

## Criticism over delayed TYC sexual abuse trial

*Texas Civil Rights Project called for former official to be brought quickly to trial, nearly six years after officials say he molested at least four teenage boys.*

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The advocacy group Texas Civil Rights Project on Wednesday called for a former Texas Youth Commission official to be brought to trial quickly, almost six years after he was accused of molesting at least four teenage boys in what became a statewide abuse scandal.

Scott Medlock, an Austin attorney who represents one of the four victims in separate pending civil litigation, said at a news conference that it is unbelievable and outrageous that former West Texas State School Principal John Paul Hernandez is still awaiting trial.

"More than three years after the public learned about these disgusting assaults, Hernandez's victims are still waiting for justice," said Medlock, director of the organization's Prisoners' Rights Program.

"Prosecuting these men shows that if you abuse kids in TYC, you will be held accountable. Further delay undermines creating a culture of accountability."

In a statement, the victim — now 25 — said he wants to "stop what happened to me from being covered up."

"I need to move on with my life, and I can't do that until the man who violated me faces justice," the victim said in the statement. "I'm still struggling and I need some closure."

According to court filings, Hernandez engaged in oral sex with several boys at the state-run juvenile correctional center and was charged with sexual assault.

Ray Brookins, the lockup's former assistant superintendent, was also charged with sexually assaulting incarcerated youths. He was convicted in April and sentenced to 10 years in prison.

Hernandez was indicted in April 2007 on one count of sexual assault, a second-degree felony; nine counts of improper sexual activity with a person in his custody, a state jail felony; and nine counts of improper relationship with a student, a second-degree felony, officials said.

If convicted, Hernandez faces a maximum sentence of 20 years in prison.

Neither Hernandez, who has maintained his innocence, nor his attorney could be reached for comment.

As a result of the scandal and allegations that top officials covered up the sexual abuse allegations, most of the Youth Commission's administrators were fired or forced to retire, the agency was placed in a form of receivership, and its operations were downsized. The West Texas State School in Pyote, where the alleged attacks occurred, was closed in June.

Texas Attorney General Greg Abbott took over prosecution of the abuse cases after the local prosecutor did not file criminal charges for more than two years, even though a detailed investigation by the Texas Rangers confirmed the attacks.

Medlock said the case against Hernandez is pending in a state District Court. District Judge Jay Gibson could not be reached for comment Wednesday on why the case is taking so long to go, and court clerks declined to answer questions about the case.

"Judge Gibson should be ashamed this case hasn't been heard yet," Medlock said.

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