

Good morning Chair Bowman, Vice-Chair Drazan, Vice-Chair Pham and members of the committee. My name is Riley and I am a chronically ill former foster youth and a chronic illness/disability and foster youth advocate here to speak in opposition of HB3835. Thank you for giving me an opportunity to be here today and to speak on behalf of children who may not be able to advocate for themselves.

-Under HB 3835A, if ODHS learns about suspected abuse of a child in it's care from any source other than the child abuse hotline, ODHS can and is EXCUSED FROM INVESTIGATING or taking any action to keep kids safe. As a former foster child I have experienced both the other side of the child abuse hotline as well as in state residential facilities. CPS came out to my house 7 times and each time left knowing there was abuse but were too afraid to remove me and my siblings and it took me nearly dying before I was removed from my abusers and placed in foster care. When I was in care, I had to do visitations and the person who drove me to my visitation was one of the people who came out to do the last safety evaluation before I was removed. I will never forget the time he told me that when he came out to do the evaluation he saw me run upstairs to change my clothes from a tanktop and shorts to baggy sweatpants and a sweatshirt before he was invited in which he found very odd because it was the middle of the summer. He then continued to tell me that when he came in he saw my middle brother frantically fixing what already looked like straight picture frames and trying to make everything look perfect. I later found out that the reason I wasn't removed was because the people I was placed with adopted me and my siblings out of the foster care system, because we lived on a 25 acre farm, with 80 animals, and lived in a 4 story house. To sum it up my siblings and I weren't removed because our adoptive home looked posh. If I wasn't found nearly dead in the horse pasture, if the redefined language around abuse was in place, I wouldn't be sitting here talking to you today.

-This bill rolls back regulation of secure transport, even REPEALING language that protects kids in foster care from being transported in hard restraints. When I was 18 I moved out into my own apartment, I had been living there for almost a year when a trusted person sexually assaulted me and my mentor called the ODHS 24-hour line to see if they were able to help me get to a friend's house and instead ODHS ended up falsely claiming I was suicidal and forced me to go to the hospital. After a couple days they took my service dog from me and then put me in a van that had a cage wall splitting the two front seats from the back seats, the cage wall was held up by metal clasps and zip ties, one of my hands was handcuffed to the seat and the other was handcuffed to the roof handle leaving my arm dangling from the ceiling for over 2 hours leaving a huge handcuff bruise around my wrist, the van looked like a cop car but it wasn't a cop car. I was then taken to a residential facility that had kids ranging from the ages of 11-18 years old, the things that I experienced at that facility were so bad that no one, not my brother, case workers, counselor, no one outside of the facility knows what ensued so bear with me as mentioning what occurred behind those 4 walls is not easy. When you arrived at this facility you were stripsearched and then had to do the squat and cough, they then stood in the bathroom as you showered and watched you as well as washed all your belongings. You were handed jail-like clothes, and shoes and taken to a room where you had to explain everything to them from scars on your body to your mental and physical health. You were notified that if you stepped outside the doors the staff couldn't come out and get you but that there was a juvenile detention center behind the building and you were threatened that if you acted out that you would be taken there and booked.

- 3835A allows kids to be sent out of state to facilities not licensed by Oregon and even allows ODHS to send kids to facilities that practice conversion therapy or refuse to allow kids to contact attorneys, CASAs or caseworkers. At the facility you were only able to talk to the people that the case worker approved and the staff would call the person, ask if they are willing to talk with you, and

then transfer the call to a phone on a wall in a little cubby and you had 15 minutes a day to talk with them. You were told to go to a phone cubby number. The phones were a table with thin dividers and a chair and a phone on the wall that the staff would transfer to your cubby numbers phone. You could literally pull the image out of a movie with a jail in it and you would have a pretty good image of it. The foster child bill of rights states that to be safe a youth should have access to a phone so they can tell their caseworker, judge or the Foster Care Ombudsman when someone is hurtful or inappropriate so that they can be protected without fear of retaliation and yet you want to pass a bill that gives others that ability to take these rights away??

-HB3835 Changes definition of abuse to allow prone restraint, supine restraint, mechanical restraint, restraints by the neck or genitals and even restraints imposed when there is NO EMERGENCY/NO THREAT OF HARM will no longer be abuse in Oregon and also makes it so mandatory abuse reporting requirements would no longer apply to prohibited restraints like those described above! This facility had a bridge right outside the building that people would hang around and wait for kids to run out and then take them from the facility and sell them to the sex trade, I watched as a girl that was no more than 80 pounds get picked up and slammed into the ground all because she mumbled as she walked away and then get taken out in an ambulance because she wouldn't wake up, I never saw her again, you had a light shown in your window every 15 minutes to make sure you didn't commit suicide, The night shift staff wouldn't even bat an eye if a male staff member came in your room and was in there with the door closed for an extended amount of time, if you wanted to improve you status on the behavior chart you allowed the male staff to do whatever they wanted to you. Of course you had all the rooms locked off and if you wanted to even go to the bathroom you had to ask permission. The kids there did not go to school and there was no teacher so the 17 year olds were at a 5th grade level if they were lucky. If you went out on a facility gathering you had to be strip searched and

cavity searched even if you were with the staff the whole time, but if you didn't go you were punished in ways I am not willing to disclose. This is one residential home that existed before the bill was passed and they did what they wanted, when they wanted, how they wanted. They knew no one would believe us so they did as they pleased. I was there a week before I, for the first time, ever became a runaway at 18 years old. I became a run away because of the stuff I experienced at that home. I was running away from my caseworker who placed me there and the system as a whole. Thank god I had a good mentor who let my fiancée at the time use her name and helped me get out of that facility, I was so scared when I got in the uber back to my apartment and knew there was a high chance I may have gotten into one of the peoples cars that sold the girls to the sex trade and not my uber and that I very well could be getting driven to a place where I too was going to be sold to the sex trade but I didn't care because any place was better than that one. Luckily it was my uber and I wasn't sold that day.

-HB3835A weakens protections against sex abuse, financial exploitation and verbal abuse for kids in foster care and residential programs. At 15 years old I had a foster parent who ran a sex trade ring out of their home, thankfully HB3835 wasn't in place at this time because that would mean that my case worker would have had a much harder time getting me out of that home and in a safe place. HB3835 would make it much harder to keep kids safe due to the sex trade being classified as selling a child for profit which is financial exploitation and it is sexual abuse of a minor. This bill would make it so more foster parents and residential facilities could get away with making money off of children and selling them and be able to use this bill to cover their butts.

Loosening the language around abuse puts kids back in this situation. If you allow out-of-state facilities to take in kids without following Oregon's guidelines then these

things will happen to other kids but they will have no way out and no one to believe them. We need to do better, be better, and learn from our mistakes instead of making the same mistake over and over again expecting a different result. HB 3835A would allow private equity firms that exploit vulnerable children for profit to operate kids' residential programs in Oregon. We need to protect these kids, not make life impossible to survive. You need to do better, you all need to do better!!