

# TEXAS YOUTH COMMISSION

## OFFICE OF INSPECTOR GENERAL



## 1<sup>ST</sup> 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.

# TABLE OF CONTENTS

*Total Reports by Month* ..... *Section 1*

Total Reports.....	Chart 1
Source Reports.....	Chart 2
Information Only.....	Chart 3

*Total Reports by Secure Facility*..... *Section 2*

Total Reports.....	Chart 1
Information Only.....	Chart 2
Assault.....	Chart 3
Sexual Misconduct.....	Chart 4.
Inappropriate Relationship.....	Chart 5
Use of Force: OC Spray.....	Chart 6
Staff Misconduct / Waste, Fraud and Abuse.....	Chart 7
Contraband.....	Chart 8
Escape / Terroristic Threat / Riot.....	Chart 9
Civil Rights Violations / Trust Funds.....	Chart 10
Attempted Suicide.....	Chart 11

*Total Reports by Half-Way House*... ..... *Section 3*

Total Reports.....	Chart 1
Information Only.....	Chart 2
Assault.....	Chart 3
Sexual Misconduct.....	Chart 4
Staff Misconduct / Waste, Fraud and Abuse.....	Chart 5
Contraband.....	Chart 6
Inappropriate Relationship.....	Chart 7
Use of Force: OC Spray.....	Chart 8
Escape / Terroristic Threat / Riot.....	Chart 9
Civil Rights Violations / Trust Funds.....	Chart 10
Attempted Suicide.....	Chart 11

*Total Reports by Contract Facility*..... *Section 4*

Total Reports.....	Chart 1
Information Only.....	Chart 2
Assault.....	Chart 3
Sexual Misconduct.....	Chart 4
Staff Misconduct / Waste, Fraud and Abuse.....	Chart 5
Contraband.....	Chart 6
Escape / Terroristic Threat / Riot.....	Chart 7
Civil Rights Violations / Trust Funds.....	Chart 8
Inappropriate Relationship.....	Chart 9
Use of Force: OC Spray.....	Chart 10
Attempted Suicide.....	Chart 11

*OIG Investigative Rate per 100 Daily Populations for Secure Facilities ..... Section 5*

<i>Information Only.....</i>	<i>Chart 1</i>
<i>Assault.....</i>	<i>Chart 2</i>
<i>Sexual Misconduct.....</i>	<i>Chart 3</i>
<i>Inappropriate Relationship.....</i>	<i>Chart 4</i>
<i>Use of Force: OC Spray.....</i>	<i>Chart 5</i>
<i>Staff Misconduct / Waste, Fraud and Abuse.....</i>	<i>Chart 6</i>
<i>Contraband.....</i>	<i>Chart 7</i>
<i>Escape / Terroristic Threat / Riot.....</i>	<i>Chart 8</i>
<i>Civil Rights Violations / Trust Funds.....</i>	<i>Chart 9</i>
<i>Attempted Suicide.....</i>	<i>Chart 10</i>

*OIG Case Opening by Type and Month..... Section 6*

*OIG Investigative Conclusions ..... Section 7*

**This report is also available at:**

[http://www.tyc.state.tx.us/oig/reports/oig\\_FY08\\_Qtr1.html](http://www.tyc.state.tx.us/oig/reports/oig_FY08_Qtr1.html)

