

## HB3835 Testimony

Chair Hartmen and members of the committee,

My name is Jeni Canaday, and I am the proud mother of a beautiful son who is Blind and Autistic. He is also a nontraditional communicator with complex communication challenges and because of this, he is extremely vulnerable. He was restrained and secluded hundreds of times as a child and now he lives with PTSD.

He was abused in school and treatment facilities many times without my knowledge, because the incidents were never reported to me. One of those incidents happened when he was 7 years old and a bus driver pulled over behind a business complex alone with my son. He was beating him when a woman happened to be walking by and saw something was off. She thought he was beating a dog until she got closer. The school district was informed before he even got home, but they chose not to tell me. I found out it had happened when someone from The Child Abuse Hotline called me to ask how he was doing. They said the woman who witnessed the incident did the right thing and called them to report it. She later called them back to see if they could check in on him. The hotline only had the bus license plate to go on, so they reported the call to the district immediately but had to work hard to find out who my son was. The district covered it up for fear of liability. I put my son back on that bus the very next day. Finding out I had done that to him was horrifying and absolutely DEVASTATING. He later claimed he was trying to restrain my son but with the help of a law firm I was able to hold him accountable.

Another incident happened when a provider at a Day program for Id/DD youth slapped my son across the face leaving a mark that bruised, and then she dragged him across the room and threw him into a seclusion room, causing a perfectly round rug burn on his arm. Nobody told me. When I saw the burn, I thought he must have been burnt with a cigarette. I only knew one person who smoked and that was my ex- husband's girlfriend. Since my son was not able to tell me what happened, I took him to the police station and reported my suspicions. They investigated my ex and his girlfriend. I was horrified to later learn from his DDS case manager that she had gotten a report of the incident. She called me to tell me how sorry she was and to check and see if he was okay. I had no idea what she was talking about. When I asked for the records, I found three eyewitness reports all telling the same story of abuse. The worst part was that I sent him back the next day, once again because nobody told me my son had been abused. Then there was the trauma that innocent people went through by being investigated, and the trauma it caused to my family. I have PTSD and have lived in extreme fear for his safety every single day since. That was 13 years ago, before the current laws were in place. We cannot go backwards to those times. And these are just a few of our traumatic stories from the time period in which my son was being mishandled, misunderstood, and triggered into fight or flight by staff who were not properly trained to support him.

When you remove accountability, you are opening the door to hide abuse, which is often happening due to the inappropriate use of restraint and seclusion. Expectations of accountability saves lives.

The fact that people feel there is a need for this bill, just proves that we are not doing the right things upstream. If we continue to focus on how to Restrain & Seclude, we will never make the changes we all so desperately want to see. Until we choose to focus on bringing the right training to staff, which include how to provide sensory safe environments and supports, practicing Collaborative Problem Solving, and most importantly learning and mastering coregulation skills, we will continue to traumatize children and carers with Restraint and Seclusion.

Just environments for children and adults, are environments in which the work has been done upstream in order to prevent the power struggles, misunderstanding, and the trauma that just keeps piling on every time a child is Restrained or Secluded.

I have more tragic stories that would break your heart, but I do not have the time to share them today. So, I will leave you with a piece of advice that comes from my deep lived experience, please vote NO on HB3835. I think you can agree with me that removing abuse reporting protections is not the answer to keeping vulnerable children safe. Thank you so much for your time.