



February 12, 2024

Senate Education Policy Committee

SUBJECT: PRONE RESTRAINT

Dear Chair Cwodzinski and Education Committee Members,

Our organization works with families of children with disabilities in multicultural communities. We have been honored to work with Education Committee members in the past to address issues such as Recess for All and disproportionality in discipline and we are grateful for your leadership. We know that you are a group of people who care deeply about children. That is why we met the news of the proposed language on prone restraint with such dismay and concern.

We do not believe that any child, under any circumstances, should ever be subjected to “any form of physical holding that restricts or impairs a pupil’s ability to breathe; restricts or impairs a pupil’s ability to communicate distress; places pressure or weight on a pupil’s head throat, neck, chest , lungs, sternum, diaphragm, back or abdomen; or results in straddling a pupil’s torso.” There should not be an exception to this for law enforcement officers, which is what the current language proposes.

We are especially concerned about how this exception for law enforcement may affect children with disabilities who may be more susceptible to physical injury or unable to communicate distress.

When we have sat in meetings with leadership to discuss the proposal, they have offered “concessions” around training, around the amount of time a child is held in prone restraint, and POST board policies. But to the best of our knowledge there is no evidence that any of these things made any difference to the 38 children who have died as a result of prone restraint.¹

We know the members of this committee care deeply about children and have done much to further educational opportunities for kids in Minnesota. But we do not understand why the legislature would prioritize the wants of law enforcement over the needs of children on this issue. That is exactly what this bill does as written. We respectfully ask you to ensure that the ban on prone restraint remains in law and applies to all.

Sincerely,
Multicultural Autism Action Network

Rufo Jiru

Delia Samuel

Fatima Molas

Maren Christenson Hofer

¹ Nunno, M.A., McCabe, L.A., Izzo, C.V. *et al.* A 26-Year Study of Restraint Fatalities Among Children and Adolescents in the United States: A Failure of Organizational Structures and Processes. *Child Youth Care Forum* **51**, 661–680 (2022). <https://doi.org/10.1007/s10566-021-09646-w>