

CCHR TESTIMONY FOR IN SUPPORT OF HB497.pdf

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Position: FAV



CITIZENS COMMISSION ON HUMAN RIGHTS

INTERNATIONAL

In Support of HB 497: The Preventing Abduction in Youth Transport Act

On behalf of the Citizens Commission on Human Rights, a 56-year mental health watchdog that operates nationwide, including here in Maryland, I would like to extend our congratulations to Delegate Vaughn Stewart for introducing HB 487, a groundbreaking and essential initiative aimed at protecting our children and youths from unnecessary and harmful restraint practices in the industry transporting individuals to residential treatment facilities.

This bill is vital in addressing the dangerous, unregulated practice of "gooning," where vulnerable individuals can be forcibly transported, often drugged and restrained, to residential treatment facilities that have been exposed for abuse, neglect, and even causing fatalities. One of the most tragic examples of this practice, which drew national attention, occurred in February 2024, when a 12-year-old boy tragically died after being transported from New York to Trails Carolina wilderness camp in North Carolina. The boy was subjected to a restraint procedure that caused his death. This camp is operated by Family Help and Wellness that partners with Bluefire Wilderness, the latter offering out-of-state treatment for Maryland families.¹ This may include the use of the transport industry.

It is important to note that the forced transport and placement of youths without their consent may also violate the U.S. ratification of the United Nations Convention Against Torture, as practices like these can be classified as cruel, inhuman, or degrading treatment.

In support of HB 487, I'd like to reference the *Journal of Legislation*, which in 2024, highlights the terrifying experiences of youth during such transport: "These men ask if you want to go 'the easy way or the hard way' before restraining you and carrying you out of your home, as you scream for help. They take you to the airport, eventually transporting you to an isolated facility for rebellious teenagers. Once at this facility, you are subject to a multitude of physical and mental abuse," including forced to take medication" and getting "slapped, verbally assaulted, and locked in solitary confinement for misbehaving."²

This is not an isolated incident, and there is currently no accountability for the abuse that occurs during the transportation process. Other states, like Oregon, have taken steps to regulate restraint use by prohibiting chemical, mechanical, and other forms of restraint in child-caring agencies and secure transport services.³ Maryland's HB 487 would go a step further, providing much-needed protections and accountability for children and youths during transport to a wide range of residential child care programs.

Further compounding these concerns, companies like Acadia Healthcare, which owns three substance abuse treatment centers in Maryland, are currently under investigation by the FBI, the U.S. Department of Health and Human Services, and the Department of Veterans Affairs for prioritizing profit over patient care.⁴ *The New York Times* has reported on their substance treatment centers, which have been marred by allegations of patient neglect and abuse.⁵ In addition, companies like Embark Behavioral Health, with two facilities in Maryland, recently closed three wilderness camps in Arizona, Oregon, and Wisconsin in the wake of public scrutiny over practices employed in these so-called "therapeutic" programs.⁶

Lastly, a 2023 report from *Psychiatric Services* called for immediate regulatory action to end the practices of restraint and seclusion rooms, citing the immense trauma and potential for lethal outcomes, including asphyxiation and cardiac events. HB 487 answers that call by extending stronger safeguards and protections for those most at risk while being transported to child residential facilities.

For all of these reasons, we wholeheartedly support HB 487. This bill is a necessary step toward ensuring the safety, dignity, and rights of those who are most vulnerable, and it will provide critical protections against the abuse and misuse of restraint in the behavioral transport industry.

Thank you for your time and consideration.

Ms. Jan Eastgate
 President
 Citizens Commission on Human Rights International
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 www/cchrint.org
 Tel: (323) 467 4242
 11 February 2025

Since 1969, CCHR has been instrumental in investigating abuses in the behavioral-mental health system, resulting in recognitions from state legislators and Members of Congress acknowledging its "outstanding and invaluable service to the community" and for the "contributions that CCHR has made at the local, national, and international level on behalf of mental health issues [which] are invaluable and reflect an organization devoted to the highest ideals of care and compassion toward their fellow man."

