



Dangerous Inaction:

A Culture of Chaos at Youngstown's Youth Intensive Services

Disability Rights Ohio (“DRO”) serves as the federally authorized protection and advocacy (P&A) system for people with disabilities in Ohio. We are a non-profit organization with a mission to advocate for an equitable Ohio for people with disabilities. Part of our role as the P&A system is to investigate reports of abuse or neglect of Ohioans with disabilities in state-operated, certified, and licensed facilities within various systems of care. This work includes probable abuse or neglect in residential treatment facilities for children and youth in our state.

This report focuses on an investigation completed by Disability Rights Ohio at a residential facility, **Youth Intensive Services** (YIS), which provides mental and behavioral health treatment to children ages 12 to 18 in Youngstown, Ohio. The investigation took place over a period of approximately 16 months and included numerous interviews with children and staff, hours of video review, and review of hundreds of records.

DRO’s investigation uncovered pervasive and disturbing problems embedded in the treatment culture at YIS and the inability of the facility to protect children’s rights. Children live at YIS to receive needed therapeutic behavioral health treatment. Yet, they were instead exposed to:

- AWOL, meaning children leaving the facility grounds without permission and often being exposed to unsafe and dangerous conditions while off-grounds.
- Inappropriate, unapproved and painful restraint techniques and physical abuse (including staff placing kids in chokeholds, pushing kids to the ground, slapping a child on the head) that often resulted in injuries;
- A failure by agency leadership to provide a safe, trauma-informed culture for childhood survivors of physical, sexual, and emotional abuse.

DRO has raised these issues repeatedly with YIS leadership and with the Ohio Department of Mental Health and Addiction Services (“OhioMHAS”), the state agency that licenses and certifies the facility. In one of its recent letters to YIS, DRO asked the facility to suspend admissions to the facility and relocate the children there until YIS can safely care for the youth.

YIS declined. DRO believes we have exhausted our effective advocacy with the facility and OhioMHAS.

DRO’s hope through issuing this report is to inform the public, elevate youth voices, and urge significant changes to occur at YIS.

This report contains a collection of the accounts the children at YIS provided to DRO through interviews along with information that DRO collected through videos and records.

BACKGROUND

Ohio has approximately 60 residential facility locations for youth licensed by the Ohio Department of Mental Health and Addiction Service (OhioMHAS) serving some of the most vulnerable and at-risk Ohio children. Many of these live-in settings more closely resemble institutions in environment and operations. The facilities are intended to be safe, structured, and welcoming environments where children can participate in therapeutic programming and activities that help promote their healing and growth. Children are often placed in these facilities by their parents or guardians who have made the exceedingly difficult decision to turn over the care of their child, and at times their custody, to unknown people across the state or even out-of-state to get the child the help they deserve.

To obtain a license, providers must demonstrate to OhioMHAS that they meet sets of standards related to, among other things, the physical environment, provision of mental health services, safety, resident/patient rights, and administration and management.

Youth Intensive Services is licensed by OhioMHAS as a Class 1 residential facility. Class one facilities provide accommodations, supervision, personal care services, and mental health services for one or more unrelated children or adolescents with behavioral health needs.

OhioMHAS may additionally certify facilities to operate specific services and activities. One such certification is to operate as a Qualified Residential Treatment Program (“QRTP”). A QRTP certification means that a facility must implement a trauma-informed approach in their policies, trainings, and staff interactions with youth[1]. Youth Intensive Services received its QRTP certification from OhioMHAS on September 29, 2021.

When OhioMHAS licenses and certifies facilities for services, the public should be able to rely upon those licenses/certifications as an assurance that OhioMHAS has verified that the services required are being provided and that the standards set are being met consistently for as long as the entity is licensed. Based on DRO’s investigation at YIS, the public should not rely on OhioMHAS for the assurance that the services and conditions experienced by the children at YIS meet these standards.

[1] QRTP certification means all employees within the facility are trained in that trauma-informed approach. A trauma-informed approach is one that recognizes the widespread impact of trauma and understands the potential paths for recovery; recognizes the signs and symptoms of trauma in clients, families, staff, and others in the system; responds by fully integrating information about trauma into the policies, procedures and practices, and seeks to actively resist re-traumatization.

INVESTIGATION

According to their website, Youth Intensive Services “is a 4–6-month intense residential program that maintains a staff-secure, trauma-informed environment for adolescent males and females between the ages of 12-18. We provide evidence-based therapy in a home-like setting that’s therapeutic, family-centered, and community-involved.”

