

Act 45 Annual Report
Restraint Use and Reporting Requirements of Pregnant Females
July 1, 2020 – June 30, 2021

Background

Senate Bill 1074, Printer's Number 1776, of the 2009 session of the General Assembly was signed into law by former Governor Edward G. Rendell on July 2, 2010 as Act 45.

The Act amends Title 61 (Penal and Correctional Institutions) of Pennsylvania Consolidated Statutes and prohibits the application of restraints to pregnant youth who have been alleged or adjudicated delinquent during:

- Any stage of labor;
- Any pregnancy-related medical distress;
- Any period of delivery;
- Any period of postpartum;
- Transport to a medical facility as a result of any of the preceding conditions; or
- Transport to a medical facility after the beginning of the second trimester of pregnancy.

Act 45 provides a specific exception that reasonable restraints may be permitted during certain specific events. Reasonable restraints may only be used after a staff person assigned to the pregnant youth has made an individualized determination that the youth presents a substantial risk of imminent flight or an extraordinary medical or security circumstance dictates that the youth be restrained to ensure the safety of the youth and staff of the licensed program, YDC, YFC or medical facility, as well as other youth and the public.

Reasonable restraints permitted under this exception must meet the following requirements:

- The reasonable restraint must be of the least restrictive type and be applied in the least restrictive manner.
- At no time will the youth be left unattended by a staff person with the ability to release the restraint should it become medically necessary.
- The staff person must immediately remove all restraints upon request of a doctor, nurse, or other health care professional.
- Leg and waist restraints are prohibited on a known pregnant youth who is in labor.

Reporting Requirements

Act 45 requires that child residential and day treatment programs licensed under 55 Pa. Code Chapter 3800, as well as YDCs and YFCs operated by the OCYF, report any restraint applied to a known pregnant youth who is alleged or adjudicated delinquent and is being served pursuant to a court order. This information is compiled into an annual report each fiscal year that identifies and enumerates the circumstances of each restraint.

Findings

During Fiscal Year July 1, 2020, to June 30, 2021, three pregnant youth were restrained. A total of two restraints were applied to one pregnant youth (Resident 1) who was adjudicated delinquent. Resident 1 was restrained at two separate times on the same day at Clear Vision Residential Treatment Services. Another pregnant youth (Resident 2) who was adjudicated was restrained a total of 16 times. Resident 2 was restrained once on 10 separate days and twice on three separate days at North Central Secure Treatment Unit-Girls Program (NCSTU). Resident 3 was restrained at Delaware County Juvenile Detention Center (DCJDC), but it is unknown the specific details surrounding this youth as the records are not accessible. As of June 30, 2020, there are a total of 599 facilities licensed by DHS as child residential and day treatment programs and five additional facilities operated by OCYF as a YDC or YFC.

Pregnant Youth	Facility	Date of Restraint	Time of Restraint	Type of Restraint	Reason for Restraint
Resident 1	Clear Vision Residential Treatment Services	5/19/2021	1:45 p.m.	Manual	Attempting to run away from facility
		5/19/2021	3:15 p.m.	Manual	Attempting to run away from facility
Resident 2	NCSTU	3/06/2021	8:53 a.m.	Manual	Attempting to cause bodily harm to themselves or staff members.
		3/07/2021	7:37 a.m.	Manual	Attempting to cause bodily harm to themselves or staff members.
		3/07/2021	8:15 p.m.	Manual	Attempting to cause bodily harm to themselves or staff members.
		3/08/2021	7:22 a.m.	Manual	Attempting to cause bodily harm to themselves or staff members.
		3/11/2021	1:30 p.m.	Manual	Attempting to cause bodily harm to themselves or staff members.
		3/18/2021	9:57 p.m.	Manual	Attempting to cause bodily harm to themselves or staff members.

