

# TEXAS **YOUTH** COMMISSION

## OFFICE OF INSPECTOR GENERAL



Annual Report  
September 1, 2007 thru August 31, 2008



## TEXAS YOUTH COMMISSION Office of Inspector General

**BRUCE W. TONEY**  
*Inspector General*

**OSCAR RUIZ**  
*Deputy Director*

### **EXECUTIVE SUMMARY FISCAL YEAR 2008**

The Office of Inspector General (OIG) was officially created by Senate Bill 103, and House Bill 914 of the 80<sup>th</sup> session of the Texas Legislature, 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.

At the start of fiscal year 2008 (FY08), OIG was tasked with the creation of the Incident Reporting Center (IRC). The IRC was created as the result of Senate Bill 103, to operate the mandated hotline for the Texas Youth Commission. The IRC takes calls from youth, parents, employees, and facilities in reference to incidents and allegations that arise out of the Texas Youth Commission. The IRC sends the complaints it receives to the appropriate division for review, action, or investigation. The IRC became fully operational in December 2007. During FY08, the IRC generated 12,840 call sheets from hotline calls, emails, and other communications. Of the calls received, 1,076 were referred to Alleged Mistreatment Investigations, 8,922 were referred to Youth Rights and Grievance, 642 were referred to Criminal Investigations, 1,739 were referred to Residential Services, and 460 were closed requiring no further action.

During the 4<sup>th</sup> quarter of FY08, the department responsible for conducting administrative investigations on allegations of abuse and neglect was placed under the operational authority of OIG. Currently OIG is undertaking a major reorganization of this department and the operational process.

The Criminal Investigations Department of OIG opened 1,398 (See attached chart by case type) investigations in FY08 and closed 465. In reference to investigations conducted, 44 individuals were arrested, 48 cases were indicted, 57 cases were no billed, 37 cases had convictions, 6 cases were adjudicated, 2 cases were acquitted, 139 cases were accepted by the Special Prosecution Unit (SPU), 42 cases were declined by the SPU, 253 cases resulted in being unfounded or no action, and 102 were closed as information only. It should be noted that a closed case can have multiple dispositions, such as arrest, indictment, and conviction.

Mentioned in the supplement to the 4<sup>th</sup> Quarter Report was a reference to a spike in sexual allegations for the Month of June. Since this situation reflects in the attached report, I have included the following excerpt:

During the month of June and continuing in July, OIG responded to 17 allegations of sexual misconduct involving staff on offenders at the Gainesville Facility. Of those 17 allegations, 13 allegations are unfounded based on video evidence and/or the alleged victim recanting the allegation. 2 additional cases were from prior incidents opened during the task force operation in FY 07, and were reassigned to OIG by the request of the Special Prosecution Unit for follow-up investigation in June. Once those cases are subtracted from the original 17, there is no statistical difference between this facility and others of similar size and/or population.

