



Oregon Council on  
Developmental Disabilities

BETTER TOGETHER

March 8, 2017

To: Senate Human Services Committee

From: Jaime Daignault, Executive Director, Oregon Council on Developmental Disabilities

Re: The creation of a human rights commission to protect the rights of Oregonian's with intellectual and developmental disabilities (SB 834)

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Chair Gelser and Members of the Committee:

My name is Jaime Daignault. I am the director of the Oregon Council on Developmental Disabilities. The Council represents Oregonians with intellectual and developmental disabilities (IDD) and their families. Our members also include representatives of state agencies and community partners that provide community-based services to this population. Together, we work to advance social and policy change so that Oregonians with developmental disabilities, their families and communities live, work, play and learn together.

The Council is federally mandated to assure that people with IDD and their families have access to services and supports that promote control over one's own life, independence and integration into all aspects of community life. Our charge is described in the Developmental Disabilities Assistance and Bill of Rights Act (DD Act), which asserts that disability is a natural part of the human experience that in no way diminishes the rights of all people with IDD to enjoy human rights afforded to citizens without disabilities.

Communities are strongest when everyone is afforded dignity and basic human rights to live and work as they choose in their communities. For people with intellectual and developmental disabilities, it is critical that dignity and basic human rights are also upheld by service systems and those that provide direct supports.

We are excited for the opportunity to support SB 834, which directs the Department of Human Services to develop a proposal for the creation of an independent human rights commission. The commission would ensure that the dignity and basic rights of people with intellectual and developmental disabilities are honored and protected in their services and individual support plans.

We have embraced similar opportunities presented in the Home and Community Based Services (HCBS) rules. These rules ensure that people with IDD are supported to be members of their communities and enjoy basic freedoms like everyone else. HCBS was enacted at the federal level in 2014 to ensure that the basic freedoms that all people in the community enjoy are honored in a person's services.

Such freedoms include when one can visit with friends or family – either at home or in the community – what one chooses to do for fun, deciding when to go to bed at night and setting one's daily schedule. We are all happier and healthier when we have control over these basic freedoms. We know that when these freedoms are denied or removed, people are less satisfied and happy with their lives, which unnecessarily has a negative impact on health and wellbeing.

We also know that people are most successful when their services respect their choices and give them control over their own supports. We are aware that basic freedoms like those I just described can be restricted in a person's support plan. Subsequently, we believe a human rights commission would be invaluable to ensure such restrictions do not last longer than necessary, that other less restrictive alternatives are tried first and that the person was given informed choice about the restriction.

Although not part of the bill, we hope that the human rights commission would have a voting majority of families and self-advocates. These are people closest to the services. They are experts and their voice is critical in any conversation about rights. We also hope the commission would have the ability to hire its own professional experts so members receive the highest quality and most impartial information.

Oregon is strongest when all members of its communities are treated with dignity and respect. People with IDD deserve to experience basic freedoms like other Oregonians without disabilities. An independent human rights commission would ensure that their basic human rights are honored and protected by the systems and supports around them. Thank you for the opportunity to speak with you today.

Sincerely,

A handwritten signature in cursive script that reads "Jaime Daignault". The signature is written in black ink and is positioned below the word "Sincerely,".

Jaime Daignault

Executive Director, Oregon Council on Developmental Disabilities  
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