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FOR IMMEDIATE RELEASE

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**Vermont Protection & Advocacy, Inc. (VP&A) releases its
“REPORT OF AN INVESTIGATION INTO THE TRANSPORT BY LAW
ENFORCEMENT PERSONNEL AND THE USE OF METAL SHACKLES ON A
CHILD WITH DISABILITIES FOR PURPOSES OF HOSPITAL TO HOSPITAL
TRANSFER ON NOVEMBER 3, 2006”**

VP&A examines the process and decision making that resulted in a seven year old child being transported in shackles and handcuffs from the Rutland Regional Medical Center to the Brattleboro Retreat on November 3, 2006 by Rutland County Sheriffs.

VP&A acknowledges both the statewide efforts to improve transport for individuals in psychiatric crisis and the sensitivity of the sheriffs involved in this matter but the findings in this report are of grave concern.

VP&A finds that the use of “secure transports” in shackles and by sheriff instead of by medically trained professionals or qualified mental health staff violates the provisions of federal law applicable to hospital emergency departments. The Emergency Medical Treatment and Active Labor Act (EMTALA) requires appropriate medical transport if there is a reasonable likelihood that a material deterioration of a patient’s medical condition may result from or occur during transfer to a receiving hospital. **An individual, particularly a child, whose mental health condition might require restraint should be afforded the safety and dignity of medical transport and not the metal shackles used by law enforcement.**

A copy of the complete investigative report and responses from the Rutland Regional Medical Center, the Rutland Mental Health Services and the Vermont Department of Mental Health can be found on our website www.vtpa.org.