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Restraint:

The mechanical, manual, or chemical immobilization of a child's whole body or parts of the body.

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Seclusion:

The isolation of a student in a room or space, from which they are prevented from leaving.

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The President's New Freedom Commission on Mental Health said that restraint and seclusion pose significant risks, including "serious injury or death, re-traumatizing of people with a history of trauma or abuse, loss of dignity, and other psychological harm."

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Despite these dangers, the United States Government Accountability Office (GAO) reported that there are "no federal laws restricting the use of seclusion and restraints in public and private schools and widely divergent laws at the state level."

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Brianna Hammon, age 29

Reno, Nevada

First restrained and secluded at age 8

Brianna: I crawled out of there. She came back and screamed at me. "If you don't stay in there, I'm going to strap you in that chair and lock the door."

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Jino Medina, age 12

Hesperia, California

First restrained and secluded at age 10

Jino: One sat on my leg, one sat on my other leg, two people sat on my hands, one person sat on top of me and told me you don't do this, you don't do that, you must listen to us, do what we say.

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Helena Stephenson, age 24

Newark, Ohio

First restrained and secluded at age 13

Helena: He slammed me up against the wall, arm barred me across the throat and lifted up so I couldn't breathe. And then whispered, "How am I supposed to talk to you nice and slow so you can understand?"

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Wil Beaudoin

Father of Andre Beaudoin

Cranston, Rhode Island

Andre was restrained almost daily at age 15

Wil Beaudoin: One particular day we went to see my son and we were going to give him a haircut. So, we took off his shirt and he was covered with bruises and abrasions, fifteen to twenty on his body...everywhere.

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Peyton Goddard, age 37

San Diego, California

First restrained and secluded at age 12

Peyton's writing, as read by her mother, Diane Goddard

Peyton: Yet rest ignored me as I'm locked away in hidden rooms that pointed loudly, "I'm worthless." I wanted to tell the agony, but I could not.

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Four people who experienced restraint and seclusion in school shared their stories at a national conference in December 2012.

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Brianna Hammon, age 29

Reno, Nevada

Brianna: I was in a segregated classroom in second grade. It was in a regular school, but it was built special for all the kids who were physically disabled in our whole city. I was eight years old when they put me in a room built with a wooden chair bolted to the floor. The chair had straps made of leather and buckles. The teacher read the same book all the time. She read it every day. So, I was playing with Sarah. The teacher got mad. I was small, maybe thirty pounds. No warning. She just grabbed me up. She put me in this little closet room. I was so mad, I crawled out of there. She came back and screamed at me, "If you don't stay in there, I'm going to strap you in that chair and lock the door." She locked us in there. I was so scared. I finally escaped to the nurse's office. I was so traumatized. I got to use the phone to call my mother. When she answered, I could not talk. She knew it was me though.

Brianna: She was close and got there fast. She says when she found me, I was crying. I was curled up begging to go home. When I was in school, I did not have a speech-generating device. Good evaluation would have made that happen. I tried to tell my mother. She did not understand me or she thought the teachers knew everything. She did not save me until the next school year. One morning I got mad and said I wasn't going to school. When you have problems with talking, you just say no in the loudest and easiest way possible. I yelled and screamed in the parking lot. A lot of people came to watch, but it was the only way I could say something was wrong. Violence by children with severe disabilities is almost always in response to abuse. It was awful, the things that happened in segregation. Later in the year, my mother finally saw the teacher next to our class abusing a five-year-old boy who got put in the closet a lot. She turned in his teacher, but did not realize that what she saw was normal and happened all the time. The problem is that we all want to believe that the world is a good place, especially children. So, when torture happens in front of us, all people mostly make up a story in their head about the

victim having done something wrong. Then people look at the victims differently. They see us as bad or dangerous.

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Jino Medina, age 12

Hesperia, California

Jino: We go through the back of the school so none of the kids can see us. So if the teachers do anything to us, they can't see us because there's a bunch of buildings surrounding our isolated playground. And if you don't listen...if you do not do whatever they say, they haul you off to what's called...what I call "white room." I'm in there for about six hours a day and then I come out, and then when I finally come out, I sometimes don't get to eat. The white room was right next to the kindergarten's room, so if you scream they would just think you were another kindergarten. The room I was in had a cabinet, cinderblock walls, a glass-paned window with bullet holes in it. Well, if I don't do everything they say, they will...they will restrain me, put me down on the ground. It was the teachers plus four aides. Every single time they restrained me, it was five people. One sat on my leg, one sat on my other leg, two people sat on my hands, one person sat on top of me and told me you don't do this, you don't do that, you must listen to us, do what we say.

