

PBPA Podcast Transcript

Choosing Safe Mentors: What Every Youth Program Should Know

(37:44 minutes)



[00:00:00] **Sireesha:** Mentors can have a profound impact, which is why choosing the right ones is an important decision for youth-serving nonprofits. Because individuals who seek to harm children often present as especially helpful and trustworthy, organizations can't rely on first impressions alone. In this episode of the PBPA podcast, we talk to Debbie Ausburn about identifying great mentors, including not just screening, but also ongoing policies and training. Strong, consistent policies and practices help to protect minors, support the many well-intentioned mentors, and minimize risk to youth-serving nonprofits.

Hello and welcome to the PBPA Podcast. In each episode of the PBPA Podcast, we explore legal questions relevant to Georgia nonprofits. I'm your host Sireesha Ghanta, Counsel and Education Director at the Pro Bono Partnership of Atlanta. PBPA strengthens our community by engaging volunteer attorneys to provide nonprofits with free business legal services. We provide numerous free resources via our website, including articles and webcasts specific to Georgia nonprofits and their business legal concerns. We also provide direct legal services to our clients. For more information on client eligibility requirements, to apply to be a client or to access our vast learning center, visit our website at pbpatl.org. Before we jump into this episode's topic, keep in mind that this podcast is general information, not legal counsel, contact your attorney for guidance on your nonprofits' specific situation.

Debbie Ausburn is a member at Chalmers Adams Backer & Whalen, where her practice focuses on advising and defending youth-serving organizations. She has spent more than 30 years as a social worker, foster parent, criminal prosecutor, and civil trial attorney. She's also the author of two books on foster care and the co-author of a book outlining how youth organizations can create robust child protection policies. So clearly, Debbie is the GOAT on today's topic, and I'm so thrilled to have her join me in this conversation.

Thanks for being here, Debbie.

[00:02:42] **Debbie:** Thank you so much. After that introduction, I have a lot to live up to Sireesha.

[00:02:49] **Sireesha:** I have no doubt that you'll blow us away with your insight today. So let's start generally, Debbie, as we're talking about organizations and mentorship programs and mentors. What does good mentorship look like?

[00:03:07] **Debbie:** Good mentors are people who care a lot about kids, so we're going to see them... And I'm talking about this in the context of youth organizations. Mentoring for business or other things i- is completely different. But in the context of youth organizations, it's going to be someone who cares a lot about the kids in our care, and so that is a basic requirement.

And then it's someone who can connect well with kids. The person that the teens listen to. You know, if we look at mentors in fairytales, for example, Gandalf or Dumbledore in the Harry Potter movies, they're not always perfect. They're not always warm and fuzzy, but they're someone that the kids respect and listen to and pay attention to. And that they trust. It's someone who the kids

feel like this person is going to be there provide a sense of stability that they will have my back and I can count on them.

There are many types of mentors, but those seem to be, in my experience, the main parts of a mentoring relationship that kids rely on that are fairly universal

[00:04:25] **Sireesha**: And what are the qualities of a great mentor? You mentioned a few when we were talking about mentorship more generally, such as trust. But what are some of the other qualities of a great mentor?

[00:04:37] **Debbie**: Again, I like to look at the classic stories. We're a storytelling animal. That's how we as people make sense of our world. It's how we pass on knowledge. And the [kids just teens in this] minors they tend to think in terms of story arcs as well. And all good stories have a hero who's trying to reach a goal, and then there's always a villain who's trying to stop them, and there's usually, almost all of the time there's a mentor who's trying to help them reach that goal, whether it's a fairy godmother or a wizard or someone else.

And if you look at, in those stories and in our experiences the teens and kids, particularly teens, they're always the hero of their own story. And so for us to be the mentor in those stories is the sort of the classic qualities of again always being there, always having the kids' backs, always being present. And so there's that element of just being there in a sense of not giving up on them and always being present.