Section 1

*Total Reports by Month*

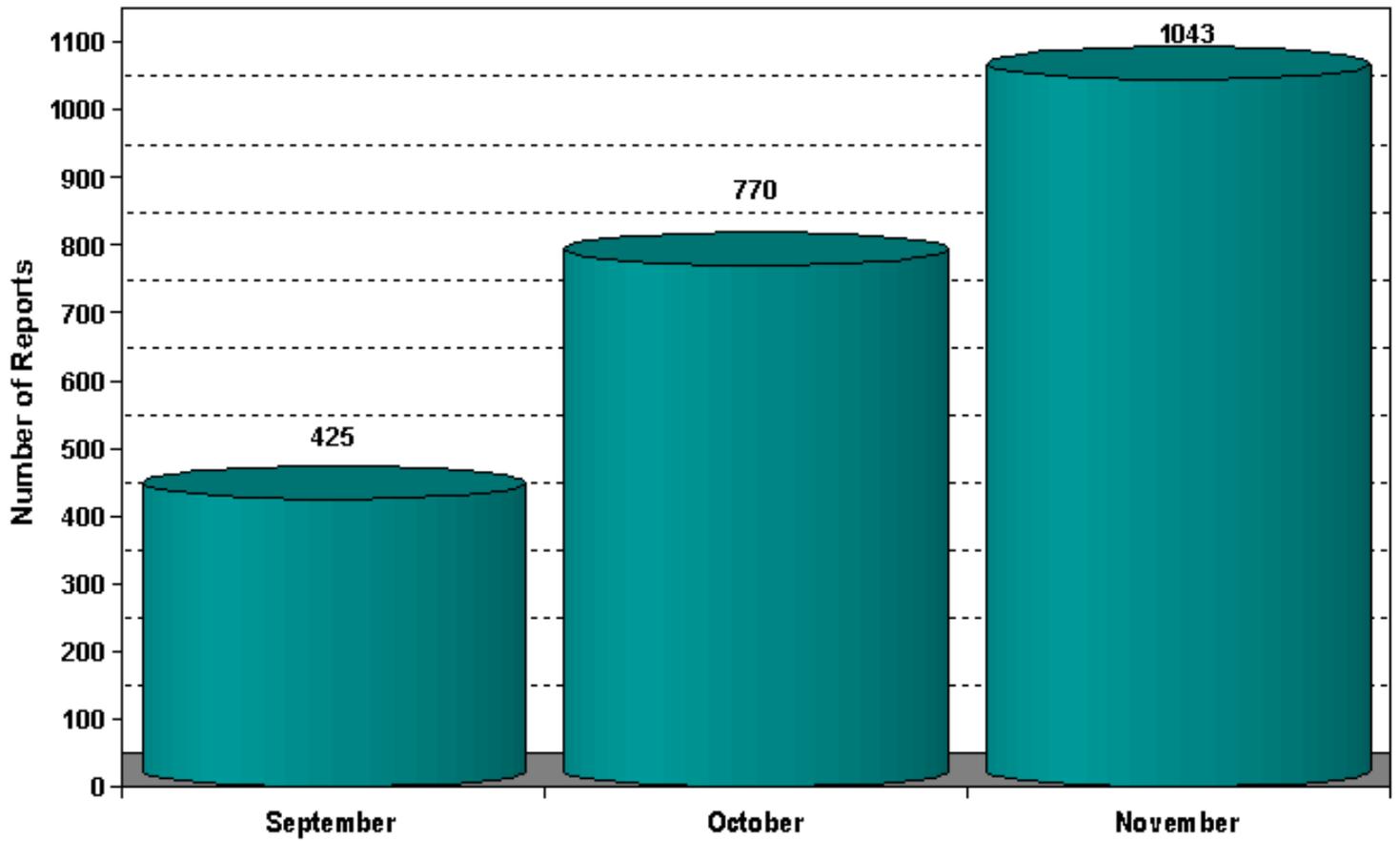


Chart 1

Section 1

*Source Reports by Month*

September October November

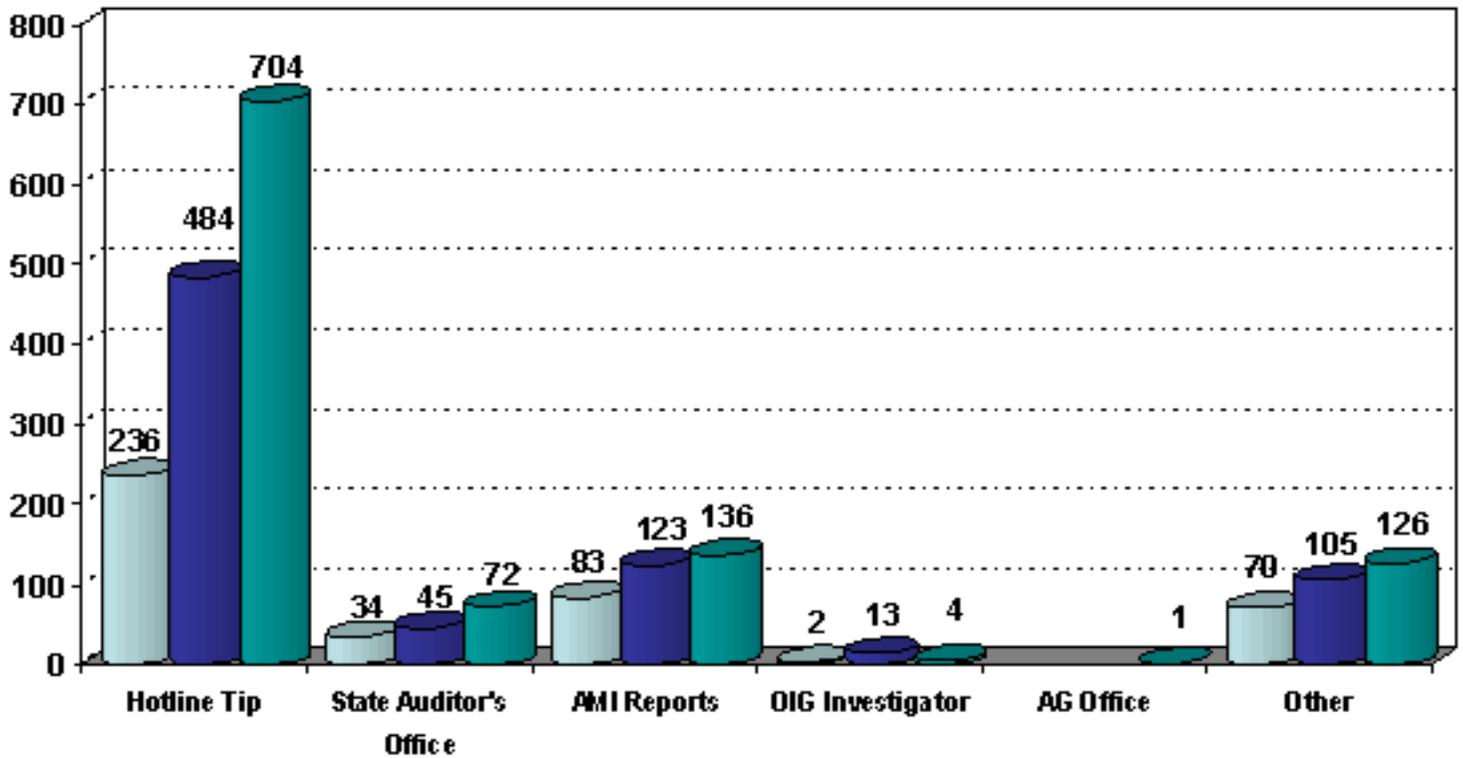


Chart 2

*Information Only*

September-07 October-07 November-07

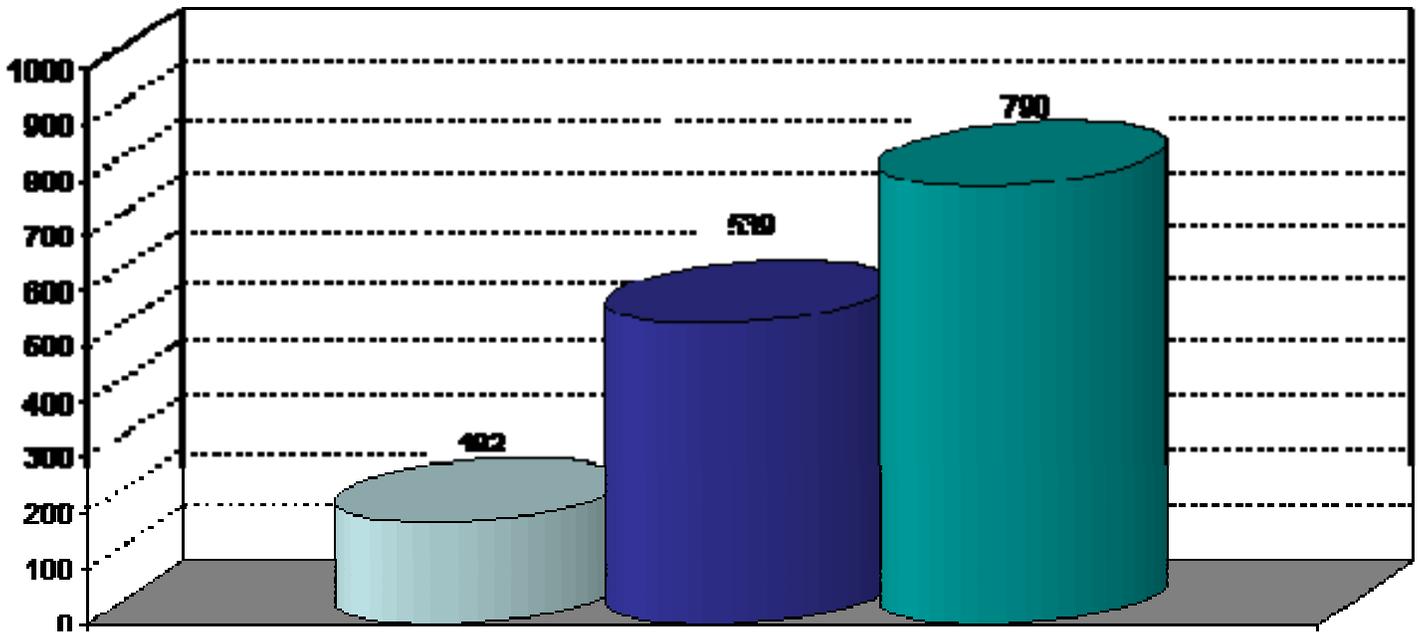


Chart 3

Section 2

*Total Reports by Secure Facility*

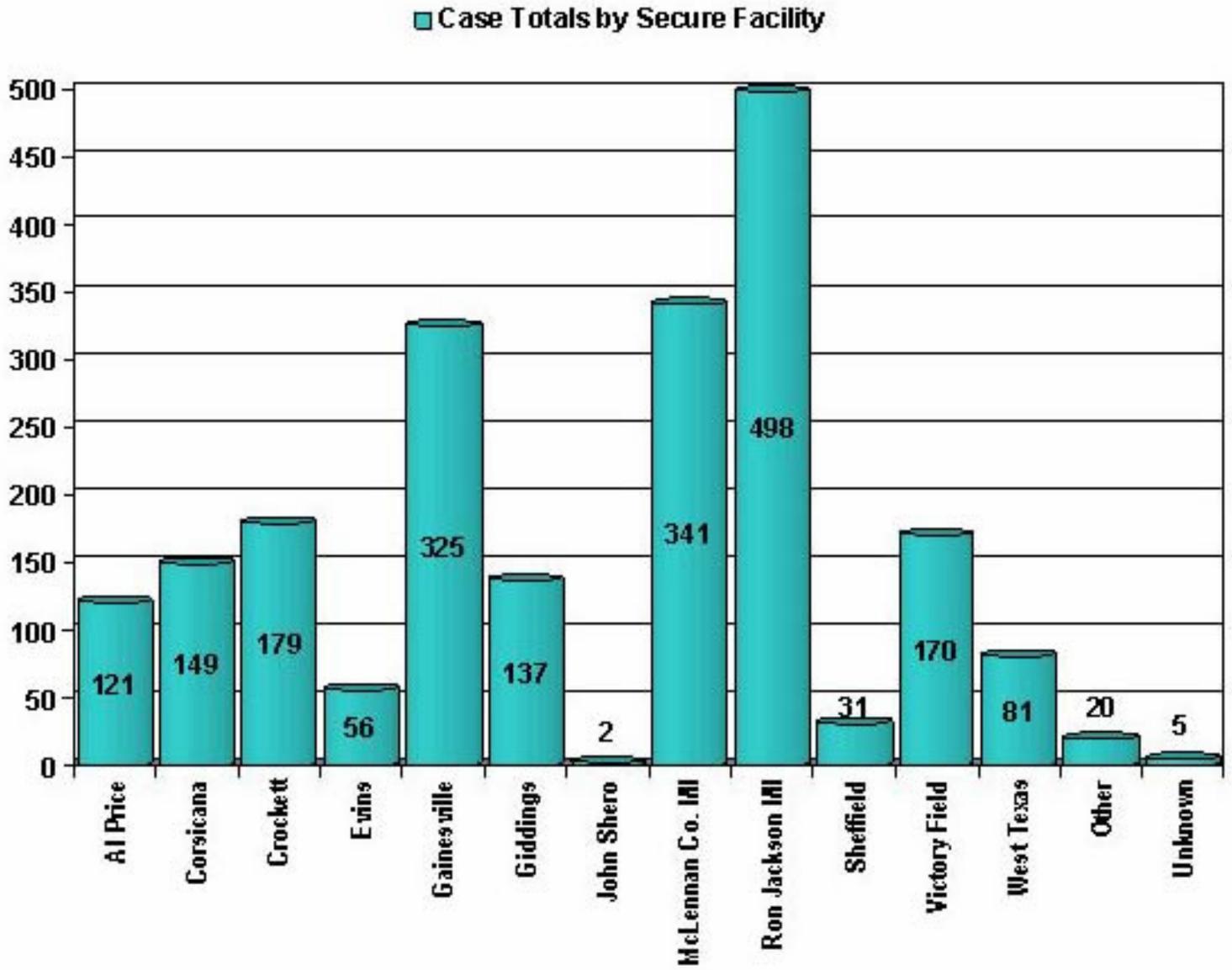


Chart 1

## Section 1

### Information Only

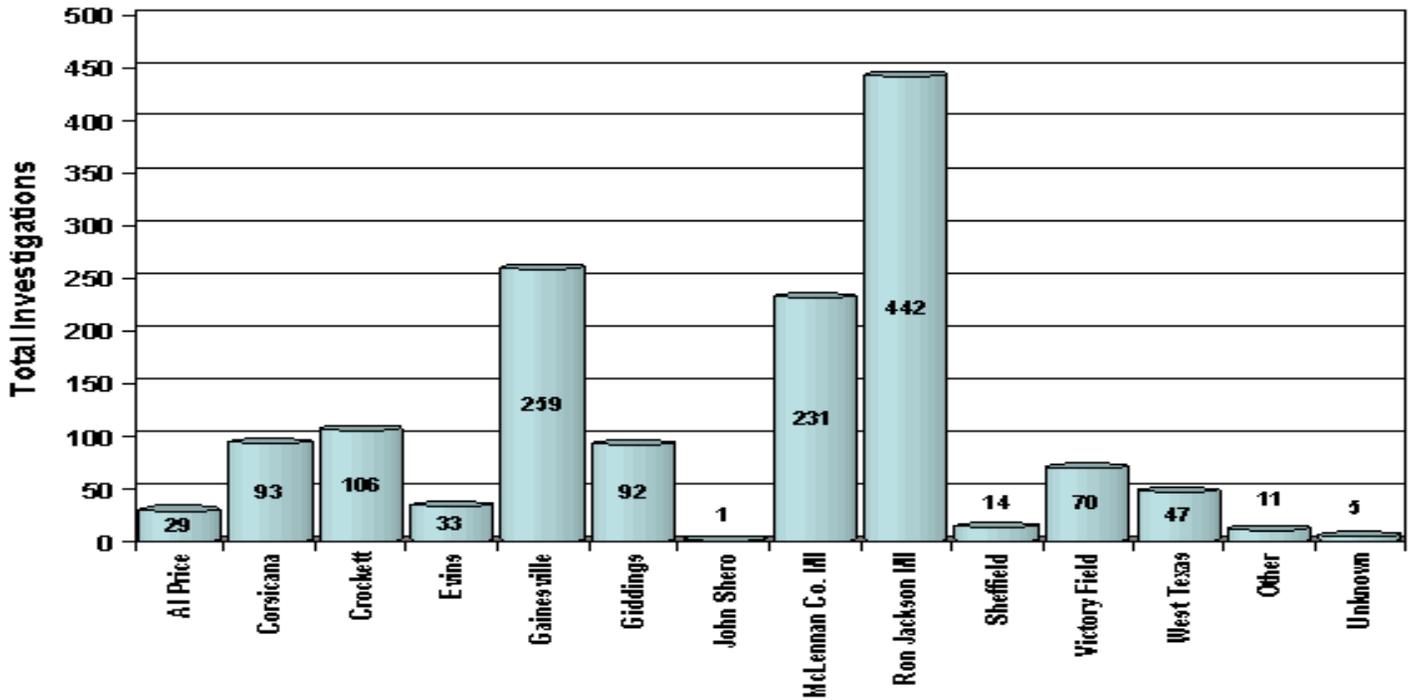


Chart 2

### Assault

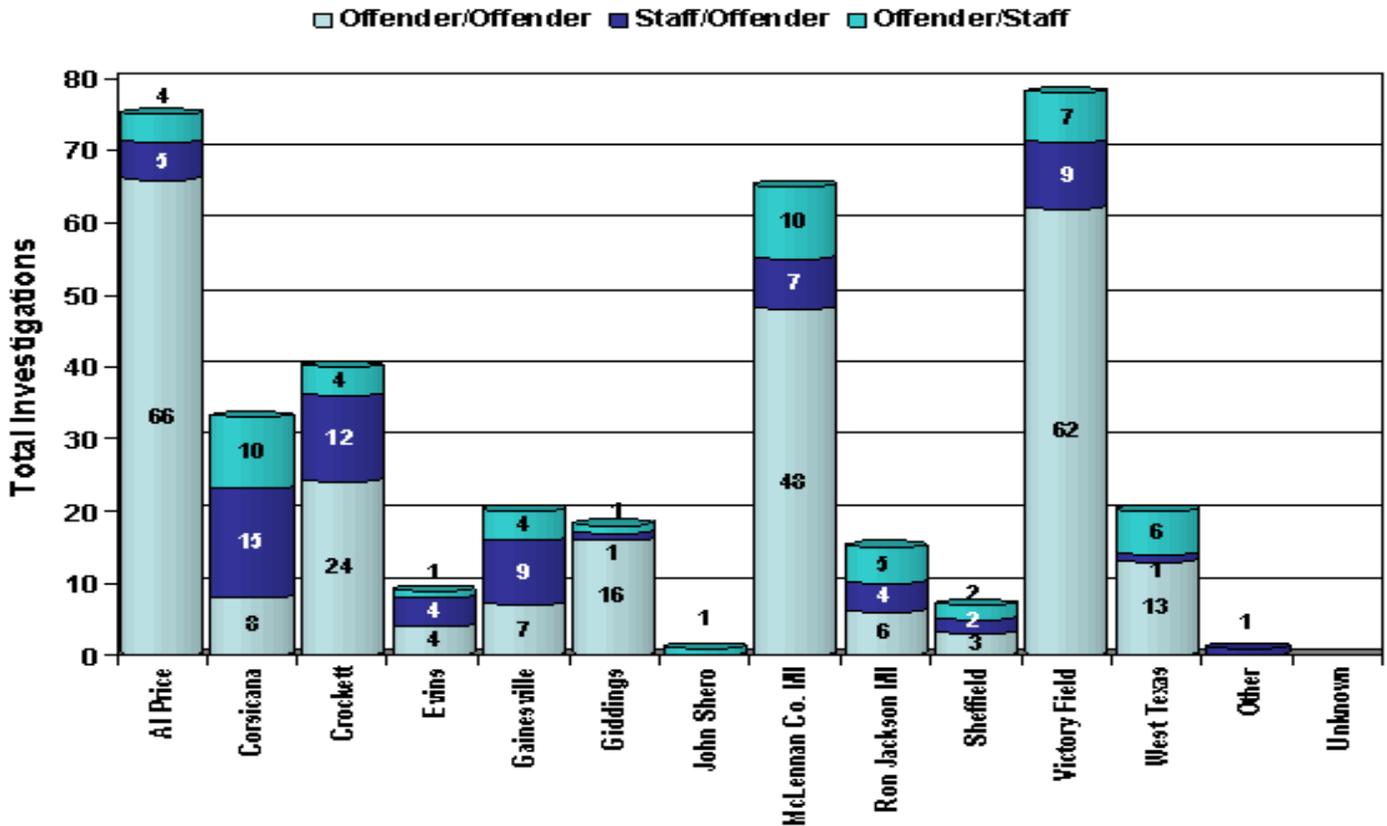


Chart 3

## Section 2

### Sexual Misconduct

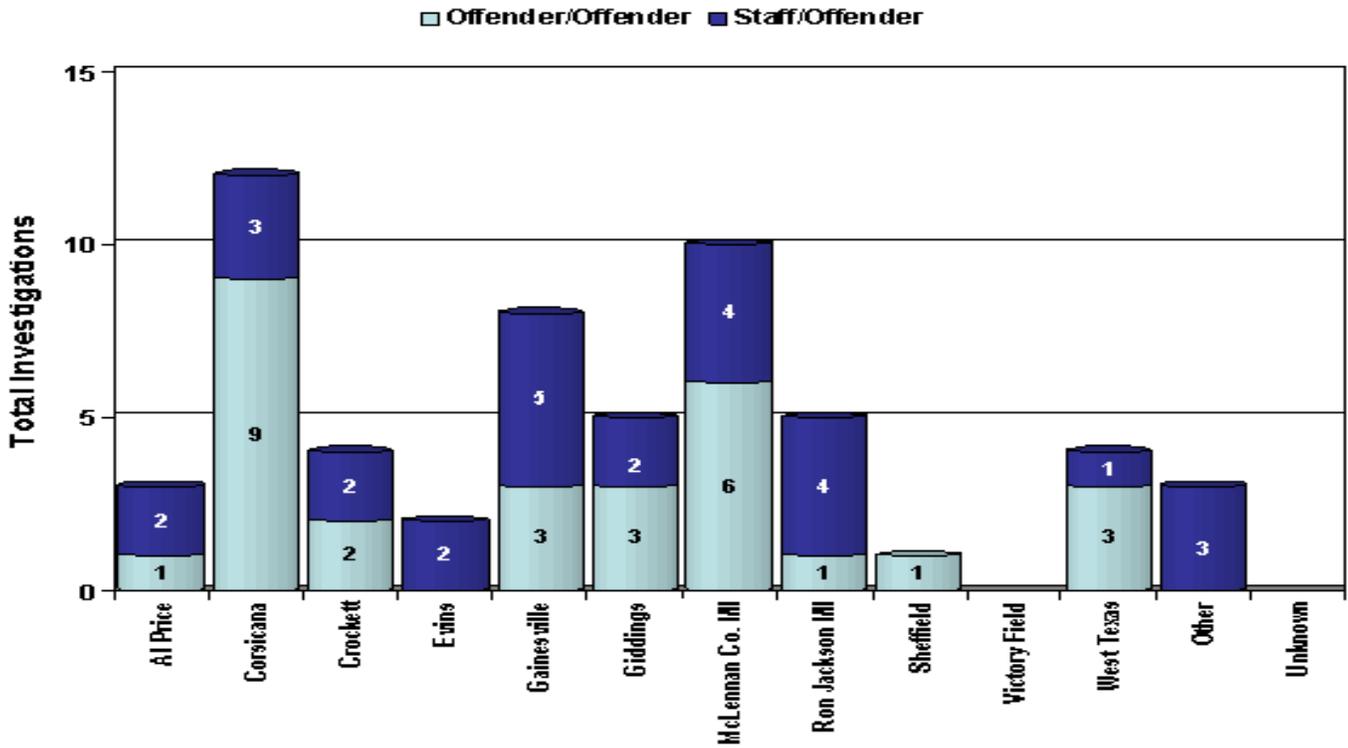


Chart 4

### Inappropriate Relationship

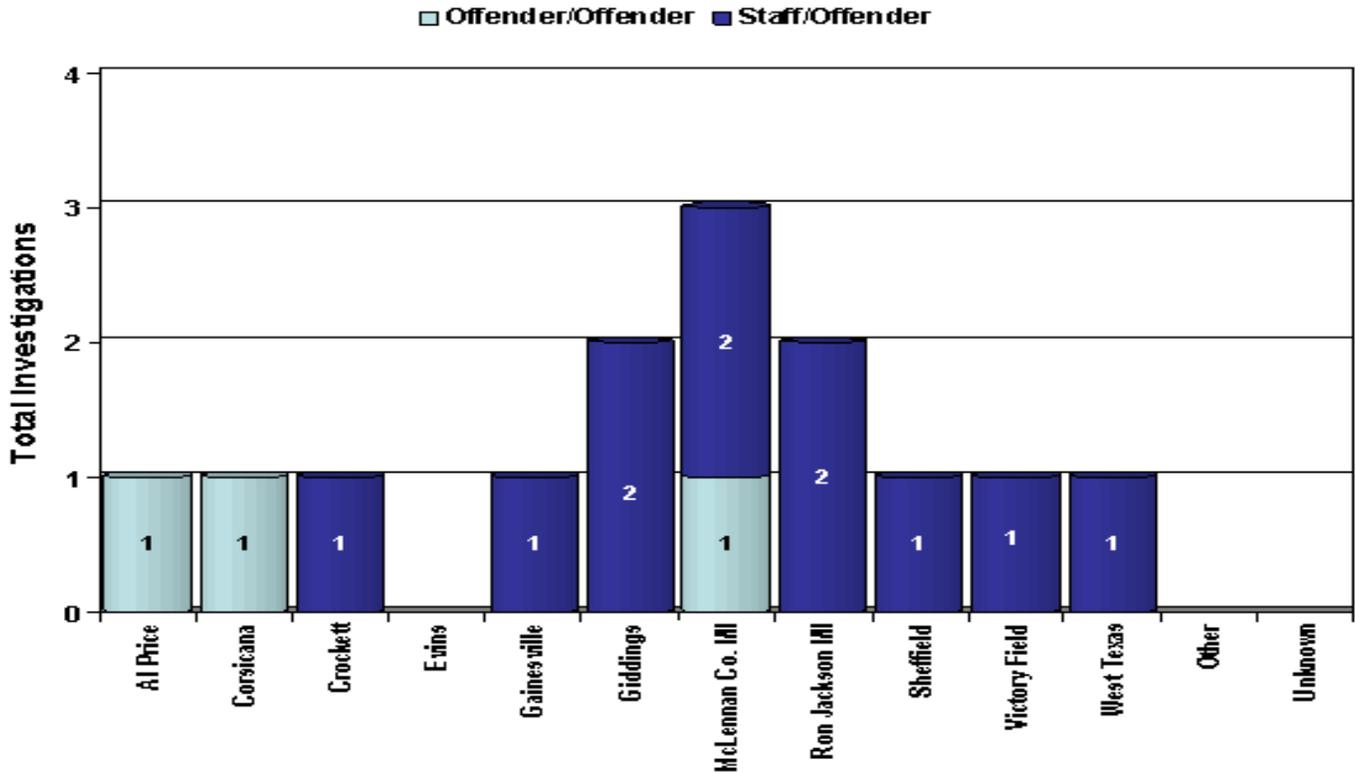


Chart 5