Jino: And then if you...and if you continue trying to get out, they will...they will flip you over, put you down on the ground and they will put your hand behind a back...behind your back before it comes to its breaking point to where it can snap. Usually, I curl up into a ball. I just jump and I run, but they usually do catch me. They put you inside of a restraint harness. It's basically a giant blanket that they wrap around you that's supposed to make you feel better, but I just fell over and hit some other stuff. Sometimes I get restrained two times, sometimes I get restrained three times a day. When I saw kids watching what happened to some kids, they put paper all over the windows. Even if you did want to get out, I'm pretty sure there were some bars on the back windows. They videotaped you and they tell you what to do when they restrain you. Don't do this, don't do that. Of course, you're too traumatized to remember. It's terrible.

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Jino's mother

Hesperia, California

Carolyn Medina: Last year, in the mid-year, is when the incident occurred. He came home with head trauma and he had injuries to his face from restraint. You are hurting our children by twisting their hands and inflicting pain on them in the disability classrooms, which, by the way, are not being surveillanced. There is no surveillance. There is no proof. And there is no way to determine what happened. I don't see why they should not be dispersed throughout a general education setting. I don't understand why he was separated in the first place. If you have to give a warning, like twenty-four hour prior notice to go and observe the classroom, that's not a good sign because a good, healthy environment that has emotional structure, a parent will be welcome for participation and involvement. We learned the hard way and that's hard to deal with, but we can also improve and correct the problem and hopefully have a better future.

Jino: I want to go back to school but I'm afraid the same thing might happen again, and I won't wake up.

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Helena Stephenson, age 24

Newark, Ohio

Helena: At my old school, from second to seventh grade, I was like an awesome student. I had great grades. I had perfect attendance awards for, from second grade to seventh grade for every nine weeks. I mean, I excelled in history because that is part of my Asperger's syndrome. I have a photographic memory. That's also the reason why I can't forget what happened to me in school. When I was thirteen, my family moved seven miles away to a new school district. I corrected a teacher who gave out the wrong information about Ohio history. After I corrected him, he called me the "R word" and gave me two Saturday schools. I wrote to my state senator and he actually wrote me and my teacher and informed me that I was right, and told my teacher I was right. When that letter got to the teacher that day, he gave me two more Saturday schools. My ninth grade history teacher asked me and three other general ed special needs students to stand up in class. She then belittled us by saying, "I do not need nor want them in my class."

Helena: That discussion came up because the teacher was openly discussing the No Child Left Behind Act in our classroom, and asked our class if it was fair that we were allowed in class with them, but didn't have to test as well as them on the proficiency test to move ahead. Older students held me down, and smeared ketchup and mashed potatoes in my hair and stuff and my face, and they said not to mess with the school, 'cause our schools in Royal, Ohio are the bread and butter of the community. At my IEP meeting, like a month later after that incident, I had tested well enough to be put into an advanced English class my freshman year, but the teacher of that class stated at my IEP meeting that my disability was holding back the other students. My mom asked for an example and she could not give any. I was being placed in ISS almost every school day. I spent thirty-five consecutive days in a storage...what used to be a storage room under the weight room in the basement of my school. It was concrete and there was two metal doors that were padlocked from the outside. There was no windows and no heat. And the only person who had a key to that padlock was the principal. You could scream in there. No one would hear you. Most students did not even know I was present at school that day. They'd see me at the end of the day getting on the bus and they'd be like, "Where was you all day?" "In the basement."

Helena: I remember I was in Study Skills one time and I heard my friend in there, and he wasn't allowed out and he was saying, "I need to use the bathroom, I need to use the bathroom." And he defecated and urinated on himself, and he was...he never came back to school after that. After I spent thirty-five days in there, ODE ordered no more ISS for me at the third due process hearing in January of 2004. One week later, my vice principal came to my science class where I was taking a test and asked me to join him in the hallway, so I did and I walked out there. He told me I needed to report to the ISS room...seclusion room...and I calmly reminded him that I was supposed to call my mom or attorney if this happened again. And I turned to walk away from him to go back to class because that is what I was told to do. They told me not to engage or argue in any way, but he slammed me up against the wall, arm barred me across the throat and lifted up so I couldn't breathe. And then whispered, "How am I supposed to talk to you nice and slow so you can understand?"

