoughby
- York

Total Investigations

Staff Misconduct / Waste, Fraud and Abuse

- Staff Misconduct
- Waste/Fraud/Abuse

Chart 5

- Ayer
- Beto
- Cottrell
- McFadden
- Schaeffer
- Tamayo
- Tuman
- Willoughby
- York

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**OIG Case Opening by Type and Month**

<table>
<thead>
<tr>
<th>Case Type</th>
<th>September</th>
<th>October</th>
<th>November</th>
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<td>Assault - Offender / Offender</td>
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<td><strong>Totals Cases Assigned by Month</strong></td>
<td>104</td>
<td>114</td>
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**Total Number of Cases Assigned During 1st Quarter FY 08**

| Total Number of Cases Assigned During 1st Quarter FY 08 | 303 |
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OIG Investigative Conclusions

Persons Arrested

Employee – Ron Jackson

Prohibited Substance in a Correctional Facility
Arrested 06/07/07
Set for pre-trial on 12/17/07

Employee – Ron Jackson

(3) counts Indecency with a Child
(4) counts Improper Sexual Activity with Person In Custody
(4) counts Official Oppression
Violate Civil Rights of Person in Custody
Arrested 08/03/07
Pre-trial date set for 12/17/2007; trial date will be set at that time

Employee – Ron Jackson II

Tampering with Government Record
Official Oppression
Aggravated Assault with Serious Bodily Injury
Arrested 03/15/07
Arrested 04/12/07 for additional charge of Tampering with a Witness
Indicted by Brown County for Tampering with a Witness, Aggravated Assault SBI and Tampering with a Governmental Record.
Case set for trial on 10/04/07
Case reset for trial 01/14/08

Employee – Al Price State Juvenile Correctional Facility

Official Oppression
Arrested 03/14/07
Case set for trial on 10/08/07.
Defendant pled guilty on 10/08/07 and was sentenced to 1 year deferred adjudication, a $200.00 fine and 80 hours of community service.

Student – Corsicana Residential Treatment Center

Criminal Mischief over $1,500 under $20,000
Arrested 07/09/07
Youth has been indicted; District Attorney is handling this case.
Youth was subsequently charged with Assault on a Public Servant (APS) for an offense on 09/24/07.
11/02/2007, Criminal Mischief charge disposed of when defendant plead guilty to the charge of Assault Public Servant. Youth was sentenced to three years TDCJ.

Student – Corsicana Residential Treatment Center

Assault on a Public Servant
Arrested 10/17/07

Employee – Gainesville State School

Violation of Civil Rights (Sexual Contact with a Youth)
Arrested 09/28/07

Student – Al Price State Juvenile Correctional Facility

Assault (Class A)
Arrested 11/13/07
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Student – Evins Regional Juvenile Center

Possession of a Prohibited Substance in a Juvenile Correctional Facility
Arrested 11/15/07

Student – Gainesville State School

Prohibited Substance in a Juvenile Correctional Facility, third-degree felony
Arrested 7/13/07
11/19/07 sentenced to three years in TDCJ

Persons Awaiting Grand Jury Presentation

Employee – Gainesville State School

Tampering with Government Documents
Offense date 04/27/07
Filed as a misdemeanor
Accepted by SPU 10/15/07

Employee – Gainesville State School

Tampering with Government Documents
Offense date 04/20/07
Filed as a misdemeanor
Accepted by SPU 10/15/07

Student – John Shero

Sexual Assault
Accepted by SPU 10/29/07

Student – Corsicana Residential Treatment Center

Sexual Assault
Accepted by SPU 11/26/07
Presented to Grand Jury on 11/29/07
No Billed
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Persons Indicted

Employee – Ron Jackson
- Sexual Assault of a Child (15 counts)
  Offense dates 10-01-03 through 05-18-04
  Pretrial 02/25/2008, trial date 03/10/2008

Student – Marlin Orientation and Assessment Unit
- Indecency with a Child
  Offense date 06/05/07
  Indicted on 08/27/07 for three counts of Indecency with a Child
  11/20/07 set for status hearing on 12/13/07

Employee – Corsicana Residential Treatment Center
- Injury to a Child
  Offense date 04/20/07
  08/23/2007 Presented to Prosecutor and Accepted; however, the charge was changed to Aggravated Assault.
  Presented to the Grand Jury 11/29/07
  No Billed (Aggravated Assaulted)
  True Billed (Official Oppression)

Employee - Corsicana Residential Treatment Center
- Injury to a Child
  Offense date 04/20/07
  08/23/2007 Presented to Prosecutor and Accepted; however, the charge was changed to Aggravated Assault.
  11/29/2007 Presented to Grand Jury
  No Billed (Aggravated Assault)
  True Billed (Official Oppression)

Employee – Gainesville State School
- Improper Sexual Activity with Person in Custody
  Offense date 01/28/07
  Indicted 03/2007
  Disposition 11/19/07. Defendant plead guilty and was sentenced to 3 years probation and a $1,000.00 fine.

