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## [TYC: We'll investigate new abuse allegations](#)

By [Mike Ward](#) | Tuesday, August 24, 2010, 12:18 PM

UPDATE: Texas Youth Commissions have just responded to a complaint filed earlier today by four advocacy groups, alleging that continued abuse and operational shortcomings continue to plague the agency.

Youth Commission officials are promising to fully investigate the new allegations.

Their full response:

“The Texas Youth Commission has worked collaboratively with Advocacy, Inc. and Texas Appleseed along with many other advocacy groups during the past three years. TYC is taking this letter and the concerns presented in it seriously, and will work to fully investigate any allegations in the letter. We will continue to work collaboratively with the advocacy groups on behalf of all youth committed to TYC.

**Safety of youth** “The safety and security of our youth and staff is a top priority for the agency. TYC has taken specific steps in reducing youth assaultive behavior and violence through staff training and implementation of evidence-based programs. This effort has been very successful as evidenced by a 61 percent reduction in youth assaults involving bodily injuries during the past year. TYC has and enforces a zero tolerance policy for any type of mistreatment or abuse.

**Security referrals** “Security referrals are used as a last resort and at the end of the behavioral intervention continuum. Only one-third of all security referrals are ultimately admitted to security units. All medical, education, and specialized treatment is provided to youth while in security. Additionally, all security units are staffed with case managers on morning and evening shifts to provide counseling and assessment of youth readiness to return to their dorms and regular programming.

**Educational programming** “Over (the) past 12 months, TYC has made significant improvements in its educational programming. For example, the number of minutes in a school day have increased to a uniform 420 minutes, provided full academic course offerings for a high school diploma, vocational training and credit recovery, and addressed all deficiencies previously noted by TEA regarding special education.

“Principals who have extensive experience (20 years on average) working with at-risk kids have been hired at these facilities and all but one school are now meeting state requirements for attendance. This is a significant improvement from past years.

**Mental health treatment and staffing** “TYC has focused on both the quality and quantity of specialized treatment available to meet the needs of youth. In all cases, staff who deliver these programs are appropriately credentialed, licensed and supervised by an individual licensed to provide clinical supervision. During the past six months, a (University of Texas Medical Branch) psychiatrist sees patients at Corsicana State School approximately 30 hours per week.

“TYC and UTMB adopted a formulary plan in February 2010. The plan uses best medical and mental health treatment practices. Some key indicators of successful implementation:

- a decline in the use of antipsychotics
- a 90 percent decline in the use of antipsychotics as a sleeping aid
- a 70 percent decline in the use of Seroquel (antipsychotic with high abuse potential)

**EARLIER:** Nearly four years after the Texas Youth Commission imploded in a sex-abuse and cover-up scandal that brought sweeping reforms, four leading advocacy groups for incarcerated youths charged today in a scathing report that little has changed: Widespread unsafe conditions and continuing abuse still plague the Lone Star system.

In a formal complaint, Texas Appleseed, Advocacy Incorporated, the Center for Public Representation and the National Center for Youth Law alleged that the agency is unable to ensure the safety of the 1,700 youths it incarcerates because of continuing, systemic operational flaws and that youths are not being provided proper medical and mental-health care and educational programs, among other problems.

Youths are being improperly restrained to keep them under control, excessive force has been used to restrain youths on several occasions and high numbers of youth-on-youth assaults continue to plague the agency’s lockups in Corsicana and Beaumont, according to the complaint made public this morning.

The groups are asking the Justice Department to investigate the continuing problems in the agency that was placed in conservatorship in 2007 after most of its top brass were cashiered.

A subsequent investigation by the Legislature uncovered many of the same problems that are highlighted in the new complaint as still present in the statewide juvenile-corrections system, even though official reports and a state audit last year said had been corrected.

The groups that represent many of the youths incarcerated in Youth Commission lockups allege that the continuing abuse and lack of safety violate the youths’ constitutional rights.

Youth Commission officials said they were working on a response that would be made public later this afternoon. Justice Department officials in Washington said they were reviewing the letter.

Officials with the four groups said the complaint was filed after their attorneys interviewed youths held in most of the Youth Commission’s lockups, and compiled a troubling pattern of systemic problems that have gone uncorrected.

Youths interviewed at the Corsicana Residential Treatment Center in Corsicana and at the Al Price State Juvenile Correctional Facility in Beaumont repeatedly told advocates that they “do not feel safe,” Texas Appleseed Legal Director Deborah Fowler said in a statement.

“These facilities have two of the highest rates for reports of assault by youth and by staff, according to data kept by the TYC Office of Inspector General,” she said.

“Only one other secure facility — Crockett State School — is consistently linked to a higher number of reports of assault. One youth, whose broken jaw was still wired shut from a fight a month before, told us he had been in security ‘with nothing to do’ since returning from the hospital because staff were afraid to return him to the dorm.”

Robert Fleischner, with the Center for Public Representation, said “gross deficiencies in educational programming” in Youth Commission lockups are a widespread problem.

He said that Youth Commission records reveal “a high number of school days canceled or shortened, either due to a shortage of staff or youth misbehavior in five facilities: Al Price, Crockett, Gainesville, Mart II and Ron Jackson I in Brownwood . . . We heard that the school work provided these youth is little more than worksheets in many cases, which undermines rehabilitation efforts.”

While 37 percent of youth in TYC have “serious mental health problems,” the groups said that up to 48 percent of incarcerated youths had “some need for mental health treatment during 2009. At the Corsicana lockup, that has led to “a culture of self-injurious behavior” that allows “serious and dangerous cutting,” they said.

Corsicana holds about 130 incarcerated teenagers, including many with serious mental health issues. Even so, the groups say that only two unlicensed PhD psychologists, two licensed associate psychologists and two unlicensed psychologist interns are on staff — with one psychiatrist providing services 17 hours per week on average. That is far less than is needed, the groups say.

“One of our clients at Corsicana, who is diagnosed with schizoaffective disorder, hears voices telling her to harm herself, but because mental health staffing is so inadequate, she is only able to see a different psychiatrist each month via televideo,” said Beth Mitchell, Advocacy Inc. managing attorney. “Her meds are constantly changing and, in one instance, she was prescribed two contraindicated anti-psychotic medications that led to a dramatic increase in her self-harming behavior.”

Senate Criminal Justice Committee Chairman John Whitmire, a Houston Democrat who co-chaired a special legislative committee that investigated the earlier abuses, called the complaint “very troubling, very serious.”

He called on state leaders to step in to ensure Youth Commission lockups are safe.

“It seems we’re back where we were before, four years ago,” said Whitmire, who in 2009 proposed abolishing the agency in favor of sending non-violent, teenage lawbreakers to community-based programs that have proven more successful.

“It appears we have some dangerous facilities. It appears they are mingling violent offenders with non-violent offenders, sex offenders with non-sex offenders. This must stop.”