

Office of the Independent Ombudsman for TYC
Site Visit Report
Coke County Juvenile Justice Center
September 24, 2007

I toured Coke County from about 1pm to almost 10pm on Friday September 24, 2007. Mr. Bement and his staff were very professional, hospitable and helpful. I regretted holding them up so late on a Friday, but the tour took far longer than I expected. Frankly, that's because I encountered more problems than I anticipated. Children seemed almost desperate to lodge their complaints and I was inundated with youth complaints on each dorm I visited.

You have received a report from my colleague Susan Monahan, TYC Review Officer from Harris County (see Attachment A). Several conversations I had with youth at Coke County corroborate each element of her report.

- Students are idle and spend most of their time in their cells with little to no programming¹.
- Recreation is irregular due to serious understaffing (currently 44 vacancies out of 105 positions)².
- There seems to be an over-reliance on OC spray and proper decontamination procedures are not always followed.
- I received complaints that phones often are out of service or cut off mid-conversation.
- Phases are more difficult to obtain in Coke County than in TYC run facilities according to youth.

¹ Nearly all students I spoke to (@15) complained about a lack of programming. One complained there aren't any games on the dorm or anything to do except for tattoo themselves with pens staff smuggle in for them. Several students told me that the only reason they were out of their cells in the open space was because I was there. They told me they overheard a radio call from someone saying that TYC was here and they needed to get youth "programming immediately".

² To his credit, Warden Bement has been proactive in his effort to address the staffing issue. He recently increased pay by \$2/hour to attract staff. Also, he has 10 GEO staff from adult facilities on loan at Coke County until new hires can be training. This comes at an additional cost to GEO because they have to pay per diem and housing. He currently has 21 new staff going through training. The facility had an unprecedented loss of staff due to the negative publicity TYC received earlier this year, a practice of presenting abuse claims to a grand jury even when local prosecutors didn't believe there was any merit to the case, fear of losing jobs in the facility, and gasoline price increases.

Ms. Moynahan raised these concerns in her report and I share them. I would like to raise additional concerns below.

SECURITY DORM: Kids are locked down in a dorm designated for security for excessive lengths of time with no outdoor recreation and exercise³. I met two youth who have not once been outdoors for exercise during the 5 weeks they have been on BMP in the security dorm. The cells appear to be approximately 12X8 and are double bunked with little ventilation and no direct sunlight (photo). The dorm is malodorous and dark. Kids do not leave the cell for any reason other than to shower daily⁴ and they only leave their cells after being placed in hand and leg mechanical restraints. “Education” consists of someone dropping a single sheet of paper through the door slot each day which usually contains a cross work puzzle, a word game or math problems (photo). There is no teacher instruction or guidance whatsoever. According to five kids I spoke with, certain staff shake food containers before sliding them through the door slots mixing the food up for the purpose of tormenting the youth.

SUICIDE WATCH/Mental Health: (*Youth name deleted*) has spent the majority of his stay in Coke County on suicide watch. Last week he smeared his own feces on the window of a suicide watch cell and licked it off. For the past three weeks, Coke County staff have attempted to have him transferred to Corsicana. On Friday the transfer was approved. I commend Coke County for their effort. They were monitoring (*Youth name deleted*) very closely the day I toured the facility and I commend them for that as well. My concern is with the delay in approving the transfer by TYC officials. I believe (*Youth name deleted*) should also be considered for a Corsicana transfer and I raised that with Warden Bement.

EDUCATION: There is no classroom instruction at Coke County. Students are placed in front of a computer and encouraged to learn on their own. Very few bother to try according to one student who does. Teachers are supposed to answer questions as they arise, but the same youth reported that often teachers can’t answer questions and tell them to keep guessing until the right

³ I raised this issue with Warden Bement who informed me that a few years ago, he received a “ruling” from TYC that suggested that since their facility doesn’t have an outdoor recreation area attached to the security dorm, they were not obliged to comply with the policy requiring at least one hour outdoor exercise per day. Such an exception to policy is inconsistent with well settled law and I encourage TYC administration to revisit that “ruling”.

⁴ Three kids complained that sometimes they are told to shower at 6am and if they don’t immediately get out of bed they lose their opportunity to shower for that day.

answer comes up and then try to memorize it. That student⁵ told me that during the day I interviewed him that his teacher told him to sit down after his third question because he had already answered too many questions from the student in one day.

SANITATION: Many students, including students who work in the kitchen, complain of regularly discovering insects in their food. There is an infestation of beetles, crickets and spiders throughout the campus, including the rooms. Some kids sleep on mats placed directly on floor and are particularly disturbed by the insect problem (photo)⁶. Kids allege that their bedding (sheets and pillows) have not been washed in over a month. Coke County officials deny this allegation but their sheets and clothing were visibly dirty (photo). Showers have visible soap scum. (photo)

VISITATION: Due to the remote location of the facility, there is very limited visitation according to kids from Houston and San Antonio.

