

POLITICS

Kids in Oregon’s foster care system need safe and secure housing, but an effort underway to create more has some advocates worried



By [Lauren Dake](#) (OPB)

Jan. 3, 2025 6 a.m.

Oregon kids in foster care have been sent to [out-of-state facilities](#) and spent prolonged periods of time in [hotels](#). They often bounce around to a [dizzying array of placements](#).

Nearly everyone agrees they deserve a place to live where they feel safe and secure.

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But now, only a few months after the [\\$30 million court battle](#) between the state’s child welfare officials and the kids in its care has concluded, another fight begins: how to create more of those placements?

Last month, the state revealed its first attempt to improve the long-standing problem: a complicated wide-ranging bill that goes after regulations put in place to protect children.



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Those in favor of the recently unveiled legislation said certain laws have made it overly cumbersome for those who might want to provide treatment beds for kids in care.

Former Democratic state Rep. Anna Williams, who heads Gov. Tina Kotek's care advisory council, is behind what's currently known as legislative concept 346. Her group is sponsoring legislation in the next session she believes would clarify rules around how children are physically restrained if necessary and how to define child abuse.

Others, including Emily Cooper, the attorney for Disability Rights Oregon, which argued on behalf of kids in the Wyatt v. Kotek case, and Sen. Sara Gelsler Blouin, D-Corvallis, who wrote many of the laws aimed at protecting kids, are aghast at the bill — saying it rolls back regulations that were put into place to protect kids.

“The rationale (behind this bill) is unfortunately both shocking and fairly transparent,” said Cooper with Disability Rights Oregon. “People don't want to serve these kids, so let's make it easier to hold them down.”

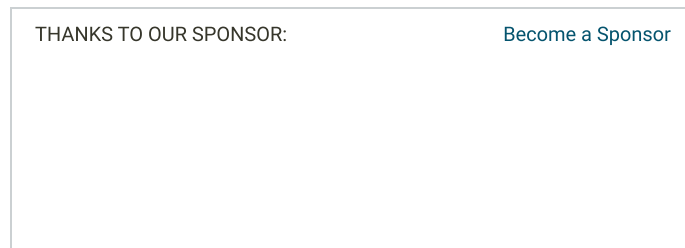


People who've been through foster care systems, like the Oregon Department of Human Services, are more likely to suffer

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Gelser Blouin and Cooper said it would make the rules around restraint, physically holding kids down, and seclusion in schools less restrictive than most states. Gelser Blouin said it opens the door to allow for restraints in foster care, which is currently not allowed.

“I don’t understand what problem this solves,” Gelser Blouin said. “I don’t know what safe place for kids says, ‘oh, if we can restrain kids and then we can handcuff them and take them places, then we will operate [a facility].”



Those backing the bill said they heard from youth who think it would help. Williams said she spoke to a young person who said after restraints and seclusions were restricted under Senate Bill 710 it “changed the quality of care they felt like they received.”

“I’m hesitant to put words in someone else’s mouth,” Williams said, “but (the young person) said it made her feel like she wasn’t part of the family anymore because her foster parents were unwilling to discipline her like they disciplined the other children ... and that caused significant trauma and a lack of development for her as a young adult.”

The latest legislative draft, which remains in concept form, would also allow for the state’s Department of Human Services to resume sending foster kids to out of state even if the state of Oregon hasn’t licensed the out-of-state home or facility.

This is particularly galling to critics of the state system since when the state sent kids to placements out of state earlier, there was [well-documented widespread abuse](#). Gelser Blouin visited several of the out-of-state placements over months and got to know the youth placed in the facilities. She drafted legislation, passed into law, to ensure Oregon officials who sent kids out of state first certified the out-of-state facility by Oregon standards. At one point, Oregon was sending kids out of state and then not checking in on them.

This time, Williams said, the state wants the ability in rare cases to send kids out of state.

of being certified by Oregon. Williams said there are cases when it makes more sense to send a child to a facility in neighboring Idaho than it does Eugene, especially if that means they can stay closer to their family and friends in Eastern Oregon if they are able to offer different services.

Williams said it would only allow for the rare exception.

State officials said something similar when they first started sending kids out of state, saying they were only the exceptionally difficult kids to place and that there were no other options for them. Even when they visited the facilities in other states, [they sent back rosy dispatches that stood in stark contrast to the reality painted by state officials from other states.](#)

Williams acknowledged that part of the problem is certainly the lack of trust.