Pregnant Youth	Facility	Date of Restraint	Time of Restraint	Type of Restraint	Reason for Restraint
Resident 2	NCSTU	3/19/2021	7:45 p.m.	Manual	Attempting to cause bodily harm to themselves or staff members.
		3/19/2021	10:50 p.m.	Manual	Attempting to cause bodily harm to themselves or staff members.
		3/23/2021	10:00 p.m.	Manual	Attempting to cause bodily harm to themselves or staff members.
		3/24/2021	10:31 a.m.	Manual	Attempting to cause bodily harm to themselves or staff members.
		3/24/2021	8:47 p.m.	Manual	Attempting to cause bodily harm to themselves or staff members.
		3/27/2021	5:25 p.m.	Manual	Attempting to cause bodily harm to themselves or staff members.
		4/05/2021	1:05 p.m.	Manual	Attempting to cause bodily harm to themselves or staff members.
		4/09/2021	10:03 a.m.	Manual	Attempting to cause bodily harm to themselves or staff members.
		4/17/2021	6:30 p.m.	Manual	Attempting to cause bodily harm to themselves or staff members.
		4/18/2021	8:53 a.m.	Manual	Attempting to cause bodily harm to themselves or staff members.
Resident 3	DCJDC	Unknown	Unknown	Unknown	Unknown

Resident 1

On 5/19/2021, Resident 1 was being processed for intake, when the youth attempted for the third time that day, to run away. Two staff members barricaded the door but Resident 1 still attempted to run. For the safety of the youth and the unborn baby, staff transitioned Resident 1 into a multiple person supine torso assist. Resident 1 did not resist but continued to verbalize wanting to go home and not being in placement. Resident 1 was restrained at 1:45 p.m. and the duration of the restraint lasted three minutes. Resident 1 was evaluated by Clear Vision medical staff and no medical follow up was required.

On 5/19/2021, Resident 1 made another attempt to run for the front doors. Staff placed the youth into an upper torso assist and walked down the hallway towards the resident's dorm room. Another staff joined and transitioned Resident 1 to a multiple person bicep assist. Staff was able to get Resident 1 to the dorm without further incident but decided to dedicate one staff to supervise and ensure another attempt to run away did not occur. The restraint occurred at 3:15 p.m. and the duration of the restraint lasted four minutes. Resident 1 was evaluated by Clear Vision medical staff and no medical follow up was required.

Resident 2

On 3/06/2021, Resident 2 was in the dorm room on the COVID-19 Quarantine Unit. Staff had been attempting to communicate concerns regarding the unsanitary conditions Resident 2 had created in the room. Resident 2 had picked a 9" by 12" hole, through the drywall and exposed insulation. Resident 2 had also urinated and defecated in the bedroom and had smeared the excrement on the walls, windows, and door. Staff encouraged Resident 2 to clean up the room and shower before breakfast, but the resident would not engage in verbal communication with staff. When breakfast arrived, staff encouraged Resident 2 to eat while explaining the importance proper nutrition especially during pregnancy. Resident 2 began to eat but moments later took the remainder of the food and threw it into the hallway. Staff attempted to deescalate Resident 2 by standing in the doorway and verbally encouraging the behavior to stop. Resident 2 then picked up a large sized portion of the drywall the youth had previously broken off and threw it at staff. Additional staff then entered Resident 2's room to prevent further harm to the youth, as there is a documented history of the youth ingesting drywall at other placements. Initially, one staff attempted to utilize an extended arm to stop Resident 2 from hitting the drywall but immediately Resident 2 slid their back down the wall and laid on the bed belly down. Multiple attempts were made by staff to reposition Resident 2 so that staff could transition the youth to the seated kneeling upper torso assist. It took a total of four staff to transition Resident 2 to the floor, but they were unable to transition from a prone position to supine position as the youth continued to resist and to bite, and scratch staff. Eventually, the four staff were able to transition Resident 2 to a multiple person supine extension. During the manual

assist Resident 2 was verbalizing that staff were trying to harm the baby. Resident 2 was restrained at 8:53 a.m. and the duration of the restraint lasted 47 minutes. Resident 2 was evaluated by NCSTU medical staff and was asked if additional services from the medical department were needed, but no medical follow up was required. As a result of the damage that was done in the resident's room and the safety risk she posed to herself, facility staff initiated one-on-one supervision and began preparations to move the resident to another room.

