

March 19, 2025

RE: Oppose HB 3835

Dear Chair Hartman, Vice Chair Nguyen, Vice Chair Scharf, and Members of the Committee,

My name is Elizabeth Wakefield. I am an attorney at MPD in Portland representing children and families involved in the child welfare system. I have been representing children and families in dependency court since 2003. I have represented children in Multnomah and Polk counties and have child clients placed all over Oregon. I have represented children placed in many different facilities and group homes, as well as those in hotels and temporary lodging, diversion homes, and AirBnB's.

I am writing to express my concern for legislation that removes important protections for vulnerable young people by making it easier to abuse them in the name of treatment. Increased use of inappropriate seclusion and/or restraint is not going to improve life for children in congregate care or for the folks who work there.

The State should invest in local, community-based options that keep kids close to home, near natural supports and watchful eyes who can provide safe and nurturing care and true mental health care. When institutional placements are required for stabilization and acute care, those placements should be in Oregon and meet strict guidelines for certification and supervision. Sending kids out of state is a path that Oregon cannot afford to take again. Oregon children being "out of sight, out of mind" is a path that we have learned is dangerous and harmful. The for-profit out of state corporations profit off providing low standards of care. These companies have demonstrated their inability to keep kids safe time after time. See the US Senate's Warehouses of Neglect Senate Report: https://www.finance.senate.gov/imo/media/doc/rtf_report_warehouses_of_neglect.pdf

The State should not do anything to make it easier for people to inappropriately restrain kids without consequence. A child will never be given the benefit of doubt when a restraint is unnecessary, painful or harms them so long as paid professionals claim it was "applied consistently with the intent to support the safety, healthy development and well-being of the child." Foster youth, especially those already placed in behavioral modification programs, are the most vulnerable. This is exacerbated further when the young person is a child of color, or disabled, or both.

I urge you to vote NO on HB 3835.

Respectfully,
Elizabeth Wakefield, Attorney at Law
Portland, OR