

Good morning Chair Hartman and members of the committee. My name is Riley and I am a former foster youth and a foster youth advocate here to testify against HB 3835. Thank you for giving me an opportunity to be here today and to speak on behalf of children who may not be able to advocate for themselves.

Although there are many things I would like to talk about today regarding HB3835 I am coming here today to discuss three main points. It is quite apparent that the lack of resource homes and facilities to support children in Oregon's foster care is a lingering problem for Child Welfare and HB3835 is quite reflective of what the agency is trying to gloss over to make their own jobs a little easier.

-Not having adequate staffing to do what needs to be done does not mean deviating from what ABUSE actually is. Trying to redefine what constitutes as child abuse and what isn't is not the solution. Leaders bringing forth this bill are seriously not in the know and perhaps have never experienced abuse in foster care. I HAVE!

- Prior to SB1515 being passed and kids started being sent out of state it was stated that the only youth that would be sent out of state were kids who were rare exceptions and were children that were hard to control. This didn't last long before a large amount of kids were being shipped out of state and placed in for profit facilities, kids as young as 9 years old were being sent out of state just for a bed. When the bill was passed it wasn't passed saying that kids couldn't be sent out of state, it was passed saying that the out of state facility has to meet the same requirements as required by those in Oregon. If this bill is passed, it opens up to other states to treat our youth as they once did. These out of state facilities currently won't take Oregon foster kids because they, like before, want to use unsafe holds, ones that were used and ended up killing a 16 year old because the youth threw a sandwich. This bill was created because of the horrific abuse that came to light once someone FINALLY listened to them, abuse that was clear from the hospital visits, assaults on youth, reports of restraints, deaths of kids in the facilities, etc...no one in ODHS cared to go check on these kids or listen to them when they voiced what was happening.

Who will be sent out to check on these kids if HB3835 passed? Are the kids' reports going to be taken seriously? Are we going to go right back to sending just any kid out of state? How are they planning to control these outcomes? Because I assure you they can't. The oversight and management of ODHS is severely failing and these kids are the ones suffering.

-On the topic of reducing housing standards to non-certified providers and relaxing language surrounding accountability. Instead of spending millions on businesses like Dynamic Life or wasting taxpayer dollars on lawsuits that could have been avoided, the agency needs to revisit their priorities. Why can't they find more resource families or homes in Oregon?

According to HB3835, (SB1515) is limiting the agency. But as a former foster youth, I can tell you that SB1515 has saved a lot of children from abuse and the trauma that comes from being placed in facilities and homes that should never be

anywhere close to a child. It is ridiculous that leaders of this state would stoop to this level just because they cannot figure out their own agency.

- Instead of redefining abuse - why can't we revisit the recruitment strategies and why the Child Abuse Hotline cannot handle all the calls coming in. Yes, we acknowledge it is a lot of work, but lowering the bar on what is abuse for mandatory reporters is unacceptable. This bill is gambling with a child's life by moving away from a standard that demands that any suspicion of abuse must be reported. This is not to be taken lightly and I am shocked that this language comes from one of the highest offices in our state.
- Instead of focusing on sending kids to other states where Child Welfare clearly will lack, focus on investing in behavioral and mental health services catered for children in foster care. Why does it always feel like Child Welfare goes in circles until a child dies? We need to wake up!
- I understand that it can be challenging to get large certified facilities for housing. Why can't the state invest in smaller certified group homes in all counties within the state. This can be for children who don't necessarily need a hands on approach but need a safe home. On August 3rd, 2024 a child who I will not name as to respect their family and loved ones killed themselves after being placed in the custody of Dynamic Life who at their memorial service laughed and joked about the abuse they knowingly, with no remorse, inflicted on this child, a child who at that time was 14-15 when they were placement with dynamic life and then after being removed from that horrible placement, lived out the rest of their life for the next 2 years in a hotel room where they ended their life at the young age of 17. A child who was explained by many as a light in the dark, always a happy person, a jokester, someone that if you showed you could be trusted would do absolutely anything for you and protect you with their life. They had dreams of exciting care, taking in their brother, and becoming their brother's guardian. Dreams to help their brother become the best independent version of himself. Six years prior to this ODHS promised in a legal settlement to stop placing kids long term in hotel rooms due to recognizing the harm it has on children. But it didn't stop, instead, Oregon spent millions of dollars housing hundreds of kids in hotels. So I will say this with my whole chest. If they couldn't keep this youth and the thousands of other youth safe in our own state, how are they planning to keep kids out of state safe? If Child Welfare can't even handle things within their own state, what makes you think they can handle this out of Oregon! The amount of money Child Welfare has spent through mismanagement and improper execution is jaw dropping.

