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The Oregonian

Foster care scandal deepens: 'Every single staff person has a criminal record'

Updated: Jan. 09, 2016, 12:04 p.m. | Published: Jan. 09, 2016, 11:04 a.m.

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Back in February 2009, the head of Oregon's child welfare programs emailed her boss with worries about Portland foster care provider Give Us This Day.

"At a site visit last week, numerous concerns arose (on top of the fact that they aren't licensed) - the most serious of which is that every single staff person has a criminal record," Erinn Kelley-Siel wrote to the Department of Human Services' director, Bruce Goldberg.

"I know you've had extensive involvement in the past with issues concerning [Give Us This Day] -- are you currently in discussions with them?" continued Kelley-Siel, who later [led the department](#) from 2011 to 2015. "I want to make sure our activities support yours. Thoughts or suggestions on how to proceed?"

The department eventually stopped placing children at Give Us This Day -- but not until almost seven years later, after allegations emerged that the provider had [misspent nearly \\$2 million](#) in state funding.

Sen. [Sara Gelser](#), who's pushing for [tougher oversight of Oregon's child welfare system](#), released Kelley-Siel's email amid [hundreds of pages of records](#) in advance of a key legislative hearing next week on her proposals.

The details revealed in those records show senior officials knew of significant troubles at Give Us This Day years earlier than previously reported. And they knew of problems in time to have avoided the money issues and allegations of abuse that arose later.

The records also add to disturbing questions about state officials' willingness and ability to crack down on troubled providers.

Just months after the 2009 discussions about Give Us This Day, department leaders announced a review of their handling of abuse cases -- following high-profile allegations that caseworkers in Washington County had [ignored reports of abuse allegations for more than a decade](#). Oregon has paid millions of dollars in settlements involving abuse, in some cases fatal, over the past several years.

Costly allegations: Click [here](#) to see a list of the state's 12 most expensive abuse settlements. "We need a very significant culture change," said Gelser, D-Corvallis, who's working up bills that would give officials more power to investigate abuse claims and close providers accused of neglect.

"All of the right things were being said in public. But behind the curtain, decisions were being made to sacrifice the safety of kids," Gelser said. "That's not a red flag. That's a giant neon sign."

Give Us This Day's financial troubles were first reported by Willamette Week in September. Later that month, [a former Give Us This Day employee](#) sat before the Senate's human services committee and said the provider failed to provide food and clean bedding, rewrote reports, tolerated mold and rodents, and let workers use improper force.

Gov. Kate Brown ousted the Department of Human Services' interim director in November and announced a review of Oregon's foster care system.

Brown later told lawmakers her review would focus on abuse investigations, licensing practices and how the department shares warning signs. An advisory group, including lawmakers and advocates, is set to meet for the second time this month, a spokeswoman for Brown's office said.

Last month, after changes by Brown's handpicked human services director, officials [pulled kids from a Clackamas County provider](#), Youth Villages, amid complaints of supervision so poor that teenagers were allowed to engage in sexual contact. Youth Villages announced last month it was closing the residential program in question.

Another provider, the Scotts Valley School south of Eugene, [received a letter from the state](#) that mentioned children enduring hunger, bedbug bites, vulgar nicknames such as "orphan whore" and punishment that involved silently facing a wall for 12 hours a day.

Gelser said the latest documents on Give Us This Day, which she obtained in a public records request, put an exclamation point on her argument that state law must change to help stop further abuse.

One of Gelser's bills would [tighten](#) licensing requirements and financial rules, and give regulators the power to suspend a provider's license over abuse claims and other safety violations. Now, providers can keep their license if they're "substantially" in compliance, even if regulators have repeatedly confirmed abuse and neglect.

For example, messages sent between 2009 and 2014 show back-and-forth discussions over licensing, abuse complaints, worries about poor care and supervision, problems with cleanliness and hunger, and "concerns about financial management and cash flow."

Despite those concerns, officials in June 2013 recommended keeping the state's contract with Give Us This Day -- swayed by the provider's "willingness to take almost any child any time" and its "experience with children and families of color." Officials have repeatedly said they turned to Give Us This Day because it accepted troubled children other providers turned away.

"That is not an acceptable reason," Gelser said Thursday. "Those decisions impacted the safety of every other licensed provider. It gutted the power and the authority of the licensing agency to actually hold providers accountable."

Gelser warned of another possible hit from Give Us This Day: penalties over Medicaid fraud.

On Nov. 13, the U.S. Department of Health and Human Services [issued a subpoena](#) for all state records dealing with Give Us This Day since 2007. Gelser said officials may have broken the law by paying Give Us This Day despite knowing "on multiple occasions" that it lacked a license.

She said the inquiry could come with "a big bill" and, potentially, federal criminal charges.

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