## Section 2

### Use of Force: OC Spray

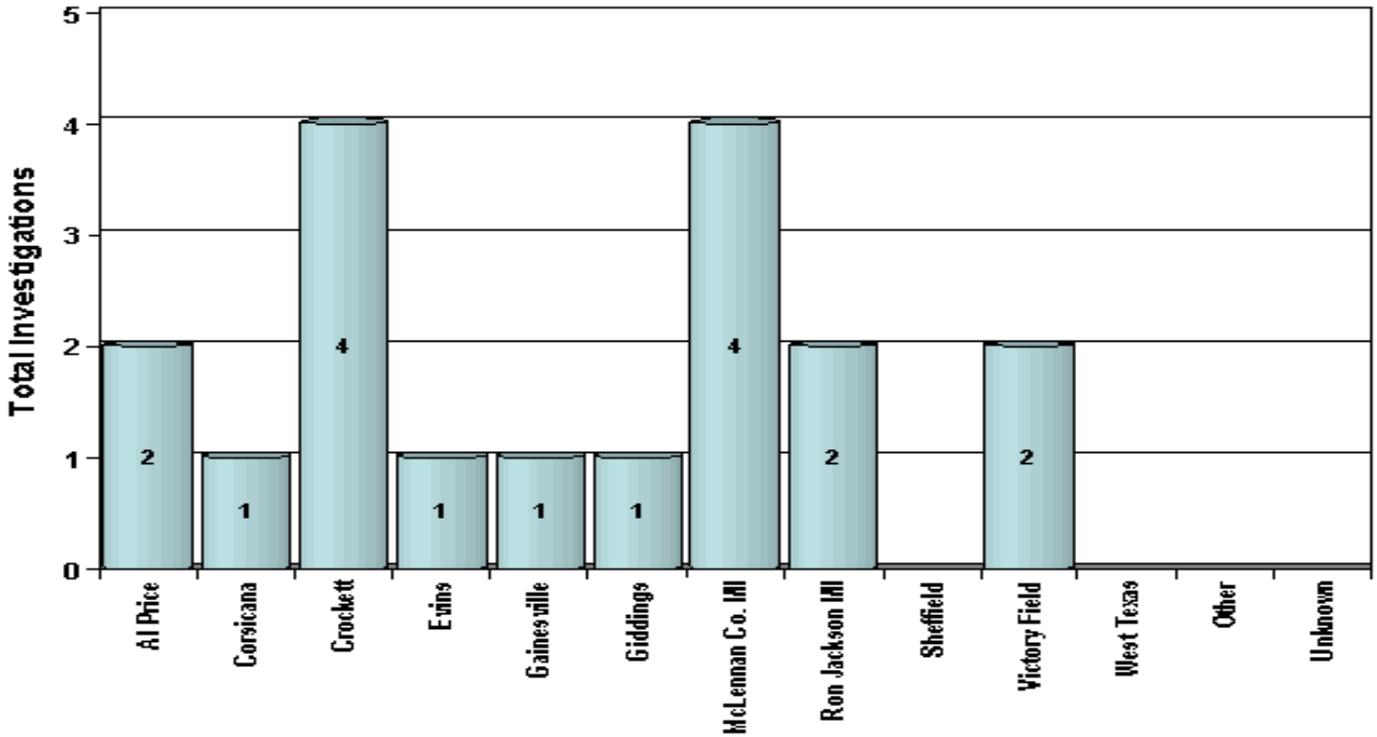


Chart 6

### Staff Misconduct / Waste, Fraud and Abuse

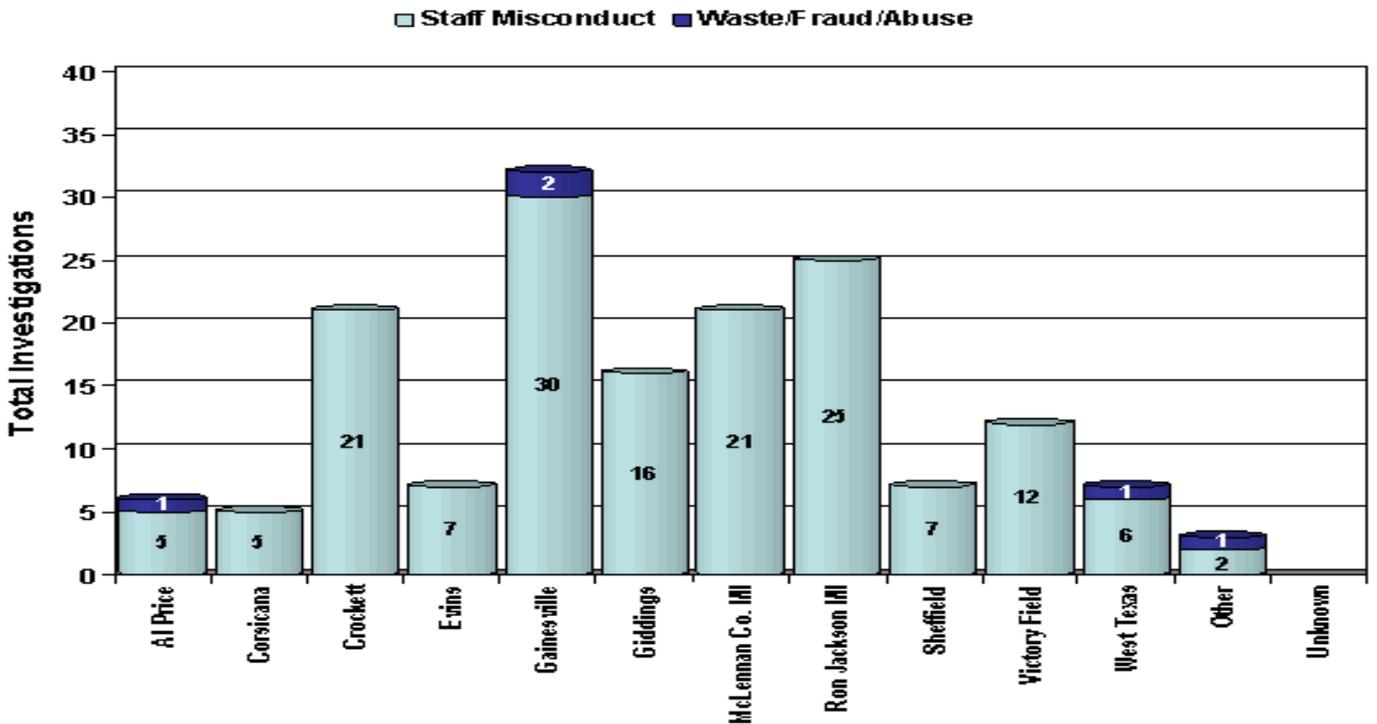


Chart 7

## Section 2

### Contraband

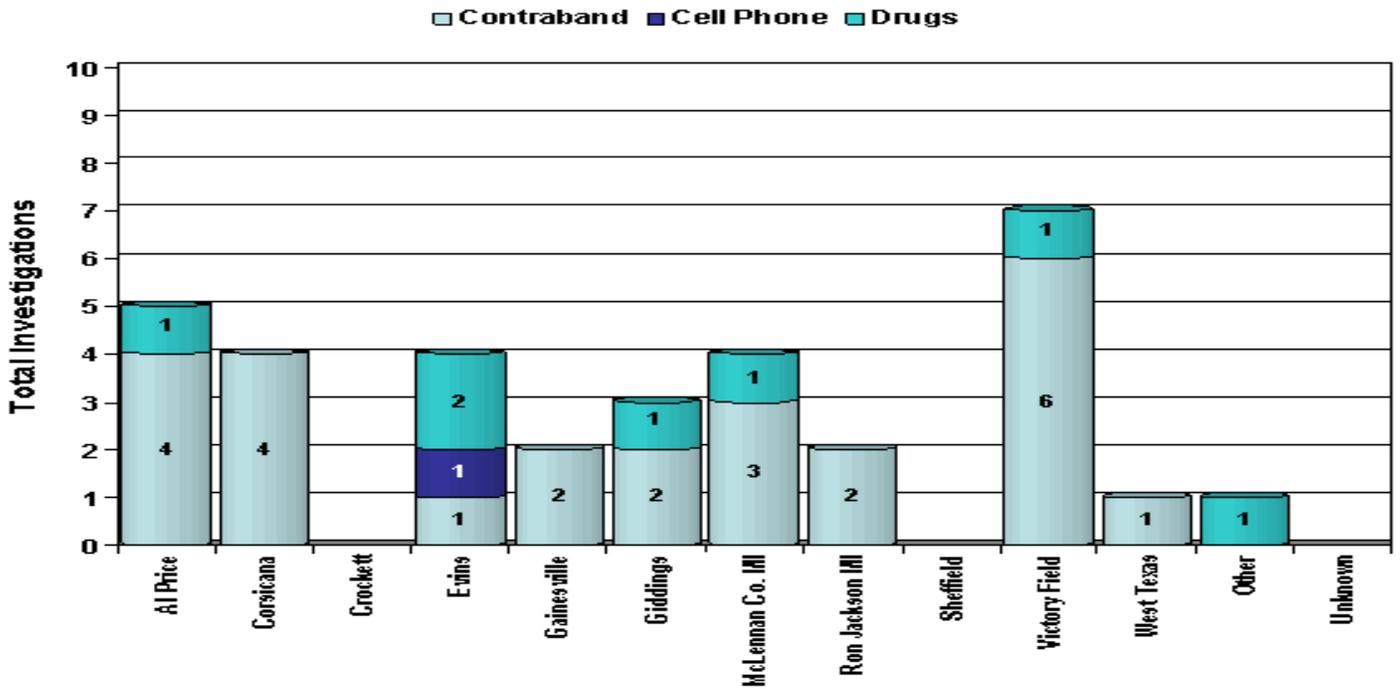


Chart 8

### Escape / Terroristic Threat / Riot

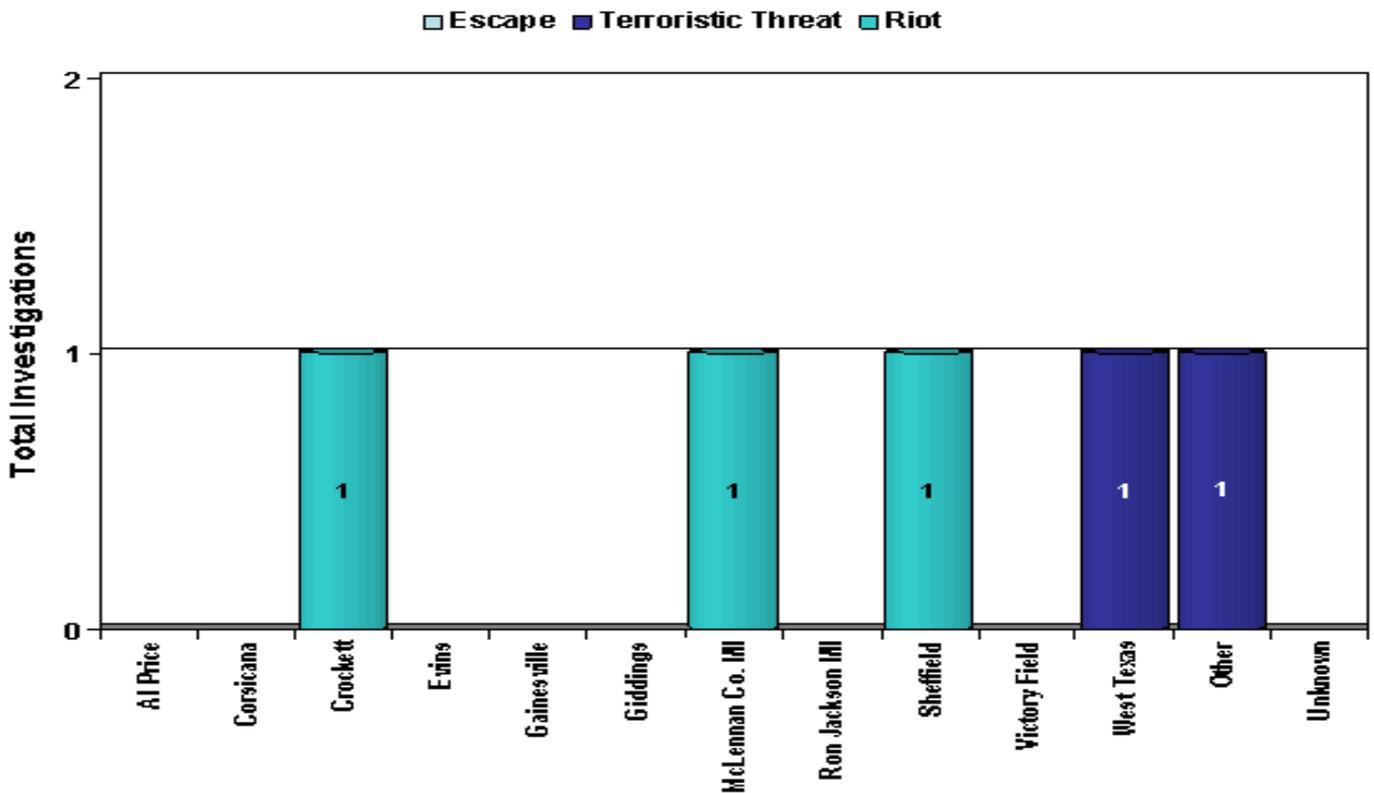


Chart 9

## Section 2

### Civil Rights Violations / Trust Funds

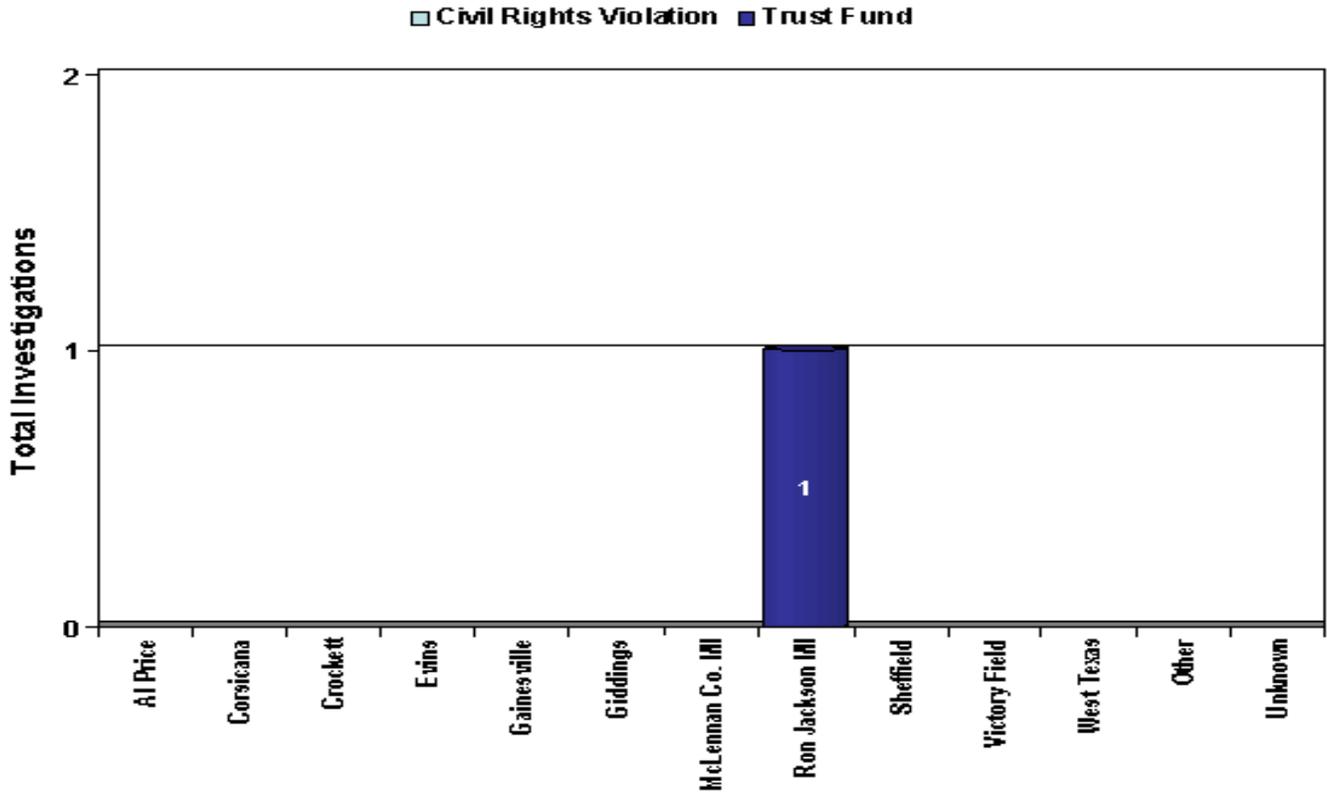


Chart 10

### Attempted Suicide

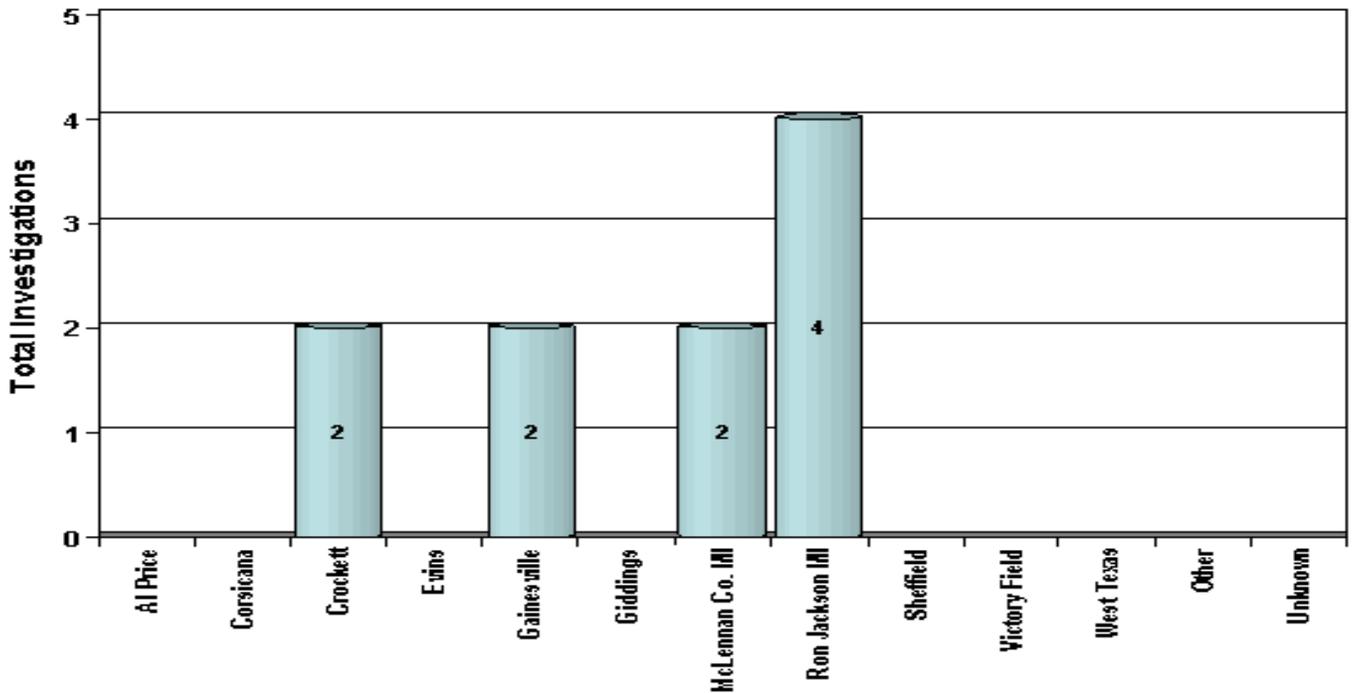


Chart 11

**Section 3**

***Total Reports by Half-Way House***

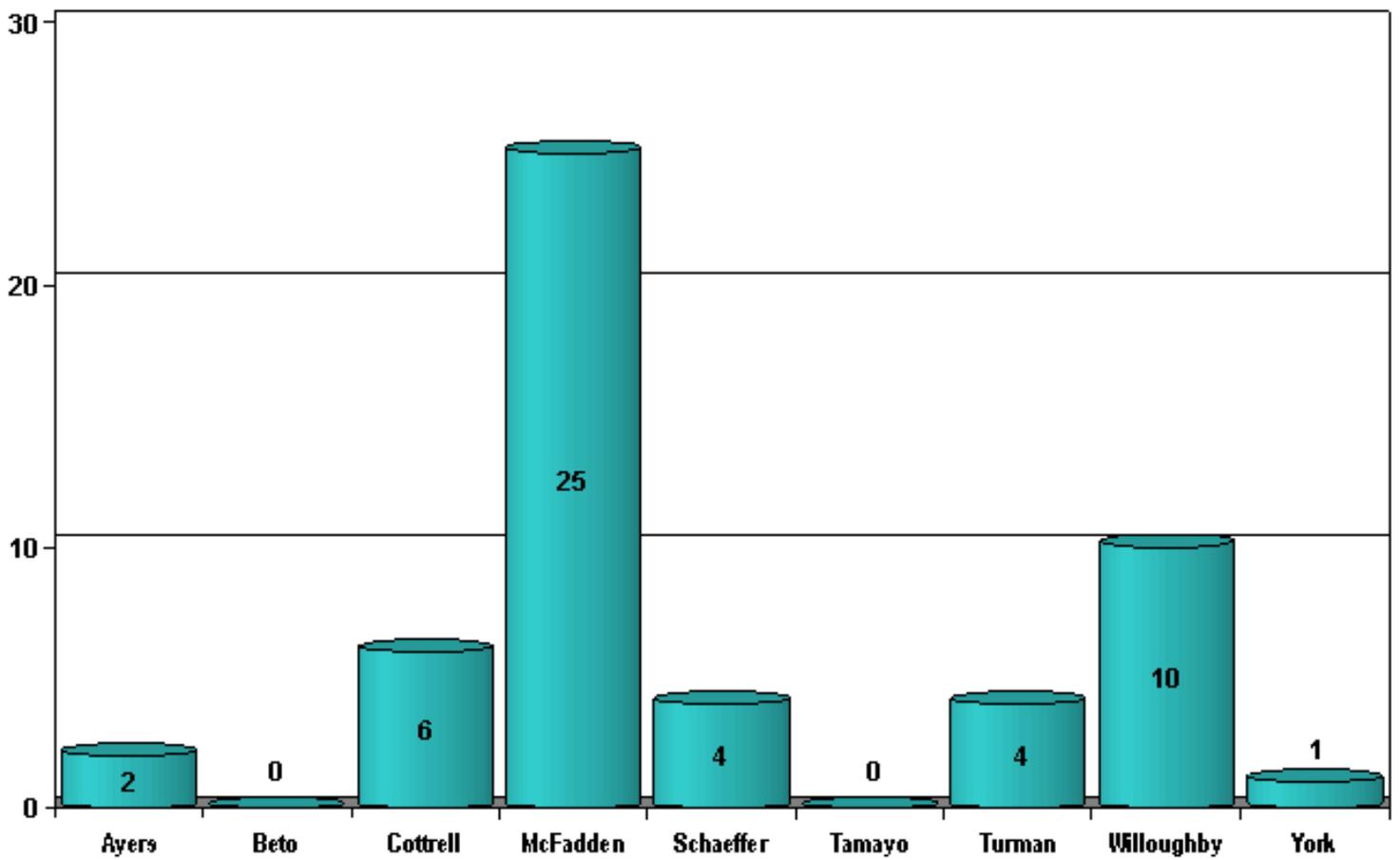


Chart 1

### Section 3

### *Information Only*

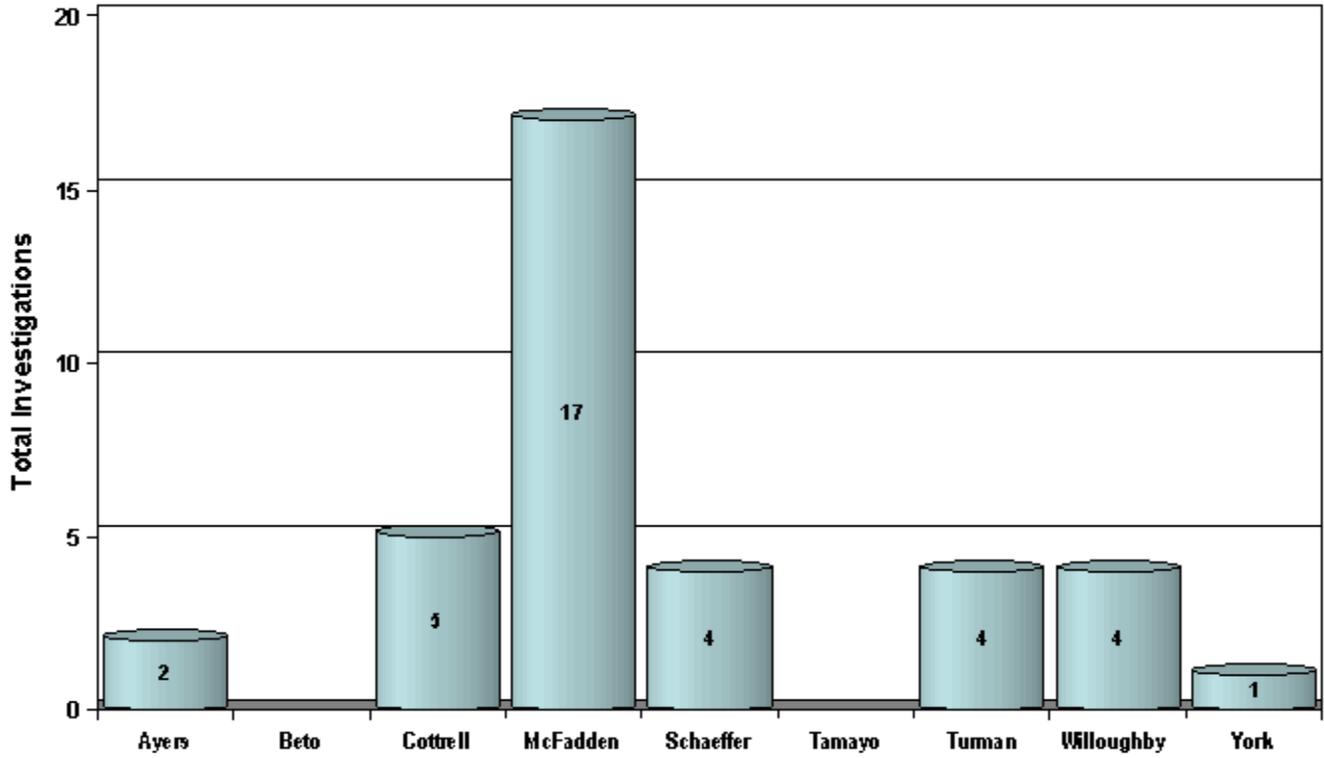


Chart 2

### *Assault*

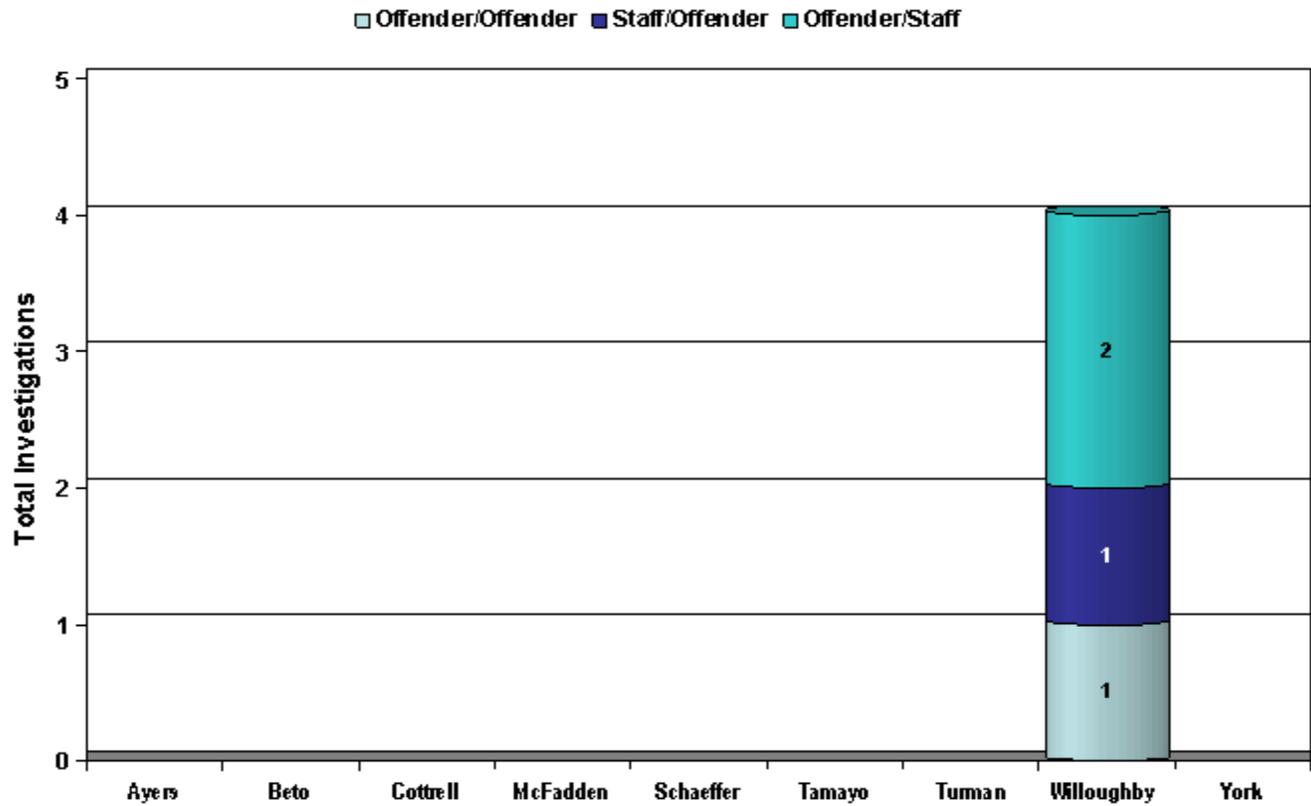