There's also the sense of speaking authentically and honestly to them. Not patronizing them. A good mentor helps kids be resilient and, let them fail. Learning how to fail and come back from it is an important part of being resilient. So we let them make their mistakes, and then we stick with them and authentically show them, "Well, that didn't work out. Let's figure out something that will work out."

And then, finally, I think good mentors always have a strong knowledge base. Again, we look back at the classic fairy tales, you know, they have magic or great learning. In our real world, we don't have magic, but we can get great learning.

So all of those qualities I think are very important in being a great mentor and helping kids move from A to B to C in a healthy way.

[00:06:54] **Sireesha**: So now let's talk a little bit, you're making references to the great stories. There's a good guy, a bad guy, a mentor who helps along the way. And now I'm thinking, what happens in the situation where someone who presents as a mentor ends up being a bad guy?

How does grooming typically unfold?

[00:07:19] **Debbie**: There's two types of people that you're going to find.

One is what we used to call the dedicated pedophile, and that's someone who is interested in sexual relationship with kids, and they're dedicated to that, and they find all sorts of avenues to get it.

There's also what I call the, the clueless young adults who don't quite realize that they're adults, and, you get the 19 or 20-year-old who hits on the 16 or 17-year-old, and they still think of themselves as peers and they don't quite understand that they're now the adults in the situation. They may push boundaries just because of lack of information and not knowing what the heck they're doing. Those folks you can work with and you can educate and you can train, and you shouldn't discard them from your organization if there's a possibility of them growing into the role.

But dedicated groomers, or actual predatory groomers, they don't just start out coming in abusing kids off the bat. They start pushing boundaries, and they start by zeroing in on their victims. It's usually a vulnerable victim. It's usually someone without a lot of support in their life. Single parent families are classic targets for pedophiles because single parents, usually mothers are stressed. They're trying to deal with a lot, and a lot of times they're grateful for the help and the extra pair of hands. The predatory groomers are very charming towards the family and towards all adults around them. I've lost count of the number of times I've heard that, "Up until we found out the abuse, we thought he was the best staff member we had ever had," because that charm just extends to everyone. So the fact that you trust them doesn't mean anything. It's a given with predatory groomers. But once they target a vulnerable victim, then they start moving in steps.

And the whole point of grooming is they're desensitizing them. They're overcoming natural barriers. Or they're, in some cases, using normal adolescent curiosity about sex, and they're weaponizing that, and they're turning that into, pushing boundaries and making kids feel more comfortable with sexual touch, sexual activity. They don't ever, they rarely start with touching. They'll push with conversations, images, pornography, discussions and they'll start out with innocent touching, and then gradually moving into more sexualized touching.

And in the process, they isolate the kid from the normal caregivers either physically or emotionally, and until the relationship becomes the most important one for the child. And so it's a gradual process. Usually the goal is sexual abuse of some degree or sort.

[00:10:36] **Sireesha:** We frequently advise our clients in situations like this to always do background checks, and our clients are diligent about doing their background checks. So is that enough at a recruitment stage to help a nonprofit weed out predatory groomers?

[00:10:53] **Debbie:** No, it's not. And the, the reason is because if you look at lists about characteristics of predatory groomers and people who, who are going to take advantage of your kids. If you take a Venn diagram of predatory groomers and their characteristics- which are the kids like them, the parents trust them, they have a good relationship, they care about kids, they gravitate towards youth organizations, all of these characteristics- and you overlay it with characteristics of good mentors, there's a lot of overlap.

And it is really hard to tell from the outside where the overlap is different and where predatory grooming differs from good and healthy mentorship. And we'll talk a little bit more about that overlap and how you can tell the difference in a minute. But right now, understanding that simple background checks are not going to catch that distinction.

Criminal records checks will catch people with criminal backgrounds, but studies show that only catches somewhere between 5 and 10% of pedophiles and predatory groomers, because the vast majority of predators have not yet been caught. And 90-something percent of of perpetrators, by

the time they're caught, they have already offended numerous times in all of the studies that we look at.

