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Video Testimony Confirms that Attorney Generals Abbott and Gonzales Ignored TX Youth Sexual Assault

Abbott's West Texas agent worked on partisan voter fraud investigation instead of child abuse. The U.S. Department of Justice formally refused a Texas Ranger request for assistance with the TYC investigation.

In separate testimony yesterday before the Joint Select Committee on Operation and Management of the Texas Youth Commission, a representative of Texas Attorney General Greg Abbott and a Texas Ranger investigator confirmed that both agencies were aware of the alleged sexual abuse of juveniles under state care, yet **failed to act**.

Partisan voter fraud investigation given priority over sexual abuse: In February 2006, an agent from Attorney General Greg Abbott's office was informed that sexual abuse had taken place in the Ward County TYC facility. Meanwhile, Abbott had an agent on sight near Ward County working on Abbott's controversial and partisan voter fraud project ([read the LSP report on Abbott phony voter fraud program here](#)) and was never reassigned to help with the TYC investigation. ([Watch the video here](#) - start at hour 1:10) The election case involved a 69 year old woman who had simply mailed sealed and completed ballots for several senior citizen neighbors.

US DOJ refuses to help, says abuse did no "bodily injury": Texas Ranger Brian Burzynski also informed the Department of Justice about the abuse at TYC. On July 28, 2005, the U.S. Department of Justice formally notified the Texas Rangers that it would not help with the investigation because the allegations did not result in "bodily injury." (Read the [DOJ Letters Here](#) - [Watch the video here](#) - start at hour 2:05)

Texas Youth Commission Sex Abuse Scandal

For the last 6 years, abuse has been commonplace at Texas Youth Commission facilities. Despite the pleas of families and a Texas Ranger, Attorney General Greg Abbot did not prosecute any of the cases. In just the past 6 years

- The TYC referred more than 6,600 cases of abuse and neglect
- 684 reports of "staff sexual conduct"
- Only 18 cases have been prosecuted, all by local authorities

(Source: San Antonio Express-News, March 6, 2007; The Houston Chronicle, March 6, 2007)

From The Testimony

Attorney General informed of Abuse, Does Nothing

State Senator Chris Harris aggressively questioned Don Clemmer, Deputy Attorney General for Criminal Justice at the hearing. Harris wanted to know why the AG's office did nothing after being informed of the sexual abuse. An excerpt from their exchange is below:

Senator Harris: *Why didn't you pickup the phone or somebody from your office and make an informal inquiry of that D.A. up there, if he did or did not need help?*

Deputy AG Clemmer: *Well, I think the answer is, the way we traditionally handle cases is we refer the law enforcement agent to the District Attorney for the District Attorney to then contact us if he needs assistance.*

The answer was not good enough for Senator Harris.

Senator Harris: *If the ranger is telling you there are sexual abuse cases going on in a state-controlled facility, you're going to wait around, mister? I'm having a real hard stomaching this. (Source: Select Committee on Operation and Management of the Texas Youth Commission Testimony March 8, 2007)*

AG Sent Agent to Work on Partisan Vote Dispute and NOT investigate Abuse

In reply to one of Senator Harris's questions, Deputy AG Clemmer let it slip that, "at the time...we had one of our attorneys out there[near Ward County] that was handling another case, that was a election violation." (Source: Select Committee on Operation and Management of the Texas Youth Commission Testimony March 8, 2007)

The case in question was that of 69 year old Hispanic Democrat Anita Baeza. Attorney General Abbott refused to pursue a case of confirmed repeated sexual assaults in a nearby TYC facility, while he aggressively prosecuted a senior citizen in a misdemeanor voting case. Abbott's own press release described Mrs. Baeza's harmless actions saying she did nothing more than "routinely assisted elderly residents in filling out applications for mail-in ballots. When the actual ballots arrived by mail, the women returned to these homes to collect completed ballots and mailed them for the residents." (Source: Attorney General's Press Release, January 13, 2006 and August 25, 2006)

US Department of Justice Also Refuses to Prosecute in TYC Child Assault Case.

In his statement before the Joint Committee, Texas Ranger Brian Burzynski read from a letter sent to him by the U.S. Attorney formally notifying him of their refusal to prosecute in the TYC case, even though the Ranger had confirmed that sexual abuse and assault had occurred.

Excerpt from Ranger Burzynski's opening statement:

"In Feb. 31, 2005, I was at my office in Ft. Stockton and I received a phone call from a teacher at the West Texas State School regarding sexual misconduct by a staff member on a student. I immediately responded to the West Texas State School and began criminal investigation into the allegation.

Early in the investigation I consulted Randy Reynolds, who is the 143th District Attorney and I made my case for federal Prosecution [with] the Federal Bureau of Investigation and assistant U.S. attorney from San Antonio and another [investigator] from DC joined in the investigation.

On July 28, 2005, a letter was issued by the U.S. Attorney's office explaining why they

were going to decline the case for prosecution. The letter included the following statement: 'The bottom line is that the facts presented in this case would limit us to a misdemeanor conviction and a likely sentence of not more than one year in jail. Lacking info, **lacking evidence that the student suffers bodily injury, federal prosecution will yield nothing more than a misdemeanor offense.**' " (Source: *Select Committee on Operation and Management of the Texas Youth Commission Testimony March 8, 2007*)

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