

**NOTE: These documents contain graphic descriptions of sexual contact.**

Names of victims and related personal information have been blacked out by the Washington Department of Social and Health Services prior to the documents' release.

Names of two accused persons who have not been charged with crimes related to the complaints have been redacted by The Spokesman-Review.



STATE OF WASHINGTON  
DEPARTMENT OF SOCIAL AND HEALTH SERVICES  
1313 N. Atlantic, Suite 2000, Spokane, Washington 99201

April 14, 2005

Brian Barbour  
Morningstar Boys Ranch  
P.O. Box 8087  
Spokane, WA 99223

RE: Referral #1602365

Dear Brian,

This letter is to inform you that the incident described in referral # 1602365 regarding the inappropriate character of a staff member is determined to be valid. The investigation revealed that the staff member did make an inappropriate remark to a child that was determined to be of a sexual nature. It is noted in the findings that the agency is seen to have taken immediate and appropriate action when the incident became know to management. Thank you for your assistance during the investigative process. If I can be of any assistance in the future, please feel free to call.

Sincerely,

Jeff Kincaid  
Regional Licenser

Cc licensing file



Children's Administration  
DLR/OFCL

Facility Complaint Report

Report Date: 04/14/2005

Complaint ID: 105910

Facility Name: MORNING STAR BOYS RANCH Received Date & Time: 03/18/2005 17:00  
Referral ID: 1602365 Program: INC  
License Control ID: 13343 Region: 1

STATUS:

Incident Date & Time: 03/17/2005 19:30

CA/N Findings: N/A Intake Decision: Referred To Licensing  
Child Death: No Serious Child Injury: No High Profile: No  
Referent Requests Confidentiality: No

I. FACILITY DATA

Type: Group Home Issue Date: 12/31/1992 Expire Date: 11/30/2007  
Facility Name: MORNING STAR BOYS RANCH Phone: (509)448-1411  
Facility Address: SOUTH 4511 GLENROSE Message #: (509)448-1411  
PO BOX 8087  
SPOKANE, WA 99203  
Contact Person(s): DANIEL KUHLMANN  
JOSEPH WEITENSTEINER

Licensed: Yes Dual License: No Capacity: 24  
Child Placing Agency: Phone:

II. WORKER ASSIGNMENTS

Worker Role	Name	Phone Number	Assign Date
Licensing Supervisor:	CONNIE MORLIN	(509)363-3484	03/18/2005
Licensors:	JEFFREY KINCAID	(509)363-3480	03/18/2005

III. COMPLAINTS DETAILS

Allegations/Concerns Text

- Raw 13, 50, 100*
- Referrer called to report an incident reported to him today, at 3 PM, by Mr. (redacted) who is a staff member at the facility.

Incident took place yesterday, at about 19:30. Referrer stated that (redacted) told him that he was putting bikes away to the bike room and asked (redacted) 13, to help him out.

During the work (redacted) stated that it is creepy in here, referring to darkness in the bike room. Then (redacted) responded to it by saying, "if you think this is creepy, come inside, close the doors, and take off your pants".

Then, (redacted) reported to the referrer, that he immediately realized that it was a stupid statement and apologized to (redacted)

Then, both of them returned to the main house.

Referrer interviewed (redacted) today, who reported very similar statement and that no touching took place and

nothing else had happened between them yesterday, and in the past as well.

Does the referent and/or CAMIS history indicate that the child(ren) is of American Indian, Alaskan Native, or Canadian First Nation ancestry? No

Does the referent and/or CAMIS history indicate that there is a Tribe, Band, or Native American organization, which considers the child(ren) to be a member? No

Does the referent and/or CAMIS history indicate that the child(ren) is/are currently or in the past been a ward of any tribal court? No

Does the referent and/or CAMIS history indicate that the residence or domicile of the child(ren) or parent/custodian is known to be a predominantly Indian community or within the bounds of a reservation? No

Does the referent and/or CAMIS history indicate that there is anyone else we can contact for further information regarding the child(ren)'s Native Ancestry? No

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IV. ALLEGED SUBJECT(S)

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None Specified

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V. CHARACTERISTICS OF CHILDREN

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*Raw 13.50.100*

CHILDREN IN REFERRAL

Name: *(redacted)* Gender: Male  
Deceased: No Age: Unknown  
Relationship: Residential Facil. Prov Role in Referral: Client  
Time In Care: 0 Still In Care?: Unknown  
Legal Status: Unknown

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Name: *[redacted]* Gender: Male  
Deceased: No Age: 13.1 yrs old  
Relationship: Reference person Role in Referral: Client  
Time In Care: 0 0 0 Still In Care?: Yes  
Legal Status: Unknown

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CHILDREN PLACED IN FACILITY BUT NOT LISTED IN REFERRAL

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Name: *[redacted]* Gender: Male  
Deceased: No Age: 13.6 yrs old  
Time In Care: 1 Year(s) Still In Care?: Yes  
Legal Status: Dependent

