

Solitary Watch

Criminal Justice Issues and Prisoners' Rights

<https://solitarywatch.org/2010/03/07/house-republicans-explain-why-they-oppose-ban-on-child-abuse-in-schools/>

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by [James Ridgeway and Jean Casella](#) | March 7, 2010

Our [post about H.R. 4247](#), the Keeping All Students Safe Act which bans excessive use of physical restraints, solitary confinement, and other abusive treatment in the nation's schools brought in a lot of comments, both on this site and on others sites that picked up the story.

Several readers asked what reasons those 153 members of Congress (145 Republicans and 8 Democrats) could possibly have given for voting against H.R. 4247. One suggested that our post lacked journalistic integrity because we didn't give the bill's opponents a chance to speak for themselves.

In response we are supplying this video, with clips compiled by [Media Matters](#), of members of Congress speaking about the bill on the House floor. The first speaker is the bill's Republican co-sponsor, Cathy McMorris Rodgers. The others are various Republican opponents.

Most of the objections to the H.R. 4247 refer in one way or another to states' rights, and to the dangerous precedent the bill could set for a federal takeover of schools. It's one thing after another after another after another, says Iowa's Steve King, and pretty soon it's a national curriculum with federal mandates, and imposing cultural impositions [sic] at the school level in every accredited district in the country. Texas's Louie Gohmert says the bill sends a message that states and local school boards are a bunch of morons because they can't figure out that sitting on a precious little child and killing him is inappropriate.

Unfortunately, nearly half of the states in the union (23) have no laws against the use of restraints and seclusion on schoolchildren, and several others (7) have weak or spotty laws. A detailed breakdown is provided in a [chart created by attorney Jessica Butler](#), accompanying her [article](#) on the subject on Wrightslaw.

[youtube=http://www.youtube.com/watch?v=D-f0Anm7f9Q]

By the way, on the day after H.R. 4247 came to a vote, the House voted on a resolution supporting the federally funded National School Lunch Program, which provides free or subsidized lunches to more than 30 million schoolchildren. The resolution passed easily but 13 Republicans [voted against](#) it.

Update, March 8: [The Crime Report](#) has a link to a survey just released by the U.S. Department of Education, which provides detail on policies regarding restraint and seclusion in schools in all 50 states. In some states, students are well protected by law from these abusive practices; in others, they are not protected at all. This goes to show why federal legislation is needed to protect students' basic civil and human rights.

A reader sent in a link to a [press release](#) from a group called American Principles in Action, which is already calling on the Senate to reject federal meddling in private education by opposing the Keeping All Students Safe Act. Those senators might want to recall that in many states, it took federal meddling to end the legalized racial segregation of schools both public and private.

James Ridgeway (1936-2021) was the founder and co-director of Solitary Watch. An investigative journalist for over 60 years, he served as Washington Correspondent for the Village Voice and Mother Jones, reporting domestically on subjects ranging from electoral politics to corporate malfeasance to the rise of the racist far-right, and abroad from Central America, Northern Ireland, Eastern Europe, Haiti, and the former Yugoslavia. Earlier, he wrote for The New Republic and Ramparts, and his work appeared in dozens of other publications. He was the co-director of two films and author of 20 books, including a forthcoming posthumous edition of his groundbreaking 1991 work on the far right, *Blood in the Face*. Jean Casella is the director of Solitary Watch. She has also published work in The Guardian, The Nation, and Mother Jones, and is co-editor of the book *Hell Is a Very Small Place: Voices from Solitary Confinement*. She has received a Soros Justice Media Fellowship and an Alicia Patterson Fellowship. She tweets [@solitarywatch](#).

Accurate information and authentic storytelling can serve as powerful antidotes to ignorance and injustice. We have helped generate public awareness, mainstream media attention, and informed policymaking on what was once an invisible domestic human rights crisis.

Only with your support can we continue this groundbreaking work, shining light into the darkest corners of the U.S. criminal punishment

system.

by [Juan Moreno Haines](#)

October 25, 2022

by [Solitary Watch Guest Author](#)

October 13, 2022

by [Vaidya Gullapalli](#)

September 29, 2022

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there is no reason to say no to such a bill i sendt this artical to my old school that use theys things as i love law lol yes i do bet they dont lol more like i allways told them i get them to end thare ways and gess what the oakhill just met the loging man woot lol

Calm down every one they are right. the federal governement has no place writing feel good laws that are intended to do nothing more than expand its power.

The objective of this bill is to place a branded, behavioral treatment program PBS, which is a form of ABA, into federal law by mandating its use into the school system.

Yes are govment mite be a bit rong ok a lot rong in a lot of things but if a school is doing this to are kids thare fare more rong then the feds at least no mater how rong are government is they still can say no to solitary in schools thank god any school that would do such a thing needs the govemnt to to hold them at bay from doing more hard till we the peepal can get thare to shut them down

The vast majority of the children we will be tying up & confining come from very troubled homes. Or, as former MN Supreme court Chief Justice Kathleen Blatz has stated, about 90% of the youth in juvenile justice have come through child protection services.

Before a child can become removed from a home through child protection services, they have lived for a long time in an abusive or neglectful home and have been tortured as defined by the World Health Organization.

Its not the happy children that we will be restraining its the three million children that are reported to child protection in America each year.

In my experience as a guardian ad-Litem, the WHO's definition of torture fits the life experience of a child that has been removed from an abusive home; extended exposure to violence and deprivation has been their life. The U.S. has no other child protection policy than the IMMINENT HARM DOCTRINE.

The link between an abused child's past tortured life and future troubled life is clear to most of us that have lived with or worked with these damaged children long enough. It causes me great pain to see my guardian ad-Litem kids handled like mad animals (tasered, confined, beat up by under-trained staff in under-resourced detention centers).

<http://www.invisiblechildren.org>

There are NO excuses, none what so ever for the republinitus to act like this. All they are doing is trying to block ANYTHING they can because of purely partisan reasons. These 153 or so reps, NEED to be replaced by people that have fresh NEW ideas, THAT WORK, not some old tried and failed GOP ideas. The GOP in my opinion are anti-American, I mean what idiot would vote against a law to help PROTECT children?? ALL of the reps dems and repubs that did not support this legislation NEEDS to be removed from office. Come on people take action against these IDIOTS!!!!!!!

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