

RETALIATION PREVENTED REPORTING OF ABUSE

LARRY GRAY painfully recalls how a state co-worker pinned a boy to the ground and then jabbed his knees and elbows into the youth's face, stomach and chest.

"He was lying there begging him to stop, crying and bleeding," Gray said of the 17-year-old. "He was spitting blood." At first, Gray didn't report the 1988 incident because he feared retaliation. There was, he said, an unwritten code of silence among staff at Rice Audubon Treatment Center in eastern Jefferson County.

But months later he did step forward because "it ate at me and ate at me."

Shortly after he complained, he said, someone left a death threat scrawled on a piece of note paper in his mail slot at Rice Audubon, one of 12 centers for juvenile offenders run by the state Cabinet for Human Resources.

The anonymous note said, "You're a dead m----f----."---

Gary L. Smith received a more direct response last year after he reported to the state a youth's allegation that the boy was beaten by staff at Central Kentucky Treatment Center. Smith was a counselor there.

Complaints are supposed to be confidential. But the following day, the center's director berated Smith for filing the complaint, suggested that he would make up an accusation of misconduct against Smith and told him he should transfer to another facility, according to state records, which include a three-page memo that Smith submitted in June 1993. "I was threatened by my program director, essentially forced to request a transfer, and my sense of job security has been jeopardized," says Smith's memo to Charles Babb, who oversees the cabinet's juvenile centers. -

State law requires that workers at residential centers who learn of alleged abuse report it immediately to the cabinet's Office of Inspector General.

Cabinet officials say it is critical that employees feel free to report alleged abuse because they are most likely to know it.

Cabinet Secretary Masten Childers II said in a recent interview that the cabinet needs to create a more open atmosphere, and he said he will not tolerate reprisals against employees for speaking out.

But the experiences of Gray and Smith -- as well as other cases outlined in state records -- are evidence that staff members at some residential centers have worked in a climate in which reporting of abuse is discouraged and retaliation is feared.

Gray and Smith said that after they came forward they received no support. Here is a closer look: GRAY'S CASE

Gray said he told Rice Audubon director Mike Yelton about the threatening note, and Yelton said he would look into it. Gray also said he told a state investigator. But he said he never heard back from either Yelton or state officials.

Yelton said recently that he didn't recall the threat and refused to further discuss Gray's allegations.

Inspector General William Gardner said in an interview that the investigator who handled that case thinks he told Gray to report the threat to police. But the investigator made no mention of the threat in his report.

As for Gray's initial complaint that he witnessed a boy's beating, the investigator found "some indication" that the youth had been abused, according to state records. SMITH'S CASE

In addition to reporting a boy's allegation of being beaten at Central Kentucky, Smith also listed several other serious allegations, including his claim that he had suffered retaliation from the center's director at the time, Ray Frazier.

Smith wrote in his memo to Babb that he thought youths at the center were denied "fair

resolution" of their complaints and that the administrative staff attempted to prevent youths and other staff from reporting alleged abuse. Smith wrote that Frazier "informed me that it was preferable to 'handle these things in the facility' and that it was 'not necessary to get the people in Frankfort involved, they don't do anything anyway.' "

Frazier's lawyer, J. Keith Smith, denied in a recent interview that Gary Smith was forced to transfer from Central Kentucky and noted that he sought a voluntary transfer. And the lawyer said Frazier never discouraged abuse complaints:

"Mr. (Gary) Smith can say whatever he wants to, but he was never told not to report abuse -- in fact he was encouraged to file complaints."

Babb said in a recent interview that his only effort to check out Gary Smith's complaint about Frazier was to meet with the two men together. But Babb said he couldn't determine the truth because Frazier denied the allegations.

Babb said he left it to the inspector general to investigate.

But state records show that the inspector general never looked into Smith's allegation about Frazier, although it did probe other allegations Smith detailed.

The inspector general also did not substantiate Smith's initial complaint of an alleged beating of a boy at Central Kentucky. However, the cabinet reopened the investigation after the Courier-Journal reported in March more details of the alleged incident. OTHER FINDINGS

The cabinet also appointed an outside team to evaluate Central Kentucky. The team has found that some staff thought "they had no outside recourse and protection" if they complained about conditions. The team also said some staff claimed they had been discouraged from filing complaints.