Employee – Garza County
- Violation of Civil Rights of Person in Custody
- Improper Sexual Activity with Person in Custody
  Offense date 03/22/05
  Indicted 11/27/07

Employee – Gainesville State School
- Sexual Assault
  Offense date 12/17/06
  Indicted 02/09/07
  Disposition 11/19/07. Defendant plead guilty to the lesser charge of Assault and was sentenced to two (2) years probation and a $500.00 fine.
Section 7

Cases Presented to the Grand Jury – No Billed

Student – Corsicana Residential Treatment Center

- Sexual Assault
  - Offense date 03/19/07
  - Accepted 10/24/07
  - Presented to Grand Jury 11/29/07
  - No billed

Student – Corsicana Residential Treatment Center

- Assault on Public Servant
  - Offense date 06/04/07
  - Accepted 11/28/07
  - Presented to Grand Jury 11/29/07
  - No billed

Student – Corsicana Residential Treatment Center

- Sexual Assault
  - Assault (Class)
  - Offense date 06/26/05
  - Declined Assault (Misdemeanor)
  - Accepted 10/24/07 (Sexual Assault)
  - Presented to Grand Jury 11/29/07
  - No billed

Employee – Corsicana Residential Treatment Center

- Aggravated Assault
  - Accepted 10/15/07
  - Presented to Grand Jury 11/29/07
  - No billed

Employee – Corsicana Residential Treatment Center

- Aggravated Assault
  - Accepted 10/15/07
  - Presented to Grand Jury 11/29/07
  - No billed

Employee – Corsicana Residential Treatment Center

- Sexual Assault
  - Offense occurred in 2006
  - Accepted 10/19/07
  - Presented to Grand Jury
  - No billed 11/29/07

Employee – Corsicana Residential Treatment Center

- Sexual Assault
  - Offense occurred in 2006
  - Accepted 11/26/07
  - Presented to Grand Jury 11/29/07
  - No billed

Employee - Cottrell House

- Violation of Civil Rights of Person in Custody
  - Declined 10/09/07 (County has chosen to prosecute halfway houses)
  - Presented to Grand Jury 11/16/07
  - No Billed
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Employee – Evins Regional Juvenile Center

Violation of Civil Rights of Person in Custody
Accepted 10/01/07
Presented to Grand Jury 10/31/07
No billed

Employee – Evins Regional Juvenile Center

Official Oppression
Offense date 05/02/07
Presented to Grand Jury 10/31/07
No Billed

Employee – Evins Regional Juvenile Center

Violation of Civil Rights of Person in Custody
Offense date 06/07/06
Presented to Grand Jury 12/05/07
No Billed

Cases Presented to SPU for Prosecution – Declined or Pending

Employee – Ron Jackson

Violation of Civil Rights
Declined 10/22/07 (Did not qualify as a criminal offense)

Employee – Gainesville State School

Violate Civil Rights Person in Custody
Offense date 03/01/06
09/25/07, case re-assigned to TYC OIG investigator and sent back for further investigation

Employee – Gainesville State School

Official Oppression
Rejected 11/05/07 (Insufficient investigation)

Student – Gainesville State School

Assault (Class C) Offense Touching
Rejected 11/05/07 (Insufficient investigation)

Employee – Gainesville State School

Official Oppression
Accepted 11/05/07

Student – Gainesville State School

Attempted Sexual Assault
Accepted 11/05/07

Employee – Gainesville State School

Sexual Assault
Declined 11/07/07 (Student recanted)

Employee – Gainesville State School

Sexual Assault
Declined 11/07/07 (Student recanted)
Employee – Gainesville State School

Official Oppression
Accepted 11/05/07

Student – Gainesville State School

Terroristic Threat
Declined 11/13/07

Employee – John Shero

Official Oppression
Accepted 10/23/07

Student – John Shero

Assault on a Public Servant
Accepted 10/23/07

Employee – Gainesville State School

Indecency with Child
Declined 11/28/07

Employee – Gainesville State School

Aggravated Assault
Official Oppression
Declined 11/28/07 (Aggravated Assault)
Accepted 11/28/07 (Official Oppression)

Student – Marlin

Indecent Exposure
Indecency with a Child
Declined 10/05/07 (No identifiable complainant)

Student – Corsicana Residential Treatment Center

Sexual Assault
Accepted 11/29/07

Student – John Shero

Assault on a Public Servant
Accepted 10/15/07

Student – John Shero

Assault on a Public Servant
Accepted 10/15/07

Student – West Texas

Assault on a Public Servant
Declined 11/05/07 (Ward County Attorney previously dismissed)

Student – West Texas

Assault on a Public Servant
Declined 11/05/07 (Ward County Attorney previously dismissed)
Section 7

Student – West Texas

Assault on a Public Servant
Declined 11/14/07 (Affidavit of Non-Prosecution)

Student – West Texas

Assault on a Public Servant
Declined 11/14/07 (Affidavit of Non-Prosecution)

Student – West Texas

Assault on a Public Servant
Accepted 11/14/07