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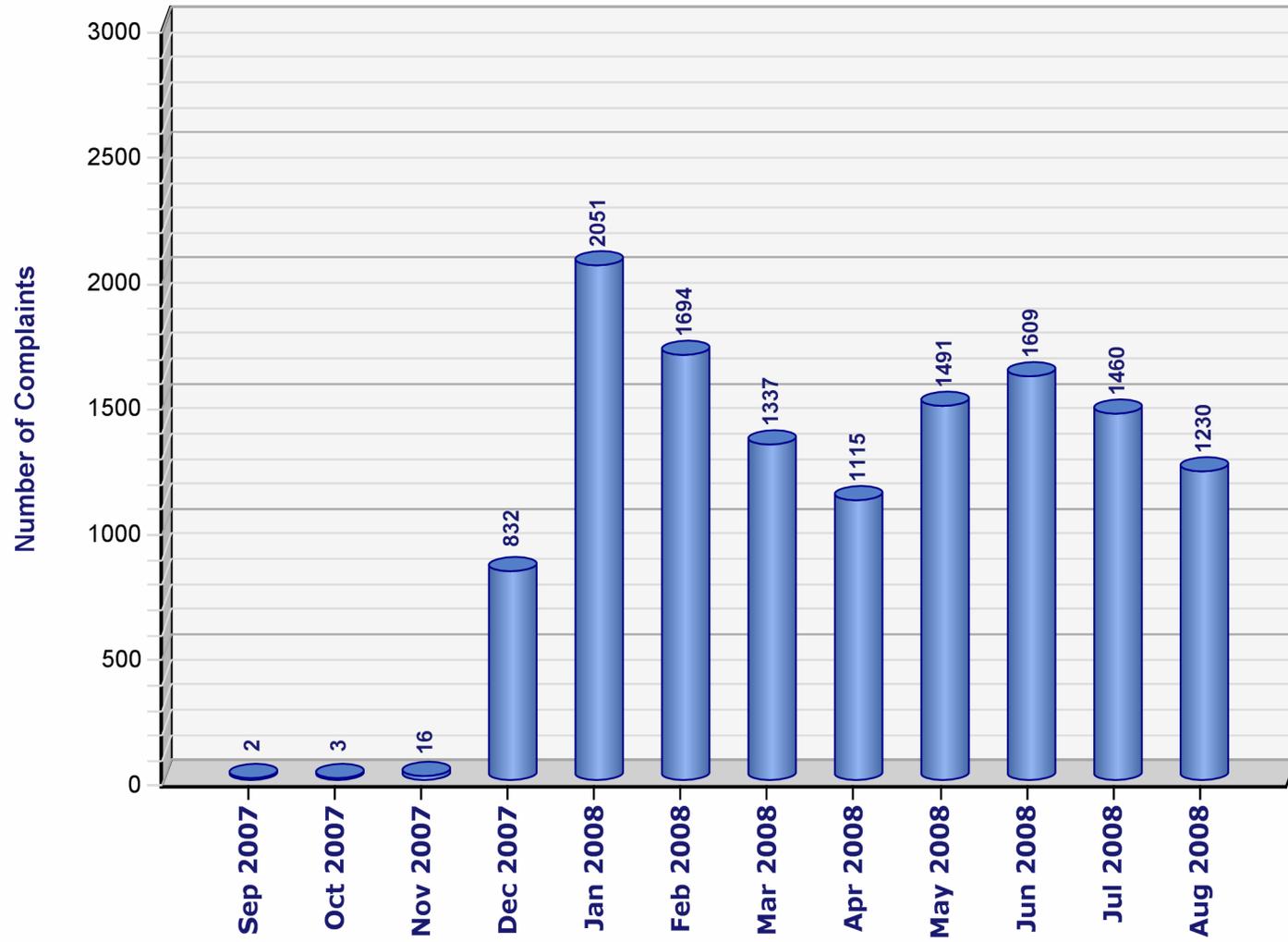
# Section A

Incident Reporting Center

## Total Complaints by Month (includes Information Only)

Month	Total Complaints
Sep 2007	2
Oct 2007	3
Nov 2007	16
Dec 2007	832
Jan 2008	2051
Feb 2008	1694
Mar 2008	1337
Apr 2008	1115
May 2008	1491
Jun 2008	1609
Jul 2008	1460
Aug 2008	1230