And it said staff members should be given information about the state whistle-blower's law, which protects employees who report wrongdoing.

Before the findings at Central Kentucky, an investigator for the attorney general's office reported in 1989 that staff members and juveniles were afraid to speak out about alleged abuse at Rice Audubon and asked the cabinet to investigate.

In 1987, an anonymous letter from someone who claimed to represent a group of employees at Green River Boys' Camp was forwarded to the inspector general's office. The letter, which alleged a host of abuses at Green River, ended this way:

"Of course we can't sign this letter, but if the right people investigate and insure us of protection, we'll gladly talk. . . ." -

Gary Smith now works at Louisville Day Treatment, a state center for emotionally disturbed juveniles.

Gray works as a houseparent at a private children's home, also in Louisville.

Gray said he would gladly return to his old job trying to help troubled youths -- if he thought rules against abuse would be enforced and violations aggressively investigated.

"It's one of the best jobs you could have," he said. "But it ate at me so bad I just couldn't take it anymore."

Art Information:

Caption: STAFF PHOTO BY PAM SPAULDING

Shortly after counselor Larry Gray complained about abuse he witnessed at Rice Audubon Treatment Center, someone left a death threat in his mail slot there.; PHOTO BY PAM SPAULDING

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SERIES; UNSAFE HAVENS; KENTUCKY'S JUVENILE TREATMENT CENTERS; EMPLOYEES' HISTORY OF PROBLEMS NOT ENOUGH TO SPUR ACTION BY STATE

Michael Smith dipped pingpong balls in coffee and chewed them.

He threatened physical harm that didn't leave telltale marks. He invited a teen-ager to get a gun from his car.

He cursed and berated boys he was supposed to be helping. He apparently flipped one to the ground, and he might have punched another in the stomach and kneed a third in the ribs.

That was Smith's track record in 1988 and 1989 while working as a juvenile treatment counselor at the Rice Audubon Treatment Center in eastern Jefferson County, according to state records.

Moreover, staff member Larry Gray told state investigators that he had seen Smith strike boys in the head with a TV remote control and with his smoking pipe, which broke during one alleged assault.

But the Cabinet for Human Resources, which employed Smith and investigated him, didn't think his bizarre and abusive conduct even merited further inquiry, much less discipline.

Smith had been accused of abuse nine times during his 10 years at Rice Audubon, records show. If the cabinet knew that, no one reviewed those complaints for patterns that might warrant additional action.

His personnel record showed just two letters of reprimand.

Cabinet official Charles Babb said recently that he was concerned enough about Smith in 1989 to direct that he not be left alone with the boys he was being paid to supervise. However, Smith continued to inflict pain and degradation.

And during 1990, he unleashed a torrent. Cabinet investigators found that Smith had physically abused at least three boys; threatened at least two; and called one's mother a "bitch."

In one instance, investigators found, Smith held a boy's face in a puddle of water. In another, records show, Smith thrust a cigarette lighter into a boy's face and said, "Cover your ----, because if you don't, you won't have them."

Later, according to the records, he threw a boy against an ice machine and declared, "You're messing with a dangerous man."

Smith's numerous victims knew that all too well. Cabinet officials finally concurred in December 1990, when he was fired for his physical and verbal abuse of residents.

Smith denied being abusive, and appealed his dismissal to the state Personnel Board and to Franklin Circuit Court. Both dismissed his claim, which is now pending in the state Court of Appeals.

Smith's case is perhaps the most blatant example of the cabinet's inability or unwillingness to aggressively root out problem employees in residential centers. But it is hardly the only one. MICHAEL YELTON

Yelton has been the director at Rice Audubon for the past 12 years; for eight of those years, he supervised Smith.

In March 1989, the state attorney general's office told the cabinet it was concerned that Yelton knew about Smith's alleged abuse but did nothing about it, according to state records.

Nevertheless, the cabinet allowed Yelton to present its case against Smith during an administrative review four months later. During that review, Yelton repeatedly misrepresented the evidence in ways that placed Smith's actions in a more favorable light

and could have influenced the outcome of the case.

In a recent interview, Yelton denied ignoring abusive practices at Rice Audubon but refused to discuss his handling of Smith's case.

Yelton himself has been on the receiving end of disciplinary action by the cabinet. But despite two serious offenses he has managed to keep his job.