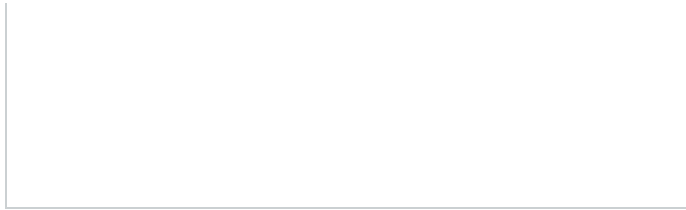
“The mistrust is real ... there is no way to rebuild trust besides just being trustworthy and acknowledging those lapses have happened and we’re gonna do better,” she said.

When Oregon first started sending kids to different states throughout the country, child welfare officials refused to identify the names of the places where the kids were being sent or even the state they were being sent to. The lack of transparency made it difficult to understand what was happening to the kids in care. Only after extended back-and-forths did it become clear where the kids were going and they were all being sent to facilities run by one venture-capitalist-backed company.

This latest legislative concept being shepherded by Kotek’s administration would make it so once again the state did not have to disclose the name of the places where kids were being sent online, but they would be sending a report back to the governor’s advisory council. Williams said the idea is the council she chairs would receive the information and be able to identify a pattern of where the kids were being sent so they could identify what services may need to be offered in the state.

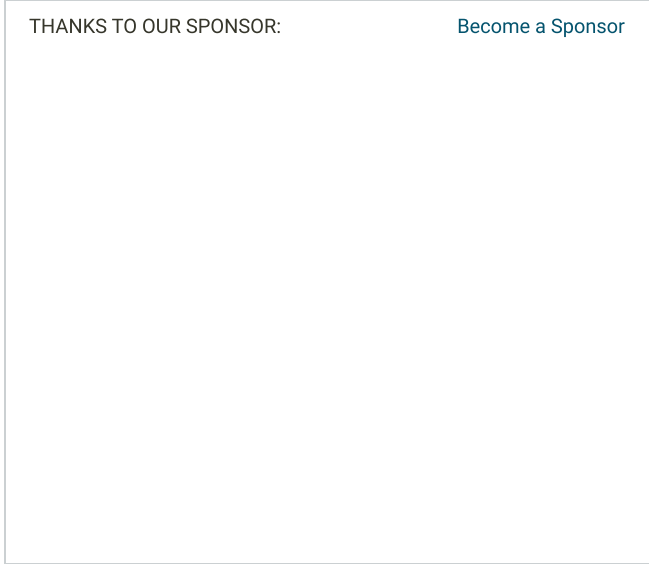
Cooper, the attorney with Disability Rights Oregon who has sat on the council for a long time, said the process has been “shocking,” and the governor’s advisory council has become a “megaphone for providers and state agencies.”

“To be fair, there is a provider crisis in Oregon but the solution is not making it less safe for kids,” Cooper said.



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Out Of State, Out Of Mind

When the state of Oregon takes a child from their home, child welfare officials assume responsibility for their health and happiness and for ensuring each youngster receives the care and treatment needed to succeed. But emails, case files and interviews show that for children in foster care who were sent across state lines, Oregon largely trusted a private, for-profit company to ensure they were safe. The result is a litany of disturbing outcomes; tales of abuse, neglect and vulnerable children left to fend for themselves.

Dec. 11, 2019



Oregon continued to put foster kids in hotels for years, defying legal settlement

Oregon has spent more than \$25 million housing 462 kids in foster care in hotels after the state promised to stop the practice as part of a legal settlement in 2018. On Tuesday, a federal judge took the rare step of appointing an outside expert to oversee the state's Department of Human Service agency, noting the state agency has not figured out how to wind down the practice known as "temporary lodging" on its own.

July 18, 2023



Oregon is placing foster children in unlicensed short-term rental homes and paying millions to do so

State officials are paying a religious nonprofit more than 100 times the amount they pay foster care parents to watch vulnerable children in unlicensed short-term rental homes.

Nov. 20, 2023



The final tab to taxpayers to defend Oregon’s troubled child welfare system? Possibly upwards of \$30 million

The federal judge on the case has been blunt, saying it “should have been settled five years ago” so the money spent on attorneys and hired experts could’ve been spent “on kids and families.”

Nov. 14, 2024

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