On 3/07/2021, Resident 2 became upset when informed that there would have to be a change of rooms due to the current room being uninhabitable. Resident 2 was also placed on Constant Clinical Observation due to behavior reported from previous placements (eating drywall and other items or placing these items in orifices to cause harm) and the unsafe behaviors the youth had been demonstrating since being admitted to NCSTU. Resident 2 did not want to leave the current assigned room and refused staff's assistance with cleaning up the room. After several attempts to verbally move Resident 2 to the new room, staff informed the youth that if they didn't want to leave on their own, they would have to be escorted out by staff. Resident 2 reacted negatively to this by removing all articles of clothing, standing on the bed, and verbally attempting to antagonize staff. Staff entered the room but tried again to verbally deescalate Resident 2 by giving the option to move to the new room on their own. Staff then attempted to utilize the least restrictive alternative and attempted to escort the youth out of the room using an extended arm assist. Resident 2 immediately became combative and attempted to strike staff as they attempted to utilize a more secure assist. Staff was able to transition Resident 2 to a supine torso extension assist, but Resident 2 continued to try to violently break free from the restraint. Staff continued to try to verbally deescalate Resident 2 but due to the attempts to bite staff, the impact cushion needed to be utilized to minimize injury. Staff tried to transition to a multiple person seated upper torso assist but were unsuccessful as Resident 2 was able to kick a staff member in the face. Resident 2 was transported to the new room and soon after was able to calm down enough to be released from the restraint. Resident 2 was restrained at 7:37 a.m. and the duration of the restraint lasted 43 minutes. Resident 2 was evaluated by NCSTU medical staff and was asked if additional services from the medical department were needed, but no medical follow up was required.

On 3/07/2021, Resident 2 was upset due to having to change rooms earlier that day and spent the duration of the 2nd shift standing on the desk and singing naked. Staff expressed the safety concerns that they had for the youth. Resident 2 then verbally attempted to antagonize staff. Resident 2 then inserted their fingers into their vagina. Staff verbally attempted to discourage Resident 2 from continuing this behavior, but the youth expressed wanting to be sent to the county jail. Staff asked Resident 2 once again to come down from the desk and take the prenatal vitamins, to which the youth complied. Resident 2 then stood naked in the doorway yelling at the staff to come fight. Resident 2 made an advancement towards one of the staff to which the resident was informed that if the behavior continued, staff would need to use a physical intervention. Resident 2 then spit in the face of one of the staff members. Staff attempted to utilize a touch prompt with Resident 2, but the youth spit on the staff again. Staff attempted

another touch prompt but Resident 2 then advanced to strike staff. Staff attempted a multiple person standing upper torso assist but Resident 2 dropped to the floor on purpose. Staff were able to secure Resident 2 in a supine torso extension. During the duration of the restraint, Resident 2 yelled obscenities to be touched inappropriately by staff members. Resident 2 was restrained at 8:15 p.m. and the duration of the restraint lasted 64 minutes. NCSTU medical staff were present during the duration of the restraint. Resident 2 was evaluated by NCSTU medical staff and was asked if additional services from the medical department were needed, but no medical follow up was required.

