

POLITICS & ELECTIONS

Will deadlines fix the problem? Oregon seeks to house foster children in homes, not hotels

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Oregon officials who oversee child welfare have considered a settlement agreement that would force the state to stop using hotels as emergency housing for children in the foster care system. (iStock)

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The Oregonian/OregonLive

Oregon officials who oversee child welfare have considered an aspirational plan to stop housing foster children in hotels, according to information obtained by The Oregonian/OregonLive.

Doing so would require state child welfare officials to quickly and dramatically expand the pool of foster homes capable of housing children, including some with particularly high needs, on short notice.

Under a draft version of a settlement, obtained by The Oregonian/OregonLive, the state would start by limiting the number of children who can be housed in hotels to 80 in the first six months of the agreement. The limit would decrease every six months, and two years into the agreement the state would no longer be allowed to house children in hotels except under extremely limited emergency conditions.

The draft settlement showed just how far the child welfare agency considered going to help end its reliance on hotels: It would allow children to be left in homes where state workers judge the children might otherwise be unsafe, as long as caseworkers visit them daily or arrange for a state contractor stay in the home overnight.

The draft settlement indicated the state also would limit how long it could keep children in hotels: up to five nights in a row for children age 10 or younger, and up to 12 consecutive nights for older kids.



The state considered the plan during settlement talks that remain underway to resolve a federal lawsuit filed in 2016 on behalf of two children the state housed in hotels. CASA for Children, a nonprofit whose

court-appointed volunteers advocate for individual children in the foster system, also joined the children in suing the state.

In a statement Friday, attorney Emily Teplin Fox of the Oregon Law Center, speaking on behalf of the plaintiffs, wrote that "there is no agreement to date and any draft settlement that may have been shared with The Oregonian is outdated and factually incorrect."

Andrea Cantu-Schomus, a spokeswoman for the Department of Human Services, confirmed the state is engaged in confidential settlement negotiations with the lawyers who brought that suit. But she would not comment on the draft settlement or anything else about the case.

This week, a damning new audit threw doubt on the agency's ability to rapidly reduce, then eliminate, its use of hotels as temporary homes for foster kids, given that the state turned to hotels in desperation when it could not find suitable foster homes more than 280 times from September 2016 to July 2017.

The audit revealed that despite a decade of attempted reforms including recent efforts since Gov. Kate Brown took office, Oregon's foster care crisis is only growing. The state is losing staggering numbers of experienced foster parents willing to care for large numbers of children and caseworkers necessary to check out allegations of abuse and neglect and find safe places for kids to stay.



Over nine months starting in September 2016, the state put 189 children in hotels at least 284 times, the audit said. The average length of stay was seven days, but "but 26 children were placed in hotels longer than 20

days. One 10-year-old child stayed 81 days."

According to the federal lawsuit that led to the settlement talks, the state has used temporary options such as hotels to house a disproportionate share of children with mental disabilities including behavioral and psychiatric impairments. The practice violates the Americans with Disabilities Act, plus other federal and state anti-discrimination and child welfare laws, according to lawyers for the two girls who were 6 and 4 years old when the lawsuit was filed.

In their report last week, auditors noted the state has increasingly turned to hotels and occasionally youth detention centers as foster parents dropped out and residential facilities closed. But they said that hotels and detention centers are inappropriate places to house children, especially those who've experienced trauma and behavioral and mental health issues.

At hotels, two adults including at least one caseworker must remain with the child around the clock, and auditors estimated the total cost including the hotel and meals is \$1,350 per night. The state pays foster parents \$693 to \$795 per month, depending upon the child's age. Auditors recommended the state develop a strategy to end the practice of placing children in hotels.

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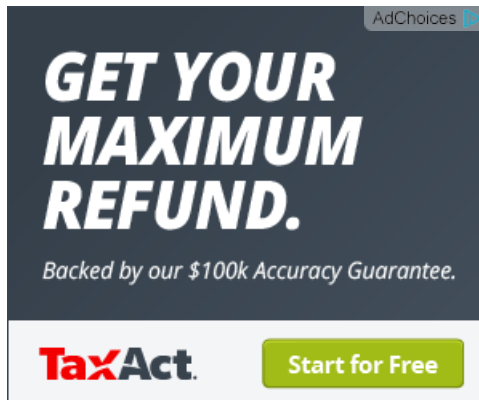
Under terms of the draft settlement, in two years, the state would be prohibited from "hoteling" children except under narrow circumstances such as a foster parent dropping off a foster child at a state office shortly before closing time.

Those settlement terms did not appear to identify additional money or other resources the state's human services agency could use to add and retain the foster families and caseworkers that would be necessary to ensure there are plenty of safe places for children to stay.

That raises questions about how the human services agency could ramp down its reliance on hotels at the pace set out in the draft settlement, given the agency's widespread dysfunction revealed in the audit.

Among the long-running and well-known problems it highlighted was that "the lack of available foster homes, rather than the needs of foster children, currently drive placement decisions." That means caseworkers are sending children to unsatisfactory foster homes because they have nowhere else for the children to go.

In their statement Friday, the plaintiffs' attorneys wrote that "what's at stake here is the well-being of some of Oregon's most vulnerable children, children that are taken into state custody for their protection. Our primary responsibility is to them. It's inappropriate to comment about the content or substance of settlement talks until there is a resolution."

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In an interview about the audit findings earlier this week, Department of Human Services director Fariborz Pakseresht said the agency could stop relying on hotels if the state addresses the root problems that land children in state care to begin with, and that are leading to a shortage of foster parents and facilities.

Otherwise, "you have the same number of kids in hotels down the road," Pakseresht said. "As negative as putting a kid in a hotel might sound, sometimes that's the best option available when there's no placement available."

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