

## CPS director appears before judge; raided facilities remain open

By Catherine Dominguez, cdominguez@hcnonline.com Updated 7:40 am, Thursday, May 24, 2018

Photo: Jason Fochtman, Staff Photographer / Houston Chronicle



The Care Cottage is seen along I-45 South.



The Care Cottage in Willis



Inside The Care Cottage in Willis

A state judge Tuesday closed a hearing concerning the welfare of dozens of young girls who live at a Montgomery County residential treatment center that is under investigation for sexual and physical abuse of residents, excluding not only the county attorney and local school superintendent but the attorney for the center.

State District Judge Tracy Gilbert cleared the courtroom to hear testimony from Leshia Fisher, director of Region 6 of Child Protective Services, after a request from CPS attorney Bridget Smith Lawson, who cited sections of the Texas Family Code that apply to the confidentiality of records relating to minors.

Following the CPS director's testimony, the judge ended the hearing, and local elected officials were not only left in the dark about the key testimony but had not been able to give their opinions about whether the Care Cottage facilities in Willis should be closed.

Despite a raid by county prosecutors on the center's two locations May 16, none of the 56 girls at the facilities had been removed and the center remains open. However, CPS

Media Specialist Tiffani Butler said that since the raid CPS officials have been at the facilities “around the clock” and added the girls were all “safe.” Removing the girls, she said, would be difficult.

“It is a case-by-case basis,” Butler said. “Usually it is handled by removing the alleged perpetrator. We would have to find placement for dozens of children; that would be difficult. It would still have to be a place that fits the criteria (for the needs of the girls). She added: “As long we are able to remove what put them in jeopardy at that point, then that is the best way we go.”

Last week, CPS confirmed that five workers at the facilities were fired prior to the raid, including one who is suspected of having sexually assaulted a young girl.

In the last two years, the state protective services conducted 106 inspections of the Care Cottage homes and documented 101 deficiencies. According to the Department of Family Protective Services site, Care Cottage North, on Interstate 45, is still operating under an initial permit while the Care Cottage on FM 2432 has been issued a full permit that will be up for renewal in March 2020.

County Attorney J D Lambright said that Fisher was asked to produce a complete list of the girls staying at both Care Cottage facilities including their ages, what county they are from, their cause numbers and the attorney’s representing the girls to the court. Lambright said there are only five girls at the facilities from Montgomery County.

Others not allowed to attend the hearing were Special Crimes Bureau Chief Tyler Dunman, of the DA’s Office, Willis Independent School District Superintendent Tim Harkrider and Stanley Schneider, a Houston attorney representing Care Cottage owners Harold and Tabitha Taylor.

Lambright, Harkrider and Schneider all expressed surprise at being asked to leave. “The District Attorney’s Office has taken all the files from Care Cottage,” Schneider said. “All the identities and histories of those children are in (the DA’s) possession. There is nothing confidential ... and because (Care Cottage) has a contract with CPS, there is no issue of confidentiality between my clients and CPS.”

The Care Cottage facilities, which are licensed for 65 girls ages 6 to 17, are operated by the private HTK Care Foundation Inc., which is registered to the Taylors. The nonprofit foundation that operates the homes receives up to \$435 per day per resident to provide care. The foundation’s annual report in 2016 listed income of \$1.1 million and expenses of \$1.1 million, with the Taylors each drawing salaries of \$80,000.

### **The allegations**

Lambright said he was alerted by Harkrider of the conditions at the facilities about three weeks ago. Harkrider and his staff had made dozens of reports to CPS officials regarding the care and treatment of the girls, he noted. Harkrider said the investigation will show the girls should be placed in other facilities. “Our overall thought process is we want the best placement for these girls as possible,” Harkrider said. “From where we stand right now, we think over the course of the DA’s investigation it will come out that this is not a proper facility to be able to take care of young girls.”

A sworn statement from an investigator used to obtain the search warrant executed Wednesday at the facilities outlined allegations reported by residents to Willis ISD officials and others about abuse and neglect, including leaving students unattended and staff parties involving alcohol.

The investigator said some girls in the residential facility had been injured while being restrained and that others were hog-tied by staff members and placed face down. Others girls were injured after trying to escape by jumping out of a second-floor window that was not repaired. At least three staff members are accused of having sexual relations with girls in their care, according to the statement.

Additionally, girls who spoke to caseworkers with CPS during inspections were later punished by staff, who withheld snacks, phone privileges and other rewards, according to the affidavit. Schneider said Care Cottage foundations officials have followed CPS protocols from its establishment.

“They have continued to work closely with CPS and have been in contact on a daily basis to provide for the welfare of foster children. They will continue to work with CPS during the investigation,” the attorney said.

According to Dunman, the raid on the facilities was to gather information that might support the claims of abuse. He added investigators are still processing that information. “The criminal investigation is ongoing and we are moving as quickly as possible,” he said. “No arrests have been made at this point.