On 3/08/2021, Resident 2 was sitting naked on the desk with a large puddle of urine on the floor and some on the desk. When staff greeted Resident 2 “good morning”, the youth responded with vulgar language. Resident 2 was upset with a staff member because they “promised” a phone call on Saturday if the youth took a shower. Staff attempted to converse with Resident 2 calmly about the situation, but Resident 2 continued yelling at staff. Staff were standing in the doorway when Resident 2 spit in staff’s direction. Resident 2 then kicked the urine that was on the floor in staff’s direction. Three additional staff members arrived and verbally attempted to deescalate Resident 2. At this time Resident 2 kicked more urine in the direction of staff and one staff member was hit near their face. Resident 2 then threw their safety blanket at staff and spit at them which led staff to initiate a restraint. Staff were able to transition Resident 2 to a supine torso extension assist. The impact cushions needed to be utilized during the restraint as Resident 2 was biting staff members. Staff attempted to release Resident 2 from the restraint however Resident 2 threatened to punch them in the face if released from the restraint. Resident 2 began pulling their own hair during the restraint. Staff continued attempts to verbally deescalate Resident 2 to calm down so they could stop the restraint. Resident 2 was restrained at 7:22 a.m. and the duration of the restraint lasted 148 minutes. Resident 2 was evaluated by NCSTU medical staff and was asked if additional services from the medical department were needed, but no medical follow up was required.

On 3/11/2021, Resident 2 started yelling, threatening and directing inappropriate comments, towards a female staff member. The youth stated the staff reminded them of someone from their past and it was triggering. Additional dorm room staff were called to assist as Resident 2 continued making threats towards the female staff member. Resident 2 took off all their clothes even as staff reminded the youth that there were male residents on the unit. Resident 2 began to use inappropriate sexual touches in front of staff and was making inappropriate comments about the behavior. Resident 2 then stood up and urinated on the floor and then laid back on the bed, stomach down. Resident 2 continued inappropriate actions and was forcefully putting pressure on the stomach. Staff attempted verbal redirection, but Resident 2 did not comply. Staff attempted to secure Resident 2’s left arm to secure youth in a multiple person extended arm but Resident 2 began to struggle and bite staff. Resident 2 was able to resist and flip onto their back. Resident 2 tried to kick and swing closed fists at staff while making verbal threats to staff and self. Resident 2 was restrained at 1:30 p.m. and the duration of the restraint lasted 49 minutes. Resident 2 was evaluated by NCSTU medical staff

and was asked if additional services were needed from the medical department but no medical follow up was required.

On 3/18/2021, Resident 2 became upset after receiving a phone call from a public defender that informed the youth of an emergency court hearing scheduled the next day. Resident 2 expressed not understanding the reason there was an emergency hearing since one was already scheduled for the beginning of April. Resident 2 became upset and hung up on the public defender and asked to use the phone to call to other public defenders but none of them answered. The youth explained about their adult support person and asked to call them. Resident 2 became agitated when the adult support person stated they agreed that Resident 2 should be placed in a psychiatric hospital. Resident 2 remained on the phone but made several comments about wanting to harm someone. When Resident 2 returned to the unit and was screaming at staff and then started to undress. Staff attempted to deescalate Resident 2. When asked that they put their clothes back on the youth spit at staff members. Resident 2 continued yelling at staff and then spit and ran past other staff. Resident 2 ran past staff members and targeted and attacked another staff member in the face multiple times before other staff were able to physically intervene. Resident 2 flipped onto their stomach and had to be released because of being in the prone position. Resident 2 crawled away from staff but was able to be deescalated verbally. Resident 2 was restrained at 9:57 p.m. and the duration of the restraint lasted one minute. Resident 2 was evaluated by NCSTU medical staff and was asked if additional services from the medical department were needed, but no medical follow up was required.

