



**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.

May 12, 2025

Chair Ben Bowman

Vice-Chair Christine Drazan

Vice-Chair Thuy Tran Pham

Members of the House Committee on Rules

**RE: Continued Opposition to HB 3835 (-5 Amendment)** – Relating to the Welfare of Young People

Dear Chair Bowman, Vice-Chair Drazan, Vice-Chair Pham, and Members of the Committee,

FACT Oregon respectfully submits this testimony in **strong and continued opposition to HB 3835**, even with the -5 amendment.

FACT Oregon is a statewide, family-led nonprofit that has spent nearly two decades helping thousands of families and professionals navigate special education, disability services, and related systems. Since 2012, we have served as Oregon’s federally designated Parent Training and Information Center (PTI) under IDEA. Our work centers on the rights and well-being of all people with disabilities—children, youth, and adults.

We firmly believe all children in Oregon deserve to be safe, protected, and treated with dignity—whether at home, at school, or in care settings. Over the past decade, our state has made real progress in reducing the use of restraint and seclusion and advancing trauma-informed care. HB 3835 threatens to reverse that progress.

We recognize that the -5 amendment includes important changes—such as clearer definitions of restraint and abuse, stronger training standards, and improved reporting protocols. These revisions are meaningful, and we appreciate that stakeholder concerns prompted these updates.

**But the core problems remain: seclusion and restraint are still allowable.**

HB 3835 continues to allow involuntary seclusion under broadly defined standards of “imminent serious harm.”

- The determination of “imminent serious physical harm” is left to individual staff discretion, leaving significant room for misinterpretation. This opens the door to the unnecessary or inconsistent use of restraint and seclusion, even when de-escalation or alternative approaches would be more appropriate.
- Research and experience show that seclusion causes trauma and is ineffective as a behavioral intervention. Allowing any form of seclusion leaves children vulnerable to isolation and emotional harm, particularly in settings where oversight is limited or inconsistent.
- Seclusion disproportionately impacts children with disabilities, especially those with intellectual or developmental disabilities. Children with I/DD are often misread or misunderstood in moments of distress. Subjective standards increase the risk of harm in high-stress settings.

**Oversight and Enforcement Remain Unclear**



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- The bill does not fully articulate **how** training standards will be monitored, **who** will be accountable for violations, or **what** enforcement mechanisms will be in place.
- Without clear oversight, improved documentation alone is insufficient to prevent misuse.

### **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.

**HB 3835—even as amended—still puts children at risk.** We urge you to vote **NO** and commit to building safer, stronger systems with those most impacted at the table.

Thank you for your time and consideration.

Christy Reese  
Executive Director  
FACT Oregon