



February 1, 2016

TO: Representative Paul Holvey, Chair
House Committee on Business and Labor
FR: Bob Joondeph, Executive Director
RE: HB 4011

Disability Rights Oregon (DRO) is Oregon's federally-funded *Protection and Advocacy* office that provides legal-based advocacy services to Oregonians with disabilities.

During the 2015 legislative session, DRO testified about our concerns regarding HB 2618. That bill proposed to categorize certain workers in state-operated residential facilities as police for the purpose of their compensation from the Public Employees Retirement System.

We, and other advocates in the I/DD arena noted that the management of behavioral problems in residential facilities requires clinical skill, person-centered planning and therapeutic goals. The residents may experience complex and interwoven conditions including intellectual, psychiatric and neurological limitations. Avoiding escalation, timely intervention and individualized responses are at the core of maintaining a safe and effective residential setting for all residents and staff.

Although HB 2618 was passed into law, members of this committee that heard the bill recognized our concern and noted that a new type of categorization needs to be developed so as not to imply that care providers are police in state law. That has not occurred.

Now we have HB 4011 that seeks to expand the number of state workers who are hired as care givers but will be designated as police for the purposes of PERS. Again, DRO has no objection to increasing the benefits of these

workers but find it objectionable that state law would categorize them as police.

Thank you for this opportunity to object to Oregon's practice of designating care givers as the equivalent of law enforcement officers.