On 3/19/2021, Resident 2 had been making threats of wanting to try to commit suicide to be "302'd" or involuntarily placed into a psychiatric hospital. Resident 2 directly told staff of the threat and then began undressing. Staff attempted to encourage Resident 2 to put their clothes back on, but the youth refused. Resident 2 then urinated on the floor. Staff tried to redirect the youth once again to put clothes back on and to utilize the restroom, but Resident 2 ignored staff and instead went over to the bed and sat down. The youth then began yelling at staff to call them a lawyer. Resident 2 then took a piece of the sheet and tied attempted to make a noose. When staff intervened to remove the sheet from Resident 2, the youth accused them of trying to kill the baby. Staff members were successful in removing the sheet from Resident 2, but then the youth attempted to lay prone and try to rip the mattress apart. Staff explained the mattress would have to be removed for the safety of the resident. Resident 2 yelled that staff just wanted to utilize restraints. Resident 2 got up and urinated on the floor and then went back to the mattress and defecated on it. While staff attempted to remove Resident 2's socks and bra that they had tied around their wrists, the youth began biting staff, hitting their head off the floor and screaming about wanting to be "302'd". Resident 2 was restrained at 7:45 p.m. and the duration of the restraint lasted 88 minutes. NCSTU medical staff were present during the duration of the restraint. NCSTU medical staff informed Resident 2 that any actions could put stress on the baby to which Resident 2 replied that staff could watch the baby die. Resident 2 was evaluated by NCSTU medical staff and was asked if additional services from the medical department were needed, but no medical follow up was required.

On 3/19/2021, Resident 2 became upset when staff attempted to remove a blanket from the room due to unsafe behaviors earlier that day. Resident 2 put the blanket under the heater and then sat on the floor between the bed and the heater. Resident 2 urinated on the floor. Staff asked Resident 2 if they could sweep and mop the room. Resident 2 agreed but refused to get up from the floor or allow staff to clean where the urine was. Staff asked Resident 2 again for the blanket, but the continued to refuse and make comments about intending to cause self-injury. Staff encouraged Resident 2 to remain calm and safe while trying to take the blanket, but Resident 2 resisted. Staff were able to unwrap the blanket but Resident 2 then stood up and jumped on the bed. Staff explained that it wasn't safe. Resident 2 then jumped off the bed and attacked a staff member. Both the staff and Resident 2 fell to the floor where staff were eventually able to safely restrain Resident 2. Resident 2 was restrained at 10:50 p.m. and the duration of the restraint lasted 98 minutes. Resident 2 was evaluated by NCSTU medical staff and was asked if additional services from the medical department were needed, but no medical follow up was required.

On 3/23/2021, Resident 2 remains on Constant Clinical Observation due continued behaviors that are a danger to the youth, and staff. Resident 2 laid on the bed and began using inappropriate sexual touch and making inappropriate sounds. Staff were sitting outside of Resident 2's door and when one staff member walked away, Resident 2 got off the bed, and picked up tuna that was laying on the floor from dinner and threw it at staff. Staff entered Resident 2's room to initiate safe crisis management and Resident 2 fell to the floor in a prone position. When staff approached Resident 2 to reposition the youth to a safer position, the staff were kicked, and one staff member was hit in the face and jaw. Staff then made another attempt to secure Resident 2 in a supine extension, but the youth was able to grab the mattress and lay prone. Due to Resident 2 being pregnant staff disengaged so that the youth would not be injured. Resident 2 continued to lay on the bed in a prone position naked, yelling obscenities at staff after being offered clothing. Resident 2 was restrained at 10:00 p.m. and the duration of the restraint lasted less than two minutes. Resident 2 was evaluated by NCSTU medical staff and was asked if additional services from the medical department were needed, but no medical follow up was required.

On 3/24/2021, Resident 2 has been in several restraints over the past few weeks due to unsafe behavior. Due to this unsafe behavior it was determined that the bedframe from Resident 2's room be removed to prevent Resident 2 from further attempting self-injury or harm. At 10:25 a.m. Resident 2 was asked to move to another room while maintenance staff removed Resident 2's bedframe. Resident 2 refused to move, therefore staff intervention was needed. There were four staff present who all attempted to verbally instruct Resident 2 to move rooms temporarily. Resident 2 was lying face down on the bed with no pants or underwear on, with their arms tucked inside their shirt. Staff attempted to secure Resident 2 by the arms, but the youth began kicking the staff. Staff were able to get Resident 2 to the hallway and secured in a supine extension. Staff offered several times to cover resident up, but resident insisted upon wanting to be naked. Staff attempted to release Resident 2 from the hold but needed to reengage

