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## State to Close 1 of 4 Homes in Sex Abuse Investigation

■Health: Critics say action also should be taken against the other three facilities in San Bernardino County for mentally troubled teenagers.

By: SCOTT GOLD  
TIMES STAFF WRITER

RIVERSIDE -- The state plans to shut down a small group home in San Bernardino County where three teenagers say they were raped or molested by counselors--the first formal response to a string of sexual assaults in the region's child welfare system.

But state officials grappling with a shortage of beds in the state's foster care system have no plans to close three other San Bernardino County homes run by the same company, where teenagers have also complained that they were raped, molested or humiliated in front of their peers.

Children's advocates say the state's move falls short of protecting the most emotionally disturbed teenagers in the system. The four homes in question, known as "level 14" facilities, are considered a last resort before sending teenagers to mental hospitals.

"I don't understand what the situation is for them not . . . to take some action," said Alan Watahara, president of California Children's Lobby, a children's advocacy and policy group in Sacramento. "I understand it's a balancing act, but I am stunned."

At least nine teenagers have reported to police or attorneys that they were sexually abused in the past two years at San Bernardino County shelters run by Victor Treatment Centers, a respected nonprofit organization based in Chico, Calif. One of California's largest operators of group homes for troubled youths, the company received \$5.5 million in public funds last year to run its facilities.

Jack H. Anthony, a Santa Ana attorney who has filed three lawsuits against the company and affiliates in connection with the abuse complaints, said three youths complained that they were abused or molested by fellow residents, and six say they were abused by staff members, all of whom have been fired.

At least two teenagers have lapsed in their therapy and were sent to mental

hospitals, said Anthony and psychologists who have interviewed the youths, and two others have attempted suicide.

The state has revoked the license of a facility known as Chestnut House, where three girls say they were abused by counselors. The facility must close Jan. 26 unless the owners successfully appeal the decision.

The six teenagers housed at Chestnut House will be placed in other facilities in San Bernardino County or elsewhere in Southern California.

"There was lack of care and supervision and personal rights violations," California Department of Social Services representative Blanca Barna said.

David Favor, Victor's chief executive officer, could not be reached for comment Monday, and other company officials did not return calls seeking comment. The company acknowledges some of the sexual-abuse allegations, but Favor has said the company has done all it can to screen employees and protect its residents.

The state plans no action at the other homes.

Among them is Bronson House, also in San Bernardino, where a lawsuit accuses a former counselor of raping a resident in late 1999. State officials said they did not have enough information to take any action--though the counselor, Steve Ayala, pleaded guilty to sodomy a year ago and received a six-year prison term.

The Department of Social Services' own documents also offer startling details about the treatment of one 12-year-old boy who says he was sodomized by a teacher's aide at the Bronson House.

When the boy complained of bleeding in 1999, state inspection documents say, staff members refused to take the boy to a doctor. He did not receive medical attention until he was allowed to go home for Thanksgiving that year and revealed his condition to his father, Anthony has said.

Those documents notwithstanding, Social Services officials don't have enough evidence that the boy ever told staff members of his condition to take action, Barna said.

Robert Gonzalez, district manager of the Department of Social Services' Inland Empire office, which oversees group homes in San Bernardino and Riverside counties, said action was taken at the Chestnut House because officials did not believe staff had done enough to protect the teenagers.

"The facility is responsible for acts committed by their staff," Gonzalez said. "After all, they hired them."

Gonzalez would not discuss the other cases specifically. But he said the department must weigh safety concerns at those homes against the ability of the state to provide shelter for troubled youth.

"They want to make sure that children are protected," Gonzalez said of state investigators. "But they want to make sure that the appropriate resources are available. So what the department tries to do is take a look at the homes that have demonstrated a problematic history and deal with those--but hopefully save the

ones that are still providing a quality service."

Children's advocates say the argument doesn't hold water.

"It makes no sense to say: 'We don't have enough homes--so we're going to use the bad ones,' " said Carole Shauffer, executive director of the Youth Law Center, an advocacy organization based in Washington and San Francisco. "They know something bad has happened there. People have pleaded guilty to having done something bad there."

Dr. Gilbert Kliman, medical director of the Children's Psychological Trauma Center in San Francisco, who has met several of the teenagers and is working with Anthony on the lawsuits, said there is a shortage of high-level foster homes in California. But the state should err on the side of safety, he said.

"There is a terrible shortage, so that does give a motivation to turn a blind eye," he said. "But I think it's a misguided effort to keep services going no matter how low the quality."

The debate comes as the first of three lawsuits connected to the complaints comes to trial in San Bernardino County. Anthony is representing five teenagers in the three suits, and anticipates adding a sixth teenager as a plaintiff. At least three others have complained of sexual abuse, Anthony said, but are not plaintiffs in the cases.

The first trial is connected to the 12-year-old boy who was allegedly molested in late 1999.

Attorneys representing the group homes said in opening statements that the responsibility for the molestation rests with the staff members, not Victor Treatment Centers.

The trial is expected to last for at least three weeks. Though he has not settled on a final figure, Anthony said Monday that he plans to ask the 12-member jury for about \$2.5 million to cover the boy's psychological and medical needs. If the jury also finds "malice, fraud or oppression," Anthony will present a second wave of evidence aimed at securing additional, punitive damages.

Meanwhile, Anthony said he hopes the state will reconsider its decision to take action in the other three homes where complaints have been made.

"They all operate under the same policies and procedures," Anthony said. "It may be that there were more incidents at the Chestnut House. But the supervision is as deficient at all the group homes as it was at the Chestnut House."

Descriptors: Group Homes - San Bernardino County, Child Molestation, Child Abuse, Rape, Foster Care, Victor Treatment Centers



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