

Jozie Easler
Presque Isle, Maine

March 18, 2024

Senator Henry Ingwersen, Chair
Representative Michele Meyer, Chair
Committee on Health and Human Services
Cross Office Building, Room 209
Augusta, Maine 04333

*Re: LD 769: An Act Regarding Access to Behavioral Health
Supports for Adults with Certain Disabilities*

Dear Senator Ingwersen, Representative Meyer, and Members of the
Committee on Health and Human Services:

My name is Jozie Easler and I am testifying in support of LD 769, An Act
Regarding Access to Behavioral Health Supports for Adults with Certain
Disabilities, because it would end the planned use of restraints against
people with disabilities.

I am a self-advocate from Presque Isle and a board member of Speaking
Up For Us. I want to explain why restraining people with disabilities is
harmful.

I have never been restrained as an adult, and I consider myself lucky
because the agency that provides my home and community support does
not allow staff to restrain their clients. Instead, staff are trained to use de-
escalation techniques and to remain calm when necessary. If I knew my
staff could restrain me whenever they felt my behavior was too challenging,
I would find it very difficult to trust them. People with disabilities need to be
able to trust their staff, not live in fear that they will use force against us.

Restraint is harmful—to the person being restrained and to the person
doing the restraining. When someone who is already upset and afraid is
held against their will, they can become seriously injured, especially if they
struggle. Staff members can also be injured while trying to restrain
someone. Even when staff are trained to use "safe" restraint techniques,

injuries—and even deaths—still occur. Tragically, children and adults have died from being restrained incorrectly.

Restraint causes both physical and emotional pain. Many of us have experienced trauma, and being restrained can bring back painful memories. It is not only traumatic but is sometimes used as behavior management or punishment. Too often, people who struggle with things like coping with change, sensory overload, or processing emotions are labeled as having "behavior problems." But in reality, what others see as "challenging behavior" is often our way of trying to understand what is happening to us or trying to take control of an overwhelming or frightening situation.

We do not intend to behave badly. Sometimes, we lose control and need support to stay safe. Staff need to be trained in topics such as post-traumatic stress disorder, sensory issues, self-harm, and the fight-or-flight response. They need to learn how to recognize the warning signs that someone may be becoming distressed. There are many safe alternatives to using restraints.

When we are distressed, we need support. Staff should learn how to teach us coping strategies and remind us how to use them when needed. They should help us avoid situations that might overwhelm us or make us aggressive. They should also help us access appropriate support, such as therapy or medical services, and behavior plans should focus on preventing crises and managing them safely when they occur.

We should have the opportunity to discuss our feelings and needs without fear of judgment or punishment. We should have a say in how staff assist us when we lose control. We should always have access to tools that help us express our emotions, such as communication devices or sign language interpreters. We should also have access to items that help us stay calm or safely release anger, such as sensory tools or punching bags.

Restraint is a dangerous and frightening practice that should be eliminated as soon as possible. People with disabilities deserve to be supported by caring staff who know how to help us in difficult situations. We need a say in what staff can and cannot do to us. We need to feel safe in our homes and communities.

We want people who do not have disabilities to understand that we face struggles every day. Every person—disabled or not—deserves to be treated with respect and compassion. That is why we call for an end to all forms of restraint on both children and adults.

Please put yourselves in our shoes. Would you want to be restrained by someone who is supposed to care for you?

I urge you to vote in favor of LD 769 and to amend the legislation so that it applies to both children and adults.

Sincerely,
Jozie Easler