Chart 3

### Section 3

## Sexual Misconduct

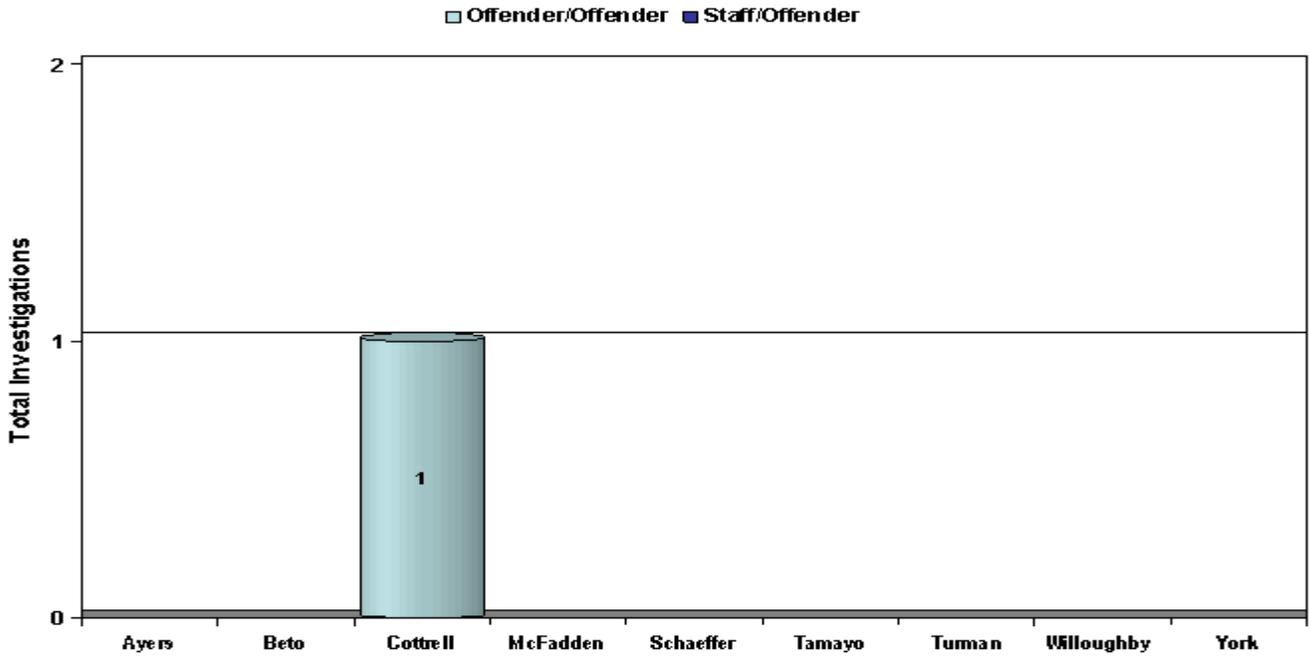


Chart 4

## Staff Misconduct / Waste, Fraud and Abuse

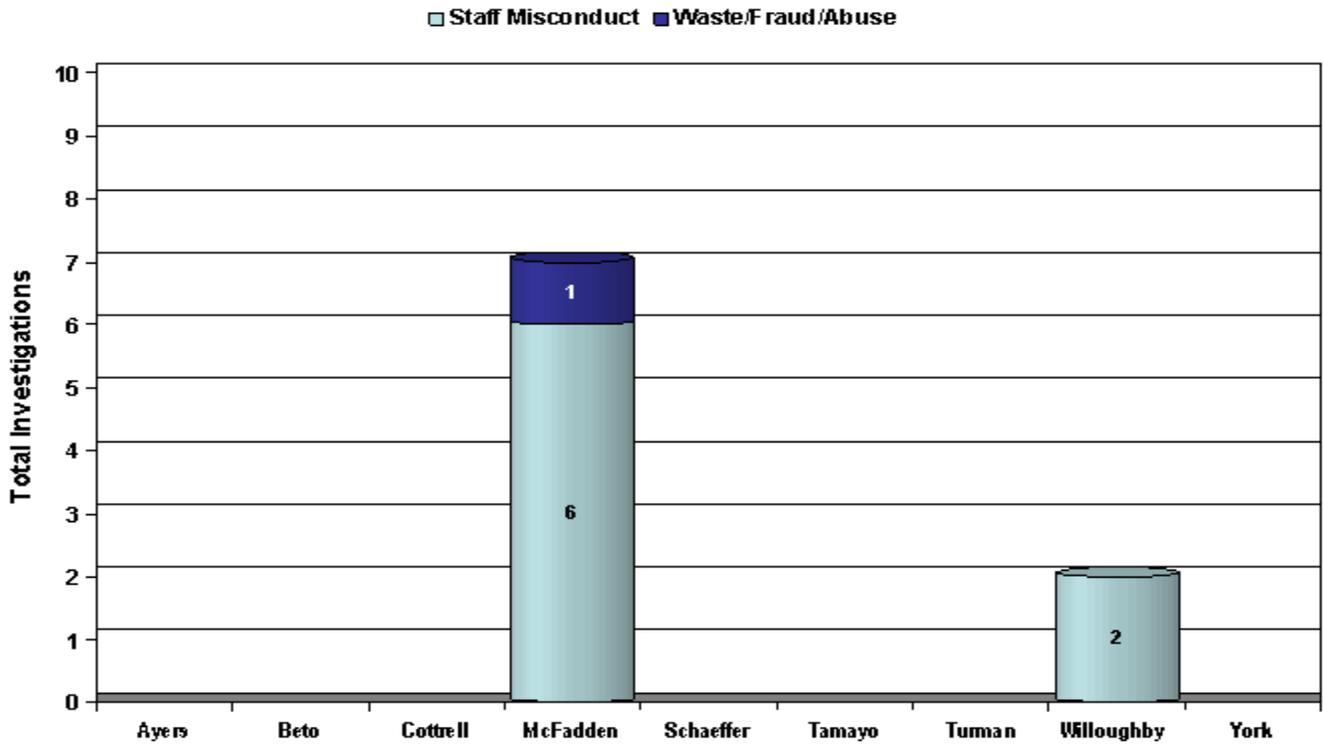


Chart 5

### Section 3

#### **Contraband**

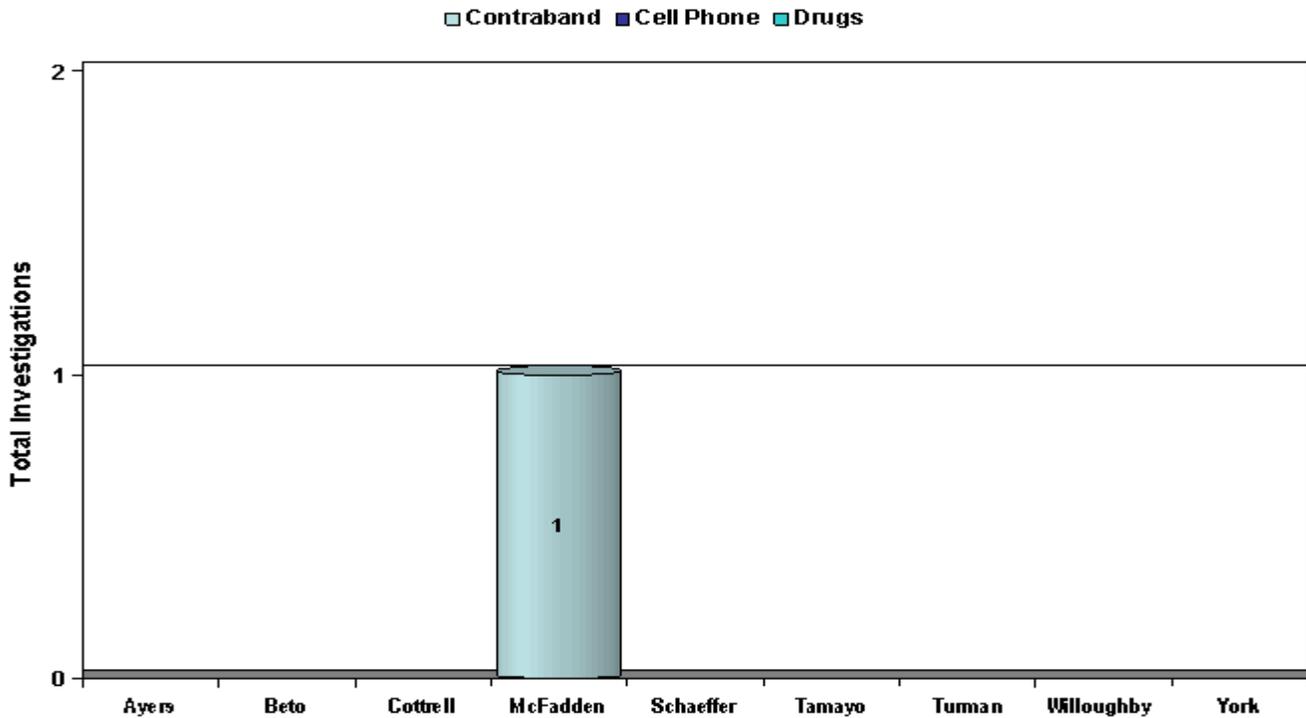


Chart 6

#### ***Inappropriate Relationship***

No Incident Reports for First Quarter FY08

Chart 7

#### ***Use of Force: OC Spray***

No Incident Reports for First Quarter FY08

Chart 8

#### ***Escape / Terroristic Threat / Riot***

No Incident Reports for First Quarter FY08

Chart 9

#### ***Civil Rights Violations / Trust Funds***

No Incident Reports for First Quarter FY08

Chart 10

#### ***Attempted Suicide***

No Incident Reports for First Quarter FY08

Chart 11

