



State of New Hampshire

Office of the Child Advocate

Moira O'Neill
Director

Contact: Moira O'Neill, Director, 603-271-7773, 603-848-0413, Moira.O'Neill@nh.gov

FOR IMMEDIATE RELEASE – January 9, 2020

Child Advocate Releases System Review on Restraint and Seclusion of New Hampshire Children in Residential Care.

Concord NH: In the five-year period between 2014 and 2018 there were more than 20,000 incidents of children being restrained or secluded in New Hampshire residential facilities. State Child Advocate Moira O'Neill released a report today reviewing the use and reporting of restraints and seclusions in residential facilities, concluding there has been insufficient oversight of the practices by the Department of Health and Human Services (department). "We know little about those incidents," O'Neill said, citing the lack of comprehensive review and reporting required of the department under New Hampshire law, RSA Chapter 126-U. "Without context, without details of who, what, where and when, we cannot identify whether the problem is inadequate treatment, insufficient staff training, or other systemic issues."

There are approximately 400 New Hampshire children per year placed by the Division for Children, Youth and Families (DCYF) in residential facilities to receive treatment, often for complex conditions resulting from abuse, neglect and exposure to other adverse childhood experiences. The review examined the meaning, purpose, use, and reporting of restraint and seclusion of these children as well as the therapeutic value of the practices. Years of research have failed to find any therapeutic benefit or improvement in behavior resulting from restraint and seclusion. Instead, the harmful physical and psychological effects of restraint and seclusion have prompted most states to establish laws restricting use. "It is well documented that restraining or secluding a child has adverse effects developmentally, emotionally and sometimes physically," stated O'Neill. New Hampshire's law is designed to ensure limited use of these practices, careful collection of information about each incident, periodic, regular review of facility records, and transparent reporting to state decision makers by the department. However, obtaining information and data from the department on these incidents has thus far been elusive.

O'Neill noted that in recent weeks the department has finally established an infrastructure to receive reports and information from residential programs to monitor the care of children. At the same time, many of the residential facilities have stepped up to minimize restraint and seclusion practices and to establish more effective therapeutic approaches to meet children's needs.

"Ultimately," O'Neill said, "the goal is to eliminate the practices of restraining and secluding children. If care is informed by the sciences of child development and trauma, children will experience better outcomes that alleviate the necessity for harmful restraints. Staff will also be less likely to suffer injury and other adverse consequences" The culmination of federal laws, facility and DCYF initiatives, and recent changes to New Hampshire law has positioned New Hampshire to make positive changes. "But we are not there yet." O'Neill stated. "There is still work to be done. The good news is, small steps are being taken to get there."

Pursuant to NH RSA 170-G:18, the Office of the Child Advocate provides independent oversight of the Department for Children, Youth and Families to assure that the best interests of children are being protected.

###