

## **Outline of Information Sought through Series of County Foster Care Program Hearings**

### **General Questions Regarding Repurposed Jail (RJ) Settings**

- When did DHS first start using repurposed jail (RJ) placements? Which county was first? Was it the idea of the counties or DHS?
- How many children are in the programs today? How many of these beds are available? How many total children have been served in these facilities over the last 24 months?
- Which counties are serving children in RJ's?
- What is the age range of children served in RJ's?
- What is the daily rate at the RJ's?
- Is this general fund only, or is there any sort of federal match?
- What is the average length of stay for a child or youth in an RJ?
- What has been the shortest stay? The longest?
- Are you aware of any other state that places foster children who have not been court involved in RJ facilities?
- Has there been any assessment by mental health professionals about the impact of jail placement on the psychological well being and self worth of children and youth? Has this been explored through a racial equity lens for children of color?
- Recently, we learned that 30% of Oregon kids placed out of state are either Black or Native American. Please provide us with the racial, gender, disability and LGBTQA demographics for kids placed in RJ facilities over past 12 months.
- Are you aware that the Douglas County Republicans passed a resolution calling for DHS to stop placing children in RJ programs? Did the organization reach out and have discussions with you or local offices prior to the resolution?
- Is this a temporary practice while developing additional placements for kids or is this a formal part of CWs long term strategy for serving children and youth in foster care?

### **Oversight**

- DHS does not license county programs. Can you please provide us copies of the "letters of understanding" that Tom Vanderveen described at our hearing earlier this year regarding SB 181?
- CCAs are required to provide 24-7 access to all areas of a facility to CASAs, DHS workers, attorneys and others. Is that accommodated and enforced at these programs?
- Some attorneys have reported not being allowed beyond the receiving area and being denied access to living quarters. Who should they report this to when it occurs?
- Does DHS expect staff to follow the same notification protocols for RJs as for CCAs?
- County programs are not licensed by DHS, but DHS kids are placed there. Are there any other placements used by DHS that are not licensed?
- How many (or what percentage) of the kids in RJ facilities are receiving their monthly face to face visits? Are these by the workers they know, or from courtesy workers?

### **Placement of Youth**

- How are children assessed prior to placement in a RJ facility?
- What is the name of the assessment tool used and who typically does these?
- Prior to placement in a BRS facility, DHS policy requires that a licensed practitioner of the healing arts approves and signs off on an assessment and the demonstration of need for the

specialized placement. Does this happen in these settings? Who is the licensed practitioner of the healing arts?

- How are siblings kept together? Are siblings placed together in these facilities?

### **Restraint and seclusion**

- Is chemical restraint (oral or injected) ever used in these facilities?
- What about mechanical restraint? For instance, are foster youth ever placed in belly chains, handcuffs, or ankle chains at the facility or during transport—including secure transport.
- Does DHS have a written policy about the use of mechanical restraints on children in these programs? If so, please provide a copy. If not, is DHS willing to create one?
- Are programs required to file incident reports of each incident of restraint or seclusion like CCAs are?
- Are providers in RJ facilities required to have same restraint training as those in CCAs?
- Please provide the total number of reported incidents of restraint and seclusion for each facility for each month of the past 12 months by facility. Please include any PRN administration of medication (including Benadryl) either orally or by injection for behavior management. Please break out those numbers by oral and injection.

### **Personal freedoms of youth**

- Are the facilities locked, staff secure or are youth free to come and go at will?
- Please describe the difference between locked, staff secure and open.
- Are youth permitted to bring friends and visitors into the facilities on an at will basis?
- Are youth permitted to engage in youth activities such as going to movies with friends, going on dates, etc as they would in a more typical foster care setting?
- What, if any, restrictions are placed on access to personal property? Are those restrictions for the entire population, or specific to each youth?
- If the restriction is specific to each youth, is there written documentation of the reasons for the restrictions and is there an opportunity to appeal?
- Are youth permitted to choose their own clothing and accessories? Are youth required to wear program issued clothing?
- Are children subjected to strip searches, or modified strip searches? Are their bodies ever patted down or their clothes searched? When does this happen? How is prior trauma related to physical or sexual abuse addressed with these practices?
- Do youth have access to their cell phones, to computers or other communications equipment?
- Are youth required to participate in religious programming?
- Alternately, if children or youth do have a faith tradition are they supported to attend religious services outside the facility on a regular basis?
- How are children or youth informed of their rights in the detention facility? For instance, are they expressly told in writing and at visits that they are not to be locked in their jail cells or strip searched? Are they given a number where they can make confidential reports of violations of their rights?

### **Education and recreation**

- Are educational options the same for all children in a facility, or are they individually determined (ie, online vs. community school)?
- How many children are receiving online schooling? How many are attending schools off campus?

- Oregon foster youth are entitled to participate in extra curricular activities of their choosing. How is this supported for kids in RJs?
- How frequently are children able to leave the facility? Are they able to self direct their preferred activities and outings?

#### **Health, safety, hygiene and nutrition**

- What type of access to food do children have? Are they able to serve themselves healthy snacks and water at any time of day or night?
- Are youth permitted to keep their own snacks in their rooms?
- How are vegan, vegetarian, gluten free and other dietary needs addressed?
- What kinds of bathrooms do they use? Do they have toilets in their rooms or do they have more typical bathrooms?
- Are youth permitted to choose timing and frequency and length of showers/baths? What about personal care products like shampoo, shaving cream, razors, etc?

#### **Foster Youth and Youth Offenders/Youth Served by Juvenile Departments**

- When CW youth are placed in the same facilities as OYA or juvenile detention youth, are the program staff coming from DHS child welfare programs or from correctional programs?
- Do CW youth have the same restrictions on freedoms as the OYA/detention youth in the same facility?
- What is a crossover youth? What percentage of kids placed in the RJ facilities are crossover youth?

#### **Youth Improvement Program in Klamath Falls**

- Please outline the findings of the team that went to look at the YIP.
- How many children were served at the YIP? When did that start? What was the daily rate there?
- Were children expected to use the toilet facilities in their cells?
- Was the YIP staffed by child welfare trained staff or detention staff?
- Were OYA kids and CW kids in the same location?
- How many reported incidents of seclusion or restraint were reported at the facility?
- OYA reported that the YIP is a parole revocation program. Why was it appropriate to place child welfare youth in a parole revocation program?
- Please provide copies of any and all documents or letters sent to YIP informing them of the removal of children and the violations and concerns found at the facility. Please also provide copies of letters of notification about the violations and concerns found at the facility to the attorneys, CASAs, caseworkers and parents of the children placed there
- Have any more children been placed in the YIP since kids were removed last month?
- Has DHS committed to not using YIP as a resource at any time in the future? Is DHS still supporting the proposal to expand the number of beds in the YIP?