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August 4, 2026

Erin Creegan
United States Attorney
District of New Hampshire
53 Pleasant Street, 4th Floor
Concord, NH 03301

Dear United States Attorney Creegan,

I write to respectfully request that your office, in coordination with the Department of Justice's Civil Rights Division, open a federal review of conditions at New Hampshire's John H. Sununu Youth Services Center (the "Sununu Center"), the state-run juvenile facility in Manchester formerly known as the Youth Development Center, under the Civil Rights of Institutionalized Persons Act ("CRIPA") and related federal law.¹ My purpose is not to prejudice any question or to fault any individual, but to set out the documented record, historical and current, and to explain why an independent federal assessment is, in my judgment, the most reliable way to determine whether children in the State's custody are safe and their federal rights protected.

I. A Facility Defined by Decades of Documented Abuse

The Sununu Center is among the oldest facilities of its kind in the country, opened as a state reform school in 1858 and dedicated in its current form to former Governor John H. Sununu in 2006.² Its recent history is defined by one of the largest child-abuse scandals in the nation. Since 2020, roughly 1,300 people have come forward alleging physical, sexual, or emotional abuse as children in state juvenile custody, in conduct spanning approximately six decades; survivors have filed nearly 1,200 civil lawsuits, and eleven former workers have faced criminal charges.³ The State has, in substantial measure, acknowledged that serious abuse occurred: at least three former

¹Civil Rights of Institutionalized Persons Act, 42 U.S.C. §§ 1997–1997j; *see also* Americans with Disabilities Act, 42 U.S.C. §§ 12131–12165.

²*After Fire, Eyes Turn to N.H. Youth Center*, N.H. Union Leader (June 16, 2014) (site bequeathed in 1855; opened as a state reform school in 1858); North Branch Constr., *Sununu Youth Services Center* (new facility dedicated to former Governor John H. Sununu on Apr. 3, 2006); *A Lawsuit Alleging Abuse at a N.H. Youth Center Is Going to Trial*, WBUR (Apr. 9, 2024).

³*Settlement Fund Payouts for YDC Abuse Now Top \$95 Million*, N.H. Pub. Radio (July 24, 2024) (roughly 1,300 people have come forward since 2020); *A Lawsuit Alleging Abuse*, *supra* note 2 (nearly 1,200 civil lawsuits; abuse spanning approximately six decades; eleven former workers charged).

staff have been convicted, with additional prosecutions pending;⁴ a jury returned a \$38 million verdict — the largest of its kind in State history — in the first case to reach trial;⁵ and the Legislature created a settlement fund that had allocated \$185 million by the end of 2025.⁶ This letter concerns not only that history, but whether unlawful conditions persist today.

II. Two Independent Watchdogs Have Documented Ongoing Harm and Raised Serious Concerns in Oversight Reports

Two independent watchdogs have documented serious concerns about current conditions. The New Hampshire Office of the Child Advocate — the State’s independent statutory watchdog for children in its care — reported in a March 30, 2026 letter to the Executive Council that an unannounced visit found a roughly six-week “lockdown,” including a two-week period of confinement with shackled movement and no education, and documented a March 17 incident in which video confirmed a child held in a prohibited prone restraint, followed by a delayed medical response to a resulting fracture.⁷ The Disability Rights Center–New Hampshire — the federally designated protection-and-advocacy organization for the State, with federal authority to investigate abuse and neglect of people with disabilities — opened a formal investigation on April 3, 2026 after determining that probable cause existed.⁸ In the letters that followed, the Disability Rights Center reported that the facility was using restraint and seclusion without legal justification;⁹ that a bedtime practice appeared to authorize restraint contrary to state law;¹⁰ and, after further interviews, that the evidence indicated ongoing improper restraint, seclusion, and medical neglect.¹¹ Its most recent letter, dated July 1, 2026, documented direct observations including a prolonged seclusion without bathroom access, an extended restraint, evidence of self-harm, malfunctioning door locks, and a staffing shortage so severe that armed State Police were present during routine interactions with children.¹²

⁴*N.H. Agrees to Pay \$239 Million to Settle Claims of Abuse at State-Run Facility*, Bos. Globe (Jan. 20, 2026) (three former staff convicted, with other trials pending); Carleigh Berion, *New Hampshire Continues to Fail Children*, Concord Monitor (May 8, 2026) (former counselor Bradley Asbury sentenced Jan. 27, 2025).

