

Plainview Independent School District
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For Immediate Release: (5/10/2023) Plainview, Texas

The Hale Country District Attorney and FBI Crimes Against Children Agents are in the possession of all investigatory statements, videos, electronic devices, and timelines of an incident at South Elementary School (Plainview ISD). With the investigation concluded and submitted to the appropriate legal authorities, key findings of the investigation may be made public:

1. Once the video of the incident was identified, law enforcement was contacted immediately and Child Protective Services soon thereafter with a request that a special investigator assist with the investigation.
2. The electronic devices were immediately taken into police custody and placed in locked, evidence lockers.
3. Law enforcement personnel who reviewed the content of the video determined that a sexual assault did not occur; rather, mutual inappropriate sexual contact occurred between two 6-year-old students.
4. The incident was brief (34 seconds) with no outcry for help or struggle.
5. The teacher was not wearing “headphones” or “earbuds” per surveillance video from the hallway to where the teacher was seated at the time of the incident.
6. The same evening the video was found and two 6-year-old students were suspected to be on the video, parents/guardians were contacted to make them aware that inappropriate content was found on an electronic device and CPS would be notified. One parent/guardian answered, and the other was not able to be reached by the campus until the following school day.
7. The Child Protective Services investigator instructed district personnel to not discuss the incident with anyone until he was able to interview each participant in the incident.
8. After the initial interview was conducted by Child Protective Services, the campus administration notified parents that a Child Protective Services Investigator would contact each of them to review the incident with them.
9. After the Child Protective Services Investigator contacted parents, the principal, assistant superintendent, and superintendent met with parents/legal guardians of each student involved in the incident and offered external counseling services.
10. All 6-year-old children involved in the incident are victims and being treated as such due to the occurrence of behaviors that are not typical of 6-year-old students.

We cannot speak to the conclusion of the Hale Country District Attorney or FBI. The law in the State of Texas does not provide for criminal penalties for children under the age of 10, and public schools are prohibited from expelling or suspending children in 3rd grade or below.