**Section 4**

***Total Reports by Contract Facility***

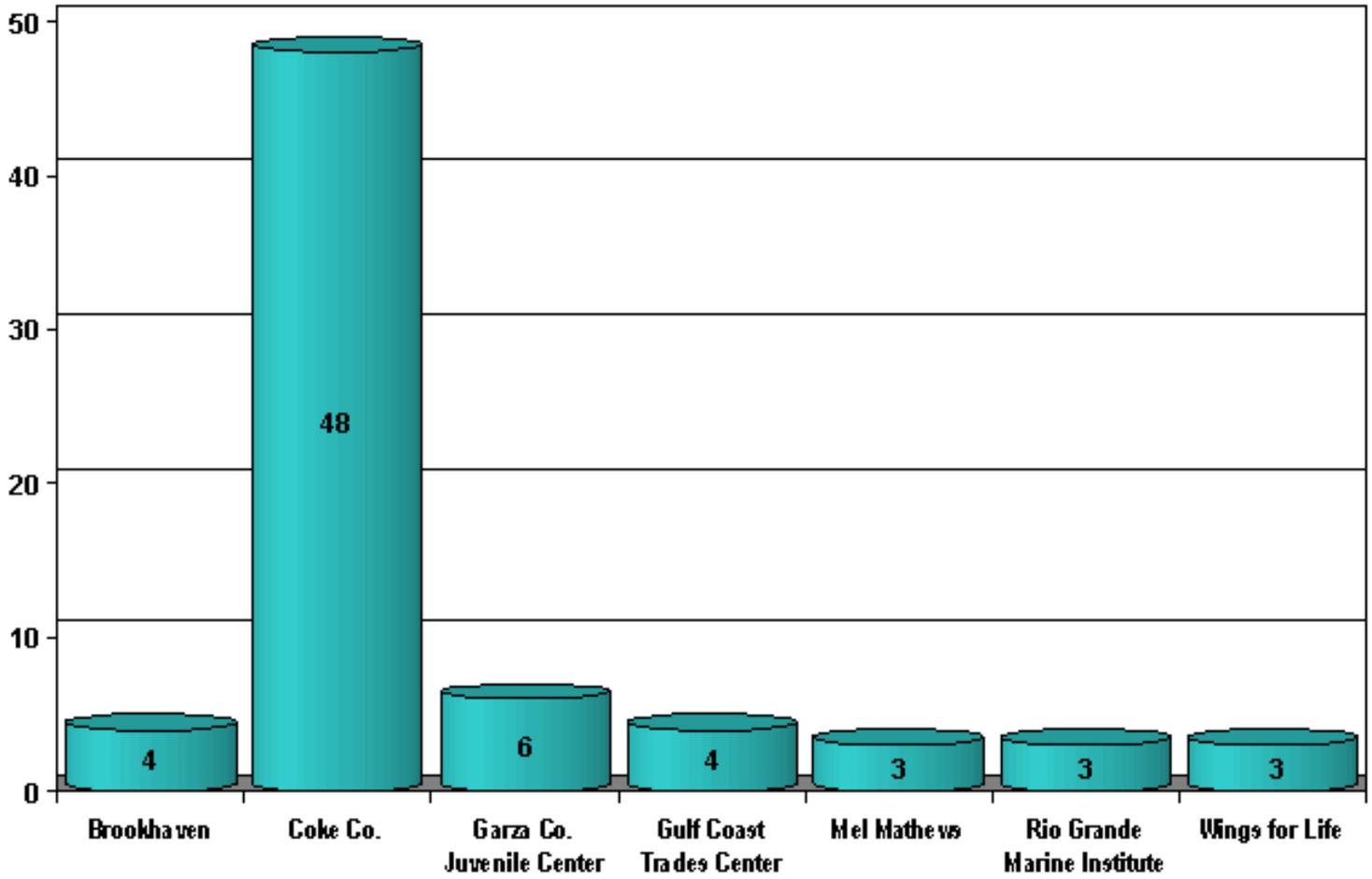


Chart 1

## Section 4

### Information Only

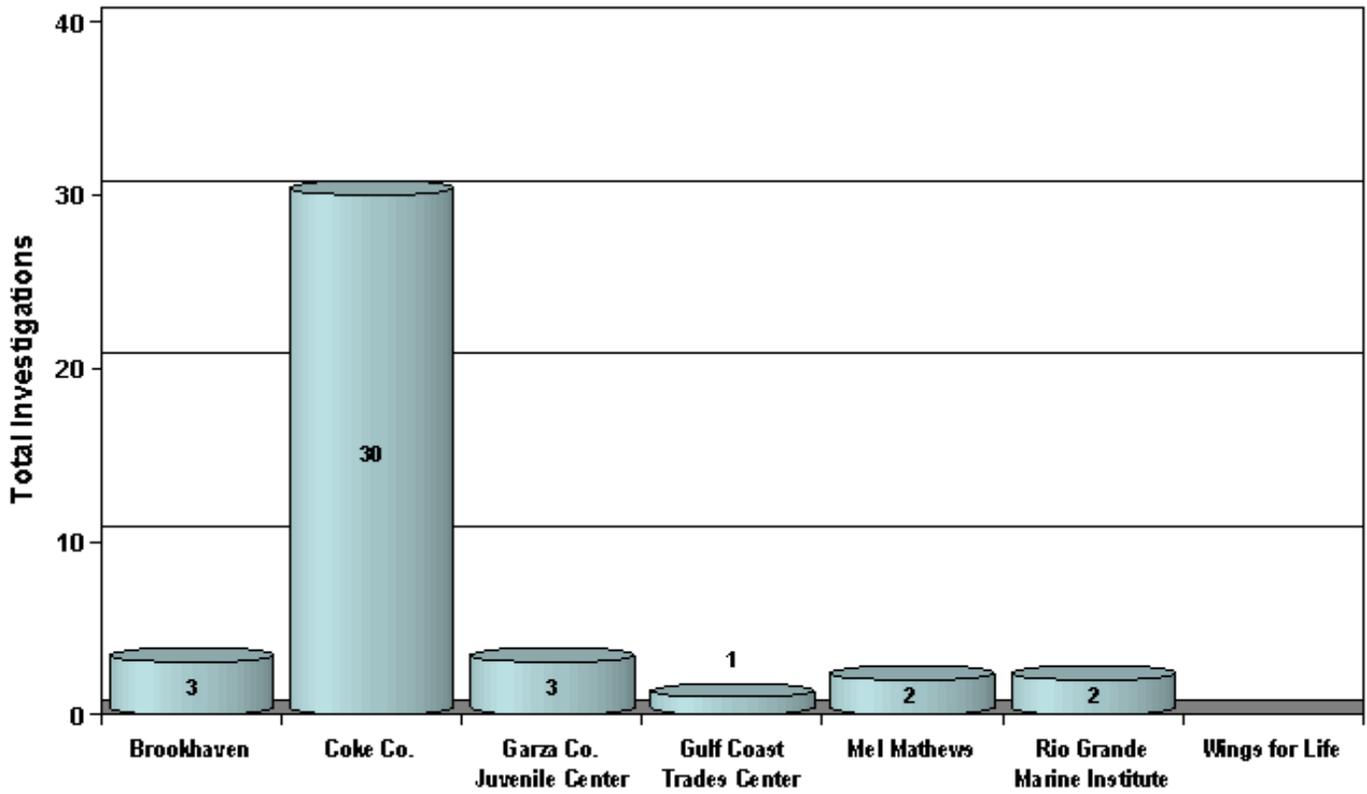


Chart 2

### Assault

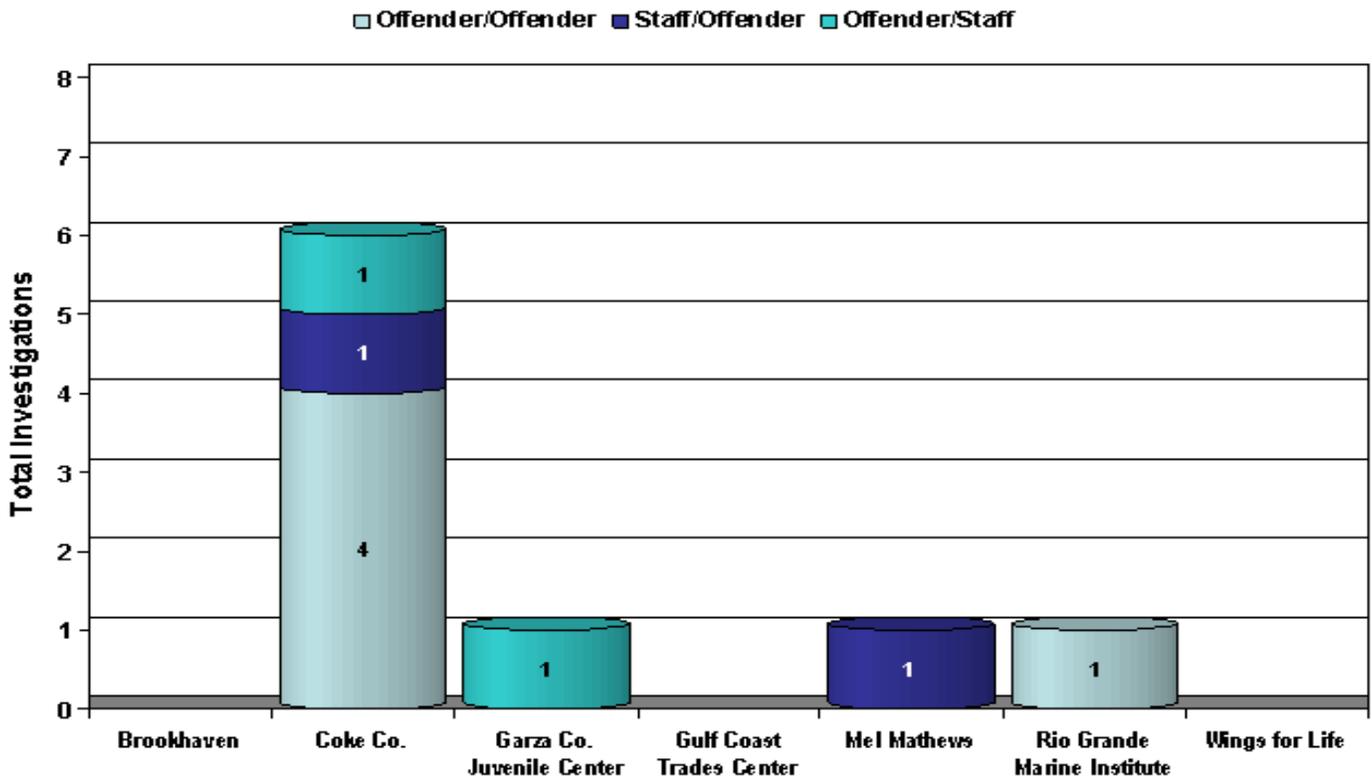


Chart 3

## Section 4

### *Sexual Misconduct*

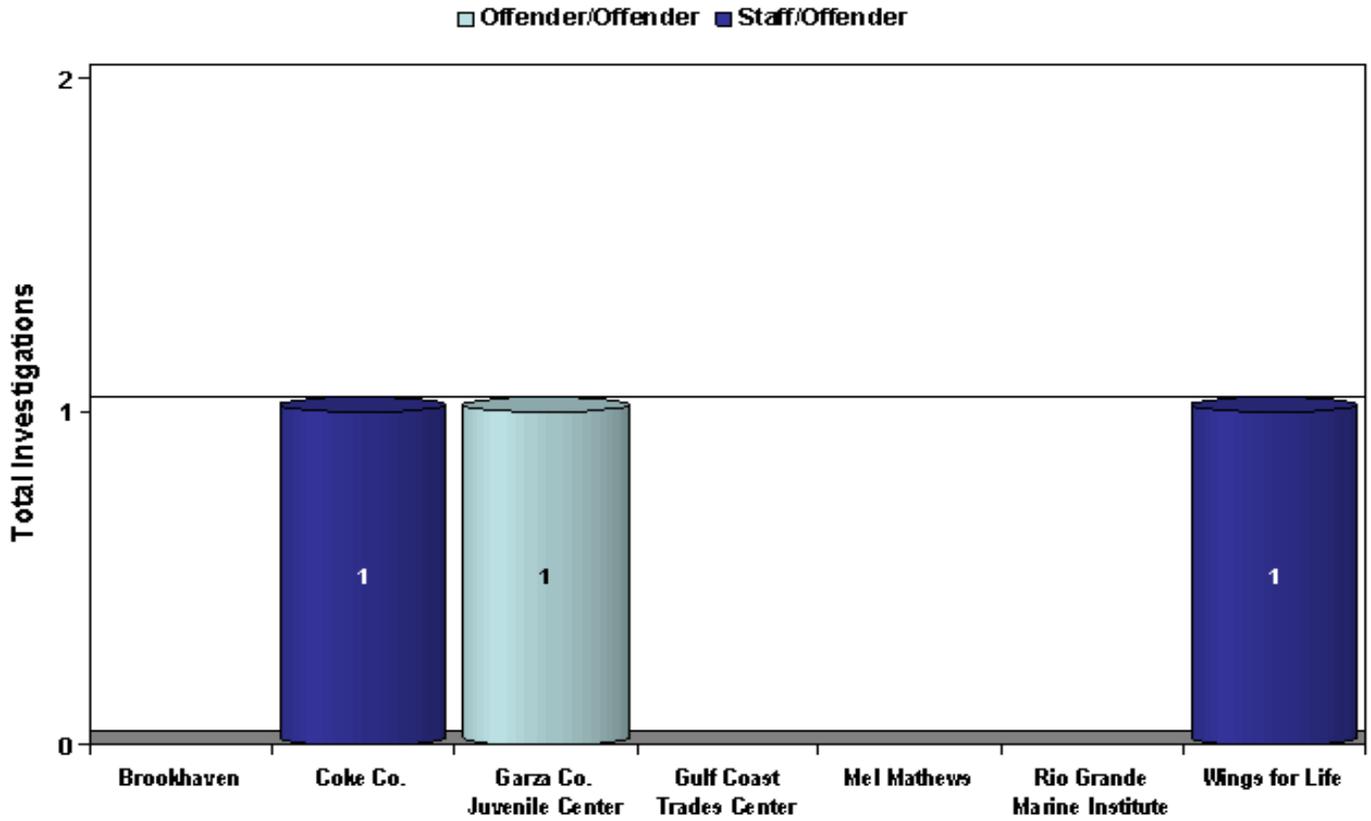


Chart 4

### *Staff Misconduct / Waste, Fraud and Abuse*

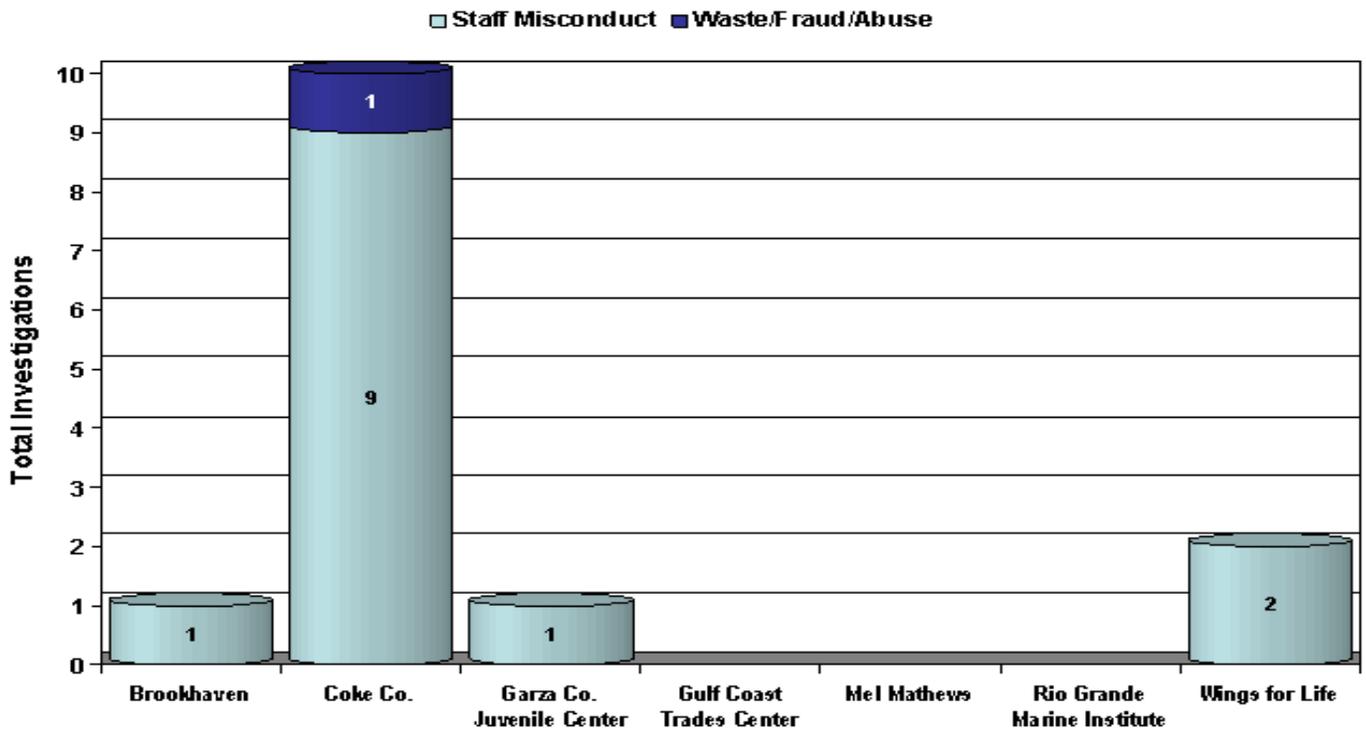


Chart 5

## Section 4

### ***Contraband***

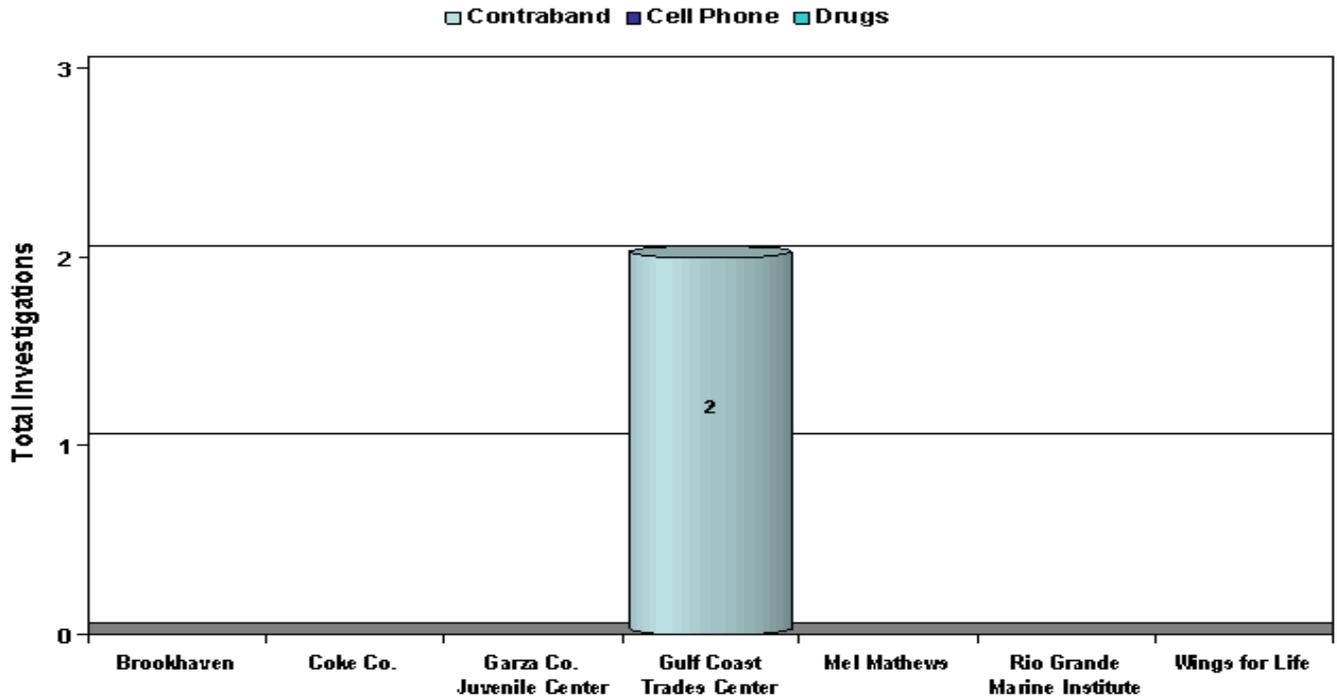


Chart 6

### ***Escape / Terroristic Threat / Riot***

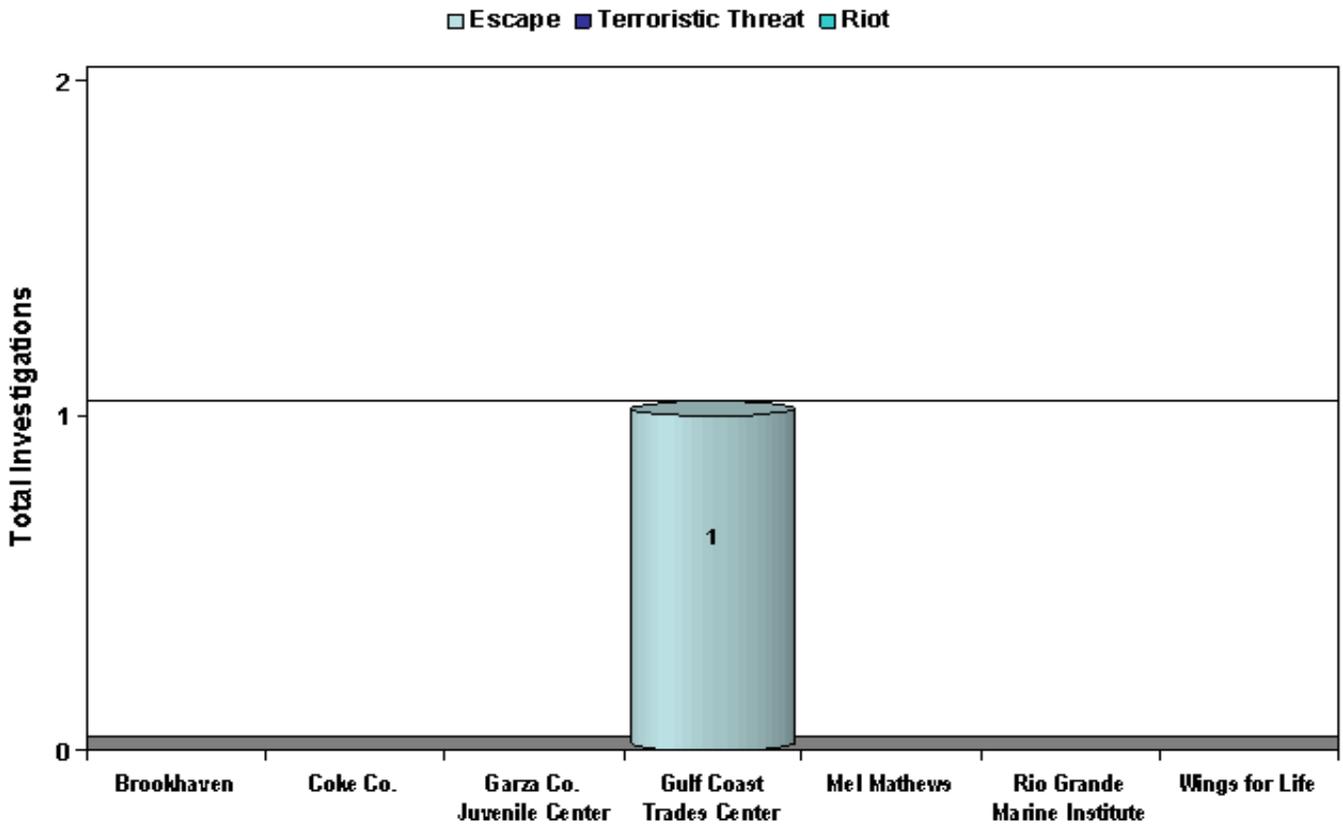


Chart 7

**Section 4**

***Civil Rights Violations / Trust Funds***

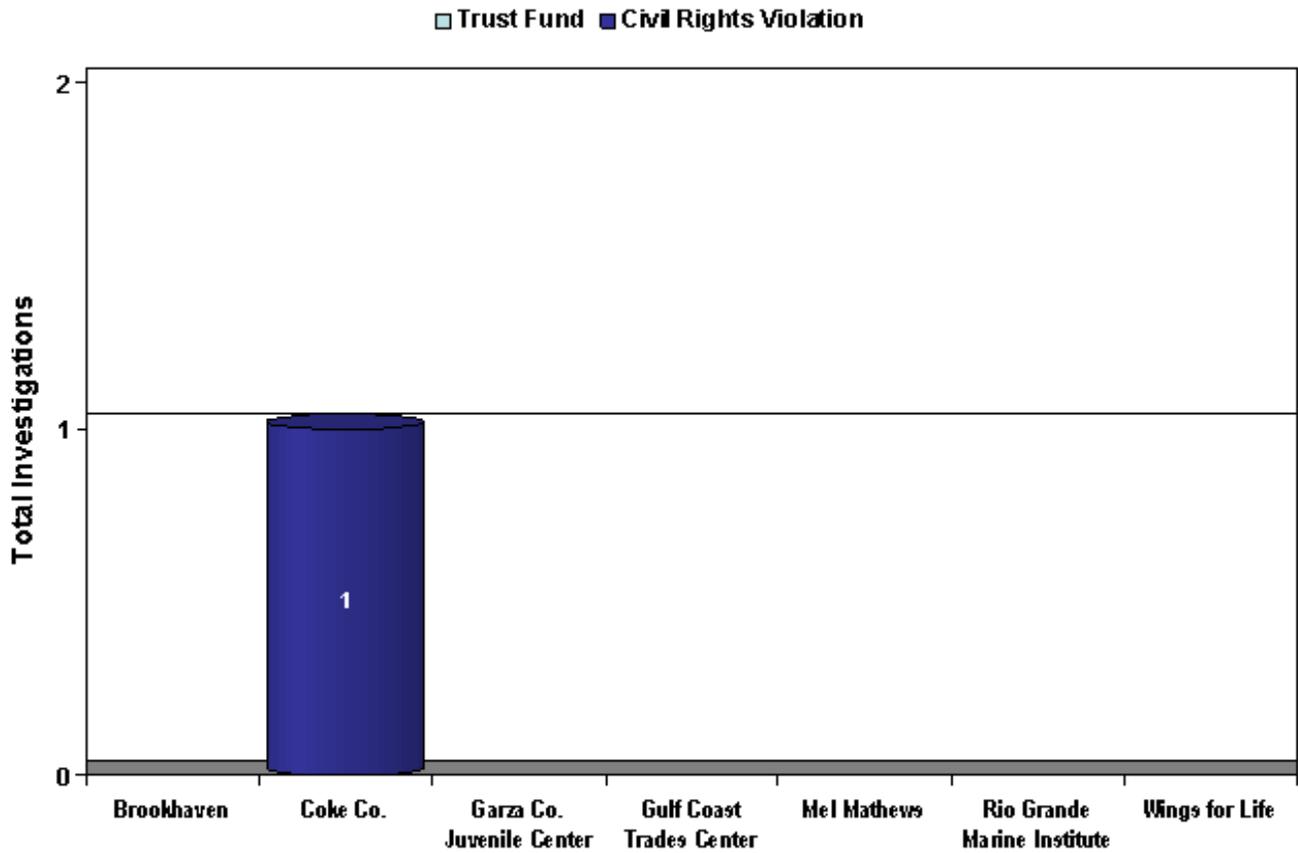


Chart 8