In 1973, Yelton was suspended for 10 days for an incident involving the "physical abuse of youth," according to state records. The cabinet was unable to locate details of the case, and Yelton refused to discuss it.

Fifteen months after the suspension, Yelton was promoted.

In 1988, Yelton was fined \$1,683 -- 10 days' pay -- after he led several staff members to the home of a resident who had fled Rice Audubon. One of the staff members broke into the house in search of the youth, and Yelton later took \$431 from the residents' snack fund to pay for the damage.

That was an inappropriate expenditure, a cabinet investigation determined, because it constituted "an effort to conceal the fact that the employee had illegally entered the residence."

The cabinet also concluded that Yelton failed to control staff involved in the break-in and failed to inform his supervisors of the illegal act.

Harsher action was not taken against Yelton because he had performed capably in other respects, cabinet officials said. LESLIE BURRIS

In a 10-month period beginning in May 1991, Burris received three reprimands and a 10-day suspension for misconduct and poor work performance at Green River Boys' Camp in Butler County, state records show.

The suspension came after Burris allegedly encouraged camp residents to physically restrain another boy. Burris denied having done so, but he was contradicted by eight residents, as well as the victim.

Burris also admitted using profane language in the presence of residents, according to the cabinet investigation that led to his suspension. And he acknowledged writing a log entry referring to a resident as a "fat white boy w/ an attitude."

Last February, in a rambling, semi-coherent letter in which he referred to himself as a "powerless employee," Burris requested a transfer from Green River. A month later, he was given a job at a treatment center in Owensboro.

Burris said recently in an interview that his disciplinary actions at Green River stemmed from a difference of opinion with management and staff.

"I became the fall guy. It was a way for them to get me." DAVID PEAK

Officially, Peak's 17-year employment history with the cabinet is spotless -- not even a whisper of impropriety.

Indeed, in March 1990, Peak was recommended for an "outstanding merit" pay raise for his work as Green River's director.

"Not many will surpass his leadership in operating a treatment-oriented facility," Social Services Commissioner Larry Michalczyk wrote.

Here's the sort of leadership standard Peak set at Green River:

At least four times during the 1980s, he was accused of improprieties with residents. Three of those accusations involved physical abuse.

Each time, Peak ----denied wrongdoing. And a state investigation did not substantiate the abuse. However, records show that in each case investigators did not interview the alleged victims, or a key witness.

In addition to those four incidents, Peak's leadership at Green River periodically was criticized.

November 1985: Cabinet investigation finds a pattern of verbal harassment toward employee Christine Evans. Peak acknowledged making a telephone call and writing a memo that the investigation concluded appeared to be part of that pattern.

August 1987: Attorney general's office expresses concern to the cabinet that Peak is "actively preventing complaints from being reported."

September 1987: Attorney general's office concludes that a Green River youth has been the victim of "medical neglect" and that Peak did not want an investigator to question the youth. March 1988: Sstate investigation concludes that "a management problem is evident" at Green River. The investigators recommend that Peak implement suggestions including: "Learn to be a supervisor and follow CHR policy." June 1988: Attorney general's office tells the cabinet there is evidence that "pervasive and serious problems continue to obstruct effective treatment and care of residents," and that Peak "programmed staff responses" during an abuse investigation. State records containing the criticisms reflect no responses from Peak, who recently declined to be interviewed. November 1989: Peak is found by the cabinet to have verbally abused a camp resident. He admitted banging on his desk and talking very loudly. But he said it was an effective technique he'd used to get residents' attention. No disciplinary action was taken.

March 1990: Commissioner Michalczyk lauds Peak's leadership.

Asked recently how he could have done so against that backdrop, Michalczyk said he couldn't recall specifics.

Adding to the mystery, he said Peak "didn't enjoy my confidence" and left Green River "under a cloud" in late 1990.

And cabinet official Babb said he "strongly indicated" to Peak that he should leave the camp because Peak had "lost his effectiveness."

State records show only that Peak requested and obtained a transfer to another cabinet job.

