

March 24, 2025

## **Opposition to HB 3835**

Chair Hartman, Vice Chair Nguyen, Vice Chair Scharf,

My name is Angela Donley, and I am writing this testimony as a concerned citizen and not representing any organization. I am a social worker, having earned my master's in social work in 2014. I spent nine years working as a direct service social worker, initially in multiple residential facilities and later with an organization that assisted foster youth aging out of care. After spending half of my career in direct social work, I transitioned into macro social work, working in and around the state legislature for the past ten years, specifically focusing on human services policy.

I am writing to oppose HB 3835. This bill represents a step backward for Oregon and undermines our duty to protect the most vulnerable members of our society—foster youth. It seeks to roll back critical protections for foster youth, a move that will only cause more harm, not less.

Unfortunately, HB 3835 is not surprising coming from an agency that has long swung like a pendulum between overprotecting and underprotecting children. Throughout my ten years in the legislature, I've observed cycles where strong protections are implemented, only to be rolled back, resulting in a rise in abuse rates. We are then shocked by the consequences, and rush to reinstate those protections, only to repeat the cycle. This pattern must end. Changing the definitions of abuse will not prevent more youth from being harmed. It will only reduce the reported statistics of foster youth abuse, simply because fewer cases will be investigated or tracked.

There are several deeply concerning aspects of this legislation that will further harm youth, but I will focus on two areas that I have direct personal experience with:

### **Residential Facilities and Out-of-State Placements**

As a new social worker, one of the first roles you often take on is at residential facilities. These organizations frequently hire young, new social workers to manage the day-to-day operations and oversee the programs that youth are involved in. One of my ongoing concerns is that those who oversee these facilities rarely, if ever, experience life within them. Staff are typically informed in advance of visits from ODHS, the courts, or the legislature—they know when these visits will occur and how long they will last. We would prepare ahead of time by cleaning the facilities and briefing the youth on appropriate behavior during these visits. However, what visitors experience is far removed from the reality of being in these facilities for hours or days at a time. If HB

3835 removes independent oversight of the facilities where we place children, it would represent a gross neglect of our responsibility to ensure the safety and well-being of youth in our care.

### **Restraint and Seclusion**

The proposed changes allowing for the use of restraints and seclusion are a disturbing departure from trauma-informed care. Trauma-informed care takes into account the pain many of these youth have already endured, and rather than relying on methods that could retraumatize them, we should be prioritizing strategies that promote healing. It should be rare that physical intervention is used or necessary, and when it is, it should only be performed for the safety of the youth by someone thoroughly trained in the risks and consequences of such actions. This bill does not address the necessary training to ensure these measures are used appropriately. Instead, it loosens the laws surrounding restraint and seclusion, offering those who use these techniques, even when inappropriately, an opportunity to avoid accountability—even if they harm a child.

Foster youth deserve more than to be treated as statistics. They deserve better than a system willing to turn a blind eye to their safety and the risk of being in care. We have a moral and ethical obligation to protect them and provide the care they need to heal from the trauma they have already suffered. We must continue to advocate for policies that prioritize their well-being, and we cannot allow ourselves to regress into practices that only cause them further harm.

I urge you to consider the consequences of these changes. We are responsible for standing up for foster youth and ensuring their right to live free from harm. Let's be the change they so desperately need.

Angela Donley, MSW