¹ <https://bluefirewilderness.com/b/wilderness-therapy/maryland/>

² Morgan Rubino, "MORE THAN TROUBLING: THE ALARMING ABSENCE OF 'TROUBLED TEEN INDUSTRY' REGULATION AND PROPOSALS FOR REFORM," *Journal of Legislation*, Vol 50., 2024, p, 431

³ <https://olis.oregonlegislature.gov/liz/2021R1/Downloads/MeasureDocument/SB710>

⁴ Jessica Silver-Greenberg, Katie Thomas, "Acadia Healthcare Says It Faces New Federal Investigations: Shares of the company, one of the largest chains of for-profit psychiatric

hospitals, were down 25 percent at one point,” *New York Times*, 27 Sept. 2024,
<https://www.nytimes.com/2024/09/27/business/acadia-federal-investigations.html>

⁵ “Fraud and Fakery at the Country’s Largest Chain of Methadone Clinics: Acadia Healthcare falsifies records at its methadone clinics and enrolls patients who aren’t addicted to opioids, a Times investigation found,” *The New York Times*, 8 Dec. 2024,
<https://www.nytimes.com/2024/12/07/health/acadia-methadone-clinics-fraud.html>;

⁶ “Wilderness Therapy Industry’s Decline Accelerated by Embark Behavioral Health’s Exit,” *Behavioral Health Business*, 23 Feb, 2024.

Justice Law Collaborative_Dougherty Written Testim

Uploaded by: Kimberly Dougherty

Position: FAV



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February 11, 2025

Justice Law Collaborative, LLC/Attorney Kim Dougherty Written Testimony in Support of HB 497: Residential Child Care Programs – Transportation Companies – Regulation 2 (Preventing Abduction in Youth Transport Act of 2025)

For far too long multiple institutions and programs have hidden behind a false façade of providing rehabilitation and therapeutic services to allegedly “troubled” teens. These programs include residential treatment centers, therapeutic boarding schools, wilderness programs and boot camps. There are hundreds of programs throughout the country (and world) that have inflicted severe emotional, physical, sexual and medication abuse on teenagers over the past several decades. The programs and facilities are privately run, with little to no governmental oversight. Over the years, the programs have become a multi-billion dollar industry, often now referred to as the “troubled teen industry” (“TTI”).

Tens of thousands of teens are held in these facilities nationwide and are often taken in the middle of the night, by brute force, violently restrained against their will, or by unregulated transport companies. This transportation practice has been under scrutiny since at last 2014 when scholars began exposing these unregulated youth-transport companies and addressing the harm they cause children:

Strangers come into a child's room in the middle of the night, drag her kicking and screaming into a van, apply handcuffs, and drive her to a behavior modification facility at a distant location... This scarcely publicized practice-known as the youth-transportation industry-operates on the fringes of existing law... The companies provide a service to parents who want to send their children to behavior-modification facilities, including boot camps and other residential re- form schools, but who are unable or unwilling to deliver the children themselves... Due to the circumstances in which these transports typically take place, however, this [parental] delegation of rights has far greater implications than simply authorizing the transportation of a child from point A to point B. After suffering the emotional trauma of being taken from their parents, children may suffer physical abuse as well, as the companies often use force in the form of handcuffs and other restraints.¹

In the article *Kidnapping Incorporated: The Unregulated Youth-Transportation Industry and the Potential for Abuse*, experts in the field have opined that industry needs regulation because the circumstances surrounding youth transport:

- “often constitutes child abuse;”²

¹ Ira Robbins, *Kidnapping Incorporated: The Unregulated Youth-Transportation Industry and the Potential for Abuse*, American Criminal Law Review 563 (2014). Available at: https://digitalcommons.wcl.american.edu/facsch_lawrev/432

² *Id.* at 590-592.

- “often constitutes kidnapping and false imprisonment;”³ and
- “facilitate unreasonable and unlawful conduct.”⁴

After extensive study of the youth transportation industry, the following conclusion was made back in 2014:

Without any regulation of the transportation services themselves, no parent or court-appointed fact-finder should, in good conscience, permit a child to be taken to a behavior modification facility by these companies. If we are actually committed to protecting the rights and ensuring the physical and emotional well-being of minors, transport companies should be federally regulated...It is imperative, therefore, that society become more aware of these services and that the government adequately regulate them to protect our children.