We can rely to some degree on reference checks. Again, if we only do employment references where they have worked before, we may not get a lot of information, because lawyers like me tell our clients, "Only tell them dates of employment and whether or not they're eligible for rehire. Don't tell them anything else because you'll be open to a defamation lawsuit." And lawyers are risk-averse, and that's what we tell our clients and so that's all you're going to get from our clients if they listen to us.

But personal references don't get that advice from their lawyers, and they will tell you a whole heck of a lot more. You'd be shocked at what you get from, family members and friends about people if you call.

So you again, those are not foolproof. You can just get more information from them, and you have to know what questions to ask. You need to gear them towards the, the warning signs that we'll talk about later.

But short answer to your question is you can help weed out through background checks and reference checks. In fact, you have to do that because that's the standard of care for youth organizations in Georgia. But if you don't do it, then you're leaving a loophole that someone can come through.

[00:13:52] **Sireesha**: So for nonprofit organizations that have their background check and have done checked personal references as well, and they bring on mentors to the organization, what are some things that they can do ongoing? Are there warning signs that program staff should look out for? They could maybe use as red flags?

[00:14:15] **Debbie**: Um, yes, there are three. I like to give people these three because three is easy to remember and they can, they see it in different ways.

But the first one is favoritism. And that's where you see them single out a child, and again, usually they're zeroing in on someone who's vulnerable. But that favoritism is a high red flag. Now, again, you have to understand there's a the difference between predatory grooming type favoritism and ordinary favoritism.

For example, you may be a person who gravitates towards at-risk kids because you were an at-risk person yourself. Kids who share our hobbies. Kids that we coach in a same sport that we both enjoy. Certainly kids that are that we're related to. I remember getting a call with a staff member who had gone to some short child abuse recognition training and came back telling the school principal, "We have a grooming situation because this father comes and takes his daughter out for a daddy-daughter lunch every Tuesday." Uh, no. It's ordinary for parents to have favoritism for their kids.

What we're talking about is the kind of favoritism that it's always one child who gets a present. It's always one child that they get at the head of the line. It's always one child that they're talking to and making feel special. So it's a high unusual degree of favoritism that doesn't have any sort of benign explanation like we often see.

And it can be hard to catch. I remember one case that I saw. A teacher who picked out a kid in her class and hired him to..., I think the kid was 14. Hired him to do handyman work around one of her rental houses. I do not know a 14-year-old who can do any work that I am willing to pay for. So that's the sort of favoritism that doesn't have any logic attached to it. Yes, if you wanna try to help a kid out by giving him random work to make money, then, have him pick up trash in a park or in a public area or something. Not at your rental house where, trust me, 14-year-olds can't be doing anything, that needs to be done at- ... for home renovations.

So that first one is favoritism. The second one is isolation. Now obviously if we see someone constantly taking a kid out of public and isolating them physically most of us have been trained well enough to recognize that's a problem. But we also need to worry about emotional isolation, and that is where you get adults keeping secrets with kids or saying to them, "Don't tell your parents." Or it can be even as benign as, "I know your parents don't understand you. Nobody else understands you the same way I do." So it's that isolation that pulls them away, not only physically, but emotionally from all of the other adult support system they have, and makes it very much an exclusive kind of relationship.

Healthy mentors are always glad to see kids develop good relationships with other adults, and they in fact encourage it. Our job as mentors is to help them do the best they can, even if they have problematic parents. We need to help them do the best they can to have as good a relationship with their parents as they can.

For us to say to them, "Well, your parents just don't get it, they don't understand you. I get it. I understand you. No one understands you like I do," those are, those are strong red flags, and any time you have a kid say to you, "I have a secret with so-and-so," you need to ask more questions. It may be a benign secret. "Dad doesn't want me to tell Mom what he's gotten her for her birthday." You know, there there's ordinary good secrets and then there's bad secrets, "I can't tell you what we do when we go off into the bathroom" kind of secrets.

