

FAV SB400 TENNEY PhD MPhil MPA BPS FAVORABLE FAV S

Uploaded by: Lauren Tenney, PhD, MPhil, MPA, BPS

Position: FAV

SB400 FAV – FAVORABLE – SUPPORT

Written Testimony of Lauren J. Tenney, PhD, MPhil, MPA, BPS, Psychiatric Survivor
Maryland Senate Bill 400 (2025)
Residential Child Care Programs – Transportation Companies – Regulation
Preventing Abduction in Youth Transport Act of 2025
(516) 319-4295 www.LaurenTenney.us
February 19, 2025 1

Lauren J. Tenney, PhD, MPhil, MPA, BPS, Psychiatric Survivor

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SENATE FINANCE COMMITTEE

Maryland Senate Bill 400 (2025)

**Residential Child Care Programs – Transportation Companies – Regulation
Preventing Abduction in Youth Transport Act of 2025**

February 19, 2025

POSITION: FAV SUPPORT FAVORABLE

I urge you to **support SB400 with a favorable report**. The fact that we are even debating legislation with the phrase “**Preventing Abduction in Youth Transport Act of 2025**” is horrific. I submit this testimony in support of SB400 because it offers both a potential starting point toward solutions and because it acknowledges the existence of a deeply troubling problem.

My name is Lauren Tenney, and I am a psychiatric survivor. I was first institutionalized in a psychiatric facility at the age of fifteen in New York State. Now, at fifty-three years old, I have been a resident of Maryland since the end of 2023. My professional experience spans three decades of working as a human rights advocate, particularly in support of people with psychiatric histories, with the overarching goal of eliminating forced, court-ordered, compelled, and coerced psychiatric involvement. I am a research psychologist, with specialized training in environmental psychology, focusing on how our environments shape our experiences.

Additionally, I am a trained public administrator. My work details the history of state-sponsored violence, dating back to the seventeenth century in the United States, Maryland included.

SB400 acknowledges that Maryland allows for-profit transport companies to move minors—children who have already been forcibly removed from their families or have lost their families for a variety of reasons, including the death of a parent or guardian—between institutional settings. It confirms the existence of an industry built on involuntary transport of minors, where egregious practices like hooding and shackling have become so normalized that they require legislation.

The need for such a bill highlights historical patterns: forced removal, indefinite confinement, and the outsourcing of state violence to corporate actors. In the nineteenth century, psychiatric

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institutions justified confinement under the language of “care.” Today, the same rhetoric shields the continued use of force against children under the guise of treatment and safety.

The existence of a transport industry specifically for children raises critical questions. One such question is: If the state must legislate against hooding and shackling children—young people who are undeniably experiencing trauma—what does this reveal about the system as a whole?

Investigations into these existing corporate entities—or worse, state-operated or nonprofit entities—must be conducted, regardless of the outcome of this legislation. If SB400 does not pass with unanimous support, it marks a crisis of conscience in this State. Some of the protections that the bill seeks to ensure, such as the prohibition of restraints being used as a punishment, convenience, or substitute for staff supervision, are already part of federal CMS (Center for Medicaid and Medicare Services) rules regarding restraints.

No one should ever be mechanically or chemically restrained. SB400 represents an attempt to regulate a fundamentally violent practice. But regulation does not equal justice. The bill does not address the underlying system that allows children to be forcibly removed, transported, and institutionalized—for profit. It does not challenge the underlying structures that permit such a market to exist. The bill may stop the use of hoods and shackles during transport, which of course is movement in the right direction—but it does not stop the use of force, nor does it prevent the trauma that will follow haunt these children for the rest of their lives—trauma that the State of Maryland can prevent.

As someone who has spent decades researching and exposing the history of psychiatric confinement, I urge this committee to pass SB400. I also urge this committee to take the bill as evidence that Maryland’s system of psychiatric control over children requires far greater scrutiny. We must not simply reform a system that legitimizes force against minors; we must abolish it.

As has long been said from Emerson to Szasz, abolitionists exist because slavery exists—and slavery cannot be reformed—it can only be abolished.

SB400 offers important solutions to a system that fails to provide safeguards against state-sponsored torture under the guise of help. Forced treatment is a clear failure of the system, if shackles and hoods are required to take a child from one part of the system to another part of the system, it would likely indicate the child was not in a voluntary situation.

