

Representative Miller Introduces Legislation to Curb Child Abuse in Residential Treatment Programs

Bill Would Affect Facilities both in U.S. and Abroad

Wednesday, April 20, 2005

WASHINGTON, DC -- Representative George Miller (D-California) today announced new legislation to combat child abuse at residential treatment programs in the U.S. and abroad.

"There is no excuse for placing children in unlicensed programs with badly trained and abusive staff members, which could lead to mental, physical, and sexual abuse," said Miller, the senior Democrat on the Education and the Workforce Committee. "It is truly frightening when the very people entrusted to care for and protect children are actually the ones who endanger them. Residential programs for children should be licensed and meet reasonable safety and staff training standards."

In November 2003, Miller asked then-Attorney General John Ashcroft to investigate the World Wide Associations of Specialty Programs (WWASP), an organization with several campuses in the U.S. and abroad that provides "behavior modification" programs for troubled youth, for allegations of child abuse and human rights violations.

Miller first requested the investigation after The New York Times ran a series of articles containing the allegations against WWASP. Despite repeated follow-up requests, however, the Department of Justice refused to investigate. Meanwhile, allegations of abuse continued to surface in published news reports. In December 2004 and January 2005, news agencies reported that five U.S.-owned residential treatment centers in Mexico had been closed by local authorities for numerous health violations and for placing children in punishment cells.

In an effort to deal once and for all with the problem of abuse at residential treatment programs for children, Miller today introduced the "End Institutional Abuse Against Children Act." The bill would:

1. provide \$50 million in funding to states to support the licensing of child residential treatment programs. States would have to monitor the programs regularly to ensure their compliance with licensing requirements;
2. establish federal civil and criminal penalties for the abuse of children in residential treatment programs;
3. expand federal authority to regulate programs located overseas but run by U.S. companies and provide civil penalties for program operators that violate federal regulations; and
4. require the State Department to report any abuse of American children overseas.

Residential treatment (or "behavior modification") programs are intended to help children with behavioral problems, like substance abuse. Miller stressed that many of these programs provide safe, valuable services to children and their families. But he said that stronger legislation was clearly necessary to ensure the safety of all children in such programs – and particularly in programs overseas, where organizations have moved their facilities to avoid existing U.S. laws.

"Parents are sending their children to these programs because of a promise that they will help resolve difficult behavioral issues, like substance abuse," said Miller. "But the way kids have been treated at some of these facilities would make any parent shudder."

April is National Child Abuse Prevention Month.

A copy of the bill may be obtained on the
"Legislative Watch" page of the website of the
Emancipation Project
www.emancipationproject.org