

HB 3835

Testimony March 20, 2025

House Committee on Early Childhood and Human Services

Chair Hartman, Vice Chairs Nguyen and Scharf, and Members of the Committee:

I am Dr. Jacek (Jack) Haciaak, Director of DynamicChanges LLC. I am a retired Psychologist and former administrator of mental health programs. For the purpose of this testimony, I am particularly drawing on my work as the Psychologist on Unit 40B in the former Child and Adolescent Treatment Services (CATS) program at Oregon State Hospital (OSH) where in a specialized project we brought seclusions and restraints down to virtually zero prior to CATS' closure.

I oppose HB 3835.

When demand for services exceeds the available system resources, then legislators, system administrators, and providers can fall victim to desperation-based system shortcuts. I believe that HB 3835 represents shortcuts being applied to DHS and Child Care Agency regulations, responsibilities, and evidence-based methods which jeopardize service effectiveness and youth safety.

Child welfare systems intend to protect our youth and facilitate their resiliency and personal growth, but HB 3835 seeks to:

1. Protect those implementing illegal seclusion and restraint from abuse investigations unless death or disfigurement results. The effectiveness of trauma-informed practices requires that all abuse be addressed, no matter the severity, if we are to effectively support youth wellness and resiliency.
2. Protect perpetrators of sexual abuse in the home from being investigated and only focus on DHS personnel. Trauma is not limited to being activated only by DHS agents.
3. Remove restrictions on all seclusion and restraint of students, no matter the preponderance of evidence associating seclusion and restraint with debilitating trauma effects. If we are to base our work on using effective methods documented by existent evidence, then we cannot cut corners, particularly for youth, by allowing the unrestricted use of seclusion and restraint.

4. Allow DHS to transport seriously in-need youth to out-of-state facilities not subject to Oregon regulations and without independent court approval despite much evidence that the facilities have been the subject of successful complaints revealing harms. At OSH, I had to receive youth coming back to Oregon after such out-of-state “treatment,” and had to help them recover not from their general life difficulties, but now from additional difficulties resulting from system harms.
5. Allow DHS to operate without independent oversight. All individuals properly trained in human services know that we all are susceptible to mistakes and errors, and we should have been taught to implement cross-checks on ourselves to help us self-monitor, instead of pretending we don’t any cross-checks at all.

HB 3835 undermines many evidence-based standards and ethical principles necessary for protecting youth and facilitating their recovery and forward growth. We must have leadership which resists temptations to trade off healthy supports for youth in exchange for shortcut system expedencies. There are effective methods available for achieving our goals while not sacrificing the principles that make our support methods work.

Please do not pass HB 3835.

Thank you.

Jacek (Jack) Haciaak, PsyD, Director
DynamicChanges LLC
Salem, OR