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## Angela's Story

Angela, (name changed to protect confidentiality), age 14, named the women she said had abused her and the other children at the facility. Angela said they punched girls in the stomach when they got mad at them, and that one of the women pushed her down the stairs.

She said it happened after one of the other girls shoved her off a bench, which hurt her leg. She said she was moving slowly because her leg hurt and that one of the staff became angry with her for being slow. She said the staff member told the other girls to go in their rooms and close their doors.

When Angela finally reached the top of a flight of stairs, she said the staff member told her she was going to “teach her a lesson.” According to Angela, the staff member pulled her injured leg up and pushed her down the stairs. Then a staff member sat her in a chair downstairs because she was unable to climb the stairs. She said she slept in the chair for the next week.<sup>1</sup>

The facility's director, a registered nurse, said she took Angela to a medical clinic the next day, where a doctor said Angela's leg was not broken. A week later, she said she took Angela again to the clinic, and again the doctor said that her leg was not broken. The following day, the director took Angela to the clinic for a third time; the doctor then recommended sending her to an orthopedic specialist. Because it would take another week to see a specialist, the director took her to a hospital instead.<sup>2</sup>

The hospital immediately found that her leg was badly broken, and that the lack of medical treatment had caused a severe bone infection. After surgery, Angela had to spend six months in the hospital, several months of it in traction. According to hospital records, Angela was malnourished when she arrived and required a feeding tube for several months.<sup>3</sup>

The facility director reported Angela's injury to DPRS on April 2, shortly after she took her to a hospital. Her report indicated that Angela had injured herself "while playing" and would need surgery.<sup>4</sup>

DPRS began its investigation of the director's report on April 4, 2003. The same day, the agency received a second call, reporting that Angela said that a staff member had pulled her up the stairs by her hair and pulled her injured leg up for being slow. On May 20, DPRS closed this complaint as "not subject to regulation." The report is not listed on DPRS' public database of reports and investigations.<sup>5</sup>

In its investigation of the director's report, DPRS found that, since the facility had sufficient staffing when Angela was injured, sought medical treatment for her and documented it, that no breach of licensing standards had occurred. The agency closed this investigation on May 28.<sup>6</sup>

Because DPRS did not investigate the second report, which contained Angela's allegation of abuse, no one asked critical questions. No one asked the other girls if they saw Angela climb the stairs on the evening of the alleged incident. No one asked the girls or staff members if they had seen Angela sleeping in a chair downstairs, or being unable to walk without crutches. No one asked hospital staff members whether the injury to her leg was consistent with a playground injury. No one reviewed her medical records to learn that she had been malnourished when she entered the hospital.

The facility and DPRS also failed to request an FBI background check of other states for the staff member Angela said pushed her, even though this individual had only recently moved to Texas before starting work at the facility. As it happens, this person had a criminal record in her state of prior residence, including a 1997 third-degree felony conviction for grand theft, a 1999 probation violation and a charge of battery in August 2001.<sup>7</sup>

DPRS received yet another call about Angela's injury a few months later. This caller reported that children at the facility suffered from numerous medical conditions that may be related to abuse and neglect. DPRS investigated and ruled out abuse. According to DPRS' investigations to date, no one at the facility has done anything

wrong, and the facility is in complete compliance with its standards.

On the DPRS Web site list of licensing investigations and violations, Angela's story is just one of the 90 percent of reports, complaints or allegations that DPRS does not find to be valid.<sup>8</sup>

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### **Endnotes**

<sup>1</sup>Advocate's interview of child, September 7, 2003.

<sup>2</sup>Texas Department of Protective and Regulatory Services.

<sup>3</sup>Hospital records.

<sup>4</sup>Texas Department of Protective and Regulatory Services.

<sup>5</sup>Texas Department of Protective and Regulatory Services.

<sup>6</sup>Texas Department of Protective and Regulatory Services.

<sup>7</sup>State of Florida, Twentieth Circuit Court, Criminal Justice Information System, public database, 1997-2003.

<sup>8</sup>Texas Department of Protective and Regulatory Services.

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