

February 6, 2018

SB1526

Human Services Committee Members:

Chair:	Senator Sara Gelser
Vice –Chair	Senator Tim Knopp
Member	Senator Dennis Linthicum
Member	Senator Laurie Monnes Anderson
Member	Senator Rob Wagner

Good afternoon Chair Gelser and members of the Human Services Committee,

I am Ben Luskin from Eugene, Oregon and I am a member of the leadership of Oregon ADAPT. I am here today with Kirt Toombs also a member of the leadership of Oregon ADAPT and the Chief Executive Officer for Eastern Oregon Center for Independent Living (EOCIL).

Oregon ADAPT is a grassroots community that organizes Oregon disability rights activist to engage in nonviolent direct action, including civil disobedience, to assure the civil and human rights of people with disabilities to live in freedom.

Oregon ADAPT supports SB1526 as an effort to protect the parental rights of people with disabilities. This is one piece of a larger structure that requires ongoing review and change to protect rights of people with disabilities.

Oregon ADAPT has concerns regarding the parental rights of individuals with disabilities in Oregon. Currently, parents with disabilities are under a persistent threat of losing their children – either in a custody battle or from child protective services (CPS) – simply because they live with disabilities. One of the more recent cases where a child, or children, were removed from their family because their parents live with a disability occurred in Bend. This event received national attention from a variety of ideological and political outlets and we are hoping this case serves as a watershed moment that opens a policy window in which meaningful change can occur.

It is our concern that there is not adequate and specific protection under the current statutes to ensure parents with disabilities are given the same considerations that parents who do not have disabilities are afforded. If parents with disabilities should have their parental rights terminated, it should be based exclusively on behavior, not disability condition.

It is also our concern that parents with disabilities are not currently receiving adequate access to accommodations or supports services that empower them to protect the health, safety or welfare of child or ward (i.e. referral to their local peer mentoring CIL, etc.).

The Americans with Disabilities Act (ADA) provides for equitable treatment of persons with disabilities under the law. [The term “reasonable accommodation” is a well-defined term from the ADA. In this case, it refers to the right of the parent or parents to receive help suitable to achieving equity.](#)

Oregon ADAPT request for the formation of a statewide legislative sponsored committee, comprised of Disability Rights Oregon, Oregon ADAPT, persons with disabilities, disability scholars, representatives from centers for independent living, community stakeholders, and policy makers to continue efforts to address discriminatory legislation toward people with disabilities and to determine accommodation and support services protocols.

Thank you Chair Gelser and members of the Human Services Committee for providing us the opportunity to share Oregon ADAPT’s position on protecting the rights of parents living with disabilities.

Attached:

White sheet:

August 2017, Institute for Disability Studies and Policy (IDSP): Termination of Parental Rights