

March 18, 2025

RE: Oppose HB 3835

Dear Chair Hartman, Vice Chair Nguyen, Vice Chair Scharf, and Members of the Committee,

I am writing to oppose HB3835. I do not support making it easier to restrain or seclude children—which is exactly what this bill will do.

Sec. 1 (1)(j)(B) of HB 3835 changes what counts as a “restraint” to exclude any conduct where the abuser has the “intent” of supporting the safety or development of a child—even if the abuser’s conduct results in broken arms. This legislation would allow any abuser to simply claim they didn’t intend to harm a child and be exempt from a finding of abuse.

Sec. 22(1)(L) and Sec. 32 (b) of HB 3835 would result in only “wrongful restraint” being abuse, and DHS will only investigate wrongful restraint. The bill excludes from the definition of “wrongful restraint,” the handcuffing or tying up of children (“mechanical restraints”), the pressing of children to the floor—an act known to cause death (“supine restraint” or “prone restraint”)—and other life-endangering restraints.

Under Sec. 32(3)(b), Sec. 1 (3)(a), Sec. 3 (1), and Sec. 13 (2) of HB 3835, the state’s child abuse investigators are NOT ALLOWED TO INVESTIGATE when a child is put in handcuffs or pressed to the floor, because those restraints (while still technically prohibited) are no longer in the list of things they are permitted to investigate.

These are just three specific concerns among the dozens of problems with HB 3835. I am also opposed to provisions of the bill related to abuse, abuse investigations, hoteling for foster care children, out of state placements of foster care children, lack of meaningful oversight, and more.

I ask you to oppose HB 3835.

Sincerely,
Cainan Molzer
Medford, OR 97504