The third one is pushing boundaries, and that is when you have a staff member who's constantly breaking your rules about being alone with kids, they're constantly breaking the rules about touching kids. Again, this is part of developmental. Let's, we could talk for a minute about no touch policies. If you're working with younger kids, you actually can cause a lot of psychological damage by having no touch policies, because little kids are just naturally expressive. They want to hug you, and they want to hold your hand, and they want to crawl into your lap. And if they skin their knee, they want you to kiss the boo-boo and hug them until it's better.

As kids get older, they want more physical distance, and teenagers, of course, want to believe that they have no adults in their lives, and they were hatched under a rock, and don't know these people that are supposed to be related to them, and they want that level of independence.

So you can have a no touch policy or only side hugs with, with older kids. Younger kids, you need to have a, a rule of no unwanted touching, no touching unless they initiate it, and then there's most of my childcare clients have rules of no kids in your lap above four years old or, some rule like that's developmentally appropriate.

So you get them pushing the predatory groomers will push the boundaries on touch, they'll push the boundaries on isolation, they'll constantly find excuses of, "Well, his mom didn't pick him up, so I had to take him home." Things that once or twice are going to sound ordinary and not terribly

suspicious, but o- over time they'll accumulate just constantly pushing those, those sort of boundaries.

When you see those three things together, then you've got two or more of those things then you've got a situation where you need to start asking questions and start doing more observing and maybe maybe egregious enough to do some discipline or know, get the person out of your program.

So just to give you an example of, I had a friend call me one day and say her son had come in. He said there was, he was out with some friends of his, they were 12, 13 years old, and there was this friend of the family of one of the other friends, an adult, who liked to take them for ice cream, which is odd that an adult wouldn't have better things to do with their time than take kids for ice cream every Thursday afternoon.

It was just a family friend, not an organized anything. And then the family friend, not real pornography, just edgy stuff. You know, boys in puberty are fascinated by that kind of stuff, so he was kind of feeding that. And then suggested, "Yeah, I could take you downtown to a peep show. Now, you'd have to not tell your parents."

And my friend's kid was, had a good enough relationship with his parents come in and say, "This just i- this is really creepy." And I said, "Oh yeah, you've got all three. You've got the favoritism, you've got the isolation of keeping secrets, and then you've got pushing boundaries." No healthy adult encourages boys to go to peep shows. So that was one situation where all three of them came together and just, you know, it, it was dark red flags with, with bells and whistles screaming, "Pay attention."

So if you train your staff and start noticing those three things, there's a lot under those three things. Just remember those three things are the big warning signs that programs can look at.

[00:22:31] **Sireesha**: That's very helpful to get an understanding of what those warning signs are that program staff should look out for. And is there more, anything more that organizations can do? For example, anything they can include in their policies to help them formalize that or to filter out predatory groomers?

[00:22:53] **Debbie**: Um, yes. I think it's very important that you do what we call harden the target. And if nothing else, you can make the groomer's life so difficult that they go somewhere else to find a softer target that's not your organization. So you have policy addressed to those three things.

So you say for example that if you bring gifts to a kid, you have to bring it for the whole class. If you're going to do a birthday card, you have to do birthday cards for the whole class. I don't extend that so far as to say that if parents wanna have a birthday party for their kids they have to invite the whole class.

If they wanna do something on your premises, you can have whatever rules you want. But again, for parents and kids to have favorites is not unusual. It's if your staff does something, you can have rules against favoritism.

You can have rules against isolation. Now, I know it's very common to say we wanna have a two adult rule, but, you know, I... none of my clients can afford to hire twice as many people as they

need to do a job. So I prefer rules such as always staying within sight and sound. If you're an organization where kids wanna have private conversations such as counseling or even teachers or a 15-year-old who's broken up with her boyfriend, then make sure that your program has visibility into the room, windows in the doors, or if it's a camp, that they're sitting out in the middle of somewhere where people can't overhear 'em but everybody can see them. Those kind of sight and sound rules can prevent isolation.