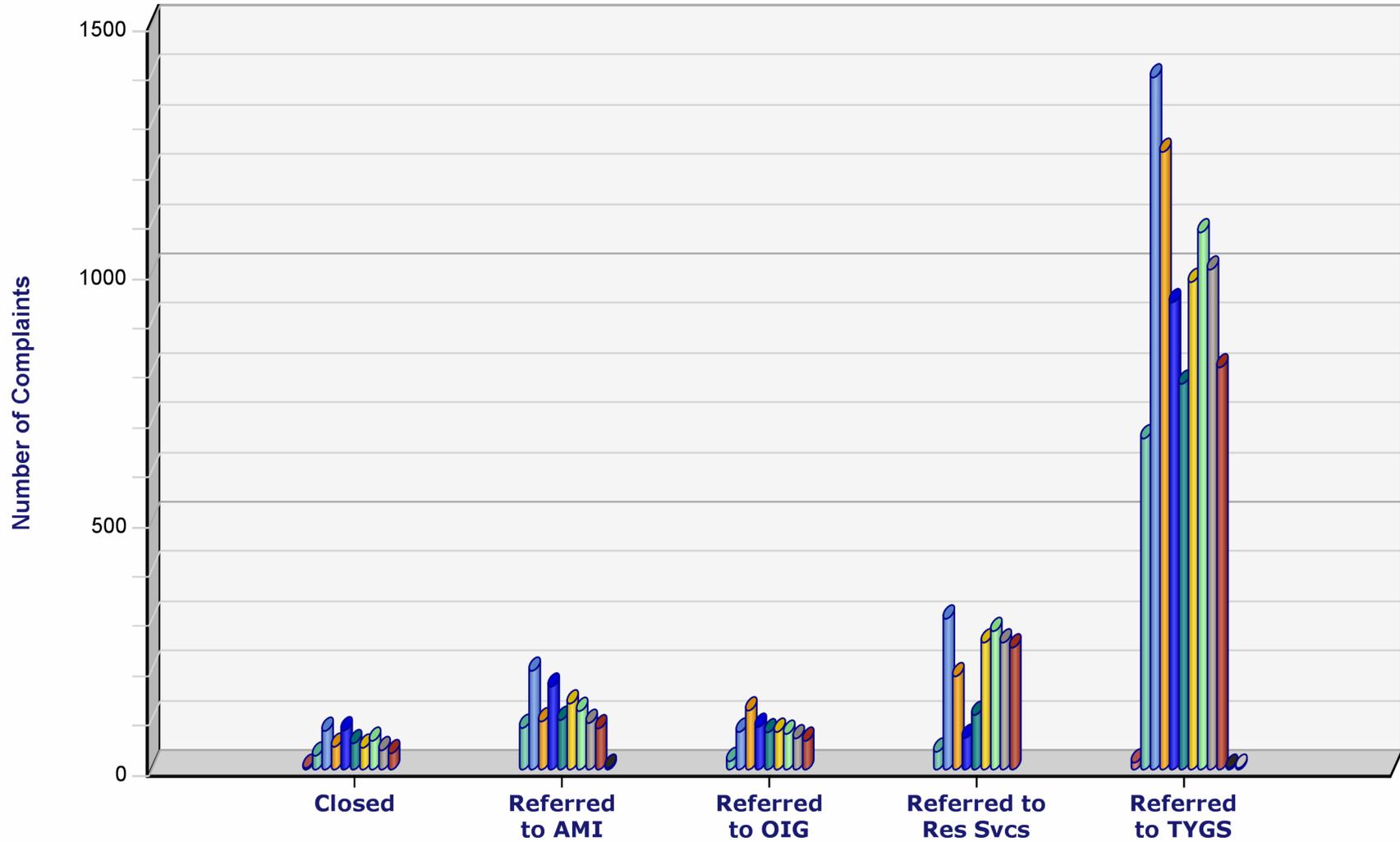
## ***Total Complaints by Month (includes Information Only)***



## Total Complaints By Status

	Referred to AMI	Referred to TYGS	Closed	Referred to OIG	Referred to Res Svcs
Sep 2007	1	1			
Oct 2007		3			
Nov 2007		14	2		
Dec 2007	84	667	28	17	36
Jan 2008	199	1394	78	76	304
Feb 2008	97	1244	46	119	188
Mar 2008	167	941	79	86	64
Apr 2008	100	777	53	75	110
May 2008	133	982	44	76	256
Jun 2008	118	1082	58	72	279
Jul 2008	94	1007	39	63	256
Aug 2008	83	810	33	58	246