Art Information:

FILE LOCATION MEDICAL CENTERS - RICE AUDUBON TREATMENT CENTER; YELTON, MICHAEL

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SERIES; UNSAFE HAVENS; KENTUCKY'S JUVENILE TREATMENT CENTERS; INVESTIGATIONS OF ALLEGED ABUSE WERE SOMETIMES SHODDY

State officials responsible for aggressively pursuing alleged abuse of juveniles in the care of the Cabinet for Human Resources appear instead to have repeatedly bungled investigations.

In some cases, ill-trained investigators didn't even interview eyewitnesses and alleged victims of abuse. In others, evidence was distorted in favor of the accused. When the investigators' work was shoddy, officials in Frankfort weren't always paying attention.

Despite multiple layers of bureaucratic review, they periodically failed to notice or correct sloppy investigations.

When findings of abuse were sent to police and prosecutors, as required by law, cabinet officials rarely if ever followed up to determine whether action was taken.

None was.

The cabinet was unable to cite a single case in recent years of the prosecution of a residential center staff member -- even when the cabinet had confirmed child abuse and fired or suspended the offending employee.

Cabinet officials generally acknowledged these and other problems when presented with the findings of a three-month investigation by The Courier-Journal. The findings were based on dozens of interviews and a review of thousands of pages of cabinet documents obtained under Kentucky's open-record law.

"You're picking out specific instances and you're right, they're very difficult to explain. We're not going to try to explain them," said cabinet Secretary Masten Childers II. "The cabinet clearly was not as aggressive in its responses as it should have been."

Since the early 1980s, investigations of child abuse at the cabinet's residential centers have been conducted by the Office of Inspector General. The inspector general is a political appointee; William M. Gardner has held the job for 8 1/2 of the past 10 years.

Gardner acknowledged in an interview that he bears some responsibility for the problems and that he did not aggressively pursue solutions. But Childers said he does not intend to fire Gardner.

"I'm disappointed" in Gardner's performance, but "I think (he) will do the right thing," Childers said. "In the past, nobody has told the Office of Inspector General to be aggressive. I don't hold them personally responsible, and they're committed to doing this in a new, more aggressive way."

Here are some examples of the cabinet's passive responses to allegations of abuse by its employees: -

At least five times during the 1980s, cabinet investigators failed to locate and interview eyewitnesses or alleged victims of abuse at the Green River Boys' Camp in Western Kentucky.

The eyewitnesses were other Green River employees -- presumably not difficult to find.

The alleged victims had already left Green River, but their whereabouts were known. The investigators said they saw no need to interview them because the accused staff members denied wrongdoing and because the investigators found no other evidence of abuse.

Childers and Gardner termed those investigative practices unacceptable, and said they will be remedied with better training and directives to take more initiative. -

In 1989, staff member Michael Smith was accused of physically abusing six residents at Rice Audubon Treatment Center in eastern Jefferson County. Most of the alleged victims charged that Smith punched, choked, tripped or cursed them.

Rice Audubon director Michael Yelton was accused of knowing about Smith's actions and doing nothing, according to state records.

The cabinet investigated the charges. It found evidence of abuse and held a hearing on the charges. And it put Yelton -- already accused of tolerating the abuse -- in charge of presenting the state's case.

At least half a dozen times during the hearing, Yelton distorted the evidence in Smith's favor, according to the newspaper's review of state records.

For instance, Yelton said other residents couldn't recall whether Smith punched a resident in the stomach. According to the cabinet's own investigative report, however, two residents "confirmed that Mr. Smith punched (the) resident . . . in the stomach at the woodpile."

At the conclusion of the hearing, Yelton summarized Smith's overall work record. Again, he distorted.

He said Smith had received one previous written reprimand, when he'd received two. He mentioned Smith's job evaluations over the years -- all adequate or better. But he

neglected to mention that Smith also had been the subject of nine abuse allegations.

In the end, Smith escaped unscathed. A year later, he was fired for physically and abusing at least three residents.

Smith denied abusing anyone, and appealed his dismissal to the state Personnel Board and to Franklin Circuit Court. Both dismissed his claim, which is now pending in the state Court of Appeals. Yelton recently refused to discuss his handling of the hearing.

Asked why Yelton was allowed to play such a pivotal role in reviewing charges that also implicated him, cabinet official Charles Babb said, "Because that was the system at the time."