Also, cover your social media. Make sure that your folks you know, if they have a legitimate reason to email a kid such as homework assignments or this is where we're meeting or any of those kind of things, that they always copy either someone in your organization or one of the parents or preferably both. Make sure your parents know about that rule so that if any of your staff is communicating with kids without anyone else noticing, parents are going to be the first ones to notice that.

The whole idea of following kids, friending them on social media, on TikTok. Most of my clients just prohibit that. They like for their staff to have a very clear line between what is what is professional and what is personal. If you set up a Facebook or group account, or TikTok group, or something for your organization, that's perfectly fine. Again, make sure that someone is monitoring it and that there's no opportunity for folks to go off into direct messaging or anything else during those group chats, that everything in a group chat is a group chat. That's sort of the digital version of keeping everything public.

And then have very clear boundaries. You don't want no touch policies for young kids, but you do want limits on, you know, if you have kids who need toileting help you keep the door open or you have a Dutch door for the bathroom that allows the top to be kept open. Kids who are at the age of needing toilet help are not at the age of having privacy concerns, so you can have the rule of keeping the door open.

You have stricter limits on touch as the kids get older and it's more developmentally normal for them to not want adults to touch them or be in their space. Boundaries about when they can be alone with kids. Again boundaries about what's appropriate communication. Obviously you want to have no sexual discussions and unless it's in a clinical sort of setting or they're following a particular curriculum. You don't want them, you don't want them going off discussing things that are inappropriate for kids or too advanced for kids. And again, you look for I, I heard several times about mentors or teachers or, who are just obsessed with the topic of sex. So if you hear that sort of, they're always talking about that topic, that it could be someone who's not grown up and has issues of their own, or it could be someone who's pushing boundaries with kids or both.

So those are the sort of policies that you can have.

And then training is very important. You need to train people in your policies in those three warning signs and- there's studies showing that the once a year in-depth training is good, but it's not sufficient. You need to reinforce it with periodic trainings.

I like to do lunch and learns. On my blog, I often will pull a story about, some teacher who's been arrested for molesting kids, and I will pull out from the story, here's the signs of grooming that no one noticed. Those are great opportunities for you during a lunch and learn or send an email to your staff saying, "And discuss if this were us, what would we do? What would we notice? What are our

policies?" So you do it in a low-key, short, frequent manner, and that helps drive it home much better than an extra day once a year of training

[00:28:34] **Sireesha:** And that is very helpful for organizations that are looking to maybe implement a new policy. What if we have a situation for a nonprofit or a staff person who's at a nonprofit, and they don't currently have policies in place, but after hearing this episode, maybe they have some concerns. What should a staff member do in situations like that if they have a concern about someone else at the organization?

[00:29:02] **Debbie:** Um, they need to go to their administrator. In Georgia, you're a mandated reporter of physical abuse, sexual abuse. There, there's not a requirement to report grooming- if it's just grooming. Although grooming is usually a red flag that some sort of sexual abuse may have already occurred.

If there's reasons to be suspicious that this person is abusing kids, then everyone in Georgia who works with young people is a mandated reporter. However, Georgia also has a role that an organization can have a person in administration designated to take these reports.

So you don't have to go straight to DFCS to report this. DFCS, by the way is where the report ultimately needs to go. But in Georgia, you can go to the head of your organization, and I always say document it, put it in writing. Don't just have a conversation with them. If you're in administration and someone comes to you, have them write it down.

If you're going to an administrator, write it down because that leaves no room for error and for memories to differ about what was reported and what was said. A lot of times the concerns can be so vague, that there's nothing really to do. For example, you say, this child ran into a door for the second time this week, or that's what they say. The bruises don't really look like a door, but they could be. Well, one time may not raise suspicions. The third or fourth time definitely raises suspicions. So if you report it the first or second time, it's good to report it. It's not necessarily something that's going to require a report to DFCS right then.

