



Mission: FACT Oregon empowers families, youth, and communities to navigate disability systems, advocating together for disability justice and policy change so that people with disabilities have what they need to thrive at home, in school, and in their communities.

March 20, 2025

Chair Annessa Hartman

Vice-Chair Hoa Nguyen and Vice-Chair Anna Scharf

Members of the House Committee on Early Childhood and Human Services

Opposition to HB 3835 – Relating to the welfare of young people

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

All children in Oregon deserve to be safe—whether at home, at school, or in the State’s care. Over the years, Oregon has built strong protections to safeguard children, particularly those with disabilities, in schools, foster care, and behavioral health settings. These protections exist because of real harm done to Oregon children, including:

- The overuse of restraint and seclusion, disproportionately impacting children with disabilities.
- Cases of abuse that went unreported and uninvestigated, leaving children without a voice.

Oregon Cannot Afford to Go Backward on Child Safety

The need for consistent oversight to ensure safe and humane treatment in education and care settings has not changed. FACT Oregon strongly opposes HB 3835 because it weakens critical safeguards for children with disabilities and creates unnecessary risks by:

- Lowering the standards for restraint and seclusion and expanding when they can be used.
 - Restraint and seclusion would only be considered abuse if used for punishment, retaliation, or convenience—allowing providers to claim "good intentions" even when serious harm occurs.
 - This shift makes it easier, not harder, to justify the use of restraint and seclusion on children with disabilities.
- Allowing seclusion for vague “developmental” purposes.
 - The bill permits providers to justify involuntary seclusion as part of an “age-appropriate” intervention, meaning children with I/DD could be placed in isolation for extended periods without it being considered abuse.
 - This puts children with disabilities at even greater risk of harmful and unnecessary seclusion.
- Reducing DHS oversight and limiting what qualifies as abuse.
 - The bill restricts DHS’s ability to investigate certain cases of restraint, seclusion, or even physical harm, leaving children with fewer protections and less accountability for providers.

As Oregon’s Parent Training and Information Center (PTI), FACT Oregon has spent more than a decade helping families navigate special education, disability services, and related policies. We work directly with thousands of families, empowering them to advocate for their children’s rights and well-being. Yet, despite our extensive role in supporting families and students with disabilities, we were not made privy to this legislation, nor were we engaged in discussions about its potential impact.



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Moreover, we are not aware of any of our disability or special education partners who were consulted in the development of HB 3835. This exclusion is deeply concerning because the families we serve—and the children this bill directly affects—were left out of the process. While proponents may claim that families were involved, FACT Oregon, our partners, and the families we support were not part of this conversation. When those most affected by a policy change are left out, it raises serious concerns about whose voices are being heard and whose interests are being prioritized.

Protecting Children Must Be the Priority

Oregon is facing a workforce crisis in child-serving systems, but we cannot lower care standards to make staffing easier. HB 3835 sacrifices child safety instead of investing in better solutions. Instead of weakening protections, we should be:

- Providing better training for providers on de-escalation and trauma-informed support.
- Expanding support for families and caregivers so children do not enter restrictive settings unnecessarily.
- Ensuring robust oversight and accountability so that children with disabilities are safe wherever they receive care.

Oregon has made progress in reducing the use of restraint and seclusion in recent years. HB 3835 reverses that progress. If this bill becomes law, children with disabilities will face greater risks of harm, fewer pathways for justice, and fewer safeguards to protect them.

FACT Oregon is opposed to this bill in its entirety, including provisions of the bill related to abuse, abuse investigations, hoteling for foster care children, out of state placements of foster care children, lack of meaningful oversight, and more. We urge you to vote NO on HB 3835 and stand up for the rights and dignity of children with disabilities. We must center their safety and well-being over administrative convenience.

Thank you for your time and consideration.

Christy Reese
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FACT Oregon