***Inappropriate Relationship***

No Incident Reports for First Quarter FY08

Chart 9

***Use of Force: OC Spray***

No Incident Reports for First Quarter FY08

Chart 10

***Attempted Suicide***

No Incident Reports for First Quarter FY08

Chart 11

## Section 5

### *Rates of Reports per 100 Average Daily Population (ADP) in Secure Facilities*

#### *Information Only*

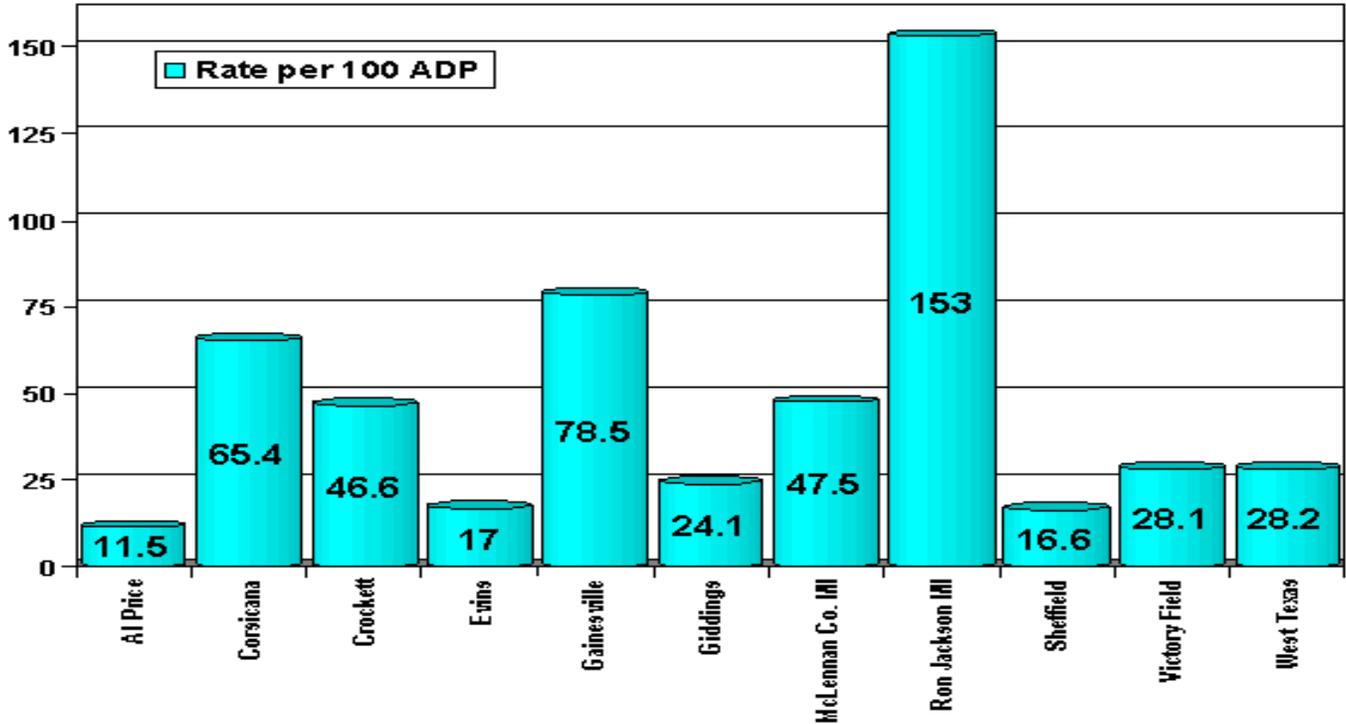


Chart 1

#### *Assault*

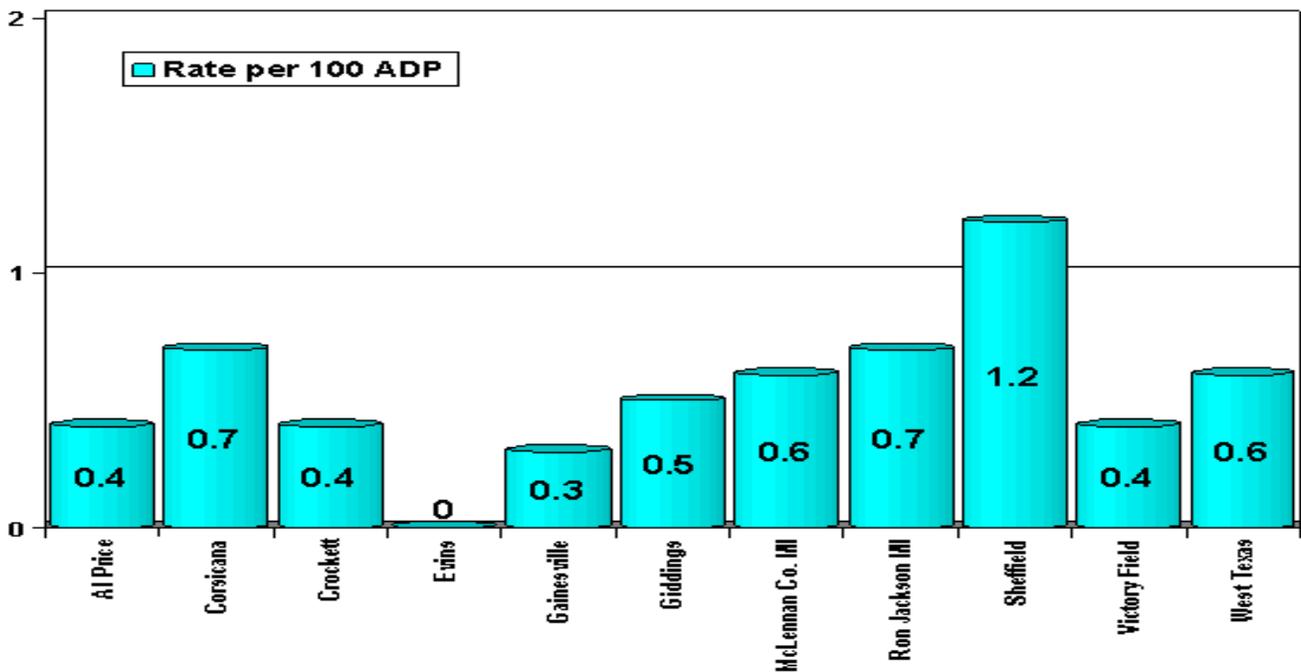


Chart 2

## Section 5

### *Sexual Misconduct*

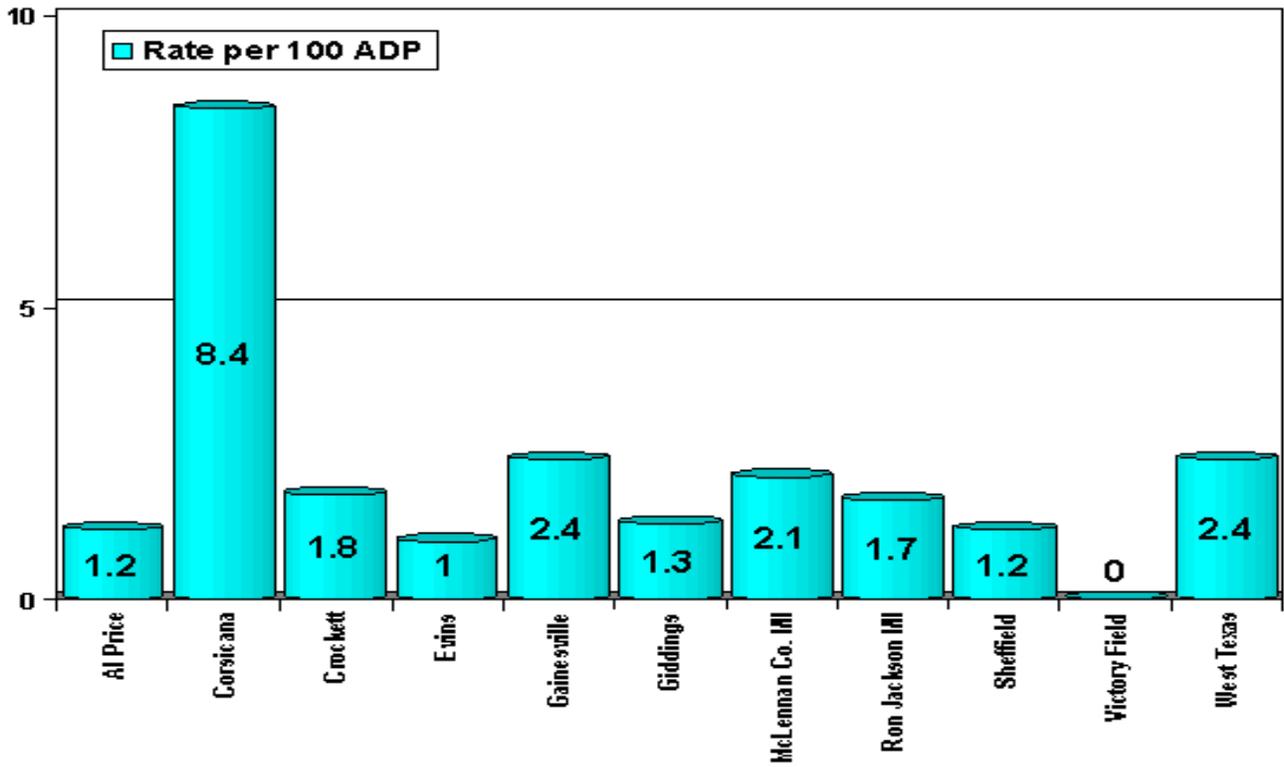


Chart 3

### *Inappropriate Relationship*

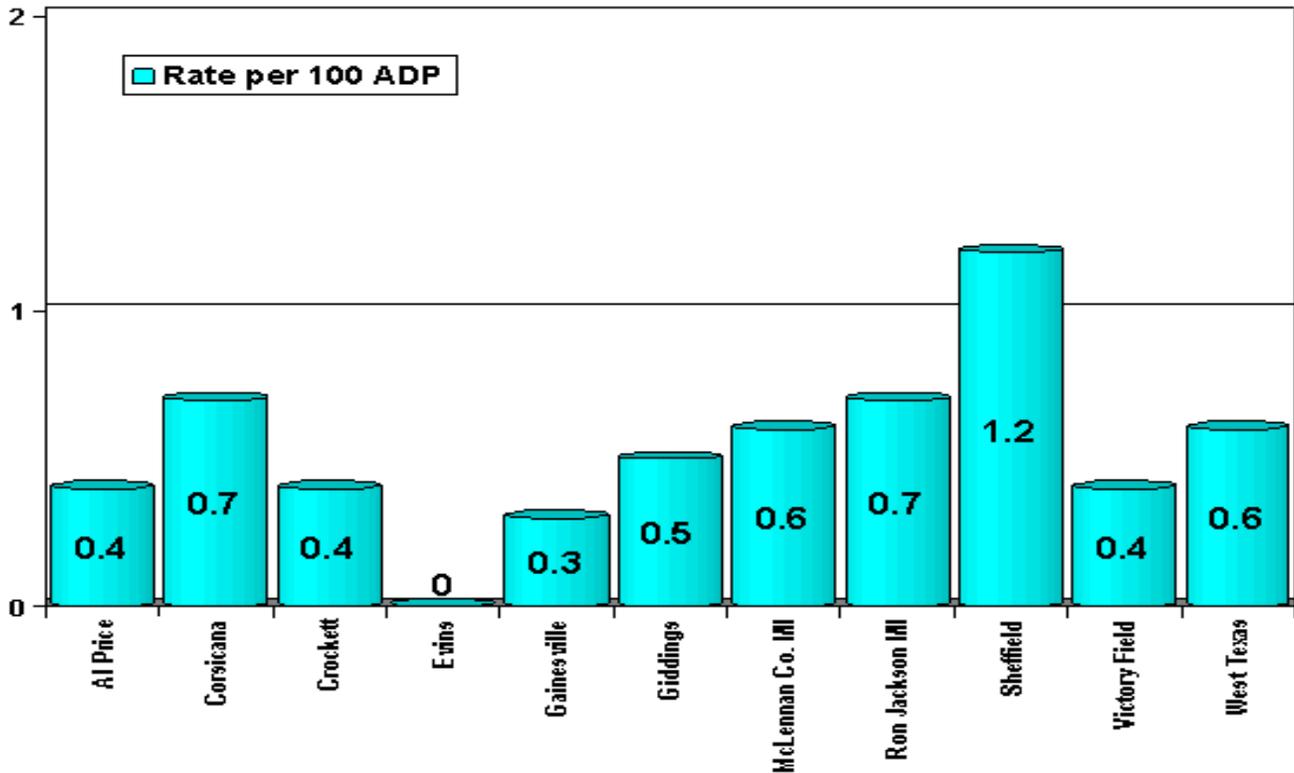


Chart 4

## Section 5

### Use of Force: OC Spray

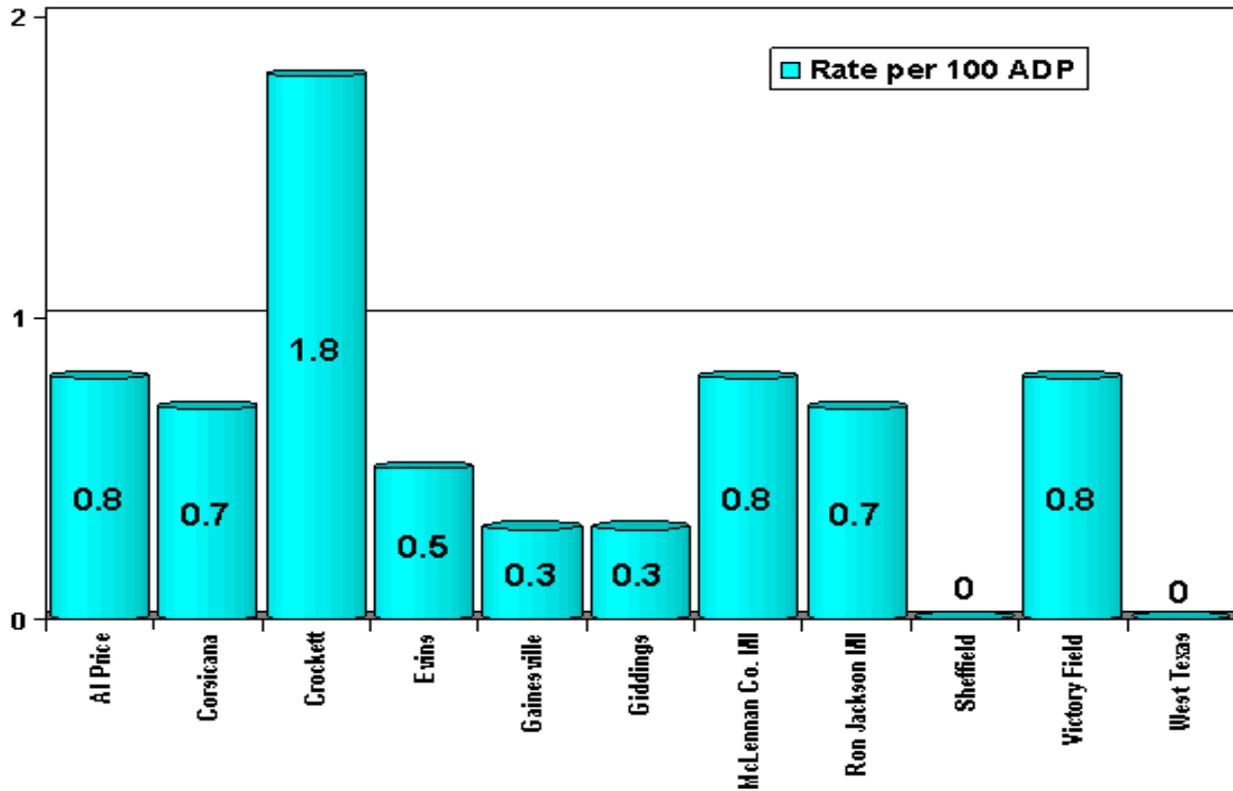


Chart 5

