



Rep. Kristin Noble, Chair  
Rep. Katy Peternel, Vice Chair  
NH House Standing Committee Education Policy and Administration

Ben Jones, J.D., Director of Legal and Policy Initiatives  
Lives in the Balance  
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Hearing Date: February 9, 2026

***Re: Opposition to HB 1688, More Restraint Means More Safety Risks***

Chair Noble, Vice Chair Peternel, and Members of the Education Policy and Administration Committee:

My name is Ben Jones and I am the Director of Legal and Policy Initiatives at Lives in the Balance, a non-profit organization based in Maine that advocates for vulnerable kids and helps caregivers intervene in safe and effective ways with our training model, *Collaborative & Proactive Solutions*.

**We write to express our strong opposition to HB 1688, as it puts the emphasis on the wrong tool for educators. To keep themselves and their students safe, educators need training in what to do to prevent crises from happening. Lowering the bar for when they can lay hands on a child is not the answer.**

Lives in the Balance has worked with countless schools. We've been in the trenches, know the tremendous challenges being placed on educators in special education classrooms, and are all-too-aware of the training they've received previously that causes them to intervene in ways that are reactive instead of proactive.

There is a myth that restraint and seclusion procedures are necessary to keep kids and caregivers safe. There is no research – none – indicating that that is the case. In fact, it is when kids are being restrained and secluded that they and their caregivers are at greatest risk for being hurt. There are many, many schools dealing with equally difficult kids that never use restraint and seclusion.

For the extreme examples that folks raise to justify easier restraint of kids, there are already laws on books allowing educators to intervene. NH Rev Stat § 627:6 permits

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educators to use “necessary force against any such minor, when the minor creates a disturbance or refuses to leave the premises, or when it is necessary to prevent injury to self or others.”

HB 1688 would not relieve educators of the worry that they can’t intervene in true emergencies - that already exists - instead, it signals to educators that physically restraining and secluding kids against their will is an acceptable, routine practice. It is not. It is dangerous, ineffective, and regularly used on kids with disabilities to control their disability-related behavior.

**To effectively support educators and students, we urge the Committee to look at training designed to prevent crises from happening in the first place.** Last session, the bipartisan HB 653 (‘Establishing a pilot program within the department of education to implement alternatives to restraint and seclusion of students’) sought to do just that and had very strong support.

Thank you for your consideration.

A handwritten signature in black ink, appearing to be 'Ben Jones', with a long horizontal line extending to the right.

Ben Jones, J.D.  
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