Look, no one is saying that Child Welfare or the Governor's office is not trying but HB3835 is clearly a business decision. At the heart of this bill rests a child who depends on an adult to be the voice who will save them. Are we extending them this grace or is HB3835 simply business as usual because an agency cannot figure out their internal practices.

As a former foster child I have experienced both the other side of the child abuse hotline as well as in state residential facilities. CPS came out to my house 7 times and each time left knowing there was abuse but were too afraid to remove me and my siblings and it took me nearly dying before I was removed from my abusers and placed in foster care. When I was in care, I had to do visitations and one of the times the person who drove me to my visitation was one of the people who came out to do one of the safety evaluations. I will never forget when he told me that when he came out to do the evaluation he saw me run upstairs to change my clothes from a tanktop and shorts to baggy sweatpants and a sweatshirt before he was invited in which he found very odd because it was the middle of the summer. He then continued to tell me that when he came in he saw my middle brother frantically fixing what already looked like straight picture frames and trying to make everything look perfect. I later found out that the reason I wasn't removed was because the people I was placed with adopted me and my siblings out of the foster care system, because we lived on a 25 acre farm, with 80 animals, and lived in a 4 story house. To sum it up my siblings and I weren't removed because our adoptive home looked posh. If I wasn't found nearly dead in the horse pasture and the redefined language around abuse was in place, I wouldn't be sitting here talking to you today. When I turned 18 I moved into my own apartment with my roommate, after almost a year of living there I had a trusted friend come over and he ended up sexually assaulting me, after that happened I ended up staying with a friend for about a month until I felt safe enough to go back home as my life was threatened multiple times by the individual who sexually assaulted me and I was in the middle of a restraining order against my sexual abuser. When I came home an incident happened where I went to go take a shower and when I got out, my door was open, but no one was home. I called my mentor to see if she could help me get to a friend's house till we figured out what was going on and my mentor called the ODHS 24 hour line to see if they had someone who could help get me to the friend's house. ODHS ended up falsely claiming I was suicidal and forced me to go to the hospital and after a couple days they took my service dog from me and then put me in a van that had a cage wall splitting the two front seats from the back seats, the cage wall was held up by metal clasps and zip ties, one of my hands was handcuffed to the seat and the other was handcuffed to the roof handle leaving my arm dangling from the ceiling for over 2 hours leaving a huge handcuff bruise around my wrist, the van looked like a cop car but it wasn't a cop car. I was then taken to a residential facility that had kids ranging from the ages of 11-18 years old, the things that I experienced at that facility was so bad that no one, not my brother, case workers, counselor, no one outside of the facility knows what ensued so bear with me as this is the first time I will ever be mentioning what occurred behind those 4 walls. When you arrived at this facility you were stripsearched and then had to do the squat and cough, they then stood in the bathroom as you showered and watched you as well as washed all your belongings. You were handed jail-like clothes, and shoes and taken to a room where you had to explain everything to them from scars on your body to your mental and physical health. You were

notified that if you stepped outside the doors the staff couldn't come out and get you but that there was a juvenile detention center behind the building and you were threatened that if you acted out that you would be taken there and booked. If you wanted to talk to someone on the phone they had to be approved by the caseworker, the staff would call the person and ask if they were willing to talk to you and if they said yes then you were told to go to a phone cubby number. The phones were a table with thin dividers and a chair and a phone on the wall that the staff would transfer to your cubby numbers phone, you could literally pull the image out of a movie with a jail in it and you would have a pretty good image of it. This facility had a bridge right outside the building that people would hang around and wait for kids to run out and then take them from the facility and sell them to the sex trade, I watched as a girl that was no more than 80 pounds get picked up and slammed into the ground all because she mumbled as she walked away and then get taken out in an ambulance because she wouldn't wake up, I never saw her again, you had a light shown in your window every 15 minutes to make sure you didn't commit suicide, The night shift staff wouldn't even bat an eye if a male staff member came in your room and was in there with the door closed for an extended amount of time, if you wanted to improve you status on the behavior chart you allowed the male staff to do whatever they wanted to you. Of course you had all the rooms locked off and if you wanted to even go to the bathroom you had to ask permission. The kids there did not go to school and there was no teacher so the 17 year olds were at a 5th grade level if they were lucky. If you went out on a facility gathering you had to be strip searched and cavity searched even if you were with the staff the whole time, but if you didn't go you were punished in ways I am not willing to disclose. These residential homes that before the bill was passed did what they wanted, when they wanted, how they wanted. They knew no one would believe us so they did as they pleased. I was there a week before I, for the first time, ever became a runaway at 18 years old.

Loosening the language around abuse puts kids back in this situation. If you allow out-of-state facilities to take in kids without following Oregon's guidelines then these things will happen to other kids but they will have no way out and no one to believe them. We need to do better, be better, and learn from our mistakes instead of making the same mistake over and over again expecting a different result.