



Oregon Sending Foster Children To Facilities Accused Of Abuse

By [Lauren Dake](#) (OPB)

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Last year, Washington state child welfare officials saw reports about widespread use of restraints and physical abuse at a residential treatment facility in Iowa where they were sending foster care children.

Washington stopped sending children to the for-profit [Clarinda Academy](#).

But some of Oregon's most vulnerable children are still there.

An October 2018 report by the nonprofit [Disability Rights Washington](#) concluded that Washington's use of out-of-state facilities to house foster children was "creating an unacceptably heightened risk of abuse and neglect" and causing more "harm to youth who have already suffered from multiple, prolonged, or chronic traumatic events."

In Oregon, the number of children [being sent to out-of-state, privately run psychiatric units](#) has more than doubled since 2017. There are currently more than 80 children placed in out-of-state facilities. The majority are in facilities run by Alabama-based Sequel Youth and Family Services, which oversees Clarinda Academy in Iowa and a number of other for-profit facilities across the country.

There are currently 11 Oregon foster children in Iowa facilities run by Sequel and another 39 foster kids in Sequel facilities in Utah. Across the country, about 74 Oregon children are in Sequel centers.

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These children have not been sent out-of-state because they have committed crimes, but rather because Oregon does not have enough beds to house them. Yet, they are being treated as if they are inmates, according to the Disability Rights Washington report.

Before the watchdog group launched a systemic investigation into the Iowa facility, its researchers spent two days conducting private interviews with about a dozen young people in the facility.

“Practically every young person who spoke ... discussed or alluded to experiencing multiple traumatic events of sexual or physical assault and/or abandonment by trusted adults in their lives, and almost all had been through multiple placements prior to coming to Iowa,” the report reads.

Oregon Child Welfare officials said they were aware of documented problems — including liberal and questionable use of physical restraints — at some facilities they are using to house children.

After the allegations of abuse in Iowa surfaced, a spokesman from the Oregon Department of Human Services said in an email, a representative of Clarinda Academy and Sequel visited Oregon to respond.

Oregon staff also flew to Iowa to check on the children at Clarinda, according to a DHS spokesman. In addition, the state says, Oregon contracts with third-party professionals to monitor children at all out-of-state facilities. Based on those visits, Oregon officials determined foster children being sent elsewhere are safe.

When Sen. Sara Gelser, D-Corvallis, had a different reaction when she was recently alerted to the situation:

“I can’t see how you have these unsafe things happening in these facilities and you think the Oregon kids are OK,” said Gelser, who chairs the Senate Human Services Committee. “Kids out of state are so vulnerable. They are so far away from home ... They are isolated from their families. They have already been identified as difficult kids so people don’t believe them and then they are isolated.”

Gelser, who is also a member of a task force working to help Oregon foster children with specialized needs, was upset.

“I had no idea we were contracting with an enormous for-profit organization that seems to specialize in taking kids from states with foster care capacity problems and certainly had no idea we had kids in places where there are very serious allegations of abuse and neglect,” Gelser said.

Oregon was recently sued by lawyers representing foster children for placing some children removed from their homes in hotels. The state has largely stopped doing that, but almost simultaneously, has quietly increased the number of foster children sent out of state.

Department of Human Services and Child Welfare officials are required to make regular reports to to Gelser's legislative committee. Yet Gelser was unaware of the magnitude of the problem.

"I'm stunned we didn't know about this enormous number of kids out of state," she said. "I'm dumbfounded there is this huge general fund expenditure ... I don't understand, this is a major expenditure that we've never discussed at the Legislature," she said.

From October 2018 to December 2018, the state spent about \$2.5 million to send children out of state.

Disturbing Reports From Iowa

Susan Kas, an attorney with Disability Rights Washington and one of the investigators who looked into Sequel's Clarinda Academy, said they chose to examine Clarinda simply because it had the most Washington children.

In other words, the advocacy group chose Clarinda Academy for investigation essentially at random, not because they suspected anything was amiss. If one agency chosen arbitrarily has problems, Kas said, shouldn't the state take a closer look at all the out-of-state facilities it uses?

Kas argued their findings warrant a much deeper look at the what she called the states' "dirty little secret" of sending foster children out of state.

She called what Disability Rights Washington discovered was "disturbing." There appeared to be very little oversight of the program for sending foster children elsewhere, she said. In Washington state, some children flew to Iowa alone, and strangers picked them up to drive them to the facility. Like Oregon, Washington state primarily contracts with third-party social workers to oversee children sent out of state.

"We have no reason to believe kids have any better protection from this kind of thing ... Not just at Sequel, but any other company that is charging \$8,000 to \$10,000 a month," Kas said. "If there is no oversight, there is a high risk [abuse] could be happening."

The alleged abuse came to light in Washington is because Kas and her team have the ability under federal law to access certain records, which helped with their investigation into Washington's placements.

