

June 8, 2017

Joint Committee On Ways and Means Subcommittee on Human Services

Co-Chair Senator Elizabeth Steiner Hayward
Co-Chair Representative Dan Rayfield
Member Senator Sara Gelser
Member Senator Jackie Winters
Member Representative Teresa Alonso Leon
Member Representative Knute Buehler
Member Representative Cedric Hayden
Member Representative Sheri Malstrom

RE: Testimony on SB-243

Dear Senator Hayward, Representative Rayfield and committee members,

My name is Don Darland and my wife and I have been foster parents for over 25 years. I am also very active in advocating for foster, relative and adoptive parents throughout the state of Oregon. Thank you for the opportunity to present written testimony. I know that you all are very concerned about the safety and well being of Oregon's most vulnerable children. You also are concerned about the current status of the numbers of foster homes in the state.

Having been involved with SB 1515 I knew that this session would add regular foster care to these definitions. Of course I was hoping I would be wrong.

To begin with, this legislation assumes that every child placed in foster care is at risk of harm. That "IS" the spirit and motivation behind this bill.

With that said, let me be brief and point out just two unintended consequences that have a good chance of taking place over time upon passing this legislation, which I'm sure that it will.

1. In time, you may lose more regular foster parents because of the increase in abuse allegations based on the process of being accused of abusing a child, even if it is unfounded.

2. DHS may have a much harder time recruiting foster parents because of the increased risk of being accused of abuse.

Here are just a few of the issues:

1. Define "Involuntary Seclusion". What if a child is raging to the point that they need to go to their room(door open) to calm down?. This is a very common accepted trained practice within child welfare. They are technically secluded involuntarily for their protection and other children's protection. YOU NOW COULD BE ACCUSED OF ABUSE.

The bill now reads: ***"Involuntary seclusion" does not include age-appropriate discipline, including but not limited to a time-out.***

Now I must ask, "WHO" decides what is "age appropriate"?

2. Then, the following two definitions are also very arbitrary and are subject to many different opinions. Actions by well meaning but ill informed people can automatically trigger an investigation without merit. Thus putting a family through a very intense experience.

(b) "Financial exploitation" does not include age-appropriate discipline that may involve the threat to withhold, or the withholding of, privileges.

[(6)] (8) "Intimidation" means compelling or deterring conduct by threat. "Intimidation" does not include age-appropriate discipline that may involve the threat to withhold privileges.

In my 25+ years of experience and helping providers through 100's of abuse allegations, I have witnessed many examples of different opinions of "age-appropriate" parenting, privileges and consequences that turned into CPS investigations. Many times resulting in unnecessarily moving a child and a foster parent quitting because of the experience.


So, in conclusion, this is what foster parents will be forced to require for each child in their home upon this bill passing.

Since the assumption is that every foster child is at risk of harm, they will have to have in place a written "Safety Plan", "Placement Support Plan" or something similar. The written plan will have to address what is "age appropriate" discipline for each child and addressing each category of abuse. It will have to be signed by the case worker, the certifier and their supervisors. The foster parents will need to have a copy on hand for review. The other case workers with children in the home will need to be informed on these plans so they do not report abuse on something that is approved.

This will add a substantial work load but it will be necessary to protect the children, case workers and foster parents.

Thank you again for your time and consideration.

Respectfully,


Don Darland
503.394.2305
ability@smt-net.com