**“
We are stuck in here, we
have no parents, we
have no rules, and we're
just kids. ”**

– Child interviewed at YIS

DRO first went to YIS in October 2022 to conduct a monitoring visit. At that time, DRO found concerning trends in restraint practices, staff abuse, privacy, and programming. DRO sent a letter to YIS to address these trends, and while YIS responded to DRO’s letter, it did not address DRO’s concerns sufficiently. DRO brought the issues to OhioMHAS’s attention in December 2022. DRO then opened an investigation at YIS in January 2023 to continue investigating the reported problems.

Since October 26, 2022, Disability Rights Ohio has made 3 visits to the facility, interviewed 28 youth and staff, viewed hours of video, reviewed hundreds of records, and issued 4 recommendation letters. These combined efforts have documented systemic themes of pervasive rights violations and harmful practices to some of the most vulnerable youth in our state.

AWOLs

The term AWOL (absent without leave) refers to children leaving the facility grounds without permission. It is the facility’s responsibility to identify effective strategies to mitigate frequent AWOL occurrences. DRO is concerned that YIS is not meeting this responsibility.

Police reports:

Based on police reports for YIS from January 1, 2024 to May 19, 2024, there were 31 reports of AWOL. In the AWOL reports, multiple youth are reported leaving the facility together.

- In some reports, the same children ran away from the facility multiple times in one day and were gone from the facility for several hours or days and returned by police.
- Several youth returned to the facility with injuries, reported possible sexual assault, or tested positive for drugs.
- One youth described to police that she was being sexually assaulted at the facility.
- In a different incident, this same youth was reported to have left the facility after the facility received two phone calls from men about the youth. The youth spent the day with an unknown male while off the facility property. This report aligns with what staff informed DRO at our most recent visit – the youth will leave the facility to visit unknown men and return to the facility to shower.
- When one youth was returned to the facility by police, facility “management” informed police that the youth was “banned” and could not return. This meant that the police were tasked with arranging the youth’s care with the custodial children services agency.

Throughout interviews with children, they reported:

- Staff do not consistently follow through with AWOL procedures. One youth reported that they felt that staff don’t care if the youth AWOL or not from the facility.
- There was a confirmed incident where a child was able to make it approximately 3.4 miles to the bus station before the police found them. The bus station where the child was found was in an area where there had been recent shootings.

During an on-site visit, YIS staff reported:

- A staff reported that they serve children who are survivors of sex-trafficking and that it was upsetting that some of the children leave to go to men’s houses then come back to the facility to shower.
- Staff reported that children will leave to go to a mailbox known to have drugs in it and then come back to the facility.
- YIS staff explained that if a child “AWOLs” over the fence, staff must return and fax the police. In police reports, it showed that it can take over 30 minutes for staff to fax the police about a missing child.

Through video review, DRO observed:

- Children easily jumped the fence surrounding YIS.
- Children leave the grounds with little clothing and no shoes.
- Two children attempting to leave the grounds were left outside in the middle of winter for approximately 20 minutes while staff periodically checked in from the doorway.
- Staff made statements to the children such as, “be safe” and to avoid a certain neighborhood because they kidnap kids.
- One staff person followed five youth as they jumped the fence but did not attempt to redirect them back to the facility.

DRO followed up with YIS and OhioMHAS for more information about the concerning frequency of AWOLs. YIS reported that they are working on these issues with OhioMHAS and local authorities. In a letter from YIS to “stakeholders,” YIS states that the increase in AWOLs was a result of YIS not being able to restrain the youth to prevent them from leaving. DRO acknowledges that AWOL is a difficult issue to address. However, based on the information received from YIS, DRO is concerned that YIS is not doing enough to treat the behaviors leading to recurrent AWOLs or to treat the children when they return to the facility. **A recent response from OhioMHAS confirmed that it has not taken any formal corrective action to address any of the dangerous deficiencies at YIS since April 2023. This inaction is great cause for concern.**

Inappropriate, unapproved, and dangerous restraint techniques and physically abusive behaviors by staff

In youth residential treatment facilities, restraints should only be used when youth are a danger to themselves or others and only after verbal or non-verbal calming techniques have been unsuccessful. If a restraint is used, staff are prohibited from using techniques such as laying a youth face down on the ground, restricting breathing, or placing body weight on top of a child.


“
I used to be restrained all of
the time. Staff would never
listen to me. I just wanted
help, but they didn’t
understand that. ”

– Child interviewed at YIS

When children are victims of inappropriate physical restraint and physical abuse, they are placed at risk of further traumatization, serious injury, or death. Moreover, children with trauma histories, who witness their peers being restrained or physically abused, are at high risk of re-traumatization.

