



Three Utah teen treatment centers disciplined for assaults, 'unnecessary' seclusion and painful restraints

It's unusual for state regulators to take disciplinary measures against multiple licenses in such a short time period.



(Francisco Kjolseth | The Salt Lake Tribune) Utah regulators disciplined three youth treatment centers in a recent one-week period, threatening to yank the licenses for Cinnamon Hills Youth Crisis Center, Three Points Center and Youth Health Associates Eagle Academy if staff weren't retrained and other changes made.

By  Jessica Miller Schreifels | Aug. 12, 2022, 8:00 a.m. | Updated: 11:21 a.m.

 Comment

A staff member at a Hurricane teen treatment ranch held down a child while saying they “liked their face rubbed in the dirt.”

Another employee at a different program in St. George twisted a teen’s arm in a painful restraint that left the youth with a fractured elbow.



It's unusual for state regulators to take disciplinary measures against multiple licenses in such a short time period. But Simon Bolivar, Office of Licensing director, said they've been working through the processes with the three programs, and the Notices of Agency Action "happened to be at the same time," but weren't because of a change of internal processes.

"A Notice of Agency Action is not just punitive," he said. "It's also an opportunity for us to concentrate our efforts to help the facility with technical assistance, with a little bit more oversight, so they can be successful and correct whatever needs to be corrected."

The action comes after [criticism that Utah's history of lax regulation](#) helped fuel the state's booming teen treatment industry. There are more kids [sent to Utah to treatment programs](#) than any other state — and it's not even close. Over six years, from 2015 to 2020, 34% of all teens who crossed state lines to enter a youth treatment program ended up in Utah, according to state data. And it's estimated these teens bring hundreds of millions of dollars into Utah's economy every year, according to a [research brief](#) from the University of Utah's Kem C. Gardner Policy Institute.



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Utah regulators lightly regulated these programs until two years ago, [after legislators reformed industry oversight](#) — the first increase in regulations in 15 years. The new law came in response to increased scrutiny in recent years of youth treatment programs amid allegations of mistreatment and abuse.

Many of the violations alleged at the three facilities involve new restrictions put in place by the 2021 law — which now prohibits staff members from holding children in [painful restraints or putting them in isolation](#) if they aren't a threat to themselves or others, among other changes.

The three programs are not allowed to accept new clients until they make the changes the state is requiring, mostly centered around retraining employees in when to use restraints, de-escalation techniques and ensuring reports sent to the state are accurate and truthful.

This is what state regulators say happened that made them take action.



Investigators noted six specific times this happened in the 104-bed facility located on busy St. George Boulevard, including in February when staff put a child who was not a threat to themselves or others in a “gooseneck” hold, a type of restraint taught to employees at “troubled teen” facilities across Utah. It involves a staffer pushing a kid’s hand into his forearm as the wrist bends forward — the silhouette resembling a goose’s neck — until the pain causes a child to comply.

It was a common restraint used at these types of programs until new legislation was enacted in May 2021, banning these bent-wrist holds and other painful restraints. The law also clarified that staff should only be holding kids down in restraints if they are a threat to themselves or others.

Regulators also noted that some staff were disrespectful to teenagers, including one who told a boy in January: “Don’t be a dumb--s. I know you’re only acting like this because of your mom’s passing.” Investigators also found inconsistent practices where some young people in the program were not permitted to talk during classroom breaks, during meal times or during shower time. Multiple teenagers reported to regulators that staff did not allow them to use the restroom during certain times of the day.

And in June, regulators said, a staff member slapped a child and pushed them to the ground, which Child Protective Services classified as physical abuse.

Three days later, that same staff member “initiated and engaged in a verbal altercation” with a boy that led to an “unjustified restraint” by that staff member and another staffer. Regulators wrote that video footage showed the two staff members escorted the child to a dorm with no video coverage. The child reported he was “physically mistreated by staff once moved to the dorm.”

Cinnamon Hills also was disciplined for inappropriately using seclusion, including in February when a boy was making noises in his sleep and was required to move to a seclusion room to sleep.

Representatives of Cinnamon Hills Youth Crisis Center did not respond to a request for comment.

Three Points Center

State regulators noted five instances in a July 27 letter where Three Points Center staff members put young people in “unnecessary and unjustified” restraints.

This included a May incident when state investigators learned in interviews that a staff member at the 70-bed ranch in Hurricane held down a youth who was not an immediate risk to themselves while commenting that the teenager “liked having their face rubbed in the dirt.” That young person was injured as a result of the restraint.



State regulators also noted in their disciplinary action that a teenager had been secluded in their dorm for “failing to follow staff direction,” a violation of a new state rule that prohibits young people from being kept in seclusion unless it ensures the immediate safety of a child.

Three Points Center also was disciplined for an incident in May when two clients engaged in sexual activity while a staff member was seated in the room but was “distracted by their cellphone.”

Norm Thibault, the owner of Three Points Center, said he’s “disappointed” in the disciplinary action.

“We work with a very specific, challenging population,” he said. “... And at the end of the day, despite our best efforts, sometimes people lose their composure when working with these very difficult, developmental trauma cases. And so we’re disappointed that we’re in this position right now. But I’m also very optimistic and hopeful because of my relationships with [Office of] Licensing and the good people in Salt Lake that we work with.”

Thibault’s program focuses on adopted children, he said, who often have attachment issues and distrust others.

He feels there is “some ambiguity” in the new law, particularly when it comes to restraints. The rules say staff can restrain a child if they are in “imminent danger,” but Thibault said “imminent danger” is not defined in the law and can be interpreted in different ways.

“If we have a student who decides to go AWOL on campus and climbs up a 100-foot cliff, is that imminent danger or are they just having fun and doing a walkabout?” he asked. “Do we have the right to go hands-on with that student to keep them from climbing that cliff or not? It’s really subjective right now.”

Bolivar said they’ve been open to feedback from programs.

“It’s not that the rules are ambiguous,” he said. “It is just that we have learned that we need to come up with a little bit more clear language in some of the pieces of our processes.”

Thibault supports the reform bill, he said, and is working with licensors and legislators to get clarity on what the new law means in practice. He’s also working to retrain his staff, a requirement from the state after his program was disciplined.

“Our people come to their job caring about these kids,” he said. “Unfortunately, they do lose their composure at times, and it’s sad for everybody involved. And so I’ve got to do a better job in supporting them and absolutely doing more training so that these things just don’t happen.”

Youth Health Associates Eagle Academy



said the attacking teen and two others were injured and seen by paramedics.

Licensors also noted that staff at the 16-bed home in Clearfield did not intervene when this attack occurred, and it was another young person who initiated “a physical intervention” to prevent the attack. (This also violates state rules, which prohibits youths from restraining their peers.)

And when licensors came to the facility for an unscheduled visit a month later, they say they found a shovel in an unlocked shed which was “still easily accessible to clients.”

“This discovery occurred after the incident in which a client used a shovel to harm two clients,” the letter reads.

Regulators also noted that there were not enough staff working at times and they did not adequately supervise the teenagers, including on July 5 when two young people engaged in sexual activity.

Nathan Crane, an attorney representing the program, said they “disagree with several of the allegations” and are considering whether to appeal the action. He added that they take the allegations seriously and have a good working relationship with state licensors.

“YHA is a well-respected clinical service provider for juvenile males with sexual misconduct,” he said in a statement. “We work hard to ensure that our students are in a safe environment where they receive individualized care.”

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