

Investigative Report for Analysis of Administrative Violations

Case Number:

05-0064

Facility Name and Address: West Texas State School

Interstate 20 P.O. Box 415

Pyote, Texas 79777

Investigator Name: Lewis Witherspoon

Introduction

The following report describes the findings of the Texas Youth Commission's (TYC) investigation into the below allegation:

made an allegation in a telephone call Allegation One -_Youth to his mother that he did not appreciate Assistant Superintendent Ray Brookins "feeling all over him". The conversation was overheard by youth caseworker, Bill Hollis.

Required Notifications

- Law enforcement:

On September 15,2004 administrative assistant Genese Shorten notified the Ward County Sheriff's Office concerning this allegation

Parent/guardian:

On September 27, 2004 administrative assistant Genese Shorten notified the Ward County Sheriff's Office concerning this allegation.

Scope of Investigation

The alleged act or failure to act occurred.

The act or failure to act caused emotional harm or physical injury.

The person who took the action or who failed to act did so intentionally, knowingly, or recklessly.

Persons Interviewed

Ray Brookins, Assistant Superintendent Bill Hollis, Caseworker, dorm 2 Jerome Dewberry, JCO Security Alejandro Barrera, JCO dorm 2



Roy Gray, JCO supervisor dorm 2 Larry Thomas, JCO dorm 2 , youth dorm 2 , youth dorm 2

- Scene Summary
 West Texas State School dorm 2
- Assessment of Evidence

a TYC youth assigned to the West Texas State School stated on August 10,2004 that Assistant Superintendent Ray Brookins saw him in the shower while doing dorm checks. Mr. Brookins approached Larry Thomas, JCO dorm 2 and requested information about . Mr. Thomas informed Mr. Brookins the youth was

Eight days later on August 18, 2004 at approximately 8:40pm while riding around the facility doing dorm checks with JCO Jerome Dewberry (security staff), Mr. Brookins asked.Mr. Dewberry to stop at dorm 2. Mr. Dewberry stated he thought Mr. Brookins saw something that caught his attention. Mr. Dewberry said it could have been a youth who was up after lights out or something suspicious going on inside the dorm. He was not sure why Mr. Brookins wanted to stop at dorm 2.

Mr. Dewberry and Mr. Brookins entered dorm 2 and proceeded down B-side hallway where Mr. Brookins spoke with an unidentified youth momentarily. Mr. Dewberry said they left and went to the A-side of the dorm to is where youth and youth were located. Mr. Dewberry, said nothing unusual happened while he was in the room, or he would have told Brookins to quit and reported him to his supervisor. Mr. Dewberry said Mr. Brookins might have touched in a friendly manner but there was nothing unusual about the exchange between the two.

Youth stated on August 18,2004 Mr. Brookins and Mr. Dewberry entered his room while he was looking at a letter he just received. was sitting at his desk when Mr. Brookins approached him and placed his foot on the desk. He said Brookins put his hand on neck and started rubbing it. This was witnessed by youth who was roommate, and JCO Alejandro Barrera - dorm 2 staff, Barrera also reported Mr. Brookins actions to JCO6 Roy Gray immediately after Mr. Brookins and JCO Dewberry left.

Mr. Barrera described the incident as youth trying to get away from Mr. Brookins but Brookins would not take his hands off of shoulder. Barrera also described Mr. Brookins as having his leg up fairly high and close to Montgomery's face. Mr. Barrera described the incident as lasting from 3 to 5 minutes. During this time



frame Mr. Brookins never took his hand off away from him. despite the youth trying to get

Youth was instructed by Mr. Barrera to report the Incident to JCO Gray, which he did. JCO Gray said he talked to about the incident. chose to write a grievance about the incident because he said it made him feel uncomfortable. Mr. Gray corroborated the information given by and Barrera. Mr. Gray reported the information to his supervisor, Ayo Omoniyi, the Program Administrator for dorm 2.

Mr. Omonlyi stated he was given the information about the incident by Bill Hollis, caseworker dorm 2 and Mr. Gray. The information was filed as an alleged mistreatment on September 14, 2004. Mr. Hollis stated he overheard a conversation between

and his mother about the incident on 9/04/04. The incident happed on 8/18/04 as written in the dorm logs. The grievances about the incident were turned in by

but were never entered in the TYCS (Texas Youth Commission Complaint System). A copy of two complaints numbered 040218 and 040030 that the youth had in his possession were dated 9/22/04.

Summary/Findings

 Did Assistant Superintendent Ray Brookins touch youth an inappropriate manner that meets abuse criteria.

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No. Although it appears some touching of the youth occurred it does not meet the criteria for abuse. The youth's only complaint was that Mr. Brookins actions made him feel uncomfortable.

- The act or failure to act caused emotional harm or physical injury. Did the act cause emotional harm or physical injury to youth
 ?
 - No. There was no injury or emotional harm to the youth.
- The person who took the action or who failed to act did so intentionally, knowingly, or recklessly. Did Mr. Brookins knowingly, intentionally and recklessly touch youth in an abusive manner.
 - No. Mr. Brookins actions appears to have made the youth uncomfortable only. The youth's complaint only voiced his resentment in having Mr. Brookins place his leg on his desk and put his hand on his shoulder.



Conclusion

Allegation Abuse (Staff Sexual Conduct)

Ray Brookins

Unconfirmed

Attachments

- 1. Law Enforcement Notification
- Parent Notification
- 3. Staff Notification

Witness Statements

- 4. Ray Brookins, Assistant Superintendent
- 5. Bill Hollis, Caseworker, dorm 2
- 6. Jerome Dewberry, JCO Security
- 7. Alejandro Barrera, JCO dorm 2
- 8. Roy Gray, JCO supervisor dorm 2
- 9. Larry Thomas, JCO dorm 2
- 10.

, youth dorm 2

11.

, youth dorm 2

- 12. Grievance from
- 13. E-mail notification from dorm caseworker Bill Hollis to the PA
- 14. E-mail from the PA to the Superintendent
- 15. Daily dorm log documenting the incident



By my signature I certify that to the best of my knowledge there are no impairments to my independence or objectivity regarding my assignment to investigate these allegations of abuse, neglect, or exploitation against the employees, volunteers, or contractors of the Texas Youth Commission named in this report and that any potential impairments have been reported in writing to my supervisor.

	10/25/04
Investigator Signature	Date



TYC

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10/25/04 Date