

Submitter: Chad Westphal
On Behalf Of:
Committee: Senate Committee On Human Services
Measure, Appointment or Topic: SB1113
March 28th, 2025

Dear Chair Gelser Blouin, Vice-Chair Linthicum, and Members of the Senate Committee on Human Services,

I'm Chad Westphal, Executive Director of Looking Glass Community Services in Lane County and I thank you for the opportunity to testify in opposition of SB 1113. I have been a behavioral health provider for over 30 years, many of them spent working in residential treatment programs.

Looking Glass, a nationally accredited agency, provides a comprehensive array of behavioral health programs for thousands of children and families each year. I have had the honor of representing this agency for over 18 years and I can recall a time when the recruitment and retention of caring professionals was not always the challenge it's become more recently.

In the past ten years there has been a significant increase in rules resulting in children being placed in hotels, hospitals, and detention facilities rather than necessary treatment programs. Oregon should not have had to experience the death of a child that was in a hotel rather than a treatment facility to recognize the unintended consequences of today's regulatory environment. The expanded definitions of abuse and removal of trauma-informed and evidence-based safety interventions have caused many caring professionals to either leave or not want to join our line of work. Professionals today are working within a culture of fear that does not improve performance levels.

At a minimum, SB 1113 will continue the many premature exits of children residing in therapeutic environments and their entry into non-therapeutic settings, adding to their patterns of abandonment. In the last 3 ½ years, 60 children have required emergency exits from our residential treatment programs. Fifty-five of those children would have remained in care prior to the implementation of SB 710 in September 2021.

SB 1113 redefines "serious bodily injury." With this bill, a caring professional that acted reasonably to prevent harm to a child, could be substantiated for child abuse if their physical intervention wasn't in response to the new definition - bodily harm that creates a substantial risk of death, causes serious permanent disfigurement,

unconsciousness, extreme pain, or long-term impairment of a body part or mental function. If SB 1113 were to pass, professionals will be even more fearful of taking proactive lifesaving actions than they are already. Their increased fear of making a mistake will lead to hesitancy and result in the serious injuries to children we want to avoid rather than prevent them.

It's important to note that our professionals are required to be trained in the use of an evidence-based and trauma-informed crisis intervention model. As such, they are already trained to know when a physical restraint is permissible and that they be used only as a last resort.

Please know that Looking Glass strongly supports a robust review and oversight process as evidenced by our current accountability to 12 different licensing and accreditation entities. We welcome the many announced and unannounced visits we receive from our oversight bodies. We need and have constant quality improvement systems given the dangerous behaviors children exhibit to themselves and others.

SB 1113 limits the ability to respond reasonably to dangerous behaviors. The bill increases the potential for professionals to be substantiated for child abuse after preventing harm to children.

Please oppose SB 1113. This bill is in direct conflict with HB 3835, a bill I support. Thank you.

Chad Westphal,
Executive Director
Looking Glass Community Services