because the youth was kicking and biting staff. Resident 2 was restrained at 10:31 a.m. and the duration of the restraint lasted 65 minutes. NCSTU medical staff was present from 11:20 a.m. until the restraint ended at 12:37 p.m. Resident 2 was evaluated by NCSTU medical staff and was asked if additional services from the medical department were needed, but no medical follow up was required.

On 3/24/2021, Resident 2 was lying in the hallway, unclothed with a blanket, and refused to follow staff directives to go back into their room. The other residents in the dorm area were returning to their rooms for the night but Resident 2 continued to ignore staff and refused to communicate. Staff numbers decreased from the second shift to the overnight shift, but three staff remained with Resident 2 in the hallway. When two staff members attempted to help Resident 2 up, the youth began kicking staff; resulting staff needing to utilize a seated upper torso. Resident 2 was making odd statements and attempted to break from the restraint. Staff attempted to transition to a less restrictive restraint, but Resident 2 continued to try to bite staff, which resulted in the use of a multiple person supine extension. Resident 2 continued to threaten staff during the duration of the restraint to defecate and throw it at the overnight staff. Resident 2 was restrained at 8:47 p.m. and the duration of the restraint lasted 48 minutes. Resident 2 was evaluated by NCSTU medical staff and was asked if additional services from the medical department were needed, but no medical follow up was required.

On 3/27/2021, Resident 2 became abruptly upset, yelling, and removing articles of clothing. Resident 2 was targeting one staff member, while another attempted to divert Resident 2's attention to deescalate the situation. Resident 2 then threw a cup of water at staff. Staff utilized close proximity to try to calm Resident 2. Staff reminded the youth of the importance of maintaining a safe environment for themselves, and staff members. Resident 2 attempted to walk out of the room but was redirected by staff since the youth was not wearing clothes Resident 2 sat in the doorway and began kicking towards the closest staff member. Staff then initiated emergency safety intervention in a multiple person supine. During the restraint, Resident 2 made several attempts to roll into prone position and made verbal threats to "Childline" staff members. After Resident 2 was transitioned out of the restraint the youth urinated on the floor. Resident 2 was restrained at 5:25 p.m. and the duration of the restraint lasted 30 minutes. NCSTU medical staff was present the duration of the intervention. Resident 2 was evaluated by NCSTU medical staff and was asked if additional services from the medical department were needed, but no medical follow up was required.

On 4/05/2021, Resident 2 was scheduled for a psychiatric evaluation to be completed by an outside agency via Zoom. Resident 2 refused to move to a private location to meet with the provider. The Psychological Service Specialist supervised Resident 2 in the dorm room on a laptop that was provided for the assessment. Resident 2 was uncooperative and hid under a safety blanket until the evaluation ended. Staff continued to monitor from outside of Resident 2's room while the Psychological Service Specialist met with the evaluator. Resident 2 was standing on the bed and cursing at staff. Staff attempted to utilize close proximity when Resident 2 attempted to leave the room, but the youth turned around and picked up feces and threw it at staff. Staff attempted to

place Resident 2 in a multiple person standing upper torso assist but was unsuccessful. Due to the commotion, additional staff arrived, and Resident 2 punched one of them in the face. Resident 2 was secured in a multiple person supine extension. Resident 2 continued spitting at staff and trying to twist into a prone position. Resident 2 was restrained at 1:05 p.m. and the duration of the restraint lasted 96 minutes. The NCSTU medical staff was present for the duration of the intervention. Resident 2 was evaluated by NCSTU medical staff and was asked if additional services from the medical department were needed, but no medical follow up was required.

