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## The Oregonian

### Oregon sends hundreds of foster kids to former jails, institutions, not families

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By Hillary Borrud | The Oregonian/OregonLive

ROSEBURG — A move to improve the care of foster children relegated to living in hotels has resulted in 25 percent more children removed from their families being housed in institutions such as former juvenile jails, The Oregonian/OregonLive has found.

The children being sent to cinderblock facilities are often the most traumatized and difficult to care for. Most are teens but the state is looking at expanding institutional programs for children as young as six.

A year ago, Oregon child welfare leaders signed a court settlement promising to stop housing vulnerable foster children in hotels, state offices and juvenile detention centers instead of with families.

State caseworkers had increasingly relied on those makeshift methods as Oregon faced a shortage of foster homes, particularly ones equipped to care for children grappling with trauma, mental health challenges or developmental disabilities.

One year after the settlement, child welfare officials say they've complied and begun phasing out their use of hotel rooms as temporary homes for children in the state's care. On any given day in December, three foster children were spending the night in hotels, compared to 15 in February 2018.

But over the same time period, the state has placed dramatically more children and teens in institutional settings including repurposed juvenile jails. Since July 2018, the state has had around 400 foster children assigned to live in such settings, according to state figures.

In September 2016, when two foster children and their advocates sued the state over its use of hotels, the number was close to 300.

Critics question whether former jails are the right place for foster children. And for many, such placements mean moving far from their home communities, switching to unfamiliar and sometimes segregated foster-child-only schools and losing the chance to live in the care of a parent figure instead of a rotation of shift workers.

When news first broke of children staying in hotels in 2016, state officials attributed the phenomenon to a [shortage of foster parents](#).

But Oregon child welfare director Marilyn Jones, who was hired in 2017, now takes the position that recruiting more foster families is not the solution and increased institutional care is necessary.

“We don’t have ... foster families that can meet the high trauma that these children have,” Jones told The Oregonian/OregonLive in a Feb. 25 interview. “They can be suicidal and homicidal. They can have self-harm or have harmed others.”

The Department of Human Services did not respond by Thursday to a request for the minimum age of foster children housed in institutional settings.

In Douglas County, Juvenile Department director Aric Fromdahl says his staffers have done what they can to turn one of the two “pods” in their detention center — a grey cinderblock building designed as a youth jail with an enclosed exercise yard — into a welcoming space.

“It’s not the softest building, but we do our best,” Fromdahl said during a tour of the facility in January.

For a 15-year-old girl from Multnomah County assigned to the facility last summer, the program in Roseburg, 180 miles from her home, felt both jail-like and remote.

“She feels extremely isolated from her family. They are at least three hours away,” the girl’s court-appointed attorney, Lauren Freeman, said during a court hearing in Portland in August. “She feels, in essence, incarcerated ... I had the same feeling when I was there. It feels as though it’s a converted jail facility.”

After talking with the girl and hearing from lawyers for her mother, the Sauk-Suiattle Indian Tribe in Washington and the Oregon Department of Human Services, Multnomah County Circuit Court Judge Katherine Tennyson ultimately ruled the facility was an appropriate place for the girl to remain at that time. The state’s attorney pointed to an assessment by the Douglas County facility’s staff that it was the correct placement for the

girl. Lawyers for her mother and tribe agreed, with the mother's lawyer stating that the mother wanted her daughter in a facility where she would not run away.

Sen. Sara Gelser, D-Corvallis, who has been a vocal advocate for improving Oregon's foster care system, said she doesn't want any foster child to get the message they are being punished or are unworthy of living in a family. Gelser said she has not visited the county juvenile detention centers where the state is sending children in foster care. "But if it feels like a jail, I just worry about who we're telling these kids that they are ... The bottom line is we need to be developing the right places for kids."

Douglas County has housed foster children at other facilities for years. But last summer, Fromdahl said, Douglas County opened half of its juvenile jail to children "who are being diverted from hotels" in order to help the state comply with the settlement.

Teens from around the state stay at Douglas County's new River Rock program, including eight from Multnomah County from July through January — one-third of the 25 teenagers in the facility during that time. The 13- through 17-year-olds spent two weeks to more than six months living in the cinderblock group quarters, according to information provided by the county.