If Maryland had an Olmstead Plan—one that should already be in place—the program detailed in SB400 would fit with the spirit and law of the Olmstead integration mandate. Individuals with disabilities, including mental health disabilities, must have the opportunity to live in the least restrictive, most integrated setting possible.

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A hooded and shackled van ride, from which someone else profits, hardly seems to meet the Olmstead mandate. Prioritizing bodily autonomy—literally, freedom of bodily movement—SB400 would be an action toward fulfilling the Olmstead integration mandate’s goal of promoting full integration and participation in the community for individuals with disabilities.

Human Rights and dignity are fundamental to every person, particularly those working toward healing trauma—which again—children, in this situation, who would be supported in doing so.

How is Maryland paying for this now—and if not prohibited, in the future? Where is the fiscal responsibility? I hope this bill passes without real debate, affirming Maryland’s commitment to promoting non-coercive care models that align with principles of personal freedom and medical autonomy.

We know that race, ethnicity, class, sex, gender, sexual orientation, religious/spiritual experiences, and other forms of disability impact court ordered psychiatric involvement. Minors do not have the right to consent to psychiatric treatment. Whether minors assent or refuse treatment is not even within their legal right. Marginalized communities—particularly those who are Black, Indigenous, People of Color, LGBTQI2SA+ individuals, young people, senior citizens, and those experiencing poverty—are disproportionately subjected to psychiatric treatment.

This systemic violence and inequality is often compounded by racial bias, classism, and lack of access to voluntary care options, particularly for young people, who have no choice.

While I will always approach psychiatry with a critical lens, SB400 offers a real opportunity to immediately abolish these horrific practices it is designed to outlaw.

Supporting SB400 is not just about reforming Maryland’s mental health system—it is an opportunity to ensure that no one is tortured in the name of help—restraint, of course, being one of the things that nearly two decades ago the United Nations Special Rapporteur on the Convention Against Torture has specified may constitute torture or ill treatment.

In a world where the voices of those most impacted are too often silenced, SB400 offers Maryland a chance to make a powerful statement: the right to self-determination is not a privilege, but a fundamental human right

Thank you for the opportunity to respond to Senate Bill 400. I urge you to vote with a favorable report on Senate Bill 400. I am available to discuss any questions or concerns you may have.

One last thing, if SB400 does not pass with your favorable support, and any additional amendments that may move toward greater rights for young people—such as abolishing any use of restraints—or the whole private system, itself—how ought we explain to children that

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practices like hooding, restraint, and other violations were just affirmed by the Maryland Legislature?

Lauren J. Tenney, PhD, MPhil, MPA, BPS, Psychiatric Survivor

Author of *Except As A Punishment: American Psychiatry in Historical Context*

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SB400_ParisHilton_FAV

Uploaded by: Paris Hilton

Position: FAV



Dear Chair Beidle, Vice Chair Hayes, and Members of the Finance Committee,

My name is Paris Hilton, and I am a Troubled Teen Industry survivor and advocate. I'm submitting this testimony because S.B. 400 is deeply personal to me, and to the thousands of survivors who, like me, have endured the trauma of youth transport.

When I was 16 years old, I was ripped from my bed in the middle of the night by two large men I had never seen before. I was given a so-called “choice”—to go the easy way or the hard way. But there was no choice. They handcuffed me and carried me out of my room as I screamed for help. I was shoved into the backseat of a car and taken to an airport. When I asked where I was going, when I begged to talk to my parents, they told me to shut up. Each time I pleaded, they grew angrier. I thought I was being kidnapped. Because in any other situation, that's exactly what this would be called.

The truth is, my parents had been sold a lie—manipulated into believing this violent transport was the only way to safely transition me into a residential facility. They were told it was for my own good. But there is nothing therapeutic about being dragged from your bed, handcuffed, and taken across the country against your will. This is not care. This is abuse.

Every year, thousands of children across the country are subjected to this same traumatic experience. Handcuffed. Blindfolded. Restrained. Forced into cars or planes with strangers, terrified and powerless. Their voices silenced. Their dignity stripped away.

I can tell you from experience—this causes lasting trauma. I suffer from insomnia, nightmares, and PTSD because of my experience. I wake up crying and terrified that I am being kidnapped from my home and locked into a facility where I can't escape. I don't wish this experience on anyone.



These “youth transport” companies operate in Maryland right now with little to no oversight. Parents are deceived. Children are traumatized. And the companies profiting from this practice are not held accountable.

