

Submitter: Amy Fellows
On Behalf Of:
Committee: House Committee On Early Childhood and Human Services
Measure, Appointment or Topic: HB4059

Chair Hartman, Vice Chairs Scharf and Walters and members of the committee-

I am very concerned with the language changes in HB4059. I understand that you are trying to manage the ODHS budget and the numbers of investigations staff do and the number of lawsuits the state has had but doing it on the back of children at risk of abuse is not the way. This all feels very reminiscent of HB3835 a controversial bill from last session that was trying to accomplish similar things for children in state care.

Changing the meaning of threatened harm from “Threatened harm to a child, which means subjecting a child to a substantial risk of harm to the child’s health or welfare.” To “Threatened harm to a child, which means subjecting a child to an imminent risk of severe harm, to the child’s health or welfare.” Puts Oregon’s children more at risk of abuse at home, school and daycare/preschool settings as this bill would change in all of those settings.

Parents of disabled children like myself have lived experience with what happens when our children are abused in school settings, the district covers it up. If the complaint goes to Oregon Department of Education (ODE), they often ask the district to investigate themselves and again, cover up.

In talking with legislative staff about this bill it sounds like one of the problems trying to be solved is the racism and ableism and subjectivity of ODHS staff when doing investigations. Nothing in this bill addresses systemic racism and ableism. That is a training and culture issue. Understanding the racist and ableist history (and still present) of social work in this country means ODHS and other agencies doing deliberate education about this history in our state. Not changing language that leaves children less protected.

Another major concern of mine and statewide disability organizations is in the bill language “preponderance of evidence” that the abuse occurred. I am very concerned that disabled children that are non-speaking or non-traditional communicators will not be able to meet this preponderance of evidence and data and lived experience from that community shows they are the MOST likely to be abused in all settings.

I ask you to please vote NO on HB4059.

Amy Fellows
Eugene