On 4/09/2021, Resident 2 became agitated while exercising and started to escalate in front of staff. Resident 2 then threw a water bottle at staff and started jumping up and down. Two additional staff members entered the room and attempted to deescalate the situation. Resident 2 attempted to punch one staff member and another staff intervened to secure Resident 2's arms. This was unsuccessful, and Resident 2 continued to pull at the staff members shirt until they both fell to the floor. Staff were able to safely secure Resident 2's arms and placed the youth into a multi-person supine extension. Resident 2 yelled and kicked at staff and attempted to break free throughout the safety intervention. Resident 2 was restrained at 10:03 a.m. and the duration of the restraint lasted 9 minutes. Resident 2 was evaluated by NCSTU medical staff and was asked if additional services were needed, from the medical department but no medical follow up was required.

On 4/17/2021, Resident 2, who was being monitored under constant observation due to multiple self-harm incidents, laid down on the bed and hid one hand under the blanket. When Resident 2 was prompted to show both hands the youth refused and stated that staff just wanted to use restraints. Staff tried to reassure Resident 2 that they just needed both hands to be visible due to safety reasons. Again Resident 2 refused; stating that the staff would just have to use restraints. Staff attempted to remove the blanket and Resident 2 grabbed it in a tight hug. Staff verbally prompted Resident 2 to release the blanket. When Resident 2 refused, staff attempted to remove the blanket the youth kicked staff in the leg. Resident 2 was secured in a multiple person supine extension completed by three staff members. Resident 2 attempted to bite one of the staff members and yelled that they were trying to hurt the baby. Additional staff members arrived to assist. Staff members switched out with the staff members that were currently in the safety restraint and provided additional protection via the support cushion. Resident 2 continued to verbally attack staff and threatened to sue them in court for not using proper restraints. Resident 2 tried to kick a staff member in the head when prompted to cover up. Resident 2 was restrained at 6:30 p.m. and the duration of the restraint lasted 81 minutes. Resident 2 was evaluated by NCSTU medical staff and was asked if additional services from the medical department were needed, but no medical follow up was required.

On 4/18/2021, Resident 2 was having breakfast, became agitated and started yelling and swearing at staff. Resident 2 attempted to antagonize staff into a restraint as the youth kept saying "we can do this again", referring to the restraint the youth was in on the previous day. Staff attempted to reassure Resident 2 that they didn't want to utilize

restraints, but that they needed to see both hands due to being on constant observation. Resident 2 repeated the behavior from yesterday, hiding both hands and making comments about staff wanting to harm the baby. Staff continued to prompt Resident 2 to remove the blanket, but the youth refused. Staff gently tried to remove the blanket, but Resident 2 grabbed it tighter. Staff explained that if Resident 2 could not be compliant they would have to remove the blanket. Staff attempted to secure Resident 2, but the youth became assaultive, trying to kick and punch staff. Resident 2 tried to turn over to be in the fetal position. Staff were able to secure Resident 2, and this resulted in the youth threatening to kill staff. Staff released Resident 2 as the youth continued to try to change to the fetal position. Resident 2 then got up and picked at a piece of tile from the floor of the room continuing to state, "He's trying to hurt my baby. I'm going to stab him." Staff had retrieved the tile from Resident 2. Resident 2 urinated on the floor. Resident 2 began splashing in the urine and then sat quietly. Resident 2 began to pick at the tiles again and was asked to dispose of them. The youth immediately placed it in their bra. Resident 2 remained sitting on the floor quietly but unwilling to give staff the pieces of tile. Resident 2 was restrained at 8:53 a.m. and the duration of the restraint lasted 2 minutes. Resident 2 was evaluated by NCSTU medical staff and was asked if additional services from the medical department were needed, but no medical follow up was required.

Resident 3

OCYF is aware that Resident 3 was placed into a restraint during their placement at DCJDC. Due to an ongoing investigation, OCYF staff are unable to obtain the records at this time.