# Total Complaints by Status



# Section B

## Criminal Investigations

**TEXAS YOUTH COMMISSION**  
**Office of Inspector General**  
**Investigations Opened/Closed**  
**FY08**

<b>Month</b>	<b>Open</b>	<b>Closed</b>
Sep-07	87	13
Oct-07	152	26
Nov-07	115	31
Dec-07	94	34
Jan-08	110	30
Feb-08	148	24
Mar-08	169	40
Apr-08	110	48
May-08	89	40
Jun-08	137	75
Jul-08	106	54
Aug-08	81	50
<b>FY 08 Total</b>	<b>1398</b>	<b>465</b>

**TEXAS YOUTH COMMISSION  
Office of Inspector General  
Investigative Conclusions  
FY08**

	Arrested	Accepted	Declined	True Billed	No Billed	Adjudicated	Dismissed	Convicted	Acquitted	No Action /Unfounded	Information Only	Total
Sept 2007	1	0	0	0	0	1	0	0	0	12	6	
Oct 2007	1	14	5	0	2	0	0	1	0	5	1	
Nov 2007	2	11	11	2	9	0	0	4	0	11	4	
Dec 2007	0	12	1	3	4	0	0	0	0	21	28	
Jan 2008	1	18	1	4	16	0	0	1	0	20	6	
Feb 2008	7	21	5	1	2	2	0	4	1	5	2	
Mar 2008	6	18	2	4	2	0	0	6	0	14	8	
Apr 2008	5	13	1	8	6	0	1	3	1	24	11	
May 2008	1	8	0	11	6	2	0	3	0	23	5	
June 2008	4	10	12	4	1	0	2	6	0	53	25	
July 2008	1	6	1	7	4	1	2	3	0	39	5	
Aug 2008	15	8	3	4	5	0	2	6	0	26	1	
<b>Total</b>	<b>44</b>	<b>139</b>	<b>42</b>	<b>48</b>	<b>57</b>	<b>6</b>	<b>7</b>	<b>37</b>	<b>2</b>	<b>253</b>	<b>102</b>	<b>737</b>