⁵Jason Moon, *Jury Awards \$38M to Plaintiff in Landmark N.H. Child Abuse Lawsuit*, N.H. Pub. Radio (May 3, 2024); Nancy West, *\$38 Million YDC Verdict Heads to N.H. Supreme Court*, InDepthNH.org (Nov. 17, 2025) (the \$38 million award is subject to a disputed statutory cap; an appeal is pending before the N.H. Supreme Court).

⁶N.H. Rev. Stat. Ann. § 21-M:11-a (establishing the settlement fund; enacted May 27, 2022; initially \$100 million, later raised to \$160 million; claims deadline June 30, 2025); *N.H. Agrees to Pay \$239 Million*, *supra* note 4 (\$185 million allocated through the end of 2025; 1,690 claims pending; 425 resolved, averaging roughly \$563,000).

⁷N.H. Off. of the Child Advocate, *Concern for Practices at the Sununu Youth Services Center* (Mar. 30, 2026); Paula Tracy, *Office of Child Advocate Claims Abuse at Sununu Youth Services Center; Seeks State Investigation*, InDepthNH.org (Apr. 9, 2026); *see* N.H. Rev. Stat. Ann. § 21-V:1 (establishing the Office of the Child Advocate as an independent oversight agency).

⁸Disability Rights Ctr.–N.H., *Investigation into Abuse of Children at Sununu Youth Services Center*, <https://drcnh.org/investigation-into-abuse-sysc/> (formal investigation opened Apr. 3, 2026, after extensive interviews established probable cause); *see* 42 U.S.C. § 15043 (designating a protection-and-advocacy system for each State).

⁹Disability Rights Ctr.–N.H., *Notification of Immediate and Grave Safety Concerns for SYSC Youth* (Apr. 10, 2026) (letter to Governor Kelly Ayotte).

¹⁰Disability Rights Ctr.–N.H., *Letter re Use of Physical Restraint at the Sununu Center* (Apr. 17, 2026); *see* N.H. Rev. Stat. Ann. § 126-U:5, I (permitting restraint only upon a substantial and imminent risk of serious bodily harm).

¹¹Disability Rights Ctr.–N.H., *Investigation Shows Continued Abuse of Children at SYSC* (press release Apr. 20, 2026).

¹²Letter from Michael Todd, Special Projects Dir., Disability Rights Ctr.–N.H., to Gov. Kelly Ayotte & Comm’r Lori Weaver (July 1, 2026).

These are not the first such findings at the Sununu Center. The same protection-and-advocacy organization documented unlawful force against children there in 2009, in 2010, and again in 2018, when it concluded that staff conduct violated state restraint law and constituted abuse under federal law.¹³ A bipartisan legislative committee separately found, in May 2026, deficiencies in leadership, training, and oversight at the facility.¹⁴ The recurrence of similar findings across more than fifteen years — and across administrations of both parties — speaks directly to CRIPA’s concern with a pattern or practice, as distinct from isolated incidents. The record has continued to develop. On July 7, 2026, the New Hampshire Attorney General’s office issued a report concluding that the facility was operating within legal boundaries while documenting significant operational challenges; that review did not include interviews with the children.¹⁵ Ten days later, on July 17, 2026, a 13-year-old was hospitalized with a broken femur following an assault by another resident, at a time when a single staff member was present.¹⁶ At a July 29 Executive Council meeting, the Attorney General advised that ongoing criminal investigations limited what he could disclose about recent incidents of violence at the facility; the State announced remedial steps including body cameras, additional counseling, and interim staffing, and the Council confirmed an interim Child Advocate as the State prepares to relocate the remaining residents to a new facility.¹⁷ The Office of the Child Advocate has indicated that its own final investigative report may take weeks or months to complete.¹⁸