Childers said the system will be changed to avoid such conflicts. -

Between March 1992 and June 1993, four investigations by the Office of Inspector General raised questions about the use of security rooms -- solitary confinement -- at the Central Kentucky Treatment Center in eastern Jefferson County.

Two investigations suggested the rooms were used for punishment or the convenience of staff, rather than to protect residents or property. That constituted a violation of cabinet policy.

During the third inquiry, Central Kentucky's head counselor, Tony Wiesen, told investigators that there were no guidelines for using the rooms. In fact, there was a policy. But the investigation made no mention of that and demanded no corrective action.

The fourth investigation, last June, again substantiated misuse of the security rooms. Again, no action was recommended or taken.

Babb, who oversees the state's 12 residential centers for juvenile offenders, said he received the reports and discussed the misuse of security rooms with supervisors at Central Kentucky.

But he said he did nothing else. And now, he acknowledged, it appears that the problem was never corrected.

"It's real clear we need to do a better job," Babb said. -

In June 1993, a former Central Kentucky employee laid it all on the table for cabinet investigators.

In a detailed, three-page memo to Babb, counselor Gary L. Smith outlined a host of alleged abuses of residents.

Smith reported suspected physical abuse of residents; verbal abuse, including threats, by staff; and an ongoing effort by supervisors to suppress abuse complaints.

Armed with that information, the Office of Inspector General appeared to take the path of least resistance.

Without explanation, investigators seemed to ignore the most serious allegations of abuse raised by Smith. Instead, they focused on the narrow question of whether Central Kentucky had violated the right of residents to file complaints.

Five months later, the cabinet concluded that the center had not.

In their 80-page report completed last December, investigators also outlined numerous allegations of abuse, mistreatment and suppression of complaints. But no questions were asked about that. No follow-up was suggested. The investigators' work was over.

Until, that is, cabinet attorneys reviewed it.

Only then did alarm bells go off. The case was sent back to the inspector general for additional investigation. That inquiry has since been merged with a larger one examining abuses at Central Kentucky disclosed by The Courier-Journal in March. -

In 1992, investigations by the Office of Inspector General concluded that Green River Boys' Camp employees Marvin Marrs, Jackie Ferguson and Steve Wedding had physically abused residents, according to state records.

Marrs allegedly held a resident upside down by the legs in a drain used to dispose of manure and other wastes. Ferguson allegedly slapped a resident in the face. Marrs allegedly used his elbow, and Wedding his knee, to inflict pain on residents who were being physically restrained.

All three men denied the charges. And during a hearing to more fully air those denials and the evidence, the accused had several key allies.

One was Green River director Richard Barnes, who was supposed to present the cabinet's case against the employees but who consistently discredited it and supported his staffers.

Another was the absence at the hearing of the investigators, whose findings were repeatedly challenged by Barnes, the employees and their attorneys. No one attempted to rebut the challenges, even though at least two misstated or contradicted the evidence.

The attorneys also interrogated the two alleged victims; no one spoke up for, or defended, the boys.

No other residents testified, even though investigators had interviewed at least 11 residents in connection with the three substantiated allegations of abuse.

According to cabinet records, Barnes painted a favorable picture of the accused in his opening remarks but never interrogated them in depth. Marrs was allowed to introduce his responses to previous written reprimands he had received. No one questioned their relevance to the hearing in progress.

After the hearing, cabinet officials determined that there was "insufficient evidence" to discipline Marrs, Ferguson and Wedding.

Barnes refused last week to discuss his conduct of the hearing.

Inspector General Gardner said he knew such hearings were routinely conducted without his investigators' participation, and that their absence was "a problem." But he acknowledged that he never attempted to solve it by having his staff present.

Asked why, Gardner replied: "I don't know." -

On a rare occasion when the cabinet did mete out significant penalties to a residential center staff member who abused boys, it shot itself in the foot.

In October 1990, the cabinet suspended David Tapp for 20 days for threatening and otherwise verbally abusing residents at Rice Audubon.

Tapp admitted the allegations, according to state records, but appealed to the state Personnel Board, claiming that he had been "selectively punished."

In January 1991, the cabinet received board approval to obtain sworn statements from Tapp's two alleged victims.

Cabinet attorneys were concerned that the victims wouldn't be available later and said their testimony was "critical" to the case.

But when Tapp's appeal came before the board several months later, the cabinet could produce neither of the witnesses. Nor had it obtained their sworn statements, once deemed so vital.