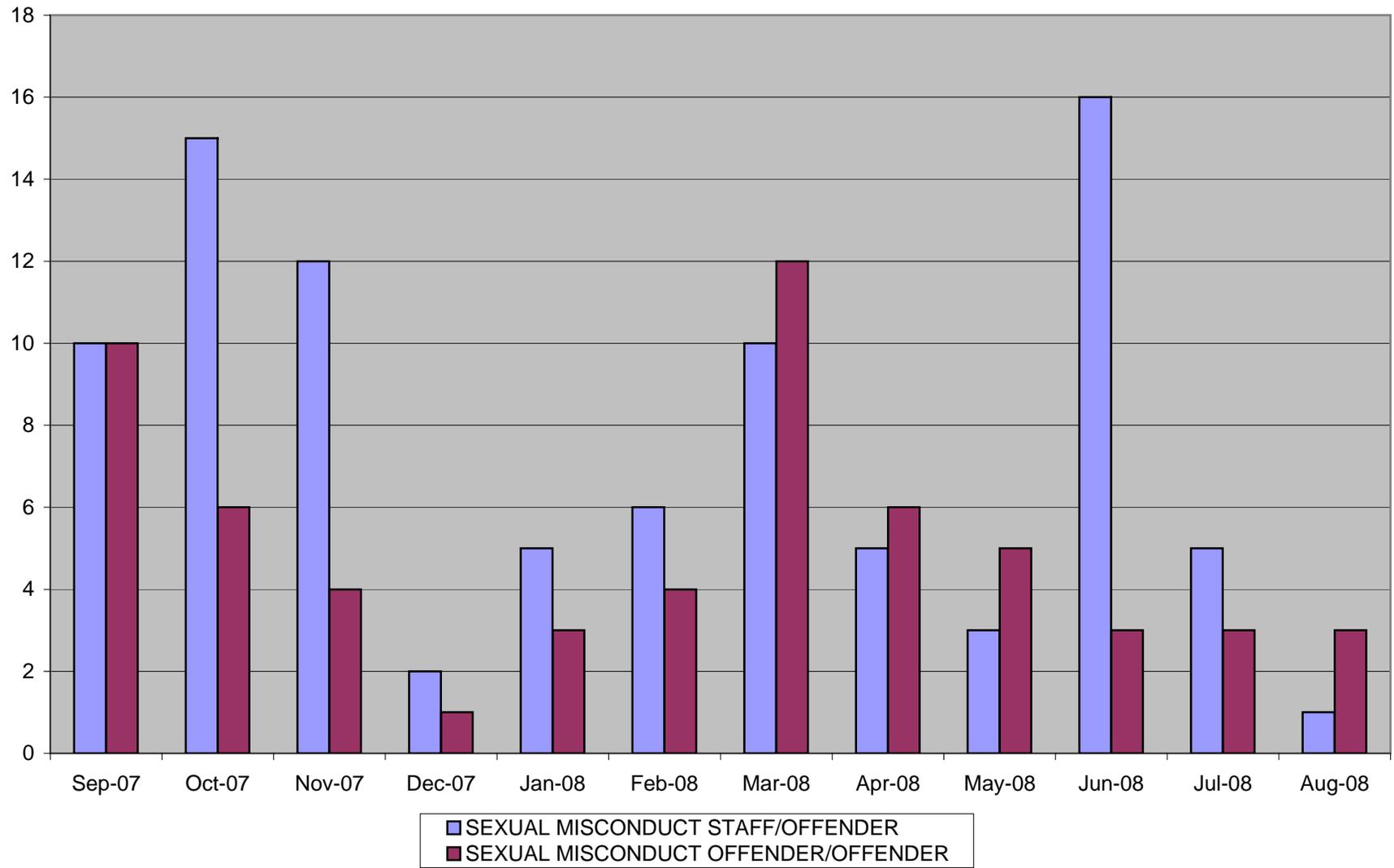
## Total Cases By Penal Code

Penal Code	Total Complaints
Abscond/Attempt Abscond_(Ad)	181
Abuse Of Official Capacity	17
Aggravated Assault	9
Aggravated Sexual Assault	1
Assault	174
Assault On A Public Servant	171
Bribery	2
Burglary	2
Contraband In a Correctional Facility	32
Criminal Mischief	16
Criminal Mischief < \$50	1
Deadly Weapon In Penal Institution	13
Delivery Of Dangerous Drugs	1
Escape	3
False Report To Police Officer/Law Enforce Empl	2
Fraud Use/Poss Identifying Info	2
Harassment By Persons In A Secure Correctional Facility	56
Indecency With A Child	1
Indecent Exposure	15
Injury To A Child Or An Elderly Individual	1
Manufacture Or Delivery Of A Controlled Substance	1
Misuse Of Official Information	1
Non-Suspect Seizure of Controlled Substance	10
Obstruction Or Retaliaton	3
Official Oppression	93
Place Weapons Prohibited	2
Possession Of Dangerous Drugs	4
Possession Of Marijuana	3
Prohibited Substances Corr Facil	73
Riot Participation	9
Sexual Assault	98
Sexual Performance Of A Child	1
Stalking	1
Tamper Fabricate Physical Evid W/Intent To Impair	1
Tamper W/Government Record	7