Delegate Stewart in proposed Bill HB 497 simply asks for what has been long overdue according experts in the industry, for these youth transport companies to be regulated to protect children. In short, HB 497 focuses on regulating teen transport companies in the following ways:

1. **Prohibiting excessive physical restraint**, including handcuffs and blindfolds.
2. **Banning nighttime extractions** (pickups between 9 PM and 6 AM), which are often the most traumatic.
3. **Establishing civil penalties** for violations, allowing both individuals and the Attorney General to take legal action against abusive transport companies.

Too many kids have been seriously injured and traumatized by these brutal, unregulated transport agencies, many who have survived the transport and program later take their life by suicide or accidentally overdose while trying to self-medicate to cope with the trauma they suffer from these transport and programs. Those who are still with us struggle every day with post-traumatic stress disorder. The trauma manifests in ways that prohibit them from trusting others and hinders their ability to reach their full potential in life and love. Children deserve better.

To any entity in opposition, they can limit their financial exposure by simply doing the right thing and not enable their employees to commit child abuse and other unlawful conduct. As a lawyer representing hundreds of survivors of trauma from the abuse they sustained in transport and within these programs, I implore the state of Maryland to acknowledge the consequences of allowing these transport companies to continue unregulated and take action by voting in favor of HB 497 sponsored by Delegate Stewart. Thank you for your consideration of this important Bill.

Respectfully,



Kimberly A. Dougherty
JUSTICE LAW COLLABORATIVE, LLC

³ *Id.* at 592-595.

⁴ *Id.* at 600.

FAV HB497 TENNEY PhD MPhil MPA BPS FAVORABLE FAV S

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

Position: FAV

FAV – FAVORABLE – SUPPORT

Written Testimony of Lauren J. Tenney, PhD, MPhil, MPA, BPS, Psychiatric Survivor
Maryland House Bill 497 (2025)
Residential Child Care Programs – Transportation Companies – Regulation
Preventing Abduction in Youth Transport Act of 2025
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February 13, 2025 1

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

Rockville, Maryland (516) 319-4295 LaurenTenney@aol.com www.LaurenTenney.us

SENATE FINANCE COMMITTEE

Maryland House Bill 497 (2025)

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

February 13, 2025

POSITION: FAV SUPPORT FAVORABLE

I urge you to **support HB497 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 HB497 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 resident 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.

HB497 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

FAV – FAVORABLE – SUPPORT

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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 across various state-sponsored or corporate secure facilities and institutions—including, notably, state-licensed foster family homes in communities—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 HB497 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.

HB497 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—even in community settings such as state licensed foster homes. It does not challenge the underlying structures that permit such a market to exist. This 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 HB497. 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.

HB497 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 HB497 would fit with the spirit and law of the Olmstead integration mandate. Individuals with

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disabilities, including mental health disabilities, must have the opportunity to live in the least restrictive, most integrated setting possible.

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—HB497 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, HB497 offers a real opportunity to immediately abolish these horrific practices it is designed to outlaw.

Supporting HB497 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, HB497 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 House Bill 497. I urge you to vote with a favorable report on House Bill 497. I am available to discuss any questions or concerns you may have.

FAV – FAVORABLE – SUPPORT

Written Testimony of Lauren J. Tenney, PhD, MPhil, MPA, BPS, Psychiatric Survivor
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February 13, 2025 4

One last thing, if HB497 does not pass with your favorable support, how ought we explain to children that 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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Support Letter_H.B.497.pdf

Uploaded by: Rebecca Grone

Position: FAV



February 11, 2024

Dear Chair Clippinger, Vice Chair Bartlett, and Members of the Judiciary Committee,

On behalf of 11:11 Media Impact, I write to express our strong support for **HB 497 – The Preventing Abduction in Youth Transport Act of 2025**. This critical legislation establishes long-overdue regulations for youth transportation companies that transport children to residential child care programs in Maryland and across the country.