Helena: At that moment, I truly thought that I was going to die, so I asked God to make it fast. But he let go and then they put me in the back of a van with my truant officer and school secretary. They took me into the superintendent and special needs director's office. And the superintendent said, "I feel sorry for you because you have no future." And then there was a knock on the door, and then I guess I blacked out 'cause I was traumatized 'cause I don't remember the rest of the day. But apparently that knock at the door was my stepdad because another student had alerted them that they dragged me into the elementary. And that was my last day of school, and later that night I did try and take my own life, and that's when I was diagnosed with post-traumatic stress disorder. And after that incident...and after...from January 2004, for six months, I did not even step a foot outside my house. I did not socialize and my skin never, ever saw sunlight.

Helena: That was my school experience. People always are like, "Why didn't your mom just pull you out?" And why should she have? There's a law that says that I'm allowed to be there. She was fighting for my rights. When I went to that school, they took away all of my confidence that my mom took years to instill in me. My sister was the valedictorian of her graduating class and has a Ph.D. now from Ohio State University, and she had ADD. She was fortunate that she never had to go to that school, and I wish that I could be like everybody else in my family. I can't.

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Wil Beaudoin

Father of Andre Beaudoin

Cranston, Rhode Island

Wil Beaudoin: Being non-verbal for your whole life is something that I cannot imagine ever having to do. My son, Andre, has had to live with being non-verbal his entire life. And his entire life is spent trying to communicate his wants, desires, needs to the people around him using communication systems that are, at best, inadequate. I can only imagine what it's like even one day to need or want something, and to try to get that across to somebody and be unsuccessful. And so, if you're unsuccessful enough times, you start to get aggravated and then if you get aggravated enough and people are still not responding, it just gets, you know, it cycles higher and higher and before you know it, you know, the...my son will just like lash out at you and say in, you know, not verbally but with his body language, "Pay attention to what I'm trying to tell you or show you." About the time that he was thirteen years old, it became very difficult for us to manage him at home. There was one particular day, and we had sort of seen this coming, where I came home from work and my son had basically overpowered my wife and it became time to have him hospitalized.

Wil Beaudoin: And so, he was hospitalized for about a year and a half, and in the course of that time there were a few instances where he had to be put into a prone restraint, but it was not a regularly occurring thing. It was sort of an emergency situation. As time went on and insurance companies were sort of pushing that he could not stay in the hospital any more, the search began for a placement in the community. And so, we ended up going to this new placement for a trial...a three-month trial. And in the course of the three months, we found out later, he was in at least thirty-some-odd prone restraints. We were not told of any of these restraints, but what ended up happening is that we'd go to visit him daily, and one particular day we went to see my son and we were going to give him a haircut. So we took off his shirt and he was covered with bruises and abrasions...fifteen to twenty on his body...everywhere. So we started to dig into, you

know, what's going on here? What's the story? They assured me that it was okay because they decided to stop restraining him. So that was a red flag for us because how can you decide, if it's supposed to be an emergency measure, why are you making a decision to start or to stop restraining at all?

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Following his time in the Rhode Island placement, Andre insisted on wearing a martial arts helmet to protect himself every moment of every day.

Wil Beaudoin: He went fifteen years and was restrained maybe twice. And then he went to one setting and he was restrained thirty-some-odd times in a three month period. He left that setting and then he hasn't been restrained since, or maybe a couple of times when they were emergencies. So that shows to me that Andre was not the problem. The problem was the setting and something was going on in that setting that was wrong.

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It took Andre eight years to feel comfortable enough to stop wearing the helmet and wear a knit hat or baseball cap instead.

Wil Beaudoin: It's a powerless feeling to a great degree, because it gets communicated to us as "Andre was aggressive," without any detail in terms of what led to the aggression, what were the environmental things going on at the time, what did Andre do before that, what was going on in the classroom, what were other kids doing? All that sort of information is really, really valuable, but it's impossible for a parent to do anything about it unless you have that information on hand. So, to me, the flow of information back to families is a crucial piece to trying to get rid of this kind of intervention.

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Peyton Goddard, age 37
San Diego, California

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During two decades in special education classrooms, Peyton experienced aversive restraints, punitive seclusion, and physical, mental, and sexual abuse. Unable to tell her parents of this abuse, she could express herself only through self-destructive behaviors.

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Peyton now types to communicate.

Dianne Goddard: OK, then just get your rhythm. And so, by her rhythm, then I want you to do the initiation, which you do awesome with.