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Name: *[redacted]* Gender: Male  
Deceased: No Age: 15.8 yrs old  
Time In Care: 1 Year(s) Still In Care?: Yes  
Legal Status: Dependent

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Name: *[redacted]* Gender: Male  
Deceased: No Age: 15.3 yrs old  
Time In Care: 1 Year(s) Still In Care?: Yes  
Legal Status: Dependent

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Name [REDACTED] Gender: Male  
Deceased: No Age: 11.4 yrs old  
Time In Care: 9 Month(s) Still In Care?: Yes  
Legal Status: Legally Free/Permanent Custody

Name [REDACTED] Gender: Male  
Deceased: No Age: 13.8 yrs old  
Time In Care: 5 Month(s) Still In Care?: Yes  
Legal Status: Dependent

Name [REDACTED] Gender: Male  
Deceased: No Age: 15.2 yrs old  
Time In Care: 3 Month(s) Still In Care?: Yes  
Legal Status: Dependent

Name [REDACTED] Gender: Male  
Deceased: No Age: 13.5 yrs old  
Time In Care: 28 Day(s) Still In Care?: Yes  
Legal Status: Shelter Care/Protective Custody

VI. ACTIONS TAKEN BY LICENSING

SER ID: 8656018 Activity Date & Time: 03/23/2005 08:15

Activities: Contact - Care or Facility Provider

SER Text:

- Called and left a message for Brian Barbour.

Created by: KJEF300 Created on: 03/24/2005 09:12

SER ID: 8657586 Activity Date & Time: 03/24/2005 11:15

Activities: Contact - Care or Facility Provider

SER Text:

- Spoke to Brian Barbour regarding this referral. Brian reports that the agency is requiring that this employee have an evaluation with Paul Wert before being considered for return to work. (redacted) first appointment is scheduled for 4/28/05 and the second on 4/30/05. Dr. Wert feels that as part of the evaluation, a polygraph will be required. Brian also reported some concerns that were brought to his attention by other staff. During the staff meeting on 3/17, (redacted) presented [REDACTED] case for a petition to move up one level. (redacted) represented that [REDACTED] had met the criteria and point accruals needed for level two. No supervisors were present at the staff meeting due to other obligations. When the child's file was examined it was determined that (redacted) had not recorded demerits that the child had received and that the the needed criteria for a level two referral were not met. It was determined that (redacted) had misrepresented [REDACTED] accomplishments. Brian has written (redacted) up for this. Brian reports that this is the third write up in (redacted) file for a failure to follow policy. Brian went on to state that (redacted) will most likely be terminated for this.

Fr. Joe has not been consulted as to the new info as he is currently on vacation.

At this time (redacted) remains on a suspended with pay status.

Created by: KJEF300 Created on: 03/24/2005 11:41

SER ID: 8707275

Activity Date & Time: 04/05/2005 14:00

REW 13.50.100

Activities: Contact - Care or Facility Provider

SER Text:

- Received message from Brian Barbour reporting that the agency is still awaiting the results obtained from Dr. Wert.

Created by: KJEF300 Created on: 04/06/2005 14:21

SER ID: 8707523

Activity Date & Time: 04/06/2005 14:30

Activities: Contact - Care or Facility Provider

SER Text:

- Called Brian Barbour and spoke to him regarding Dr. Wert's findings. Brian stated that he had a conversation with Dr. Wert and [REDACTED]

[REDACTED] (redacted) In addition, (redacted) [REDACTED]

(redacted) was given the opportunity to submit a letter of resignation or he would be terminated. Initially, it is reported, (redacted) wished to be terminated so he could collect unemployment. After a conversation regarding taking some responsibility and control over how this is handled, (redacted) agreed to turn in a letter of resignation. Brian also reported that (redacted) has rescinded his release to Dr. Wert, so no more information will be received. Brian expressed concern regarding this individual applying for another position around children without some form of alert. Brian did state that (redacted) is currently amenable and engaged in treatment to address this issue.

Created by: KJEF300 Created on: 04/06/2005 14:49

SER ID: 8729851

Activity Date & Time: 04/13/2005 12:30

Activities: Staffing - Other

SER Text:

- Referral # 1602365 and findings should be reviewed concerning this individuals appropriateness to be around children.

Created by: KJEF300 Created on: 04/13/2005 12:42

SER ID: 8734949

Activity Date & Time: 04/14/2005 00:00

Activities: Narrative - No other code applies

SER Text:

- Facility Complaint Record Closed

Created by: KJEF300 Created on: 04/14/2005 13:29

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VII. ACTIONS TAKEN BY DLR/CPS

None specified

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VIII. COMPLIANCE AGREEMENT

None specified

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IX. CHILD ABUSE/NEGLECT FINDINGS

Assessment ID: No Assessment Done

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X. LICENSING RESOLUTIONS

Licensing Issues

Findings

Character Valid  
Decision: Facility Remained Open  
Other Date: 04/14/2005

Facility Complaint Closed Date:04/14/2005

Resolution Text:

- The allegation of inappropriate character in a staff member is found to be valid. The agency appears to have responded appropriately when the behavior was made known. The staff involved has been terminated.