11:11 Media Impact is dedicated to protecting children from the harm and trauma that too many have endured at the hands of unregulated youth transporters—including our CEO, Paris Hilton. Paris’s personal experience, along with the testimonies of countless survivors, makes clear that stronger safeguards are urgently needed to prevent further harm.

HB 497 enacts essential protections, including prohibiting the use of blindfolds, hoods, and physical restraints during transport, except in cases of immediate and serious risk of harm, and mandates that any staff applying restraints must be adequately trained. Improper restraints have led to tragic fatalities, making this reform a matter of life and death. Additionally, HB 497 prohibits nighttime removals between 9 PM and 6 AM, preventing children from being woken up and forcibly taken from their homes in the dead of night—a practice that inflicts lasting psychological trauma. HB 497 also creates civil enforcement mechanisms, empowering the Maryland Attorney General and affected individuals to hold violators accountable through legal action, with penalties including injunctive relief, statutory damages, and restitution.

Each year, thousands of vulnerable youth are transported by private companies to residential facilities—often without adequate oversight or regulation. HB 497 is a necessary step toward ensuring that no Maryland youth is subjected to abuse or unnecessary trauma under the guise of “treatment.” By implementing these commonsense protections, Maryland can lead the way in setting a national standard for youth safety.

We urge you to pass HB 497 and stand up for the well-being of Maryland’s children. Thank you for your leadership and commitment to protecting youth from harm.

Sincerely,

A handwritten signature in black ink that reads 'Rebecca Mellinger Grone'.

Rebecca Mellinger Grone
Head of Impact, 11:11 Media Impact

HB 0497 Written Testimony.pdf

Uploaded by: Valerie Paulsgrove

Position: FAV

Written Testimony in Support of Maryland HB497

House Judiciary Committee

100 Taylor House Office Building

101 Taylor House Office Building

Annapolis, Maryland 21401

February 11th, 2025

Bill Number: HB497

Position: Favorable

Dear Chair Clippinger, Vice Chair Bartlett, and Members of the Judiciary Committee,

My name is **Valerie Paulsgrove**, and I am a **Maryland resident** writing to express my strong support for HB 497 – The Preventing Abduction in Youth Transport Act. This bill will regulate youth transport companies to ensure children are not subjected to harmful and coercive practices when being transported to residential facilities.

Currently, youth transport companies operate with little to no oversight, leading to distressing and traumatizing experiences for vulnerable children. Many youth are taken in the middle of the night, forcibly removed from their homes, handcuffed, blindfolded, or physically restrained in ways that are more akin to abduction than a legitimate intervention. These practices can cause lasting psychological harm.

HB 497 would:

- Prohibit transport companies from using **blindfolds, hoods, and unnecessary restraints**.
- Ban nighttime pickups **between 9 PM - 6 AM** to prevent distressing removals.
- Require that any use of restraints be **justified and applied only by trained staff** in extreme cases.
- Hold transport companies accountable through enforcement measures.

I have seen and heard multiple accounts of victims who have suffered lifelong trauma from these practices. We need to stand up for victims, especially children and minors who have limited

legal ability to stand up for themselves. Please pass this bill to protect Maryland youth.

HB 497 is a necessary step to ensure that children are transported in a way that prioritizes their safety, dignity, and well-being. Maryland has a responsibility to ensure that vulnerable youth are not subjected to state-sanctioned trauma. I urge the committee to pass this bill and take action against harmful transport practices.

Thank you for your time and consideration.

**Sincerely,
Valerie Paulsgrove**

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HB 497 FAV Del Stewart.pdf

Uploaded by: Vaughn Stewart

Position: FAV

VAUGHN STEWART
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CHIEF DEPUTY MAJORITY WHIP

Environment and Transportation
Committee

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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Testimony in Support of HB 497 Preventing Abduction in Youth Transport Act

Testimony by Delegate Vaughn Stewart

February 13, 2025 | Judiciary Committee

What the Bill Does

The Preventing Abduction in Youth Transport Act of 2025 protects vulnerable Maryland teens from the trauma associated with forced transport to residential facilities. This bill prohibits 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.

Why the Bill is Important

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 spoken with many 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.

