

## Three Articles About Faith Finley from January, 2009

### Faith Finley Died After Being Restrained in Controversial Position

[http://blog.cleveland.com/metro/2009/01/faith\\_finley\\_died\\_after\\_being.html](http://blog.cleveland.com/metro/2009/01/faith_finley_died_after_being.html)

Posted by [Rachel Dissell/Plain Dealer Reporter](#) January 10, 2009 07:00AM

Faith Finley, 17, suffocated after being restrained in a face-down position that has been banned by one state agency. A 17-year-old girl who suffocated while being restrained at a center for troubled children was held in a potentially deadly face-down position that was recently banned by at least one state agency.

The restraint has been blamed for the deaths of at least 40 children in facilities nationwide since 1993.

Cuyahoga County Coroner Frank Miller said Faith Finley had been held in what is known as the prone restraint.



[Photo Courtesy of the Family]

He ruled her Dec. 13 death a homicide Monday, saying she was suffocating while she was restrained at Parmadale Family Services in Parma and choked on vomit. Parma police are investigating.

A movement to ban the dangerous "prone restraint" has grown among agencies that serve children. The Ohio Department of Mental Retardation and Developmental Disabilities banned it in November.

The danger of the restraint led to the ban, according to a memo sent to agencies that the department licenses. Copies went to at least a dozen additional state officials. "Research supports the belief that prone restraints are potentially fatal due to the impact this maneuver has on reducing a person's ability to breathe," the memo reads.

Unclear is whether Parmadale was aware of the memo.

Staff is trained on all the dangers and methods involved in restraints, said Tom Mullen, president of Catholic Charities, which runs Parmadale.

Staff is taught to use a face-to-the-ceiling restraint where staff members secure a child to the floor by pinning their arms and legs to the ground and not compressing the torso in any way, he said.

If staff did not follow the policy, action would be taken, he said. Two workers involved in the restraint on Faith are on paid leave pending the police investigation.

The face-down restraint, which puts pressure on the stomach area, can be especially dangerous if used on a person taking psychotropic drugs. The drugs can cause some to easily vomit while relaxing the gag reflex, making it harder for them to clear their throats. Faith was taking medication in that category.

Nationwide, since 1993, at least 64 children died and thousands were injured while being restrained in face-down and other methods. About half of the restraints that caused deaths were unnecessary, a review of restraint deaths by Cornell University Residential Child Care Project found.

Cornell's trainers, who have worked with Parmadale, teach both the face-up and facedown techniques as a part of their Therapeutic Crisis Intervention system but warn neither is safe. Facilities choose which methods suit their philosophy. Some choose never to use restraints.

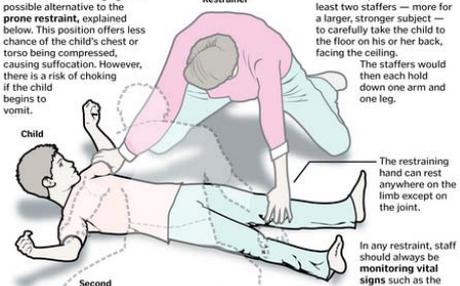
"Every single restraint assumes a certain level of risk, including death," said Michael Nunno, the project's principal investigator. "You never want your intervention to be more risky than what the child is doing."

### The last resort: restraint

Experts say restraint should only be used on out-of-control children when their behavior poses a serious risk of harm to themselves or others. The reason? Restraining a child can cause injury or death even when it's done correctly. Restraint has contributed to the deaths of more than 40 children since 1993, leading some experts to urge that it be banned entirely.

#### SUPINE

This restraint is emerging as a possible alternative to the prone restraint, explained below. This position offers less chance of the child's chest or torso being compressed, causing suffocation. However, there is a risk of choking if the child begins to vomit.



#### PRONE

In this restraint, the child is taken to the floor face-down. Some methods call for the child to be placed on his back and then rolled over. Other methods — and there are many variations — call for the child to be taken directly forward.



When applying this restraint, care is taken not to bump the head or apply pressure to the torso by sitting or lying across the child's body. This can restrict breathing.