III. The Federal Authority to Act — and the Remedies Available

Enacted in 1980, CRIPA authorizes the Attorney General to investigate residential institutions operated by or on behalf of state and local governments — expressly including juvenile facilities — and to act where a pattern or practice, or egregious or flagrant conditions, deprives residents of their constitutional or federal statutory rights; the Civil Rights Division’s Special Litigation Section enforces it, frequently in partnership with the local United States Attorney’s Office.¹⁹ For juvenile facilities in particular, the Department has concurrent authority under the Violent Crime Control and Law Enforcement Act of 1994, which reaches precisely the issues raised here — physical abuse, use of force and restraint, isolation, medical and mental-health care, suicide

¹³Disability Rights Ctr.–N.H., *Past Investigations of Abuse and Neglect at the Sununu Center*, <https://drcnh.org/sununu-youth-services-center/> (reports of Jan. 2009, Oct. 2010, and May 8, 2018; the 2018 report concluded that staff conduct violated New Hampshire restraint law and constituted abuse under federal law).

¹⁴Ad Hoc Comm. on the Sununu Youth Servs. Ctr., *Final Report* (May 22, 2026).

¹⁵N.H. Att’y Gen., *Report of the Attorney General’s Office Regarding Its Investigation into Reported Concerns at the Sununu Youth Services Center* (July 7, 2026) (concluding the facility was operating within legal boundaries while documenting significant operational challenges; the review did not include interviews of the children).

¹⁶Nancy West, *AG: Youth Hospitalized After Serious Assault at YDC, Another Charged as Juvenile*, InDepthNH.org (July 19, 2026); Annmarie Timmins, *Child Remains Hospitalized Following Assault at N.H.’s State-Run Youth Detention Center*, N.H. Pub. Radio (July 20, 2026).

¹⁷Josh Rogers, *Ayotte Says State Will Boost Counseling, Deploy Bodycams at Youth Detention Center*, N.H. Pub. Radio (July 30, 2026) (Attorney General advising the Executive Council that ongoing criminal investigations limited disclosure of recent incidents of violence; State announcing body cameras, additional counseling, and interim staffing; Council confirming an interim Child Advocate; planned relocation of residents).

¹⁸N.H. Child Advocate’s *Final Report on Sununu Center Could Take Weeks, or Months, to Be Released*, N.H. Bulletin (July 30, 2026).

¹⁹Civil Rights of Institutionalized Persons Act, 42 U.S.C. §§ 1997–1997j (enacted 1980) (authorizing the Attorney General to investigate residential institutions operated by or for state or local governments, including juvenile facilities, for a pattern or practice, or egregious or flagrant conditions, that deprives residents of constitutional or federal statutory rights); see U.S. Dep’t of Justice, Justice Manual § 8-2.000 (the Civil Rights Division’s Special Litigation Section enforces CRIPA, often with the local U.S. Attorney’s Office).

prevention, and education — and the Americans with Disabilities Act and Section 504 provide further authority as to residents with disabilities.²⁰

Your office is well positioned to act. While the Special Litigation Section ordinarily leads these matters, the Justice Manual contemplates that it and the United States Attorney's Office work together, and your office may initiate, refer, or serve as co-counsel in such an inquiry. Separately, where individual staff are alleged to have willfully harmed children under color of law, your office has independent authority to bring federal criminal civil-rights charges — a distinct track from the systemic, civil remedy CRIPA provides.²¹

A CRIPA inquiry is methodical and fact-based. Attorneys, typically assisted by expert consultants, tour the facility, observe conditions, interview administrators, staff, residents, families, and advocates, and review records; the Department then issues a public findings letter and, before filing any action, gives the State notice and an opportunity to confer and to correct, with the Attorney General certifying that these steps and the public interest are satisfied.²²

The remedy CRIPA provides is equitable — the minimum corrective measures necessary to protect residents' rights, not money damages — and most matters resolve through a negotiated settlement agreement or consent decree containing concrete, enforceable reforms overseen by an independent monitor who reports publicly. In comparable juvenile cases, the Department has secured agreements that protect children from staff and peer violence, sharply limit isolation and the use of force and restraint, require effective investigations of incidents, and mandate adequate mental-health, medical, suicide-prevention, and educational services — the very areas the two watchdogs have flagged at the Sununu Center. If a jurisdiction declines the necessary reforms, the Department may seek declaratory and injunctive relief in federal court. Survivors' individual claims for damages, meanwhile, proceed separately, as the pending state litigation and the settlement fund reflect.²³

Such action would not be unprecedented; the Department has pursued similar relief regarding juvenile facilities in other states.²⁴ An earlier request for federal involvement here, in 2023, was complicated by a recusal that no longer applies, and the office you now lead is well positioned to

²⁰Violent Crime Control and Law Enforcement Act of 1994, 34 U.S.C. § 12601 (equitable and declaratory relief to eliminate a pattern or practice of illegal conduct in the administration of juvenile justice or the incarceration of juveniles); *see also* Americans with Disabilities Act, 42 U.S.C. §§ 12131–12165; Rehabilitation Act § 504, 29 U.S.C. § 794.

