

Substantiated Allegations of Wrongful Restraint in Child Caring Agencies (including all program types), Post SB 710

(September 1, 2021- September 30, 2024)

Total restraints and seclusions imposed: 13,298

Total reportable injuries of youth: 2287

Total individuals investigated (note, this includes ALL of 2021): 123

Total individuals with a substantiated allegation: 12

Average number of youth restrained each quarter: 145

Average number of reportable injuries to youth each quarter: 190

Average number of total restraints per quarter: 1108

Average number of restraints per youth per quarter: 7.6

September 2021, CCA210094, Trillium-Sagebrush

1 allegation of Neglect and 1 allegation of wrongful restraint were substantiated against a staff. Staff threw liquid on the youth after they were unable to disengage from the youth's escalated behaviors which escalated the situation more. Staff restricted the youth's actions and movements when the action was not warranted or justified.

April, 2022, CCA220050 (2 allegations), Trillium

Two staff members were substantiated for wrongful restraint of a child when it was determined the staff members used an unauthorized supine restraint to physically intervene.

Since the time of this incident, Trillium has worked to better educate Trillium personnel on the parameters surrounding the use of physical restraints as a behavior intervention, including the prohibition against the use of supine restraint, which applies to most, but not all facilities operated by Trillium. One of the two identified employees is no longer employed at Trillium. The other employee continues to be employed at Trillium after undergoing a new background check and fitness determination conducted by the ODHS Background Check Unit, which considered the substantiated report of wrongful restraint.

May 2022, CCA220066, Trillium

One staff member was substantiated for Involuntary Seclusion when it was found the staff failed to provide the youth with adequate access to the bathroom while placed in

seclusion. The child was in seclusion for over 90 minutes and requested to use the bathroom, which was not offered.

May, 2022, CCA220078, Jasper Safe Center

One allegation of Wrongful Restraint was **substantiated against the program**. Staff unnecessarily utilized a wall during a restraint causing difficulty breathing, and tenderness to a youth mid and lower back.

November 2022, CCA220169 Albertina Kerr

One allegation of involuntary seclusion was **substantiated against the program**. A youth was placed in seclusion for multiple hours during the overnight shift. The program had no CESIS or program supervisors available for staff on shift to get continued authorization every five minutes after the first 10 minutes of the seclusion.

ODHS consulted with Albertina Kerr management following the incident, and the program has implemented a more robust system for ensuring personnel qualified to authorize the use of seclusion and physical restraint are always available. The program has also updated its policies and practice in ways designed to reduce the duration of seclusion and restraint.

March 2023, CCA230023, Trillium

Program staff utilized a Wrongful Restraint by placing their arm across the youth's chest. This restraint was prohibited due to there being no imminent risk of serious bodily injury to the youth or others, and due to the restraint creating a risk of impeding the youth's breathing.

July 2023, CCA2300067, New Roads-Community Counseling Solutions

The program was substantiated for Wrongful Restraint after 3 staff engaged in an inappropriate restraint of a youth. The staff were not trained to conduct restraints or how to appropriately address the youth's behaviors.

ODHS Licensing personnel partnered with OHA regulatory personnel to provide consultation and direction to Community Counseling Solutions (CCS) management following the incident that gave rise to the finding of wrongful restraint, including two in-person visits by ODHS Licensing to the program site. CCS retrained all personnel at the site in Crisis Prevention Institute's Nonviolent Crisis Intervention (CPI/NCI) methodology. Staff at the site now have a better understanding of behavior de-

escalation methods and the thresholds for the use of physical restraint. ODHS Licensing will continue to monitor, and another visit to the site is planned for the 1st week of February.

October 2023, CCA230096, Greater Oregon Behavioral Health, Inc.

GOBHI proctor foster parent responded to the school where they physically removed the child from a play structure after the child was non-compliant. The proctor foster parent proceeded to conduct a prohibited restraint by restraining the child supine on the ground.

While the investigation was in process, ODHS met with GOBHI management to discuss ways to better ensure GOBHI foster parents have a clear understanding of the narrow parameters for physical intentions and a clear understanding of prohibited interventions. GOBHI terminated the certification of the identified foster parent. ODHS personnel attended the behavior management training GOBHI provides to its certified foster parents, and ODHS is consulting with GOBHI on ways to improve the training going forward.

February 2024, CCA240027 Trillium- Parry Center

One allegation of involuntary seclusion was substantiated against a specific staff after that staff used their foot against the door to keep a child in their bedroom.

The identified employee was retrained by Trillium following the incident to ensure the employee was clear about the fact that preventing a child from leaving their bedroom is prohibited. ODHS also followed up with Trillium management regarding some delays experienced by ODHS when requesting information from the program about the incident that gave rise to the investigation and substantiation. The program provided an explanation and described measures taken to prevent any delays in responding to information requests going forward. When the employee elected to not appeal the substantiation, Trillium submitted a new background check request to the ODHS Background Check Unit (BCU). The BCU conducted a fitness determination, taking into consideration the substantiation, and the employee was approved to continue in their position.