In addition to the eight beds in the revamped juvenile detention wing, Douglas County operates a 16-bed facility for girls in Roseburg's former police station and a 16-bed facility for boys in a group home building. Douglas County's 40 beds for foster children mean it is now Oregon's second-largest group care provider for children in the foster system, state records show.

The largest is St. Mary's Home for Boys in Beaverton, founded 130 years ago as an orphanage for abandoned and wayward boys, where as many as 42 boys were assigned to live by the state at any given time over the past six months, according to state records.

Multnomah, Klamath and Josephine counties also have residential programs for teenagers from the foster system in repurposed wings of their juvenile jails. Unlike private programs, they are not licensed because under Oregon law the state lacks the authority to regulate county-run care operations. A proposal in the Legislature, [Senate Bill 181](#), would change that. It would hold the county programs to the same standard of child abuse and neglect currently applied to other types of programs. And, by licensing county facilities, it would give the state another tool to force improvements.

Institutionalized Oregon foster children also live in a Grants Pass group home for 12 boys, a psychiatric residential treatment facility and related facilities in Utah, a group home for 14 boys in Salem and scores of other non-home placements.

Nationally, the movement in child welfare is away from caring for children in institutional settings, which [research](#) has shown yields poorer outcomes for kids than living with families. It was codified in 2018 in the Family First Prevention Services Act championed by Oregon's U.S. Sen. Ron Wyden, which aims to provide families with services to help them keep their children at home and reduces states' use of low-quality group homes.

In a statement to The Oregonian/OregonLive, Wyden said that his law is built around the "accepted principle that families are usually best-suited to prevent trauma for children and to reduce the need for foster care."

"Family First provides both the structure and funding to focus on those proven prevention strategies and not unnecessary and non-therapeutic institutional care," Wyden said. "Oregon has the opportunity to show leadership in this area, and I expect the state will become a full partner in taking advantage of this new law aimed at providing each child a safe, caring, and loving environment."

Gelser, the state senator, leads a work group overseeing state's implementation of the federal law. "It's about making sure that kids who are vulnerable and have experienced trauma are receiving services in the highest quality, most appropriate and trauma-informed placements that are family-like," Gelser said during a meeting last year. Under Family First, children should only be placed in institutional settings with more than four children "when it's absolutely necessary and demonstrated by an assessment," Gelser said.

Yet at a September legislative hearing, Jones, the child welfare director, said the hoteling lawsuit highlighted the state's need for more institutional placements for foster children.

"We are the lowest in the nation in congregate care at 4.5 percent residential or treatment facilities for kids," Jones said, citing a Casey Family Programs comparison using figures from 2016. "We have kids with high needs. We don't have the capacity to really serve those high needs for these kids."

As of September, Oregon had placed 5.4 percent of its foster children in group or institutional facilities, according to child welfare data. The national average in 2016 was [12 percent](#).

Diverting children who might end up in hotels to institutional settings is likely saving the state money. The cost to house a child in a hotel room averages \$2,180, according to a child welfare spokesman. Most of the cost is to pay overtime to the two state workers who must stay with the child at all times. [State auditors previously estimated](#) that the Department of Human Services the cost was closer to \$1,350 per day.

The state pays Douglas County \$352 per day for each child who stays at the River Rock “intensive behavioral support” program, in the repurposed juvenile detention wing. A “short-term stabilization” program for girls run by the Klamath County Juvenile Department and the St. Mary’s Home for Boys that offers “intensive rehabilitation services” both charge \$248 per child per day, according to the Department of Human Services. The agency pays \$330 per day to four affiliated programs in Utah, including a psychiatric residential treatment center, to care for Oregon children.

In contrast, the state pays \$182 per day to a therapeutic foster care program, Oregon Community Programs in Eugene. The rate covers not only payments to the foster families who typically care for a single child, but also the cost of support from agency staff who hold weekly meetings with foster parents, make a weekly plan for each child and are available for foster parents to reach out to 24 hours a day.

