

Texas Health and Human Services Commission
Child-Care Licensing
Investigation Report

Face to Face

11/21/2013

T J. 14yo/ Resident

Terrel was interviewed at the facility on 11/21/13.

T reported he has lived at the facility for a long time but could not recall for how long. He said he is expected to leave soon and is hoping of reuniting with his family. T said he visits with his family on a regular basis and his relationship with his family has improved tremendously. T stated things are going OK for him and he liked most of the things here. T said one thing he wished it could change is the way the staff handles resident. He stated staffs are aggressive when it comes to restraining children. He said most staffs restraining the kids the same way with their arms behind their back and staff would push them up if the kid tried to get out of the hold. T said he has been restrained several times in the same manner. He reported Mr. [REDACTED] has restrained him one time at school and his arms were hurt after the restraint for being held to tight and being pushed up too much. T stated the pressure are on his upper arms when staff pushed them up. He said Mr. [REDACTED] has a reputation of restraining the kids for any reasons and in an aggressive way.

T reported he was on the van the day of the incident when C was restrained. He said C got into a fight with Jr (H J.) and Mr. [REDACTED] had to separate them. He reported seeing Mr. [REDACTED] grabbed C and swung him to the side. He said C fell as a result of being pulled hard. He reported Mr. [REDACTED] picked C up from the floor and carried him back to the bench in the back of the van. He reported seeing C kicking and but heading Mr. [REDACTED] during this time. T stated Mr. [REDACTED] placed C on the bench on his back with his knee hanging to the side of the bench. T stated Mr. [REDACTED] held C with one hand and pushed C's head down on the bench with his other hand while climbing on top of C to do so. He said Mr. [REDACTED] then called for assistance from Mr. [REDACTED] who came in to hold C's leg down with his knee and hold C's hand with his hand to give Mr. [REDACTED] some relief. T said C was yelling and screaming that his legs hurt in Spanish during the restraint. He said Mr. [REDACTED] ordered the kids to leave the van while holding C down. T stated he left the van and went to another van later for school. T reported the staffs were on the van for 30 minutes before allowing some of the kids to get back on the van. He said he waited outside for the other van and was able to see what happened. He said the door to the van was opened at this time. T said neither staff speaks Spanish and he was not sure if they understood what C was yelling at the time. T said he was later told that C's legs were hurting from being pinned down by Mr. [REDACTED] He denied seeing C spitting out blood during the restraint. He reported observing C's lip was swollen at recess.

T reported he was in the classroom the day A was restrained by Mr. [REDACTED] He said A refused to sit in his chair to do work. A wanted to leave the room but the door was blocked by Mr. [REDACTED] He said A tried to push past Mr. [REDACTED] but was unable to do so. A then flipped the desk over and managed to punch the wall one or two time. He said Mr. [REDACTED] came over to de-escalate the situation but A continued to refuse to return to his seat. He said Mr. [REDACTED] grabbed A from

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recall if it was before or after the restraint. He said he could not remember if any restraint was done because resident kicked the wall. Mr. [REDACTED] reported normally the child would be restrained again as kicking the wall indicated he was not calm and was still a threat.

Mr. [REDACTED] at first said Mr. A, staff member, only comes in to make dinner and clean the house. When asking about him and Mr. [REDACTED] were unable to understand Ca when he complained of his arms being hurt, Mr. [REDACTED] then stated Mr. A does come on the day he works from 7AM-10PM.

Mr. [REDACTED] was asked about preferred de-escalation technique for both Ca and A and he did not understand what it meant. He said he was never given a copy of resident's service plan or admission assessment to know what they prefer to do to avoid being restrained. He reported this is the first time hearing the word preferred de-escalation techniques. Mr. [REDACTED] said as he spends time with the residents, he learns more about each of their personality and characteristic. He reported drawing his own conclusion what works for the kids and what he could do to keep them calm.

Face to Face

11/18/2013

MJ 16yo/ Resident

Mrl was interviewed at the facility on 11/18/13.

Mrl said he has lived here for 2 years. Mrl reported he liked it here OK but he knows a lot of other kids don't. He reported there are a lot of fighting among the kids and the way staff restrain the kids is the biggest problem.

Mrl stated he has been restrained several times since his placement but it has been a while. He said staff pretty much leaves him alone as they know he won't take abuse from staff.

Mrl stated most of the kids here don't like [REDACTED] because of the way he restrained them. He reported Allyn can be aggressive and the way he restrains the kids is improper and it causes pain to them. Mrl stated he would grab the kids any way he can and when he put them in a restraint, he tends to do it rough. He reported pretty much every single kid got restrained by [REDACTED] complained of the same thing.

Mrl reported he was in the van and witnessed the incident when C was restrained by both Mr. [REDACTED] and Mr. [REDACTED]. He reported sitting on the first row of the van and did not see how Mr. [REDACTED] grabbed a hold of C. However, he was aware of the incident when Mr. [REDACTED] ordered the rest of the kids off the bus during the restraint. He said he refused to leave and staff (Mr. A [REDACTED] and Mr. [REDACTED] let him stay behind. Mrl stated he observed Mr. [REDACTED] put C on the bench facing down but turned him over when C tried to kick Mr. [REDACTED]. He reported Mr. [REDACTED] had his body leaning over C and held his arms against the seat during the restraint. He reported Mr. [REDACTED] held C for about 3 minutes when Mr. [REDACTED] got on the van and he asked Mr. [REDACTED] to assist him with the restraint. Mrl reported C tried to kick staffs with his leg and Mr. [REDACTED] pushed his knee against C's knee to keep him from kicking. He said C's legs were half way down the floor while his body was lying on the bench. He reported Mr. [REDACTED] had his hand pushed up against C's chin to keep him from moving his head while hold his other hand with his hand. He reported hearing C screaming in Spanish that they were hurting his knee; however, neither staff let C go and he does not know if they did not understand what C was saying because neither staff speaks Spanish.

Mrl reported at one point he told both staff members that they needed to let C go because he seemed to be hurting. He said C was held for another 3 minutes before he was let go by both staff members. He said both staffs did tell C to calm down before they released the restraint. C