²¹U.S. Dep't of Justice, Justice Manual § 8-2.000 (the United States Attorney's Office and the Special Litigation Section may work together on such matters); *see* 18 U.S.C. §§ 241–242 (federal criminal civil-rights offenses committed under color of law).

²²U.S. Dep't of Justice, Off. of Justice Programs, *Federal Constitutional and Statutory Rights of Confined Juveniles* (describing CRIPA investigations conducted through facility tours, interviews of staff, residents, families, and advocates, and records review, resolving most often through a consent decree); 42 U.S.C. § 1997b (pre-suit notice and certification requirements).

²³42 U.S.C. § 1997a (authorizing equitable relief — the minimum corrective measures necessary); *see* U.S. Dep't of Justice, Civ. Rts. Div., *Children's Rights in the Juvenile Justice System* (agreements addressing safety from staff and peer violence, limits on isolation and the use of force and restraint, effective investigations, and mental-health, medical, suicide-prevention, and educational care; *e.g.*, South Carolina and Leflore County, Mississippi).

²⁴*See* Amanda Gokee, *Calling for Federal Action to Protect Vulnerable Kids in N.H.*, Bos. Globe (Sept. 28, 2023); Beriont, *supra* note 4 (federal action concerning juvenile facilities in other states).

consider the matter;²⁵ a related civil action concerning conditions for youth in state custody is, moreover, already pending in this District.²⁶ I raise one final consideration, not to assign blame but because it bears on the value of an independent inquiry: several of the State's relevant functions — defending the State in the survivors' litigation, evaluating current conditions, and administering oversight — are concentrated within a single state office. A neutral federal assessment would carry an independence that internal state processes, however well-intentioned, may not, and it is well suited to resolve the divergence between the two watchdogs' findings and the State's conclusions.

IV. A Direct Request for Federal Investigation

Accordingly, I respectfully request that your office:

- Open a federal review of current and historical conditions, practices, and oversight at the Sununu Center and related New Hampshire juvenile facilities, and coordinate as appropriate with the Civil Rights Division;
- Assess whether any pattern or practice — including the restraint, seclusion, and medical-neglect concerns documented by the Office of the Child Advocate and the Disability Rights Center — has deprived children in state custody of rights secured by the Constitution and federal law, including under CRIPA and the Americans with Disabilities Act;
- Evaluate staffing, supervision, training, and restraint-and-seclusion practices in light of the July 17, 2026 assault and the conditions documented since March 2026; and
- Determine whether the conditions warrant negotiated corrective measures — for example, a settlement agreement or consent decree with independent monitoring and public reporting — or other equitable relief, and receive any appropriate referrals arising from the State's ongoing criminal investigations.

I make this request out of concern for the children currently in the State's custody and out of respect for the survivors who have already come forward. I recognize the demands on your office, and mine stands ready to provide any information that would be helpful. Thank you for your attention to this matter; I would welcome the opportunity to discuss it with you or with the Civil Rights Division.

Sincerely,



Maggie Goodlander
Member of Congress

²⁵Gokee, *supra* note 24 (a Sept. 2023 request to the U.S. Attorney for this District met with a same-day recusal based on prior state service); U.S. Dep't of Justice, U.S. Att'y's Off., Dist. of N.H., *Erin Creegan Appointed Interim United States Attorney* (Aug. 13, 2025).

²⁶*B.D. v. Governor*, No. 1:12-cv-0004 (D.N.H.).

cc:

The Honorable Harmeet K. Dhillon, Assistant Attorney General, Civil Rights Division, U.S. Department of Justice
The Honorable Todd Blanche, Acting Attorney General of the United States