Some experts consider the prone restraint dangerous especially when used on very petite children or on children who take certain types of psychotropic medications. These medicines can relax the gag reflex and cause a child to vomit easily.

SOURCE: Cornell University interviews with restraint trainers

RACHEL DISSELL, WILLIAM NEFF | THE PLAIN DEALER

[The Graphic above was posted at:

<http://blog.cleveland.com/pdgraphics/2009/01/10CGRESTRAINT.pdf>

It is included HERE, following the article.]

According to the coroner's ruling, Faith was restrained after an "outburst of disruptive behavior."

Faith had been tossing things around her room and may have approached the staff aggressively, said Parma police and Parmadale officials.

That type of behavior alone is not enough to restrain a child, Nunno said.

Workers often get into power struggles with kids they supervise, especially if the atmosphere in the facility is chaotic. Staff involved in such struggles should remove themselves from dealing with the children, he said.

According to police records and other sources, the situation in Parmadale's Cottage 14, where Faith lived, was particularly tense.

In the days leading up to her restraint, several children escaped, one stole a car, a child-care worker was injured by a teen and -- just before Faith died -- another girl in the cottage was beaten so badly, she was taken to the hospital.

People can be trained and tested over and over, Mullen said, but in the heat of a situation, it's hard to maintain control of an agitated child who is struggling with staff.

"What people need to understand is that these are interactions between humans," he said.

Bellefaire JCB in Shaker Heights, which also treats troubled children, uses restraint as a last resort, said Jeffrey Cox, clinical director.

"For us, disruptive is not enough," he said. If a child were to punch a staff member and walk away, that would not be a restraint situation because the immediate danger would be over, he said.

When restraints are used, the child's vital signs are carefully monitored, and children are not left alone immediately after being restrained, Cox said.

Faith was allowed to rest on the floor after she was released from the restraint, and workers later discovered her breathing was shallow. Parmadale staff lacked access to life-saving measures such as an automatic defibrillator to try to restart her heart.

The number of restraint-related injuries in Ohio is unclear because no agency collects the data. Information about major incidents, such as deaths or serious injuries, is supposed to be reported to the agency or agencies that license a facility. But that information is not shared.

In 2006, the Ohio Association of County Behavioral Health Authorities, an umbrella group that includes county mental health boards, pleaded for the creation of a statewide system to report child injuries in facilities.

The report pointed out that thousands of restraint-related injuries each year, including rug burns, black eyes, bloody noses and broken teeth, are not required to be reported. It concluded that fear of liability and the potential of losing facilities, which are already in short supply, were reasons that reforms were not being pushed.

"We tinker around the edges, but nobody is biting the bullet and fixing this problem," Cheri Walter, CEO of the group, said at the time.

Asked this week if any changes had been made since the 2006 paper was printed, Walter said, "Frankly, nothing has changed."

But now, officials are facing the death of a 17-year-old.

"It's unfortunately taken kids' deaths to prompt these kinds of changes," Nunno said.

# The last resort: restraint

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## SUPINE

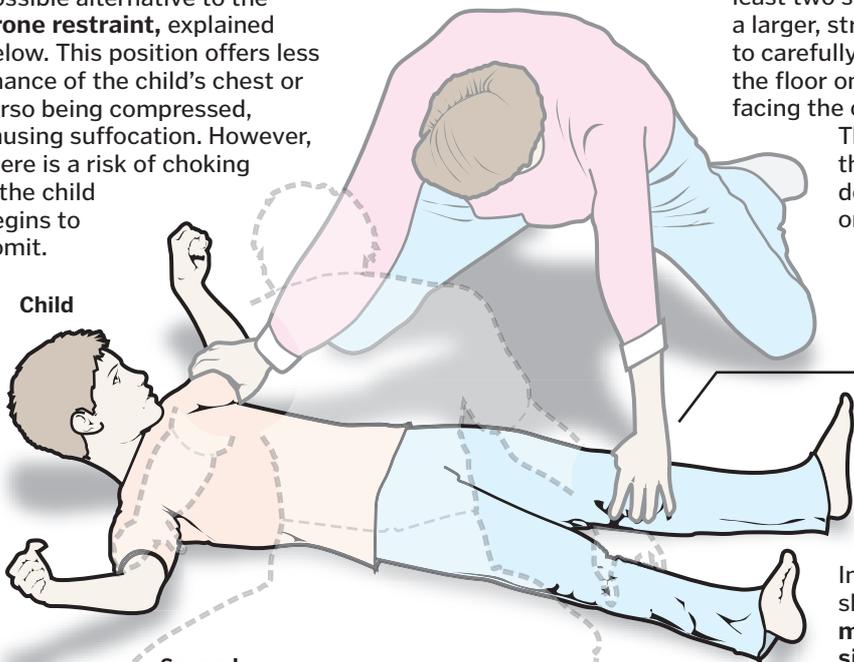
This restraint is emerging as a possible alternative to the **prone restraint**, explained below. This position offers less chance of the child's chest or torso being compressed, causing suffocation. However, there is a risk of choking if the child begins to vomit.

