



State of New Hampshire

Office of the Child Advocate

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Director

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Office of the Child Advocate reacts to report of illegal use of restraints at juvenile facility

CONCORD – Staff at the Sununu Youth Services Center (SYSC) used illegal, abusive, and unnecessary restraints on a boy with a history of mental illness, alleged in a report released today by the Disability Rights Center (DRC). Moira O'Neill, Director of the Office of the Child Advocate, said if accurate, the report describes a grave and unsafe situation. She has been informed that the Division of Children Youth and Families is preparing a formal response to the allegations, which she awaits.

“Zach” (pseudonym) was described as a 14-year-old boy with anxiety, post-traumatic stress disorder, and learning disabilities placed at the SYSC to await a residential treatment placement. “Instead of receiving treatment,” O'Neill said, “the report describes Zach being isolated and violently restrained.” The DRC reports finding no evidence that Zach's behavior was unsafe.

O'Neill described three areas of concern taken from the DRC report. “First, and foremost, children with mental illness need mental health care.” She said the continued use of a detention center for the placement of children in need of care is unacceptable. The DRC referenced estimates of up to 90 percent of children at SYSC dealing with post-traumatic stress.

Second, O'Neill stated, “Any staff assigned to care for children with mental illness in any setting must be trained to recognize behavior as symptom of underlying illness. No illness is ever effectively treated with violence.” The DRC referenced the U.S. Department of Education's conclusion that use of restraints is not effective in reducing the occurrence of problem behaviors. In fact, restraints have been noted to escalate a child's emotional state. “If Zach sustained an injury in a restraint, he was lucky.” O'Neill pointed out, “The law against unnecessary restraints, particularly prone restraints, exists because people have died – they are that dangerous.”

Finally, O'Neill expressed grave concern at the claim that the SYSC and Division of Children, Youth and Families (DCYF) did not accurately and promptly report incidences of restraint to the DRC as required by law. “There will always be incidences of behavioral emergencies in the care of children with mental illness. We need to be prepared to manage them safely and report accurately in order to examine root cause and consider better treatment and response strategies.” The DRC has recommended the DHHS and the Office of the Child Advocate intensely monitor the facility until compliance with the law is met. The Child Advocate promised to work with the DHHS to ensure children are safe and staff are prepared.

Pursuant to NH RSA 170-G:18, the Office of the Child Advocate is an independent state agency mandated to oversee the DCYF, and to promote policies and practices that ensure the safety and wellbeing of New Hampshire children. The SYSC is administered by the DCYF.

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