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.

Why the Committee Should Vote Favorably

We have a rare opportunity to be at the forefront of this fight against the troubled teen industry. Maryland's most vulnerable youth deserve our protection from predatory companies that deceive struggling families and profit from the fear and trauma of the children they abduct. This legislation sends a clear message: Maryland will not be complicit in these abuses.

I urge you to protect Maryland's children as you would your own.

Dobud Written Testimony in Support of Maryland HB4

Uploaded by: Will Dobud

Position: FAV

Template for Written Testimony in Support of Maryland HB497

House Judiciary Committee

100 Taylor House Office Building
101 Taylor House Office Building
Annapolis, Maryland 21401

February 11th, 2025
Bill Number: HB497
Position: Favorable

Dear Chair Clippinger, Vice Chair Bartlett, and Members of the Judiciary Committee,

My name is Dr. Will Dobud and I am a Maryland resident, social worker, and researcher focused on youth experiences in receiving mental and behavioral health care. I am writing to express my strong support for HB 497 – The Preventing Abduction in Youth Transport Act. This bill will regulate youth transport companies to ensure children are not subjected to harmful and coercive practices when being transported to residential facilities.

Currently, youth transport companies operate with little to no oversight, leading to distressing and traumatizing experiences for vulnerable children. I have researched the impacts of transport services. Many youth are taken in the middle of the night, forcibly removed from their homes, handcuffed, blindfolded, or physically restrained in ways that are more akin to abduction than a legitimate intervention. These practices can cause lasting psychological harm.

HB 497 would:

- Prohibit transport companies from using **blindfolds, hoods, and unnecessary restraints**.
- Ban nighttime pickups **between 9 PM - 6 AM** to prevent distressing removals.
- Require that any use of restraints be **justified and applied only by trained staff** in extreme cases.
- Hold transport companies accountable through enforcement measures.

For more than a decade, I have focused my research efforts on harmful wilderness therapy programs and the longstanding impacts of transport services. I have interviewed dozens of youth harmed by transport services and see how the involuntary seclusion and restraint is antithetical effective mental and behavioral health care. I have provided references to my work on secure transport below.

HB 497 is a necessary step to ensure that children are transported in a way that prioritizes their safety, dignity, and well-being. Maryland has a responsibility to ensure that vulnerable youth are not subjected to state-sanctioned trauma. I urge the committee to pass this bill and take action against harmful transport practices.

Thank you for your time and consideration.

Sincerely,

Dr. Will Dobud
3411 Turner Lane
Chevy Chase, MD 20815
301-943-0314

References

Magnuson, D., Dobud, W., & Harper, N. J. (2024). Can involuntary youth transport into outdoor behavioral healthcare treatment programs (wilderness therapy) ever be ethical?. *Child and Adolescent Social Work Journal*, 41(3), 417-425.

Dobud, W. W. (2022). Experiences of secure transport in outdoor behavioral healthcare: A narrative inquiry. *Qualitative Social Work*, 21(4), 697-713.

Pringle, G., Dobud, W. W., & Harper, N. J. (2021). The next frontier: Wilderness therapy and the treatment of complex trauma. In *Nature and health* (pp. 191-207). Routledge.

Harper, N. J., Magnuson, D., & Dobud, W. W. (2021). A closer look at involuntary treatment and the use of transport service in outdoor behavioral healthcare (wilderness therapy). *Child & Youth Services*, 42(2), 200-219.

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Uploaded by: Leslie Margolis

Position: FWA

Education Advocacy Coalition
for Students with Disabilities

HOUSE JUDICIARY COMMITTEE

**HOUSE BILL 497: Residential Child Care Programs—Transportation Companies—Regulation
(Preventing Abduction in Youth Transport Act of 2025)**

Date: February 13, 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 House Bill 497 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

House Bill 497 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.EONTxT4UxSV&smid=em-share

Education Advocacy Coalition Testimony: House Bill 497
February 13, 2025
Page Two

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.~~7~~ **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, House Bill 497 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 House Bill 497 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 House Bill 497 with the suggested amendments regarding the use of restraint during transportation.

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Respectfully submitted,

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