In addition to the lower cost, experts including [Casey Family Programs](#) say foster parents with extra training and supports, not county programs and other institutional homes, are the best care Oregon can provide to meet the needs of many children traumatized by family drama and separation, showing extreme behaviors or suffering from anxiety or other mental health conditions.

Instead, child welfare officials have been sending an increasing number of children who might otherwise be housed in hotels to institutions including locked out-of-state residential treatment facilities, as OPB [reported earlier this year](#). The number of foster children sent out of state reached 82 last year and at least one of the facilities — Clarinda Academy — has been accused of abuse by whom Disability Rights Washington, [according to OPB](#).

The no-hotels settlement was supposed to get more children and teens who’ve been removed from their families into the family-like settings that experts and Oregon’s [foster children’s bill of rights](#) say gives them the best chance to flourish. The plaintiffs wanted to minimize the chances that children in the state’s care would be cut off from their communities, schools and mental health providers.

Moving from one region to another can interrupt or delay mental health care for foster children, who are typically covered by Medicaid. The 15-year-old girl from Multnomah County who was moved to the Douglas County residential facility, for example, was enthusiastically participating in equine therapy before she was moved. Fromdahl, the Douglas County juvenile department director, said there is a roughly month-long delay to arrange healthcare such as therapy appointments once a child arrives in Roseburg because the child must be reassigned from one “coordinated care organization,” which manages care for Medicaid enrollees, to another.

Teenagers at Douglas County’s highest-level treatment facility, in the detention building, receive two hours of one-on-one counseling per week from staff who have some type of social services bachelor’s degree. They also participate in a couple hours per week of activities focused on building skills such as anger management and impulse control, which can be led by any program employee if it is designed by counselors, said Treatment Manager Sarah Wickersham. Youth who need alcohol or drug treatment go to appointments at an outpatient program.

Klamath County has taken a similar tack, turning one of its two juvenile detention center “pods” into a “Youth Inspiration Program” for girls in the foster system. It serves girls in the Oregon Youth Authority’s custody for committing crimes in the same pod. Douglas and Klamath counties’ facilities are not locked, but staff monitor the exits and intervene if a child tries to leave. Gov. Kate Brown wants the state to borrow \$12 million to help Klamath County construct a separate building for the Youth Inspiration Program facility, according to her [budget](#) proposal.

Dan Golden, director of the Klamath County Juvenile Department, said the program has space for nine teenage girls but the governors’ proposal would allow it to grow to serve 24 girls, with half of the beds available to girls in the foster system. Both foster children and girls in custody for committing crimes receive addiction treatment and daily counseling from a local health care provider, Klamath Basin Behavioral Health.

Golden said many of the girls in the 90-day program have been sex trafficked. “So this is a much more secure surrounding to ensure security for these clients and make sure that people aren’t able to just enter the facility,” Golden said. He said that actually happened one time, when a couple of men who had trafficked one of the teens drove down from Portland in an unsuccessful attempt to get her out of the facility.

During the September legislative hearing, Jones, the child welfare director, told lawmakers the state is working to increase the supply of institutional care for foster children of all ages.

“We will have an additional 64 ... beds across the state which will serve our littles, who are kids 5 to 8; our middles, who are 9 to 13; and our children that are — we call them our bigs that are 14 to 20,” Jones said.

Douglas County plans to help serve those “littles” with a [25-bed facility](#) now being renovated that will house children ages 6 to 12.

Ana Day, executive director of Oregon Community Programs which coordinates a network of therapeutic foster families in Eugene, said the state needs a range of programs for children including some residential treatment facilities. But she emphasized that many children with serious behavioral issues, including self-harm, can succeed in foster homes

when the families have enough support and are able to focus on a single foster child with his or her own room.

The prospect of placing more young children in institutional care is troubling, she said. “It should be the absolute exception to have a 6-year-old in residential care,” Day said. The challenge, she said, is “the truth is there’s not enough foster families” trained and willing to provide the expert support some very young children need to succeed.

Day pointed out that as Oregon leaders work on adding capacity to the child welfare system, their decisions today will determine the types and quality of care available to children for years to come.

“Oregon doesn’t have the resources for all of these kids,” Day said. “And if they’re going to build them, it would be smart to think about how do you build the ones that are right for those kids and not just the ones that are right for today.”

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