There's a couple of good reasons to report it to your administrator. The main reason is because, just to use that example, if you're reporting, the kid claimed they walked into a door and it doesn't look like a door to you- That may not be the first person who's noticed that, but you don't know about the other three reports. The person in your group that you're reporting to, your administration, they will know about the other three reports, and they will be able to put them together and send them all up to DFCS.

The rule in Georgia is that when it goes through the chain of command like that, the administrator cannot change the reports. Another reason to put it in writing. They cannot change anything in that report. They can, however, add additional facts, and that's the point at which they say, "I've had the same report from two other people. We're seeing a pattern here." And that's when it's going to get DFCS attention.

Sometimes if DFCS just says that this is the first time they ran into the door, they're going to substantiate it, and the kid who feels, then feels like no one's listened to him, "I reported it and nothing happened." Or your staff is going to feel like, "I reported it and nothing happened." Whereas if you report a pattern, then you're much more likely to be able to give DFCS the entire picture.

So I always encourage the staff to go to administration. The other thing I'll also recommend is that staff and administrators report it together, and that way the staff knows that it has been reported. The administrator can say to the staff, "I took you seriously. Here's how we reported it." And if DFCS has any more questions, they know who to come to.

If, however, as a staff person you feel strongly enough that it needs to be reported and your administrator has not reported it, you have every right to report it yourself. And for good faith reports, you're protected from retaliation by the parents or lawsuits under Georgia law.

That's the, if they're not policies but you're concerned, definitely go to DFCS. If you're an administrator and you don't have policies, you need policies

[00:33:28] **Sireesha**: And my last question for today, Debbie, is about what happens in a situation where the person in question is also a minor. For example, a high school student mentoring a middle school student. Are there any other considerations in this sort of scenario?

[00:33:49] **Debbie**: Many of them are the same. You need the sight and sound, you need the rules on conversation, you need those things that apply to all of your staff. And by staff, I mean employees and volunteers.

The other issues that you need with the mentor is also a minor is understanding that developmentally you may need to do more training with these high school students. They may need reminders that they need to stay within sight and sound, for example. They need to be doing the tutoring in the school cafeteria, not in the deserted teacher's classroom. And, with kids it may not be pushing boundaries in the same predatory way that with adults. With kids, it may just be that they don't get it yet and they need reminders and their brain is not developed.

I'm usually less concerned about predatory grooming with kids that age just because developmentally it's hard for them to keep all those thoughts in their head, and you just need to keep reminding them and you need to supervise them more in order to keep reminding them and understanding they're not adults, they're not going to retain the training quite as well.

And then the final thing with when the mentor is a minor is realize you still have mandated reporter responsibilities for that minor. Even if they are a mentor, they are still a minor, still a high school student still under 18, then you have to think of them also as a potential victim and not just a potential perpetrator. So your mandated reporter training and rules need to extend to those junior mentors, junior staff people, leaders in training, whatever it is that you call.

It's a great way to have the pipeline. You just have to have a little, be a little more intentional about training them and paying attention to the, the fact that they also are subject to your mandated reporter responsibilities

[00:36:01] **Sireesha**: Debbie, thank you for sharing these considerations to help youth serving organizations.

This has been a lot of really helpful, insightful information. I think that with this guidance, nonprofits can improve their mentor policies and practices to help protect their children.

[00:36:22] **Debbie**: I'm glad to help anytime.

[00:36:24] **Sireesha**: Thank you, Debbie. We appreciate you sharing your time and expertise with us today.

[00:36:28] **Debbie**: Thank you for the opportunity. I appreciate it

[00:36:35] **Sireesha**: We hope that you found this episode of the PBPA Podcast to be informative and helpful. We add new episodes every month with short conversations about general, yet important legal information for Georgia nonprofits. Remember that this is not legal counsel. Talk to your attorney about your organization's specific concerns. Thanks for tuning into the PBPA Podcast. And to all nonprofits listening out there, thank you for all the good work you continue to do in our community.