

## Youth restraint challenged

### Juvenile programs official questions action before teen's death

By Greg Garland

Baltimore Sun

January 30, 2007



Isaiah Simmons III, age 17, died January 23, 2007 after being restrained at Bowling Brook Preparatory School in Maryland.



Isaiah's mother and daughter.

The head of a Maryland association of juvenile programs said yesterday it would be "indefensible" for staff to sit on a struggling youth for three hours to restrain him - something at least four youths have told their lawyers happened last week in the death of a teenage boy at Bowling Brook Preparatory School.

But Jim McComb, executive director of the Maryland Association of Resources for Family and Youth, said it isn't clear that such behavior by staff at Bowling Brook - a private residential program for juvenile offenders - would have violated state law.

"We have regulations that prescribe what is doable and not doable in every private and public school, and in treatment centers for children with mental and emotional problems. But we don't have anything comparable for children's residential programs," McComb said.

The death of Isaiah Simmons, 17, after being restrained by staff at Bowling Brook has raised questions about state law governing privately run facilities, the training required of their staff and the way the state monitors and regulates such programs. The Carroll County Sheriff's Office is investigating the death.

Maryland Public Defender Nancy Forster said at least four youths have independently told lawyers in her office that they watched staff members sit on Simmons for three hours last Tuesday until he passed out and died.

At an emergency hearing Friday, a Baltimore judge ordered three city youths removed from Bowling Brook. Similar motions have been filed in several other counties.

Bowling Brook officials have said in a statement that Simmons' "aggressive behavior continued over a period of time during which he was restrained humanely consistent with state-approved discipline policies."

McComb said no state law prohibits the state or a private facility like Bowling Brook from restraining an unruly youth but that it should be done in a reasonable manner.

"Nobody could possibly defend sitting on a kid for three hours," McComb said. "If that's what happened, it's indefensible."

Edward Hopkins, a spokesman for the Maryland Department of Juvenile Services, said state law prohibits physically restraining a youth "except when failure to do so would result in

harm to others or to the child."

However, Hopkins added, "It's not clearly defined in the law what is an acceptable means of restraint. ... Three hours, on its face, does appear to be unreasonable. But we were not there to witness the event and do not know all of the facts and circumstances."

The Department of Juvenile Services placed Simmons at Bowling Brook after he was effectively found guilty in juvenile court of armed robbery.

There are no national standards for qualifications or recommended training for youth workers at juvenile facilities. Minimum education standards, restraining methods and the type and length of training of youth supervisors are all left to state governments.

In Maryland, a high school diploma or its equivalent is all that is required for direct care youth workers, who get salaries that start just under \$30,000, Hopkins said.

He said all staff assigned to state-run facilities must undergo six weeks of training, under similar standards to those used for police and correctional officers.

In contrast, only 40 hours of training are required for staff in privately run juvenile programs like Bowling Brook, Hopkins said.

He did not have details about just what kind of training is required for staff at Bowling Brook. A spokesman for Bowling Brook said no one was available yesterday to discuss the issue.

Bowling Brook currently houses 170 youths from several states - 73 referred there by Maryland's Department of Juvenile Services. But it is licensed by the state as a "group home" rather than a "secure care" facility.

State law requires that secure care programs have written policies about how to restrain a youth. It also requires annual staff training and "prohibits the use of restraint in any manner that causes the child physical pain or undue anxiety."

No such language is in state laws governing group homes.

Bruce Chapman, founder of a behavior management program used by juvenile systems in Virginia and several other states, said caution must be exercised when restraining a youth.

"The one thing you don't want to do when restraining a kid is to put too much weight on him," he said. "There are two ways for certain death - and that's one of them."

Delaware requires anyone who works directly with juveniles in a secure facility to have a bachelor's degree as well as additional training. Delaware strengthened its training requirements in response to problems at its main juvenile facility, the Ferris School.

"A college degree doesn't solve all the problems of the world, but it gives a stronger foundation," said Dianne Gadow, a former superintendent at the school who is credited with turning it around. Gadow moved to Arizona in 2004 to become that state's deputy director of the Department of Juvenile Corrections.

She said juvenile administrators need to constantly offer more training because those in their

care have complex problems.

"The kind of kids that are coming in our system are a lot more damaged and have a lot more substance abuse problems," she said.

In Missouri, where state-run juvenile programs have become a national model, state policy requires a college degree or four years combined of college classes and relevant experience.

Once hired, youth specialists undergo a year of intense training - nearly 70 hours of courses in group therapy and family dynamics, physical crisis intervention and communication, according to Tim Decker, director of Missouri's youth services division.

That's in addition to the more than 40 hours of supervised observation before they can work alone with the youths. The department requires an additional 40 hours of training each year, Decker said.

He said he couldn't recall an instance in which a young offender died in custody, and said it would be unlikely to happen.

"Where you run into problems is when one person tries to restrain someone. It's difficult do that in a very safe way," Decker said. "To me, that's a set-up for problems right there. Think of the force - it almost has to be a struggle."

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