Throughout interviews with children, they reported:

- Children reported having injuries such as bruising and cuts that were a result of restraints.
- One child reported that a staff sat on their chest, and they told the staff that they could not breathe.
- One child reported that staff would apply pressure during a restraint, that it sometimes felt like they couldn't breathe.



**“
Sometimes when there
are restraints, kids
accidentally get hurt. It's
very traumatic.
”**

– Child interviewed at YIS

Through video reviews, DRO observed:

- Prone restraints where a child is held face-down on the ground, which is known to restrict breathing;
- Staff laying on top of children with their entire body weight;
- Staff having their arms around youths' necks;
- Several incidents of staff conducting dangerous restraints that could impact a child's ability to breath;
- Children being restrained against objects such as trashcans and chairs with their heads being placed in dangerous ways;
- Staff rarely attempting verbal and non-verbal calming strategies with children prior to initiating a restraint;
- Children helping to restrain other kids.

Physically abusive behaviors by staff

The staff behaviors described and seen in these incidents lack positive therapeutic value and repeatedly put children at risk of further traumatization and regression in treatment.

Through interviews with children, they reported:

- A staff had their neck against the window, then the staff hit them in their face. The child reported that this staff was a supervisor and the child thought that they were supposed to be better trained than others.
- A child reported that staff are not talkative, and that staff have no problem slamming kids to the floor. They reported that staff will only give kids 10 seconds to calm down before putting their hands on kids.

Through video review, DRO observed:

- In one incident, a child was showing their peer a picture from the hallway when staff came to them and slapped them on their head. The staff then placed the child in an unapproved restraint that put the child in clear distress. Two other staff members observed the staff member slap the child on the head and assisted with the inappropriate restraint. Both staff members were laughing during the restraint while the child was visibly upset.
- One incident showed an agitated child getting pushed to the ground by a staff member causing the child to become more distressed. The child was then restrained as a result.
- One incident showed an upset youth trying to calm themselves down by going down the hallway. A staff member followed them and then repeatedly shoved the child in a corner and used inappropriate language with the child. After the staff member leaves the hallway, the staff person can be heard off-camera laughing, while the child remains noticeably upset in the hallway. In the written incident report, staff involved stated that the child was “talking smart” as justification for their behavior towards the youth.
- Staff were observed placing children in chokeholds during a restraint.

Though some abusive staff have been terminated and other staff have been re-trained in de-escalation and restraint techniques, *DRO continues to receive reports of abusive staff behavior.*

- Despite staff being retrained, a recent incident captured on video depicts two separate physical interactions between two youth and five staff.
 - Video shows the children at a door with staff and the youth want to go through the door. A staff chemical dependency counselor tells the youth to “back up” and places his hands out to stop the kids. One child pushes the counselor’s hand away while the other child pushes the counselor. The counselor then lunges at one of the children. The counselor and child place their hands around each other’s necks and go to the ground in what resembles a physical brawl rather than a restraint intended to maintain safety and to assist the child in regaining control.

- At the same time, two staff members can be seen grabbing the other child by the arms and throwing them to the floor into the corner. The child's head appears to hit the wall as they say "ow, sorry ... I'm sorry." Two staff members lay on top of the child with their bodies and elbows on the child's chest and near their neck. During the restraint, the child's head is against the wall at an angle.

Failure by agency leadership to provide a trauma-informed organizational culture

Trauma informed care follows core principles of safety, choice, collaboration, trustworthiness, and empowerment in the interactions with children and in policies and procedures. As stated by the CDC, "Adopting a trauma-informed approach is not accomplished through any single technique or checklist. It requires constant attention, caring awareness, empathy, and possibly a cultural change at an organizational level."

“

Staff say all the time they are gonna make our stay here hard. It's already hard.

”

– Child interviewed at YIS

YIS has been unable to maintain a consistent trauma-informed environment for youth that meets the requirements of the QRTP certification from OhioMHAS.

Throughout interviews, children reported:

Traumatizing Staff Conduct-

- Staff treat them poorly and felt that staff will take out their bad days on the kids.
- One child reported feeling frustrated because staff are disrespectful, always on their phones, and do not help. At one point, the child asked staff multiple times to just be around them because they were having a hard time and having suicidal thoughts. The child reported that no one listened to them, which resulted in them attempting suicide. After, the child was punished for attempting suicide by losing privileges, like going on outings off the facility premises.
- They have heard staff arguing amongst each other and have heard staff fighting outside in the parking lot.