Thanks to the leadership of Senator Gile, S.B. 400 is a critical step forward in protecting youth. Maryland has an opportunity to lead the nation in ensuring that no more children experience what I went through.

These kids are our future. They deserve safety. They deserve dignity. They deserve better. I urge you to vote YES on S.B. 400.

Thank you,

Paris Hilton

DG Written Testimony_SB0400.docx.pdf

Uploaded by: Senator Gile

Position: FAV

DAWN D. GILE
Legislative District 33
Anne Arundel County

Finance Committee

Chair

Anne Arundel County
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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Testimony in Support of SB0400 - Residential Child Care Programs – Transportation Companies – Regulation (Preventing Abduction in Youth Transport Act of 2025)

Madame Chair, Mr. Vice Chair, and fellow members of the Senate Finance Committee:

SB0400 would prohibit youth transportation companies from using physical or mechanical restraints on children during transport, except in cases where there is an immediate risk of serious physical harm to the child or others. It also bans the use of restraints as punishment or for staff convenience and requires proper training for any personnel authorized to apply restraints. Additionally, the bill prohibits transportation companies from picking up children between 9:00 PM and 6:00 AM. To enforce these protections, the legislation grants both individuals and the Attorney General the right to pursue civil action against violators, with penalties including injunctive relief, restitution, and statutory damages.

Background

The troubled teen industry is a multi-billion-dollar network of unregulated residential facilities that claim to rehabilitate struggling youth but instead expose them to neglect, abuse, and psychological trauma. Across the country, thousands of teenagers have been sent to these programs under the guise of therapeutic intervention, only to endure mistreatment ranging from physical restraints to emotional and even sexual abuse. While Maryland does not house many of these facilities, this does not mean that our children are safe from their reach. Teen transport companies operate heavily within the state's borders, forcibly removing children from their homes and transporting them across state lines—sometimes thousands of miles away—to facilities where they have no legal protections or oversight. These transport companies thrive in the shadows, using force, deception, and intimidation to strip teens of their autonomy before they even reach their destination.

Our office has heard from Maryland survivors who recall that their nighttime abduction was the most traumatic part of their experience with the troubled teen industry. Their stories are shockingly similar—woken in the dead of night by strangers, restrained with handcuffs or zip ties, blindfolded or hooded, and dragged into the back of a car with no idea where they were going or why this was happening. Many describe the terror of believing they were being kidnapped or harmed, only to later realize their own parents had unknowingly allowed this to happen. Parents of these victims are often unaware of how these companies operate, having been misled into relinquishing temporary guardianship under the guise of helping their child.

Solution

This bill is critical not only to stopping these abusive transport practices but also to deterring residential facilities from targeting Maryland families. By regulating these transportation companies, we can shed light on the dark side of the troubled teen industry and provide struggling parents with the transparency they need to make informed decisions for their children.

Per the Fiscal Note, SB0400, the Office of the Attorney General can implement the bill's provisions using existing budgeted resources.

For these reasons, I respectfully request a favorable report on SBSB0400.

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Uploaded by: Leslie Margolis

Position: FWA

Education Advocacy Coalition
for Students with Disabilities

SENATE FINANCE COMMITTEE

**SENATE BILL 400: Residential Child Care Programs—Transportation Companies—Regulation
(Preventing Abduction in Youth Transport Act of 2025)**

Date: February 19, 2025

POSITION: SUPPORT WITH AMENDMENTS

The Education Advocacy Coalition for Students with Disabilities (EAC), a coalition of nearly 50 organizations and individuals concerned with education policy for students with disabilities in Maryland, supports Senate Bill 400 with amendments. The bill would impose restrictions on how children and youth are transported to residential child care programs such as boot camps, educational or therapeutic boarding schools that serve students with disabilities or substance misuse or use disorders.