Restrainer

The technique calls for at least two staffers — more for a larger, stronger subject — to carefully take the child to the floor on his or her back, facing the ceiling.

The staffers would then each hold down one arm and one leg.

Child



The restraining hand can rest anywhere on the limb except on the joint.

In any restraint, staff should always be **monitoring vital signs** such as the child's breathing,

color and consciousness. They're also trained to talk to the children to help calm them down, slowly releasing the restraint as they regain control of themselves.

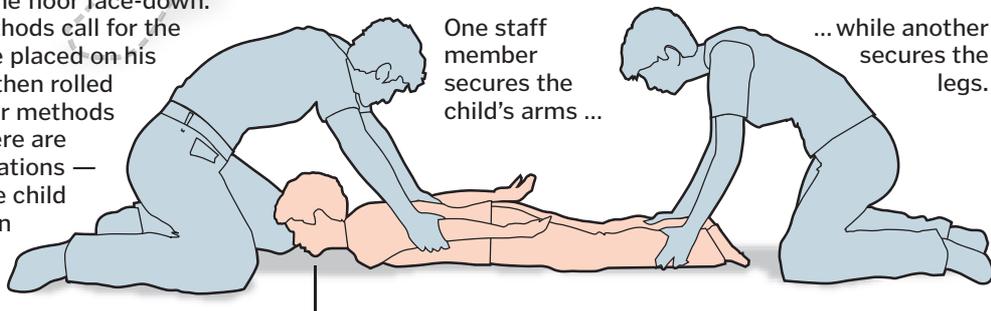
Second restrainer

## PRONE

In this restraint, the child is taken to the floor face-down. Some methods call for the child to be placed on his back and then rolled over. Other methods — and there are many variations — call for the child to be taken directly forward.

One staff member secures the child's arms ...

... while another secures the legs.



When applying this restraint, care is taken not to bump the head or apply pressure to the torso

by sitting or lying across the child's body. This can restrict breathing.

**Some experts consider the prone restraint dangerous** especially when used on very petite children or on children who take certain types of psychotropic medications. These medicines can relax the gag reflex and cause a child to vomit easily.

## Ohio Legal Rights Service Urges State to Ban Restraint Method After Teen's Death

[http://blog.cleveland.com/metro/2009/01/ohio\\_legal\\_rights\\_service\\_urge.html](http://blog.cleveland.com/metro/2009/01/ohio_legal_rights_service_urge.html)

Posted by [Rachel Dissell/Plain Dealer Reporter](#) January 16, 2009 07:51AM

A state advocacy group [has called on the Ohio Department of Job and Family Services](#) to ban the type of prone restraint that has been linked to the death of 17-year-old Faith Finley last month.

Cuyahoga County Coroner Frank Miller said Faith suffocated while being restrained at Parmadale Family Services in Parma. Her death was ruled a homicide. Miller said she had been held in the prone face-down restraint.

The Ohio Legal Rights Service, the agency that called for the ban, will also investigate the death, spokesman Thomas Hemmert said.

"We look at any complaint about a child being restrained or abused ... or if any rules or rights are violated," he said.

The Ohio Department of Mental Retardation and Developmental Disabilities in November banned the face-to-the-floor restraint, saying that "overwhelming findings support the belief that its use poses an unacceptable risk to health and safety."