As a result, the board threw out Tapp's 20-day suspension. His lost pay was restored, and he returned to work.

Tapp, who no longer works for the state, refused to be interviewed.

Art Information:

Caption: STAFF PHOTO BY PAM SPAULDING

Inspector General William Gardner said he bears some responsibility for problems at the centers.;

Caption: Rice Audubon Treatment Center is one of three such centers with a history of abuse, state records show. Director Michael Yelton, at left, has been accused of knowing about abuse at the center and doing nothing.; COLOR PHOTO BY PAM SPAULDING; PHOTOS (2) BY PAM SPAULDING; INFORMATIONAL GRAPHIC OF KENTUCKY'S RESIDENTIAL TREATMENT CENTER LOCATIONS FOR JUVENILES

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SERIES; UNSAFE HAVENS; KENTUCKY'S JUVENILE TREATMENT CENTERS; CABINET IGNORED SIGNS OF 'GROUPING'

"At approximately 12:30 p.m. . . . a (group) counseling session was held in response to a problem between (two youths). (One boy) . . . became increasingly more defensive when various residents continued to confront him about his consistent denial behavior. After about 15 minutes, (he) became visibly angry and jumped up in a threatening manner. Several residents had (the youth) and placed him on the floor. The residents were directed to hold (him) until he quit struggling and threatening others . . . The group session was directly supervised by (staff)." -- A Jan. 25, 1994, report from Central Kentucky Treatment Center.

Earlier this year, officials in Frankfort were shocked by allegations that a banned form of group counseling called "grouping" appeared to be in use at Central Kentucky, one of 12 centers for juvenile offenders run by the state Cabinet for Human Resources. Grouping is strictly forbidden by the cabinet and in fact was banned twice after it was linked to the deaths of two boys in state care. The last boy to die was Dominic Owens, in 1983.

But cabinet officials might not have been so shocked about the latest incident if they had been reading their own reports, such as the one above. It appears to explicitly describe grouping -- youths aggressively confronting and restraining one another. Authorities warn that such sessions sometimes turn violent.

Commissioner for Social Services Peggy Wallace now acknowledges that the cabinet had warning signs it failed to notice, including the January report from Central Kentucky that appeared to describe grouping. She and her staff should have picked up on that immediately, she said, but no one did.

"I won't make any excuses," she said. "That one fell through the cracks."

Cabinet Secretary Masten Childers II is launching changes he hopes will prevent such incidents from going unnoticed. But he acknowledged that one of his biggest challenges will be to change the attitude of people working in a system in which it appears that rules are sometimes ignored.

The rules say treatment centers are supposed to be run a certain way. But the reality has been that some centers often have operated far outside those regulations. That is what the newspaper found in reviewing hundreds of reports filed by staff members as well as findings from investigations of Central Kentucky and the Rice Audubon treatment centers in Jefferson County and for Green River Boys' Camp in Western Kentucky.

In addition to physical abuse and grouping, state records show other apparent rule breaking, including:

- Improper use of solitary cells. The cells are supposed to be used temporarily only when a youth is a danger to himself or others.

The cabinet's own investigators warned state officials four times in 14 months between 1992 and 1993 that security cells were being misused at Central Kentucky, but the problem appeared to continue unchecked.

- Verbal abuse. Staff members are not permitted to curse, ridicule or otherwise verbally

abuse youths. But investigators' reports are filled with allegations by youths that they were cursed, threatened and belittled.

"They all curse at you and call you names," a youth said to an investigator in 1989 about staff at Rice Audubon. "You get used to it."

And several youths at Central Kentucky alleged they were subject to racial slurs.

- Improper physical restraint. State rules allow physical restraint only when a youth becomes aggressive and other efforts to calm him have failed.

But records are filled with examples of youths restrained for seemingly minor infractions. One report describes a youth restrained for cursing and "playing games."

The state attorney general's office, which had a contract to provide outside monitoring of the state's residential centers for several years ending in 1990, also expressed repeated concerns about these various violations.

The records show that officials often failed to correct the abuses outlined in the reports, even though they reviewed the reports regularly.