During the past few years, much attention has been directed to the “Troubled Teen Industry,” the name given to the practice of sending children and youth, often with developmental and/or behavioral or emotional disabilities, to residential programs where instead of meaningful treatment, the children are warehoused and, not infrequently, subjected to abuse and neglect, the overuse of restraint and seclusion, forced medication, and other aversive interventions. Testimony at Congressional hearings by former residents of some of these programs, including, notably, Paris Hilton, includes descriptions of strangers showing up at the child’s home at night, putting a hood or mask over their face and forcing them into a vehicle that transports them to the residential program.¹

Senate Bill 400 would prohibit youth transportation companies from using visually impairing materials such as blindfolds or hoods; the bill would also prohibit the use of physical restraints such as “handcuffs, chains, irons, straitjackets, cloth restraints, leather restraints, plastic restraints or other similar items” unless “the restraints are necessary due to an immediate and serious risk of dangerous or disruptive behavior and there are no less restrictive alternatives that will alleviate the immediate and serious risk of dangerous or disruptive behavior.” Because the listed restraints include a number of items that should never be used with children or youth regardless of the situation, such as irons, straightjackets, chains, or leather or plastic restraints, and because disruptive behavior should never be the reason why restraint is used, the EAC proposes the following amendment:

¹ See, e.g. https://www.nytimes.com/2024/06/27/style/paris-hilton-child-abuse-testimony.html?unlocked_article_code=1.vU4.ff8s.EONTxT4UAxSV&smid=em-share

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8-716 Lines 5-7 (A): SUBJECT TO SUBSECTION (B) OF THIS SECTION, WHILE TRANSPORTING CHILDREN TO A RESIDENTIAL CHILD CARE PROGRAM, A YOUTH TRANSPORTATION COMPANY MAY NOT USE:

8-716 (A)(2) line 9: ~~PHYSICAL MECHANICAL~~ RESTRAINTS, SUCH AS HANDCUFFS, CHAINS, IRONS, STRAITJACKETS, CLOTH RESTRAINTS, LEATHER RESTRAINTS, PLASTIC RESTRAINTS, OR OTHER SIMILAR ITEMS., ~~UNLESS~~

Line 12, (1): ~~THE IF RESTRAINTS ARE IS NECESSARY DUE TO AN IMMEDIATE AND SERIOUS~~ **THE SUBSTANTIAL LIKELIHOOD OF IMMINENT SERIOUS PHYSICAL HARM TO SELF OR OTHERS, PHYSICAL RESTRAINT MAY BE USED ONLY SO LONG AS THE IMMINENT RISK PERSISTS; DANGEROUS OR DISRUPTIVE BEHAVIOR;** AND

Line 14: (II) THERE ARE NO LESS RESTRICTIVE ALTERNATIVES THAT WILL ALLEVIATE THE ~~IMMEDIATE AND~~ **LIKELIHOOD OF IMMINENT SERIOUS PHYSICAL HARM TO SELF OR OTHERS. SERIOUS RISK OF DANGEROUS OR DISRUPTIVE BEHAVIOR**

Additionally, Senate Bill 400 would prohibit a transportation company from picking up a child between 9:00 p.m. and 6:00 a.m. to take the child to a residential child care program. The bill would allow the Attorney General to bring an action against a youth transportation company for a violation of these provisions. The EAC welcomes the accountability provided by these provisions.

Although Senate Bill 400 does not address what happens to children and youth when they are placed in residential child care programs, it does address how children and youth get to those programs, recognizing the trauma and harm that these transportation companies have caused children and youth.

For these reasons, the EAC supports Senate Bill 400 with the suggested amendments regarding the use of restraint during transportation.

Contact: Leslie Seid Margolis, lesliem@disabilityrightsmd.org or 443-692-2505.

Respectfully submitted,

Selene A. Almazan, Selene Almazan Law, LLC
Rene Averitt-Sanzone, The Parents' Place of Maryland
Linda Barton, MSED, Education Advocate
Beth Benevides, Autism Society of Maryland, Education Advocacy Coalition Co-Chairperson
Ellen A. Callegary, Attorney (Retired)
Stephanie Carr, S.L. Carr Education Consultants LLC
Rich Ceruolo, Parent

Education Advocacy Coalition Testimony: Senate Bill 400

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Michelle Davis, M.Ed., ABCs for Life Success

Morgan Durand Horvath, M.Ed., Abilities Network

Rosemary Kitzinger and Marjorie Guldan, Bright Futures, LLC

Ande Kolp, The Arc Maryland

Leslie Seid Margolis, Disability Rights Maryland, Education Advocacy Coalition Co-Chairperson

Monica Martinez, Martinez Advocacy

Beth Nolan, Education Team Allies

Sumaiya Olatunde, H2D Counseling

Ellen O'Neill, Atlantic Seaboard Dyslexia Education Center

Ronza Othman, National Federation of the Blind of Maryland

Kate Raab and Nicole Joseph, Law Office of Nicole Joseph

Jaime Seaton, BGS Law, LLC

Ronnetta Stanley, M.Ed., Loud Voices Together

Guy Stephens, Alliance Against Seclusion and Restraint

Maureen van Stone, Kendall Eaton, Genevieve Hornik, Project HEAL at Kennedy Krieger Institute