Agencies licensed by that department were given 120 days to come up with alternative methods.

In a Jan. 13 letter calling for Job and Family Services to ban the restraint, Legal Rights Service Advocacy Supervisor Cathy Royster said it is too easy for a person's breathing to be restricted in the face-down position.

But another factor in calling for the ban is that many experts believe the restraint does not help treatment and may set it back.

"In addition to physical danger posed by the use of prone restraint, there exists the potential for creating emotional harm to individuals, many of whom have been victims of physical and sexual assault," the letter said.

Brian Harter, spokesman for the Department of Job and Family Services, said the legal department is reviewing the Legal Rights Service letter and will send a response directly to the group.

"We will have no formal comment at this time," he said.

## Parmadale Death Prompts Governor Ted Strickland to Seek Policy on Restraints

[http://blog.cleveland.com/metro/2009/01/parmadale\\_death\\_prompts\\_govern.html](http://blog.cleveland.com/metro/2009/01/parmadale_death_prompts_govern.html)

Posted by [Rachel Dissell/Plain Dealer Reporter](#) January 23, 2009 23:15PM

Gov. Ted Strickland has called for a single statewide policy on the use of restraints like the one that contributed to the death of a 17-year-old at a center for troubled children last month.

John Martin, director of the Department of Mental Retardation and Developmental Disabilities, which banned the dangerous face-down restraint last year, will head the effort.

Martin said he hopes for the prone-restraint ban to be adopted statewide.

Authorities have said the restraint, which holds a person with face to the floor, contributed to the death of Faith Finley at Parmadale Family Services in Parma.



[Photo Courtesy of the Family]

Cuyahoga County Coroner Frank Miller said she suffocated while being held in the restraint. Her death has been ruled a homicide.

Faith's death caught the governor's attention, Strickland spokesman Keith Dailey said.

He said the governor had "grave concerns" about how the teen died and called for urgent action.

In a memo to other state departments Friday, Martin called for the group that will craft policy recommendations to convene next week.

Ohio is among a number of states that have piecemeal regulation and tracking of the use of restraints.

Ohio has no central policy and leaves it up to individual agencies to set their own procedures. There also is no one place that collects reports of injuries, deaths or other problems arising from the use of restraints.

Agencies that deal with children and the disabled in at least 14 other states have severely curtailed or banned some restraints -- most commonly face-down restraints. The committee also will discuss collecting data on the use of restraints statewide.

Michael Rench, deputy director of community services for Martin's agency, said the committee's immediate business will be to move toward banning more-dangerous restraints by sharing his department's research on the prone restraint.

The committee would then work to craft further policy that moves away from relying on restraints in favor of other more positive intervention methods.

Agencies asked for input are: the Department of Youth Services, State Board of Education, Alcohol & Drug Addiction Services, the Department of Mental Health and the Department of Job and Family Services -- the agency that licensed the Parmadale cottage where Faith died.

Bob Bowen, a trainer based in the Canton area who works with agencies that care for children, the mentally ill and people with disabilities, said the new policies need to, among other things, clearly define the term restraint and set limits for how long a person can be restrained.

"There are more regulations on how to humanely treat animals than people," said Bowen. The company no longer teaches any form of restraint that positions a person on the floor.

[The Children's Health Act of 2000](#), passed after a series of articles in the Hartford Courant in Connecticut chronicled 142 restraint-related deaths nationwide, limited the use of restraints and called on states to create policies about their use.

Bowen said that most have not complied and that there has been little enforcement of the act.

Thomas Hemmert, of the Ohio Legal Rights Service, an advocacy agency for the disabled, said his group was looking forward to the state banning the prone restraint and establishing standards that move toward other intervention.

Martin said that moving away from restraints altogether would take time.

"It's a kind of culture change and it's not something that occurs overnight," he said. "It's kind of our approach to get people to move forward voluntarily."

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**OR** Use the Following Links:

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Go to the Restraint Asphyxia Newz Directory:

<http://www.charlydmiller.com/ranewz.html>

 **Email Charly at:** [c-d-miller@neb.rr.com](mailto:c-d-miller@neb.rr.com)

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