Oregon's Child Welfare officials required OPB to file a formal public records request to even learn the name of the out-of-state facilities where the state sends children. It took several more days, phone calls and emails before Oregon's Child Welfare office disclosed how many children are placed at each facility.

Oregon officials have not yet responded with details about how often caseworkers travel with children when they are sent out of state, how frequently caseworkers from Oregon see children face-to-face once they are in another state, or if any of the foster care children from Oregon have complained about their treatment.

When OPB asked Child Welfare officials for specific details of their oversight of the out-of-state facilities, a spokesman responded by email: "The Department goes through an extensive check for any facility, including reviewing information at a state's licensing body, making sure the facility is in good standing, verifying Secretary of State business records, and conducting other research."

Questions About Clarinda Academy

Clarinda Academy is the flagship campus of Sequel, a for-profit corporation that has acquired or opened 32 other facilities, including locked and psychiatric residential facilities, across the country, according to Disability Rights Washington's investigation.

The facility was established in 1992 and houses children from all over the country, usually more than 200 people between the ages of 12 and 18, according to the report.

According to the report, Clarinda Academy is essentially run like a correctional institution. The facility is actually co-located on the grounds of a state prison. Children aren't allowed to leave the institution at will, and they are isolated; it's difficult to make phone calls, they aren't allowed to interact with members of the opposite sex, and they attend class at the facility rather than going to outside schools.

There is also the frequent use of physical restraints techniques, or as the students described, according to the report, "they just drop you."

"One person reported being grabbed and forced to sit on the ground in a forward folded position so that the student's head hit the ground, which resulted in the individual's glasses getting broken," the report reads.

The report found staff at Clarinda used physical restraints "for questionable reasons at best, and in some cases without justification." One child was allegedly restrained when a staff member noticed their hands moving. The advocacy group's investigators wrote they noticed when speaking to the young person that they gesticulate when speaking and feel physically tense when upset.

“In these instances, though, staff interpreted the young person’s hand gestures as well as clenching face and hands as a signs of immediate danger, not signs of stress or an attempt to communicate in a moment of frustration,” the report reads.

A psychologist was involved in the investigation. Gauri Goel interviewed foster children and said the treatment they were receiving was possibly counterproductive. The report notes that restraining children can cause worse behavior, particularly for children who have already been traumatized.

Investigators also questioned the judgement of the people employed at the facilities using the restraints: “The records showed that over a third of the twenty-six staff who had participated in restraining ... youth had convictions for criminal driving offenses or illegal use of alcohol and controlled substances,” the report reads.

One student was physically restrained by staff one week after their arrival when they didn’t sit “still and respectful” during a staff event. The child was placed in seated restraint, according to the report.

As an organization, we work diligently to ensure that we are providing the best care possible for our students, including continually improving our policies and procedures. If we identify a problem, we self-report it and make the appropriate correction immediately. The safety of the students in our care is our primary focus each and every day. Our practices have evolved over the years to keep pace with changes in best practices in the field. We emphasize de-escalation both with our staff and our students. It is our policy to only use restraints as an emergency safety intervention in two situations, where a student is a threat to himself or others, and in those cases to use the minimal level of intervention possible.

A representative from Sequel said a report done by the Iowa Department of Human Services office found the use of restraints as an emergency safety intervention at the facility were appropriate. The state renewed their license of Clarinda Academy, the Sequel spokesman wrote in an email.

"The safety of the students in our care is our primary focus each and every day. Our practices have evolved over the years to keep pace with changes in best practices in the field," wrote Steve Gilbert, with Sequel. "We emphasize de-escalation both with our staff and our students. It is our policy to only use restraints as an emergency safety intervention in two situations, where a student is a threat to himself or others, and in those cases to use the minimal level of intervention possible."

Marilyn Jones, the director of the state’s Child Welfare department, said it’s not the state’s first choice to be sending kids out of state. But sometimes they have no choice.

“The worst thing we can do is put a child in a therapeutic foster home when they need a higher level of care, because if they fail there — they have failed again. And these kids shouldn’t fail ... And so finding the right placement for that child if it’s not here in Oregon, then we have to look elsewhere for it,” Jones said, adding the state needs more psychiatric residential treatment beds of its own.

Jones also mentioned that Child Welfare doesn’t make the decision on its own — they need a judge’s order.

“Most of these are older kids that really have very unique needs that that not many people can meet. And so when you're able to look across 50 states for something like that you're going to find a better array of services for kids that really are unique to that child,” Jones said, adding later, “We want to be able to build our own capacity.”

Gelser, the state senator, said she’s at a loss. Oregon faces a lack of both foster homes and residential facilities for children.

“I don’t know the answer. If we bring them home, where do they go?” she said. “... We have kids with significant needs, and we don’t have what they need to help them and those kids don’t have time to wait for us to figure it out.”

This story was updated to include comments from Marilyn Jones, Oregon's child welfare director.

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