SB0400_FWA_DHS.pdf

Uploaded by: Rachel Sledge Government Affairs

Position: FWA



DEPARTMENT OF HUMAN SERVICES

Wes Moore, Governor · Aruna Miller, Lt. Governor · Rafael López, Secretary

February 19, 2025

The Honorable Pamela Beidle, Chair
Senate Finance Committee
3 East Miller Senate Office Building
11 Bladen Street
Annapolis, Maryland 21401

**RE: TESTIMONY ON SB0400 - RESIDENTIAL CHILD CARE PROGRAMS -
TRANSPORTATION COMPANIES - REGULATION (PREVENTING ABDUCTION IN
YOUTH TRANSPORT ACT OF 2025) - POSITION: FAVORABLE WITH AMENDMENTS**

Dear Chair Beidle and Members of the Finance Committee:

The Maryland Department of Human Services (DHS) thanks the Committee for its consideration and respectfully requests a favorable report with amendments for Senate Bill 400 (SB 400).

With offices in every one of Maryland's jurisdictions, DHS provides preventative and supportive services, economic assistance, and meaningful connections to employment development and career opportunities to assist Marylanders in reaching their full potential. Our Social Services Administration (SSA) implements our child welfare program which is affected by SB 400.

SB 400 requires important measures to protect youth during transportation to a residential child care program. The bill requires transportation company employees to be trained in the proper use of restraints and limits the companies to only pick up children during designated hours. It also enhances accountability and oversight by empowering individuals and the Office of the Attorney General to initiate civil actions against transportation companies under specific conditions.

While we support the overall intent of this bill, we are concerned that the proposed limitations on transportation would negatively affect children in our care and custody. Therefore, we recommend two amendments to exempt DHS-contracted transportation companies from certain provisions in the bill.

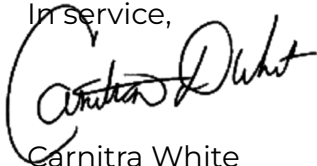
First, we interpret the term ‘youth transportation companies’ to include companies contracted by the Department, over which DHS supports increased oversight and accountability. However, the proposed changes to Human Services Article § 8-716(C), beginning on line 24 of page 4, would limit the hours of operation in which DHS could transport children. There are scenarios that occur after 9:00 pm and before 6:00 am where a child in our care must be transported to a new out-of-home placement, including placements that would fall under the description of residential child care programs in Human Services Article § 8-715(B)(1). Under the proposed limitations on when a child can be transported, a child who has a placement could be required to stay in an unlicensed setting or remain in a restrictive hospital setting after discharge. Requiring a child to remain in an unlicensed setting or a hospital when an immediate less restrictive and appropriate placement is available is not in the child’s best interest.

Finally, while the alterations proposed to Human Services Article § 8-715(B)(2)(V), beginning on line 19 of page 3, would exclude resource homes and licensed kinship placements, they would *not* exclude group homes, residential treatment centers (RTCs), and diagnostic facilities. For those reasons, our amendments define “child(ren),” specifically, the population “under age 18 who is not in the care, custody or guardianship of a local department of social services.”

Due to the concerns above, we provided draft amendments on the following page. The draft amendments do not infringe on the accountability and oversight of youth transportation companies intended by SB 400, but add necessary clarification to ensure DHS is able to act in the best interest of the children in our care.

We appreciate the opportunity to provide favorable testimony with amendments to the Committee for consideration during your deliberations. If you require additional information, please contact Rachel Sledge, Director of Government Affairs, at rachel.sledge@maryland.gov.

In service,

A handwritten signature in black ink, appearing to read 'Carnitra White', written over a circular stamp or mark.

Carnitra White
Principal Deputy Secretary

Proposed Amendments

Amendment 1

On page 2, after line 21 add a new section (B) with the following definition and reletter the proceeding:

(B) "CHILD" MEANS AN INDIVIDUAL WHO IS NOT IN THE CARE, CUSTODY OR GUARDIANSHIP OF A LOCAL DEPARTMENT OF SOCIAL SERVICES.

Amendment 2

On page 3, line 7 strike "youth" and replace with "**CHILD(REN)**".