



from the office of

**SENATOR
KIM THATCHER**

March 27, 2019

To: Governor Kate Brown
Oregon Senate
Oregon House of Representatives

Concerning: Oregon's foster care emergency

Our state's foster care is in crisis. This is not a new issue, but it is growing more alarming by the day.

Virtually the only issue not addressed in the governor's state of the state this year was our foster care system. This is an emergency.

News story after news story is breaking detailing one horror after another. There are reports of children getting abused, raped and even killed—and the state's administrative bodies and executive branch charged with the responsibility for the state's most vulnerable children seem to be failing.

Clarinda Academy is just one of the out-of-state facilities Oregon has sent children from our foster care system. Reportedly, in sending children to the Clarinda Academy, Oregon spent \$2.5 million in the last three months of 2018. Oregon sent children to the facility as Washington brought their kids home. California knew about the Clarinda Academy's pervasive issues as far back as 2012.

Children who reportedly experienced torture and even rape at the Clarinda Academy were interviewed by NBC Nightly News and Sandy Santana, the executive director of Children's Rights--a national nonprofit that focuses on reforming foster care systems--was also interviewed in the investigative report.

Clarinda Academy has a so-called "vocational behavioral health" program. They also own a for-profit merchandise company, First String. The First String products are made at their on campus vocational program.

NBC Nightly News anchor Kate Snow told my spokesperson via Twitter that four of Oregon's foster children were at the facility as of Mar. 1. What is the timeline of all Oregon children to and from the

facility? Can the Brown administration provide an explanation of where seven children went from Feb. to Mar. to explain why there is a discrepancy in media reports?

The **problem** with sending children to the Clarinda Academy is that it:

1. Violates the ADA
2. Undermines due process
3. Restricts informed consent
4. Exposes children to abusive treatments and practices
5. Subjects them to a potentially dangerous environment.

Solutions to the problem could include:

1. Oregon terminating contracts with this and other out-of-state facilities
2. Oregon auditing all out-of-state facilities to which we have sent children
3. An internal audit uncovering the decision-making process that led to the placement of children to these facilities
4. Bringing home Oregon's most vulnerable children

The question remains what will be done to provide for these children once we bring them home. You can read the 55-page report that Disability Rights Washington released and learn more about their effort to bring home their children [here](#).

Oregon is not only sending children to these types of out-of-state facilities, Oregon is also sending children to juvenile detention facilities and cinderblock prisons.

Take for example, the attorney for a child in Oregon's foster care system planning to sue the state after the child allegedly was subjected to witnessing two state workers having sex in the same hotel room where the child was staying.

The attorney further alleges that the state sent the child to a juvenile detention facility as punishment after the child reported the incident. At least one of the "child welfare" workers reportedly threatened the child and "ordered him not to tell anyone what happened," the child's attorney wrote in the tort claim notice.

This notice serves to alert the state that the child plans to sue and instruct the state to maintain relevant records, per *The Oregonian*. "The following day, as a means to further intimidate my client and keep him quiet, DHS caused my client to be placed in a juvenile detention facility, despite the fact he had committed no new offense that would warrant further incarceration," as stated by Kramer, the child's attorney.

Oregon Public Broadcasting's Lauren Dake, reported on the Clarinda Academy. Dake explained that there are currently more than 80 children placed in out-of-state facilities and that the majority are in facilities run by the for-profit, Alabama-based, Sequel Youth and Family Services, which oversees Clarinda Academy.

What, to date, are the exact numbers of children placed in out-of-state facilities?

Are there any children not accounted for?

What is the exact breakdown of out-of-state facility placements?

Oregon child welfare officials concealed reviews into the deaths of two children that occurred under their watch, including one girl shot and killed, by claiming their deaths fell through a loophole in public reporting laws, per *The Oregonian's* Molly Young.

Oregon's foster care system is resulting in millions of dollars being spent to correct wrongdoings on behalf of the department, rather than being invested in our state's most vulnerable children. Take for example, the recent settlement paid out to the 5-year-old who was wrongfully given to a self-identified sex addict who had a predilection for child pornography.

The Department of Human Services has cost taxpayers in settlements to the victims of these type of horror stories, more than the total what all other state agencies have paid out in settlements.

How many lawsuits related to child welfare issues against the Department of Human Services, or any other entity in the executive branch, are outstanding?

To date, how much has been paid out in settlements, or court-ordered, to victims in the state's foster care system?

How many cases are in dispute now?

Will the governor's office please provide public records relating to Department of Human Services' policy changes on foster placements since 2014?

In Dake's report in February, she said 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, per Dake.

What decision-making process was executed in selecting these facilities? Did the Brown administration and the departments charged with responsibility for these children know about the problems plaguing the Clarinda Academy and other out-of-state facilities?

My office is looking for answers and a detailed response on how the governor's office and department of human services will respond to this emergency and what plans are in place to address Oregon's failing foster care system that is destroying real lives.

My office has an open-door policy for the governor, department heads and foster care advocates and we are looking for a rational conversation and to collaborate to address this emergency.

Let's bring them home,

A handwritten signature in blue ink, appearing to read "Kim Thatcher".

Sen. Kim Thatcher