### Staff Misconduct / Waste, Fraud and Abuse

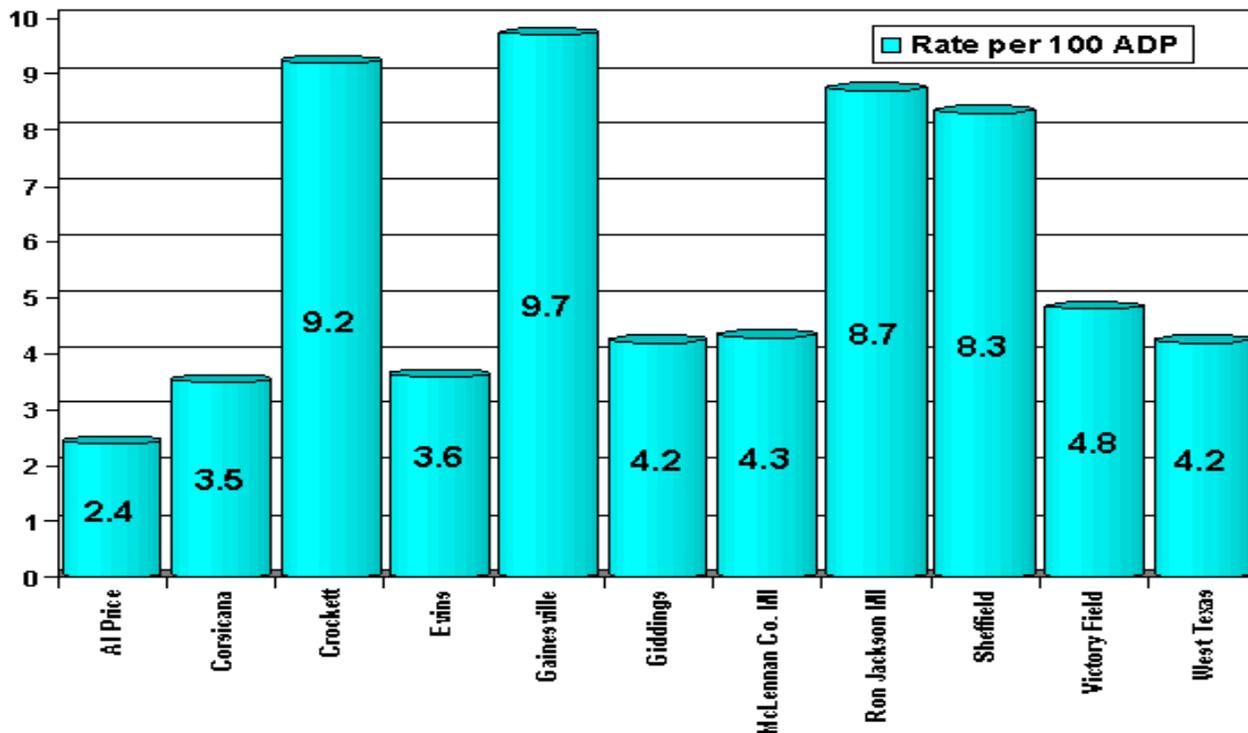


Chart 6

## Section 5

### Contraband

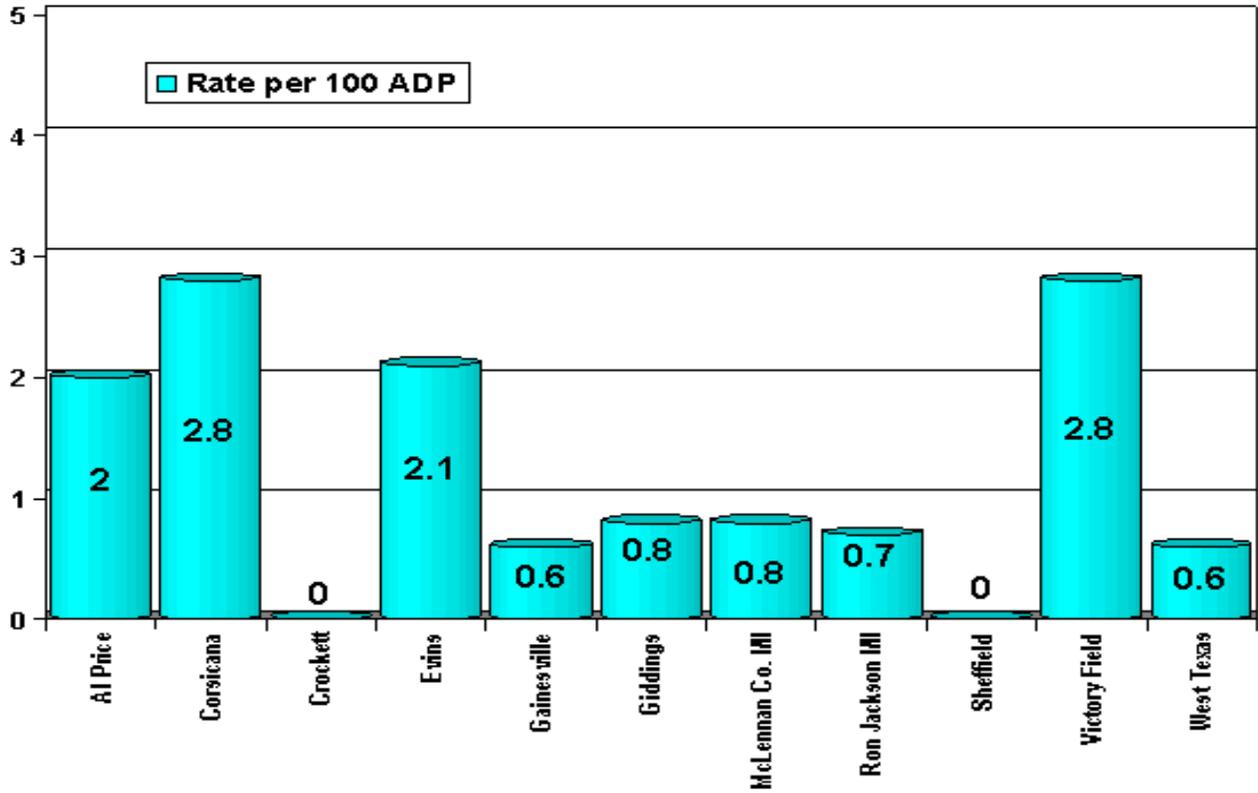


Chart 7

### Escape / Terroristic Threat / Riot

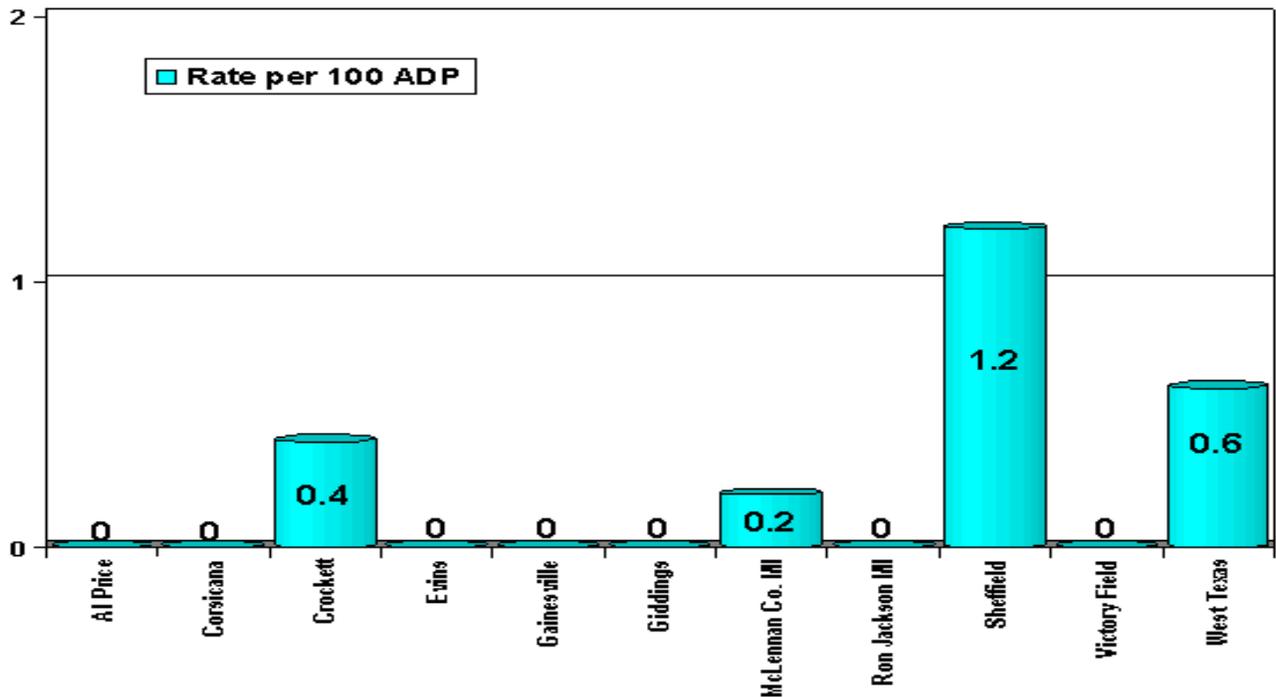


Chart 8

## Section 5

### Civil Rights Violations / Trust Funds

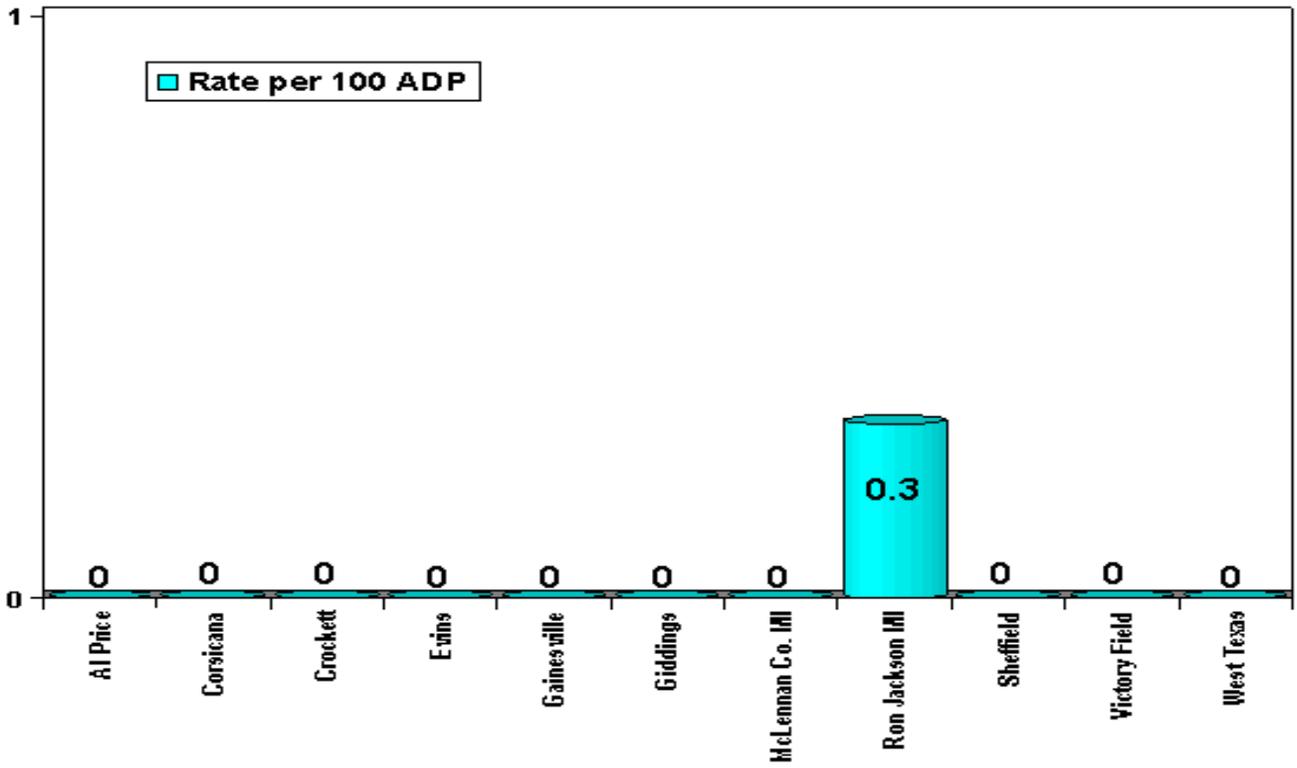


Chart 9

### Attempted Suicide

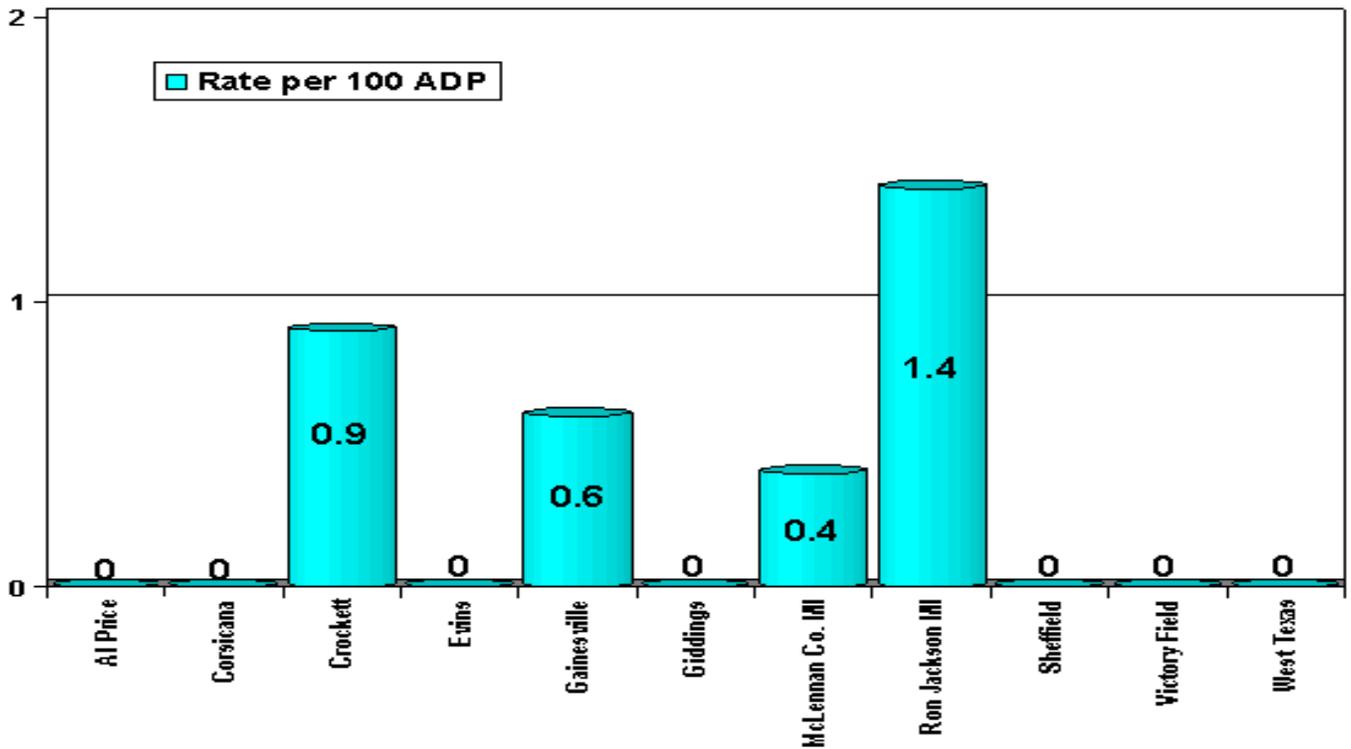


Chart 10

## Section 6

### *OIG Case Opening by Type and Month*

Case Type	September	October	November
Assault - Offender / Offender	8	12	10
Assault - Offender / Staff	13	11	13
Assault - Staff / Offender	11	7	5
Attempted Suicide	3	0	4
Contraband	2	8	5
Drugs	5	0	0
Inappropriate Relationship	1	2	3
Information Only	9	28	20
Retaliation	1	0	0
Riot	0	1	0
Sexual Misconduct - Offender / Offender	11	7	2
Sexual Misconduct - Staff / Offender	19	11	8
Staff Misconduct	15	13	13
Terroristic Threat	0	1	0
Use of Force	5	8	0
<b>Totals Cases Assigned by Month</b>	<b>104</b>	<b>114</b>	<b>85</b>
<b>Total Number of Cases Assigned During 1st Quarter FY 08</b>	<b>303</b>		

## Section 7

# *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

## Section 7

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

## Section 7

### **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

## Section 7

### **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)

## Section 7

### **Employee – Gainesville State School**

Official Oppression  
Accepted 11/05/07

### **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