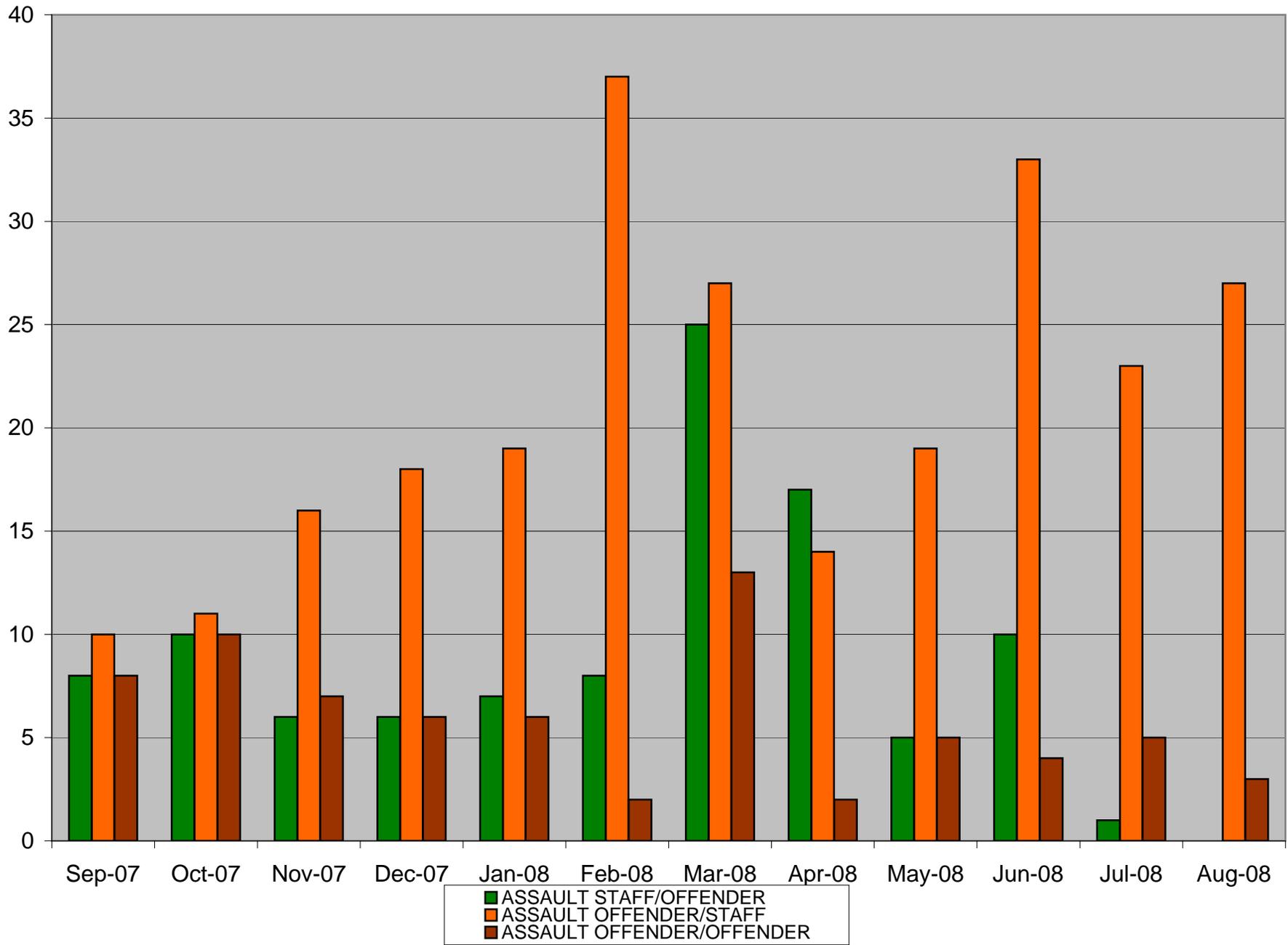
## Total Cases By Penal Code

Penal Code	Total Complaints
Tampering With A Consumer Product	1
Terroristic Threat	18
Theft	10
Theft Of Telecommunications Services	1
Viol Civil Rights Person In Custody	194
No Penal Code	168

**SEXUAL MISCONDUCT  
FY08 BY MONTH**



**ASSAULTS  
FY 08 BY MONTH**



**STAFF MISCONDUCT  
FY08 BY MONTH**

