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MEMORANDUM

DATE: April 13, 2017
TO: House Committee on Judiciary
FROM: Ava Bartley, FACT Oregon
RE: Support for HB 3266

Chair Barker, Vice Chairs Olson and Williamson, and Members of the House Committee on Judiciary:

My name is Ava Bartley, and I am the Advocacy and Engagement Director for FACT Oregon. I am writing to provide testimony in support of **HB 3266**, which addresses the mechanical restraint of students by police in a public education setting.

FACT Oregon's mission is to empower Oregon families experiencing disability in pursuit of whole lives in their community. The outcome of our work is families with high expectations for their child and a vision for the future where all communities, including school communities, are accessible, welcoming, and embrace that disability is natural.

Through our work supporting Oregon families whose children experience disability, we have heard accounts of students being handcuffed by police at school, and these situations have sometimes resulted in unnecessary trauma to the students involved.

While no one desires to overly restrict police from taking all necessary reasonable action in the performance of their duties as peace officers, HB 3266 would ensure that in public education settings, police would be able to use mechanical restraints such as handcuffs "only if the restraint is necessary due to a reasonable threat of imminent, serious bodily injury to the student or others and there are no less restrictive alternatives that will alleviate the reasonable threat of imminent, serious bodily injury to the student or others." It further clarifies "A police officer may not use a mechanical restraint for punishment or convenience."

Empower Oregon families experiencing disability in their pursuit of a whole life by expanding awareness, growing community, and equipping families.

We think these clarifications on use of mechanical restraints in public education settings strikes the right balance between protecting the students from trauma while allowing police to use mechanical restraint when necessary in certain very clearly defined circumstances.

We encourage you to help keep kids safe and free from unnecessary trauma in public education settings by ensuring that mechanical restraints are only used by police in a public education setting in the narrowly defined circumstances in the bill.

Thank you for your service to our state and for your support of Oregon children experiencing disability.

Ava Bartley
Advocacy and Engagement Director
FACT Oregon