- One child reported that after an incident, they overheard staff say that they could not write “wanted to beat her ass” in the incident report when talking about another child.
- Many children reported that staff will ignore or deny access to the restroom. Bathrooms at YIS are locked and children are reliant on staff to open the door for them.

Ineffective Grievance System-

- Children have the right to make a complaint (“grievance”) about the facility and they have a right to a response. Many children reported inconsistencies in how their complaints or grievances are handled with some children reporting that no one responded to their complaint.
- Grievance forms that kids wrote that YIS provided to DRO, expressed concerns about staff treatment, programming, and peer related issues.
- One child reported to staff that another staff member made an inappropriate comment to them. The child was then told that nothing would be done because “he knows a good staff when he sees one” and that was the end of their grievance. Other children reported that they had similar experiences of grievances going unanswered.



**“Chaos, yelling,
restraints.”**

-a child describing a typical day at YIS

Through video reviews and interviews with staff, DRO observed:

- Staff waiting to respond to incidents until they have escalated rather than intervening in the incident early.
- Staff not engaging with children on the units and, instead, are on their phones.
- Staff making statements such as “I don’t want to chase you because it is cold” or “I don’t want to mess with you right now” to distressed youth.
- A lack of programming, particularly on second shift. One child described being “hyper” and asking to go to the gym, but staff refused.
- Staff escalating situations with children in distress.
- One incident showed a staff shoving a youth against a wall and getting in their face just minutes before a large fight broke out on the unit. Staff were aware of the growing tension between the kids but did nothing to de-escalate the situation, and children were put in dangerous restraints as a result.

Lack of timely, accurate, and consistent incident reporting practices

There appears to be a lack of follow-through on incident reports.

- DRO has found that YIS does not report incidents to OhioMHAS when it would be required to do so. For example, several of the incidents described in the police reports or internal reports should have likely been reported to OhioMHAS, particularly when the incident resulted in injury or possible sexual assault.
- When incidents are reported, DRO has found that many times the incident report does not accurately describe the incident that occurred.
- YIS is unable to show documentation that complete investigations of some incidents have occurred.
- There is a lack of consistency with YIS obtaining statements from staff who witnessed the event or from the youth involved.
- In interviews with staff, they reported confusion about how they would file or report an incident.

A CALL TO ACTION

“This is our time to meet the moment. Our time to do the hard things that matter and will make a lasting difference for our children and their future”.

-Governor DeWine, State of State Address, April 2024

Disability Rights Ohio has consistently brought the issues in this report to the attention of OhioMHAS and YIS and advocated for both entities to do more to improve the care and safety provided to children at YIS.

To date, neither OhioMHAS nor YIS has done enough. DRO is aware that YIS and OhioMHAS meet monthly to talk about these issues. Despite these monthly meetings, DRO continues to receive information about dangerous conditions at YIS. DRO is concerned that the problems at YIS will only increase because YIS and OhioMHAS have not taken the necessary actions to stop them.

The issues that persist at YIS are unacceptable and do not meet even the minimum standards set by OhioMHAS. OhioMHAS’s failure to thoroughly protect the children’s safety or address rule violations is intolerable. Disability Rights Ohio calls on both YIS and the Ohio Department of Mental Health and Addiction Services to take more significant, corrective action immediately.

OhioMHAS and YIS leadership must spend time talking with the children at the facility to understand their perceptions and realities of the treatment that they are receiving at YIS. Children have a right to receive treatment that is focused on their healing, wellness, and life readiness. Children at YIS have the right to be kids and to have their childhoods restored.

Disability Rights Ohio asks OhioMHAS, as the state licensing body, to suspend Youth Intensive Services' license until a time that the facility can consistently demonstrate that it meets minimum standards and that sustainable trauma-informed care practices are implemented in accordance with OhioMHAS' stated values, trauma-informed initiatives, and the QRTP certification and license status granted to the facility.

If YIS is unable or unwilling to meet these standards, DRO asks OhioMHAS to revoke its license.

Disability Rights Ohio is a nonprofit organization committed to advocating for an equitable Ohio for people with disabilities. As Ohio's Protection and Advocacy System and Client Assistance Program, DRO works so that Ohioans with disabilities are free to live, work, learn, and go where they choose, are equal participants in civic engagement, are free from abuse, neglect and exploitation, and are able to live their lives with dignity, free from harm, prejudice and discrimination.

www.disabilityrightsohio.org