ATMOSPHERE: There is a greater sense of fear and intimidation in this facility than perhaps any other I have been too. Demonstrative of this dynamic is the fact there are three youth who have been on self-referral to security for weeks despite the conditions I describe above⁷. Surely this has much to do with the nature of the population that passes through Coke County—predominately recommits. Also, staff openly acknowledge a significant gang problem on the campus. All youth are dressed in orange jumpsuits. As TYC moves away from this practice, so should Coke County.

QUALITY ASSURANCE: The issues Ms. Moynahan and I have raised must have been apparent for some time, yet there are 4 Quality Assurance staff assigned to that facility alone. My concern and frustration is that with so many Q/A's assigned to this single facility, more than my staff for the entire state, why do these problems persist?

⁵ This student also told me that recently medical staff told him that if he continued to request medical visits he would try to get him fired from his campus jobs. Intimidated and fearful of losing his campus job, the youth has not reported blisters he had on his feet (photo). I reported that to Coke County staff and they immediately directed dorm staff to get medical attention to the youth and they will address this issue with medical staff.

⁶ While I was on the campus, Mr. Bement and senior staff directed dorm staff to move kids sleeping on the floor to open beds in the intake dorm.

⁷ Coke County staff recognized the need for (*Youth name deleted*) to be transferred to Garza County and took all necessary steps. The transfer was approved in July but (*Youth name deleted*) is still on security self-referral in Coke County on self-referral. My concern is that TYC has not transported him out in all this time.

ATTACHMENT A:
Report by Susan Monahan 9/21/07

Stan,

I hope you are doing well and are not completely bombarded by new changes and demands. I wanted to send you a quick report from my visit to the Coke Co Facility and give you an overview of the youth's reports. If more specific information is needed just let me know and I will be happy to send it your way. I also wanted to apologize for sending this a week after my visit. I have spent this entire week at home with my sick two year old and she has required my undivided attention (as 2 yr. olds do).

Last week I met with 24 Harris County youth at Coke County JJC and wanted to share some of my observations with you. The youth interviewed were from the Hotel, Baker, Golf, David, Adam dorms and the security dorms Echo and Intake and the majority expressed similar complaints/concerns.

The most consistent complaint from the youth was the large amount of time they spend locked in their rooms with nothing to do. Based on the similarity of the youth's statements there appears to be a significant deficiency in the amount of programs and treatment services provided to the youth. One of the more disturbing complaint about staff shortage was regarding the Adam Dorm. The youth advised that this dorm is not equipped with restrooms in the rooms like the other dorms and when there is a shortage of staff they have to use to restroom in the room either on the floor or a plastic bag (if they have one).

- Youth report that because of the staff shortage at the facility they are spending the majority of their time locked in their rooms. According to the youth they eat all three meals in their room and are not attending Core Group and Rec. regularly (only when they have two staff per dorm). Furthermore, the youth report they go to class for three hours in the morning, return to their rooms for lunch and after lunch the teacher comes to the dorms and slides the youth homework under their door. If assistance is required to complete the assignment the teacher will instruct the youth through the door.
- Youth report they are frustrated by the difficulty with obtaining their Phases. The youth advise that as a result of the staff shortage they attend Group less and are provided with fewer opportunities to present for their Phases Levels. Several youth complained specifically about Ms. Perez and Mr. Lutz and this information was shared with Warden Bement.

Another area of concern is the reports from youth advising they were not given access to a cold shower after being pepper sprayed. According to the youth, there is not a designated shower area where they are decontaminated. This report was discussed with Warden Bement who confirmed that the facility is not equipped with a cold shower at this time.

- The youth report that if there are people taking a showers when you get sprayed you just have to wait until they are done. One youth reported waiting for 24 hours before he was allowed to take a shower.

Lastly, several of the youth reported the facility phones were not working properly and it has been an ongoing problem.

- Youth report the phones used to call their families and the Hotline do not work properly and it is difficult to hear anything. In addition, the youth interviewed from the Echo Dorm report that they are denied access to the hotline number.

These concerns were also discussed with Warden Bement prior to my leaving the facility. Warden Bement stated he was in the process of hiring and training several new staff and he was confident this would elevate many of the issues.

I hope you have a relaxing weekend (unlikely I know) and if you have any additional questions or concerns just let me know. You can reach me by email or you can call me on my cell anytime (Phone number deleted).

Thanks for all of your hard work and dedication. The kids are lucky to have you in their corner.

Susan