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From: Ron McLeod
Sent: Wednesday, November 03, 2004 1:17 PM
To: Ray Worsham
Subject: 05-0064

Case 05-0064 (WTSS)

Allegation: A caseworker (Mr. Hollis) overheard [redacted] telling his mother on the phone that he did not appreciate Mr. Brookins "feeling all over him".

The above resulted in a notification being filed for abuse.

Recap of what happened:

On August 18, 2004 assistant superintendent Ray Brookins entered dorm 2 on an unannounced inspection around 8:40pm. Mr. Brookins went to an unidentified youth's room and spoke to the youth. Mr. Brookins then proceeded to [redacted] room. He was accompanied by security JCO Jerome Dewberry. Mr. Dewberry and Mr. Brookins entered the room while [redacted] was sitting at the desk reading a letter he received from home. Dorm staff JCO Barrera was also present. Mr. Brookins proceeded to place his foot on top of the desk with his crotch area facing [redacted] face. Mr. Brookins proceeded to place his hands on the neck and shoulder of [redacted] in a rubbing squeezing motion while talking with [redacted]. [redacted] attempted to pull away from Brookins who did not let go of the youth. This was witnessed by Alejandro Barrera who was supervising the hallway and by youth [redacted]. Barrera said the incident lasted 3 to 5 minutes. [redacted] filed two grievances that were not registered/entered in the TYCS systems. (Ms. Shorten said she never received them). JCO Dewberry said Mr. Brookins might have touched [redacted] in a friendly manner, but anything else he would have reported. As stated above, [redacted] complained about this incident to his mother during a telephone call to his home, which was overheard by CW Hollis who reported it.

Mr. Brookins denies touching [redacted] and gave no explanation for his actions, although he was given two opportunities (he wrote two statements).

JCOVI Gray was on the dorm when this incident occurred. Although he did not directly witness the incident he did see Mr. Brookins go into [redacted] room. After Mr. Brookins left, JCO Barrera came up to him and said "Mr. Brookins was all over [redacted] with his hands on him" JCO Gray then talked to [redacted] who said he [redacted] was going to write a grievance because he felt uncomfortable with Mr. Brookins putting his hands on him.

The investigator did not confirm for abuse as Mr. Brookin's actions did not meet A/N/E criteria. However, he confirmed for unprofessional conduct.

Here is how I would like to handle this. I have this case for closing now. I am going to close this case unconfirmed for abuse only (and not reflect a policy violation).

I have already sent copies of youth complaints to Genese and she will enter them in TYCS. I cannot justify Mr. Brookins actions. Neither can I definitely say this friendly touching should be captured as a policy violation. What needs to happen is what should have happened to begin with. Enter youth complaints in TYCS where he says he does not feel comfortable with Mr. Brookins touching him.. The complaint will be assigned to Ms. Barnard for resolution.

Hopefully, during the resolution Mr. Brookins can explain his actions to the youth.

I think this is a prudent course of action to take.

Ron McLeod
Deputy Chief Inspector General