



OHIO LEGAL RIGHTS SERVICE

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FOR IMMEDIATE RELEASE

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Executive Director

OHIO LEGAL RIGHTS SERVICE CALLS FOR A BAN ON THE USE OF PRONE RESTRAINTS

Columbus, January 13, 2009 -- Ohio Legal Rights Service (OLRS), Ohio's federally designated protection and advocacy system for people with disabilities, formally called for a ban in children's homes licensed by the Ohio Department of Job and Family Services (ODJFS) on the use of prone restraints or other restraints that restrict breathing. The request follows a recent incident at a children's residential treatment facility in northeast Ohio where a child died during a prone restraint episode.

OLRS and other state and national organizations have advocated for many years that licensed and certified providers across all settings - education, residential treatment facilities, community residential, and hospitals - that serve children and adults with disabilities reduce or eliminate the use of physical restraints. Michael Kirkman, Executive Director of OLRS, said, "The goal should be to stop the use of prone restraints immediately and to eventually reduce or eliminate the use of all other restraints because of their lethal and traumatizing effects." Kirkman said there is a need for standardization across all state departments regarding restraint use. Currently, there are multiple state departments that license and certify facilities and each system establishes its own standards and rules governing restraints. The Ohio Department of Education (ODE) has no regulations or standards for restraint of children in schools.

OLRS has also identified the need for improving state-level monitoring of restraints in certified and licensed settings, including oversight of all injuries sustained during restraint episodes. OLRS has commented on proposed restraint rules, met with staff from state departments and developed publications – all activities designed to emphasize the importance of protecting children and adults from abusive restraint practices by reducing or eliminating their use and increasing oversight.

OLRS' call to ban prone restraints coincides with the National Disability Rights Network's (NDRN) issuance of a report, *School is Not Supposed to Hurt: Investigative Report on Abusive Restraint and Seclusion in Schools*. This document reports incidents of children dying or being injured in school while restrained or secluded and calls for swift action to ban the use of prone restraint and seclusion in schools. The report includes two cases investigated by the OLRS Ombuds unit. The Ohio cases involve inappropriate behavioral interventions in self-contained classrooms and staff who were not trained in positive behavior intervention techniques. OLRS Ombuds reports recommended that ODE take steps to address the issue of the lack of administrative rules regarding the use of physical or mechanical restraints, seclusion and time out for classrooms in Ohio, and call on ODE to enforce compliance with the rules once promulgated. The reports were sent to the school districts and ODE in the fall of 2008. To review NDRN's report, visit: <http://olrs.ohio.gov/other/NDRNAbuseNeglectReport.pdf>.

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The mission of OLRs is to protect and advocate, in partnership with people with disabilities, for their human, civil and legal rights.

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