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Peyton has typed out her answers to questions provided in advance. Peyton's mother, Dianne Goddard, read them aloud.

Peyton: In years of private placements, aversive interventions permeated I. It was power overt on I, and I was septic pointed to seclusion. It was bruted power jired by purses wrongfully called

teachers trying to beat I. This war wasted my rest. The sweet in I evaporated out. Massed frets gestate tread of fears, tears nutty, years of lasting hell. Rest in a child is treasured peace. Each time a child is locked up it is heard as heartbreak. Troubled tears see feasibility of freedom estimated denied. Yet rest ignored me as I am locked away in hidden rooms that pointed loudly, "I'm worthless." I wanted to tell the agony, but I could not. Feeling I'm gum in gutter. I'm traumatized. I'm sad. It is the very keyed lock that I'm feared. It made me littered and less, freezed in tears, lit ill, desirer of death. I wanted tears to melt, but my heart fears I'm next in returned closet with each looming locking part of me is pity killed.

Peyton: I'm hit, I'm hung low, I'm messy molested. I'm each dawn jittery still. I'm trying to heal but locks re-torture. No certain child should greet locks. It was 22 wasting years befretting irregulated I was. I'm very going insane by news I'm freak. I needed their help, yet they pointed I to locked up. Fright opted I timid, silent and unable to fight back. Telling myself sweet lies that the tortures did not matter. I'm now pleased to be freeing my heart of seeds of pity. Trying I am to like me. I'm seeing my heart heal, wonders fill. Try to see potent powerful potentials in each pierced person. There you will free their gifts. There I can feel I'm treasured. There nary I'm fret. I'm ready. Are you? Try please.

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A 2013 study by the Autism National Committee found that:

- Only 13 states limit the use of restraint to emergencies
- Only 20 states prohibit restraint that restrict breathing
- Only 30 states require that parents be notified if their child was restrained or secluded at school

Brianna: The next time you meet someone with a disability and they appear odd to you, maybe you should wonder if they were abused, too. Most of us who have ever been in segregated classes in American schools have been.

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Brianna works at the Center for Self Determination in Nevada and serves on the People First Human Rights Subcommittee working to investigate unauthorized use of school seclusion rooms. She and her mother, Deirdre Hammon, successfully advocated for a Nevada law which limits restraint to emergency situations and prohibits seclusion entirely.

Jino: They didn't teach me anything. I want to read but I can't. I want to spell but I can't. Basically, the only thing I did at school was get restrained and that's it. I never learned a thing.

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Jino is in a new school but is currently only attending one class because he continues to experience vision loss, absence seizures and other neurological injuries he suffered during restraint. He and his mother Carolyn are vocal advocates for California efforts to restrict restraint and seclusion.

Helena: There has to be a law that says it's not going to happen again. It's not going to happen to the next generation. My future was taken from me.

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Helena advocated for an Ohio proposal to prohibit restraint or seclusion except when there is an immediate risk of physical harm to the student or others. On January 15, 2013, the Ohio State Board of Education approved the proposal, which also calls for schools to implement Positive Behavioral Interventions and Supports.

Wil Beaudoin: The secret, I think, is that schools, agencies need to learn about the people that they support, and they just can't support them with a one size fits all recipe and expect it to work. They need to individualize the programs for each child.

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Andre Beaudoin, now 22, lives in a community-based group home in Rhode Island. The home has an open door policy for parents. Wil Beaudoin serves on a subcommittee of the Rhode Island Developmental Disabilities Council, which is working to pass a law banning prone restraints.

Peyton: My great heart fasted from feeling no worth for years needed oiling...needed kind understanding and support.

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Peyton Goddard and her mother, Dianne Goddard, wrote the book *I Am Intelligent*. Peyton graduated as the valedictorian of Cuyamaca College in 2002, becoming the first person using supported typing to graduate valedictorian from a U.S. college.

Credits:

May I please ask Miss Peyton Goddard and Miss Hollyn Martin to come to the podium?
Cuyamaca College Valedictorian for 2002...Peyton Goddard.

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Childhood friend Hollyn Martin reads Peyton's Valedictorian speech at Cuyamaca College, June 2002

Thank you. Though elusive, the journey to peace potently pondered by each person and people is possibility and great desire. Let us point to the heart, pursuing peak peace in path, each and together.

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To learn how you can prevent restraint and seclusion, go to StopHurtingKids.com