

Testimony HB2849

Dear Chair Williamson and Members of the Committee,

My name is Brittany Ruiz and I am a parental rights advocate. I would like to thank Senator Sara Gelser and Rep Tawna Sanchez for introducing this legislation.

Several years ago I stepped in as a safety care provider to help a mother who's newborn daughter was literally ripped from her arms by a Happy Valley caseworker with 4 armed police while she was nursing her baby in the hospital just because a doctor felt she was abusing her newborn by declining a particular pharmaceutical product. No evidence of actual harm to the baby and no judicial order. I was able to reunify the family but the trauma sustained by the mother to this day still gives her nightmares. Case was closed and all charges against the mother dropped.

Due to this event and that story going viral in Oregon I have stepped up to help low income and disadvantaged families. Over the past 3 years of working with low income and disadvantage families, I have learned one thing, that more than 80% of those children that were removed from these families were never provided with a judicial order to remove those children or with proof that actual harm was happening.

Last year to get a general idea of how pervasive this problem was, I joined many Mother's Groups all over Oregon and did surveys in those groups. The results were shocking. Hundreds responding to the survey.

In some counties 100 % of the families (Douglas County, Curry/Coos) were NEVER given a judicial order when a child was removed and these families had to go through hell to get their child back.

I then followed up with those families and did a separate survey, of those who never received a judicial order, were their children harmed, hurt or sexually assaulted in foster care. 95% of them were. Last year in Lane County a baby was taken from his mother with no judicial order or evidence of harm, several months later the baby was found dead in the foster care families home.

I then started taking the DHS handbooks and doing statistical analysis of counties with the highest removals. I started learning about cronyism between the DHS offices, District Attorneys offices and them being on the board of abuse non-profits, and abuse groups all tied in due to their financial kick backs from the state. But more importantly to that, low income and Hispanic families were the largest pocket of removal.

I learned that those counties with the highest removals had major corruption going on with their caseworkers, the DA and abuse groups that are paid significantly by DHS to conduct an abuse investigation. I have asked for an investigation into potential taxpayer fraud. It hasn't been done. One county alone with higher than usual removals shared the same DHS caseworker and Deputy District Attorney being on the case.

These leads me to believe several things:

1. Children are being removed with no basis or confusing low income or poverty with abuse. Per DHS the biggest increase between 2017-2018 was due to inadequate housing.
2. That all family support services have been removed in most all counties leaving DHS to do only one thing, remove a child and in many case just based on a report of abuse. In my county

we are lucky to have the most robust family support services for housing, drug addiction, low income, special needs and even a pilot attorney program and we have some of the lowest removals into foster care and the best family support services as a result. Why is this not available in the most poverty stricken counties?

3. That the entities entrusted to do proper abuse investigations have been financially compromised and DHS is the largest funder.

4. That it takes 18-24 months per DHS to get your child back when they were taken for wrong reasons.

5. When a caseworker makes a mistake, the low income families are still harmed and still have to wait 18-24 months to get their kids back. There's no quick fix to reunify the family when DHS makes an error.

The point of me stating this is that keeping children with their families in Oregon is safer than keeping families apart. Every study done on the topic of childhood removals has proven that keeping children with their families has shown better lifetime outcomes than separating traumatically from them. The trauma sustained to both parent and the child is irreparable.

HB2849 would handle a very big systemic issue with Oregon DHS. With statistics of 44 % of national average removal into foster care, I think this is a worthwhile piece of legislation. It would save millions of dollars in legal fees & it would save the state even more millions of dollars in lawsuits.

We need to demand proper due process and better protection for families in Oregon, especially for the minority and for the most vulnerable populations.

I would like to suggest a quick amendment to HB2849. "imminent danger" has been the top excuse all caseworkers have used to remove a child with no evidence. How we do fix this wording so it doesn't continue the same problem we are trying to handle today?

On behalf of several hundred families that cannot make it here due to this being key work hour, but also for fear of retaliation, I urge a due pass recommendation and an Aye Vote with that fixing of "imminent danger"

Thank you!

Brittany Ruiz
Parental Rights Advocate