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Attorney general awaits call
Boot camp probe dormant

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The Missouri attorney general's office hasn't played a role in an investigation of a home for troubled teens despite agreeing to provide assistance more than five months ago.

The reason? The local prosecuting attorney hasn't asked for help.

Scott Holste, a spokesman for Attorney General Jay Nixon, said his office has been waiting since July for direction from Caldwell County Prosecutor Jason Kanoy as to what role it should play in an investigation of Thayer Learning Center.

"We still stand ready to assist when, and if, asked," Holste said.

Kanoy said the case involving Thayer "hasn't had my utmost attention" in recent months.

Thayer — a controversial facility in Kidder, Mo., where a student died in November 2004 — has been the subject of child abuse allegations and critical state reports. An investigation by The Star in October showed that since April 2003, at least seven persons had reported more than a dozen allegations of child abuse at Thayer to the Caldwell County sheriff's office.

Thayer officials have previously called general allegations of abuse "ludicrous and false," and Thayer owners John and Willa Bundy have denied in court records any wrongdoing in conjunction with the death. Kanoy hasn't asked Nixon's office for assistance in investigating the death, Kanoy said, because "I did not think their assistance was necessary."

Many abuse allegations were made in May 2004 by three Thayer employees who alleged they saw or heard that:

- Restroom breaks were so limited that students regularly soiled themselves, and the restricted bathroom breaks led to various urinary tract and bladder infections. One girl was forced to sit in a plastic tub containing urine for at least 2½ hours.
- A student was tied up and dragged around a sand track behind an all-terrain vehicle.
- A drill sergeant was "helping" a student do push-ups, causing the student's head to bounce off the concrete.
- A student was forced to eat her own vomit.

The sheriff's deputy who took the report said he found the women's reports credible, and he asked Kanoy to subpoena medical records that might substantiate the allegations. Kanoy said he subpoenaed records of Thayer students from a Hamilton, Mo., physician.

It's in connection with that investigation that Kanoy contacted Gov. Matt Blunt's office in July and formally sought cooperation from the attorney general.

Blunt sent a letter to Nixon on July 18 and instructed Nixon to “provide assistance” to Kanoy.

Nothing has happened since.

“There’s nothing new that we know of in the criminal investigation in Caldwell County,” Holste said. “But you might ask Mr. Kanoy, as he’s in control of everything on this.”

Holste, who has been in the attorney general’s office for more than 10 years, said Tuesday that neither he nor anyone else in Nixon’s office could recall a situation in which a local prosecutor sought formal assistance from the attorney general, then failed to use that assistance. The attorney general can’t participate in local investigations unless invited, he said.

“The level of our involvement is completely controlled by the local prosecutor,” Holste said.

Kanoy said that the Thayer case is a “pending investigation” and that he expects to contact the attorney general at some point. Asked why he hadn’t so far, Kanoy said: “I’ve been working on the new cases that have come into the office."

“I’m not saying it’s not the most serious case to come through my door. It just hasn’t been the most recent."

“Like when a kid gets a new toy at Christmas, you play with the new toy.”

Roberto Reyes, 15, had been at Thayer less than two weeks when he died in November 2004. His death has been attributed to a spider bite. A state investigative team said “it appears that those responsible for the safety and well-being of Roberto Reyes failed to recognize his medical distress and to provide access to appropriate medical evaluation and/or treatment.”

A former Thayer student told a state investigator that Roberto had been “almost lifeless” for several days before his death. Two other former students told The Star that he had barely moved when they saw him in the days before he died.

Kanoy has said he doesn’t expect to file criminal charges in connection with Roberto’s death. The investigation is still pending, he said, but “we have not had anything happen recently.”

Victor and Gracia Reyes of California, Roberto’s parents, filed a wrongful-death lawsuit in February. The seven defendants are Thayer, two affiliated businesses and four persons who were Thayer employees at the time of Roberto’s death. The Reyeses alleged that Roberto had been subjected to physical exertion and abuse that caused or contributed to his death; that Roberto had been dragged, hit and “forced to lay in his own excrement for extended periods” and that he would have lived had he received competent medical care in a timely manner.

In court records, Thayer officials denied those and other allegations. A trial is scheduled for June.

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