

March 20, 2025

Chair Hartman and members of the committee-

My name is Amy Fellows I live in Eugene. I am the parent of a child who experienced Restraint & Seclusion in the school setting at 8 years old. At that young age they referred to school as "Academic Prison".

Even with a Master of Public Health degree and parents who were both public school educators, I could not protect my child.

I urge you to vote NO on HB3835. I have reviewed the amendments and they don't make the bill safer.

I am deeply concerned that HB3835 appears to be a response to the lawsuits ODHS lost from Disability Rights Oregon (which is an organization of civil rights attorneys and advocates) and Court Appointed Special Advocates (CASA) regarding the abuse of youth in Oregon's foster system, yet I do not see the recommendations from the Report of the Special Master from the CASA lawsuit reflected in this bill. I have been a family with lived experience member of the SOCAC Legislative Committee for the last year and have asked many of these questions, as have other family and youth advocates and we have not received answers that make this bill appear to be any safer for our children.

How does this bill ensure individuals as well as the agencies are investigated and held accountable for abuse while it weakens what is considered abuse and what will be investigated.

How do our kids get justice?

Just in the last week the news has the Oregon Youth Authority covering up abuse. And now with federal cuts to CASA's the children in care of the state will not have access to Court Appointed Special Advocates. This is NOT the time to loosen what is considered of abuse, give immunity to abusers unless you are wanting more cover ups.

The anecdotes being used to promote this bill don't reflect the report on Improving Psychiatric Residential Treatment Services for BIPOC Youth in Oregon that OHA paid for NAMI Multnomah to write in 2022 <https://www.oregon.gov/oha/HSD/BH-Child-Family/Documents/NAMI%20Multnomah%20Report.pdf> . Nor does it reflect the 4 mothers I know that are involved regularly in SOCAC committee work who have shared their lived experience with SOCAC about their children's trauma from Restraint &

Seclusion in a variety of settings. The anecdotes feel disingenuous and led by a protect the systems, not protect the children focused agenda.

Have any of you on this committee or your children been Restrained & Secluded? It is traumatizing every single time.

How do we move upstream when more and more of Oregon's children are being thrown in the river by our systems.

Why are children held to a higher standard of accountability than the adults whose care they are in?

Imagine if all of the hours and hours of meetings spent crafting this bill to protect the systems was spent focused on upstream approaches for supporting Oregon's most vulnerable children?

I am not hearing conversations in the SOCAC or other spaces about how to support our terribly misunderstood neurodivergent kids in a way that creates real felt safety and decreases adult/child power struggles and escalations that lead to Restraint & Seclusion.

I was very disturbed to hear at the March 11 Informational Session for this bill that Supine restraints would no longer be a "wrongful restraint" since families on the SOCAC were told it would continue to be. I want to know what happened prior to the child gouging out the workers eyes? That sounds like a need for self defense when someone had them in a supine restraint and was on top of them. We need to ALWAYS ask the WHY behind behavior and understand what was happening before with the adults they are in care with.

The combination of upstream approaches that are much more effective for neurodivergent and traumatized youth than the behaviorist approaches now being done in most settings are: 1) adults understanding their own nervous system and role as co-regulators 2) having sensory safe environments and understanding how dysregulation from sensory challenges impacts especially neurodivergent and traumatized children and 3) Collaborative Problem Solving.

I know these strategies work because this is the trifecta that many of us parents have made in our homes. It is how we keep our kids out of the traumatic settings that this bill will hold less accountable someone at a SOCAC meeting in fact said that the world accountability is too punitive and asked it to be removed.

This is how you truly get to a Just Culture, not making staff less accountable when abuse happens. The workforce issues this bill purports to solve with less accountability do not take into account the moral injury that staff who are not properly trained on upstream approaches that prevent restraint and seclusion have every time they have to put their hands on escalated children. If they don't have moral injury, that is even more frightening.

There are national experts if Oregon wants to explore these strategies more. (Greg Santucci, OT <https://gregsantucci.com> who we brought to Oregon last August for the Youth IDD Mental Health Summit is an expert on sensory safe environments, Dr. Lori Desautels of Revelations in Education <https://revelationsineducation.com> is an expert on teaching teachers (and other adults) about their own nervous systems and how to be co-regulators for children instead of expecting children to know how to self-regulate without adult co-regulation. And I believe OHA already has contracts for training Collaborative Problem Solving, I am not sure if that has been shared with ODE or ODHS though.) <https://livesinthebalance.org>

Guy Stephens at the Alliance Against Seclusion and Restraint (<https://endseclusion.org>) would be a great person for Oregon to consult with as we struggle with this complex issue. I want to invite all of you to come to the August 6 Youth IDD Mental Health Summit at Oregon State University where Guy Stephens will be our keynote speaker. It would be an excellent place for the creators of HB3835 to come and learn approaches ODHS, school and residential settings can use to prevent the harm and trauma of restraint and seclusion. <https://iddmhsummit.com>

I urge you to vote NO on HB3835.

I also believe many of the answers are in Sen Gelser Blouin's SB1113 that focuses on protecting children, not protecting abusers within our systems.

Thank you for your consideration and time.

Amy Fellows, MPH

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