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END OF REPORT

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# CITICAL INCIDENT REPO

(Click arrow in first box then use the tab key to navigate through document)

Policy

Reporting Grid

Date Form Completed: March 18, 2005

Form Completed By: Brian Barbour

Other staff:

Date of Incident: March 17, 2005

Time of Incident: dark

Boy(s) Involved:

Witness(es) to Incident:

[REDACTED]				

Incident: (What Happened)

Rcw / 3.50.100

When (redacted) came on shift on 3/18/05 at 3:00pm he came into my office and said he needed to tell me that he thought he had screwed up on 3/17 when he was on shift here at the Ranch. He said that he and [REDACTED] were putting bikes away in the bike room and it was dark out [REDACTED] was on the outside passing the bikes into him as he was on the inside putting the bike away [REDACTED] commented on how creepy it was out and [REDACTED] said that he responded to [REDACTED] statement by saying if you think that's creepy then come in and shut the door and take your pants off. [REDACTED] states he realized what he had said and immediately apologized to [REDACTED]. According to [REDACTED] nothing more happened and that was the end of it.

I interviewed [REDACTED] at 4:30pm on 3/18. I told him that [REDACTED] told me about what he had said to him last night and that I needed to hear from him [REDACTED] what had happened [REDACTED] said it was just before study hall and [REDACTED] was going to put bikes away and [REDACTED] asked him to help. When they got to the bike room [REDACTED] said it looked kind of creepy so he said wow this is really creepy and [REDACTED] said ok shut the door and take off your pants [REDACTED] said then [REDACTED] said he was sorry for saying that and that he was only trying to think of the creepiest thing to say [REDACTED] said that [REDACTED] continues to apologize several times that night.

I asked [REDACTED] if there were any other times he felt uncomfortable with [REDACTED] or anything he said [REDACTED] said [REDACTED] jokes a lot but never like that, I said you mean never in a sexual way and [REDACTED] said yea never that way [REDACTED] said that [REDACTED] did say that we are going to take this relationship further - we are going to be friends - no just me working with you [REDACTED] said that made him uncomfortable.

Response By Staff:

N/A.

Supervision of Other Residents During Incident:

Staff were inside with the other boys preparing for study hall.

Comments by Shift Supervisor or Other Staff:

Distribution; Insert Date Completed and Your Initials:

Level 1: (date and initials)

- DCFS SWN/A
- Parent(s) Notified BB 3/19/05  Left message on voice mail.
- Program Director BB 3/18/05
- MSBR-SW BB 3/18/05 via memo
- DLR Licensor (Program Director Only) BB

Level 2: (date and initials)

RCW 13.50.100

- DCFS/CPS Intake (363-3333) 3/18/05 BB - CPS John Report must also faxed (3634605) 3/19/05 BB
- DCFS SW N/A  Left message on voice mail.
- MSBR SW 3/18/05 via memo BB
- Parent(s) Notified 3/19/05 BB  Left message on voice mail.
- Program Director BB 3/18/05
- DLR Licensor (Program Director Only) BB 3/18/05 via CPS report and 3/19/05 via phone message
- Other Fr Joe BB 3/18/05

Social worker approval \* Date: \_\_\_\_\_

Program Director's response to incident:

I consulted with Father Joe and per his request consulted with Dr Paul Wert. I wrote a memo indicating his suspension and conditions and called him into my office. I read the memo to [redacted] and advised Spenser to supervise his departure.

[redacted] is not to on ranch property or have contact with the boys without my permission.

I came in on 3/19/05 and finished the report and called [redacted] mother. I also faxed the report to DLR and CPS.

On 3/19/05 I interviewed the Lower level residents minus [redacted] as he was on a home visit. All residents interviewed stated there has never been anything said or done by [redacted] that has made them uncomfrotable. I asked for honesty, reassured them they were not in trouble and gave them additional time to think about it and asked them again if there was anything at all - again they were all quick to say nothing at all.

Program Director's Signature

When done click here and then F1

Document4

Rec. 12/03

3/24/05

Consulted w/ Paul Wert -  
(redacted) must have an evaluation before returning. Probably will  
require polygraph - 1st Appt 28 2nd 30th

Concern - Staff meeting - Day of incident  
(redacted) had [redacted] level two (petition to move up)  
misrepresented accomplishments. Did not have points and  
no record of demerits - Agency has written up.  
3rd write up on policy issues. - Most likely will be terminated  
for this reason only.