

EDUCATION & LABOR COMMITTEE

Congressman George Miller, Chairman

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Chairman Miller Statement at Committee Hearing On “Cases of Child Neglect and Abuse at Private Residential Treatment Facilities”

WASHINGTON, D.C. – *Below are the prepared remarks of U.S. Rep. George Miller (D-CA), chairman of the House Education and Labor Committee, for a committee hearing on “Cases of Child Neglect and Abuse at Private Residential Treatment Facilities.”*

Good morning.

Welcome to today’s hearing on “Cases of Child Neglect and Abuse at Private Residential Treatment Facilities.”

For a number of years now, I have been deeply concerned about allegations of child abuse in private residential treatment programs, which are often referred to as “boot camps,” “wilderness programs,” or “behavior modification facilities.”

These allegations range from neglect to torture – a word that I don’t use lightly.

Today, we will hear about neglect and abuse cases where the outcome was the worst one imaginable: the death of a child. We will hear testimony from the parents of children who died. I thank them for joining us today and for having the courage to speak publicly about their ordeals.

It is estimated that hundreds of private residential treatment programs operate nationwide. The programs are governed by a weak patchwork of state regulations. In many states, these programs operate without regulations, licensing, or accreditation of any kind, despite the often exorbitant price of tuition.

Parents often send their children to these programs when they feel they have exhausted their alternatives. Their children may be abusing drugs or alcohol, attempting to run away or physically harm themselves, or otherwise acting out. They send their children to these programs because of the promise that staff members will be able to help children straighten their lives out.

In far too many cases, however, the very people entrusted with the safety, health, and welfare of these children are the ones who violate that trust in some of the most horrific ways imaginable.

We have heard stories where program staff members forced children to remain in seclusion for days at a time; to remain in so-called “stress” positions for hours at a time; or to undergo extreme physical exertion without sufficient food and water.

Today, we will hear even more horrifying stories, of children denied access to bathrooms and forced to defecate on themselves. Of children forced to eat dirt or their own vomit. Of children paired with older children – so-called “buddies” – whose job it is, essentially, to abuse them.

There is only one word for these behaviors: Inhuman.

This nightmare has remained an open secret for years. Sporadic news accounts of specific incidents have built a record that should never have been ignored, but shamefully was.

The federal government has completely failed to grasp the urgency of this situation.

In 2003, I urged then-Attorney General John Ashcroft to begin an immediate investigation into reports of child abuse at private residential treatment programs. The Attorney General refused, as did his successor, Alberto Gonzales.

I also wrote to then-Secretary of State Colin Powell asking him to investigate the treatment of children in facilities located overseas but serving American children and operated by U.S. companies. Secretary Powell’s response was insufficient.

We will learn today that a number of these programs actually operate on federal land. Yet no federal agency – not the Bureau of Land Management, not the Department of the Interior, no one – has thought to review problems associated with these federal tenants, despite repeated incidents ending in the injury or death of a child.

No federal agency keeps official data about the number of children enrolled in private residential treatment programs, despite that fact that children are typically transported across state lines – sometimes even by force – in order to be enrolled in the programs.

This is an outrage.

In late 2005, I asked the Government Accountability Office to launch an investigation of private residential treatment programs. The GAO agreed, and I am pleased that GAO has devoted significant resources to this important issue. Today, the GAO will present case studies of programs where deaths occurred. Next year, GAO expects to release an industry-wide review, thus providing us with a comprehensive look at the industry.

In the past, it has been estimated that anywhere from 10,000 to 20,000 children have been enrolled in these programs at any one time.

I am sure that there are programs staffed by caring, professional, competent staff members, who do help to improve children’s lives. Yet there are clearly a number of programs staffed by untrained, unlicensed, poorly paid staff members who simply cannot be entrusted with children’s welfare. As a result, without regulations, the industry as a whole will continue to present unacceptable risks to the children it serves.

That is why, in 2005, I proposed legislation to provide resources to states to help them create licensing standards for private residential treatment programs. The legislation would also boost oversight of facilities overseas operated by U.S. companies.

This hearing, as well as the ongoing work by GAO and by the Committee's investigative staff, will help determine if that is the appropriate legislative response or if the situation demands something else.

One thing is clear, however: In light of the findings we will hear today, Congress must act, and it must act swiftly, to ensure the well-being of children participating in these programs. We can all agree that we have no mandate more urgent than keeping children safe.

I'd like to thank all of our witnesses for joining us today. We look forward to your testimony and to working with you to put a stop to these abuses.

Thank you.

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