Charles Babb, who has overseen the state's 12 residential centers since 1983, said he reviewed many of the reports that should have signaled warnings.-- He said that he tried to correct problems he noticed but that he might not have done a good job. Nor did the cabinet have a method for detecting repeated violations and patterns of misconduct, he said.

"Obviously," Babb said, "we have to acknowledge there are some problems and be a lot more accountable to prevent future recurrences."

Art Information:

Caption: The state was warned four times about misuse of security cells at Central Kentucky Treatment Center.;

Caption: Charles Babb "We have to acknowledge . . . problems"; PHOTO BY PAM SPAULDING; PHOTO; FILE LOCATION BABB, CHARLES

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SERIES; UNSAFE HAVENS; KENTUCKY'S JUVENILE TREATMENT CENTERS; OUTSIDE OVERSIGHT PROPOSED

FRANKFORT, Ky. -- To make sure children in its care are treated safely and humanely, the state Cabinet for Human Resources needs more than new leadership and reorganization, Cabinet Secretary Masten Childers II said.

It needs a watchdog. "We think it's appropriate to have outside oversight for any person for whom this cabinet is responsible," Childers said.

He said he expects to have a proposal ready in 60 to 90 days for an outside group to provide regular monitoring of the cabinet's 12 residential centers for juvenile offenders as well as its group homes and other residential programs.

Temporary state monitors are to be in place soon for 60 days at Central Kentucky and Rice Audubon treatment centers and Green River Boys' Camp. Childers said he plans to use their findings to draft a proposal for a permanent outside monitoring group.

He said the monitors would be an independent body that would check regularly for allegations of abuse, mistreatment or other problems.

For several years the victim's advocacy division of the state attorney general's office served as an outside monitor for all of the cabinet's residential programs. But that arrangement ended in 1990 by mutual agreement.

During the period it operated as a monitor, the attorney general's office uncovered numerous allegations of abuse of youths at several centers, including Rice Audubon and Green River. Its findings prompted additional cabinet investigations of allegedly abusive employees.

Elizabeth Marshall Harvey, a former victim's advocacy director, said she thinks an outside monitor is a good idea because "these facilities can be very, very closed places."

Because the monitors would be independent of the cabinet, she said, they might be able to more easily gain the trust of the youths, who are sometimes wary of cabinet employees.

David Richart, executive director of Kentucky Youth Advocates, said that to be effective, government officials must be committed to truly independent and long-lasting monitoring.

Childers pledges the monitors will be independent.

As for lasting?

"It will be permanent under this administration," he said. "Hopefully, our successors will be discouraged from turning back the clock." KENTUCKY'S LOW-PAID JUVENILE WORKERS

Salaries and qualifications for jobs at Kentucky's 12 residential centers for juvenile offenders are shown below. The salaries appear to be at the very low end of the scale compared with salaries for similar jobs in other states, according to a 1991 survey by the American Correctional Association. Where possible, the salary range found nationally in the ACA survey is shown to give a rough idea of where Kentucky ranks.

TITLE: Juvenile Treatment Assistant

DESCRIPTION: Entry-level job as youth worker, provides supervision and treatment for juveniles

ANNUAL STARTING SALARY: \$11,244 (ACA range: \$10,946-\$32,640)

QUALIFICATIONS: High school diploma or GED with work experience in juvenile or adult care

TITLE: Juvenile Treatment Assistant Principal

DESCRIPTION: Supervises youths, provides treatment, may counsel youths

ANNUAL STARTING SALARY: \$13,668 (ACA range: \$12,428-\$38,592)

QUALIFICATIONS: High school graduate with one year of work experience in juvenile or adult care

TITLE: Juvenile Counselor Supervisor

DESCRIPTION: Supervises employees at juvenile center

ANNUAL STARTING SALARY: \$20,196

QUALIFICATIONS: Bachelor's degree plus three years of experience in social work, counseling, the ministry or related field.

TITLE: mechanical Maintenance and Operations Technician Senior

DESCRIPTION: Coordinates and performs maintenance work

ANNUAL STARTING SALARY: \$13,668 (ACA range: \$10,946-\$40,000)

QUALIFICATIONS: Ability to read and write plus three years of maintenance experience

TITLE: Superintendent

DESCRIPTION: Runs the residential facility; supervises staff; is responsible for the health, welfare and safety of youths; Interprets and enforces state policy and regulations