

In 2011, I adopted my son out of foster care at age 4. He has been a challenging kid, and despite my best efforts and the involvement of many therapists, parent trainers, and class after class on trauma, his behavior got to the point where I did not feel we could live together safely. In November 2017, when he was 10, he attacked me in such a way that I felt I had no reasonable choice but to call the police for help. They came and took him to the emergency room.

At that time, I asked DHS for help because I could not get him into the local, more intensive treatment programs on my own. Because of the way the system works, however, to get that help, I had to surrender custody of my son back to DHS. Their proposed solution was to send my then-10-year-old to a facility in Tennessee. I did some research and learned horrible things about that place, including that several kids had just run away and staff members were reporting the awful conditions.

I am an attorney. I am well resourced. So, I hired a private attorney who is now a Multnomah County Circuit Court Judge, and we fought DHS's "solution." Frankly, my child had already experienced enough trauma in his life and there was nothing "special" or medically "appropriate" about the facility in Tennessee. Rather, it was a place with a bed willing to take a hard kid. (Notably, this was *before* the institution of the legislation that DHS now blames for making it hard to find providers willing to take kids. The shortage of providers in Oregon is nothing new and the steps that have been taken to increase the number of beds in Oregon have been woefully inadequate. It is also noteworthy that the program DHS wanted to send my child to in Tennessee got shut down the following year with allegations against it being made of unapproved restraints, physical blockades of doors, no regular meal times, lack of attention to hygiene, rat infestations, etc.).

We got a Court order saying DHS could not send him out of state without court permission. In response, DHS labeled me as a difficult parent and started treating *me* terribly. They filed documents in court that I was uncooperative and not willing to take advantage of the services DHS was offering. Fair enough. I was, indeed, uncooperative with sending my vulnerable child to a place that had multiple news articles about its abusive treatment of children. The fact that DHS – the entity charged with keeping our kids safe – stated that this made me unreasonable is simply unfathomable. DHS's campaign against me was intense, but I stood strong, and I had over 100 people show up to court to support me in my fight.

Ultimately, DHS got him into the Jasper Mountain SAFE Center in Springfield, where he lived for a year. I regularly attended in person family therapy throughout that time. When he was ready to discharge, they recommended he attend their day treatment program. He was in that program for 8 months, and we continued to attend family therapy during that time. While things were not perfect, he was mostly stable at home and making progress in school. When things escalated, I could call their crisis line and they would send workers to our home to de-escalate the situation. If that didn't work, they could take him for a 72-hour respite hold. That was such a valuable service.

He turns 18 next month, and while we have our ups and downs (some of which are significant), he and I have (mostly) maintained a relationship. I have also been able to facilitate relationships between him and his former foster mom and his biological mom who is doing very well in life now, so that he has a whole committee of "moms" who can help him at different times and in different ways. I am convinced that had he been sent to Tennessee, that would not be the case. I can only imagine the devastating outcome that would have occurred had I been less resourced, less educated, less connected to a strong community, less privileged. It is not fair that MY son was saved from that fate because I could afford to fight and knew how to do so. So many parents do not have the same tools in their toolbelt. We cannot put vulnerable kids at risk simply because their families do not have the resources or tools to fight back.

It is imperative our kids be kept near family so they can have a fighting chance to heal and grow together.

There is no doubt that the current system is broken and needs to be fixed. This legislation, however, is not the way to do it. DHS is asking us to trust it to fulfill its obligations under the statutory "guardrails" that are baked into the legislation. But history (and not distant history, but in the past couple of years), DHS has proven that it is unwilling (or unable) to comply with court orders and other statutory requirements for the safety of kids in foster care. There's a great piece of common advice: "When someone shows you who they are, believe them." DHS has shown us, time and time and time again, through its actions that it cannot be trusted to comply with court orders, and breaks the promises it makes in settlement agreements.

We have, as a society, developed all manner of checks on the DHS system, including Citizen Review Boards and the CASA program, to make sure kids are actually getting what they need and deserve from DHS. And still, there are enormous failures. Why on

earth would we trust DHS to comply with the “oversight” requirements of this statute and call that “good enough”?

I was thrilled when I learned several years ago that a new law had been passed saying that kids could not be sent out of state unless the standards of the facility met the same standards as a facility in Oregon would have to meet. Now, however, DHS wants to roll back that standard.

At the hearing on May 12, 2025, person after person who testified in support of the bill said that foster kids deserve the same kind of care that any kid on OHP would get. I couldn't agree more. What they did not explain is just exactly how a foster kid would be getting the “same kind of care” if they are shipped out of state to a facility that cannot meet the same standards a facility in Oregon would meet.

It's important to note that under the current law, DHS can absolutely send kids out of state. And they do. But they can only send kids to facilities that meet certain health and safety standards. Isn't that what we should want? Why would we be signing up to send kids to a facility that would never be licensed to provide care in Oregon? Either we have standards, or we don't.

Here are some ways I believe the shortage of beds and staffing could be mitigated in Oregon that have NOTHING to do with making the definition of “abuse” less protective of children, would still require DHS to investigate claims of abuse by a foster parent's romantic partner (the idea that under the proposed legislation, such a person would no longer be subject to investigation by DHS is mindboggling), and would protect staff from the alleged fear-induced refusal to continue in these positions:

1. Offer real, practical, and effective training in the use of holds. Holds are permitted under the current law in certain situations. They just have to be done properly. I understand that the law can be a bit tricky, but people are smart. With effective training and oversight, these holds can be done properly.
2. Impart into employees a culture of support: if they follow their training and an abuse allegation is made anyway, the employer will support the employee, and discuss prosecutorial discretion in a way that is practical (e.g. no prosecutor is going to bring charges of abuse against a staff person who safely physically intervenes to stop a child from running into traffic; let's be real. On the other hand, that prosecutor might very well bring charges against a person who

physically stops a child from running into traffic and then lays the child on their stomach, with their knee in the child's back)

3. Provide financial incentives for programs that consistently meet and exceed safety standards and incentivize the retention of qualified staff.

4. Mandatory increases in wages for staff at facilities who are assisting these kids.

The turnover rates are exceedingly high and the wages are abysmal. As of today, Trillium has job openings posted for full time therapists (master's degree required) starting at \$58,000-\$73,120, or approximately \$28-\$35/hour. Skills trainers are being advertised at \$21-\$23.18 per hour (the higher wage is for workers who work the graveyard shift and must be awake all night). Morrison Family Services offers similar rates for therapists and \$19.88-\$21.90 for skills trainer positions.

According to Pro Publica's Nonprofit Explorer information, the CEO of Trillium made over \$440,000 in 2022 (of note, the CEO's salary jumped from \$320,000 in 2018 to \$390,000 in 2019 and then to \$440,000 in 2020, or a 137.5% increase over the course of 2 years.¹) Not surprisingly, "boots on the ground" wages did not increase nearly as much. Demand that the employees who are working day in and day out with the kids get paid a fair wage for the hard work they do, and see what happens with the numbers of people willing to do the job. Until it is tried, there is no way to say it would not work.

5. Change the way services are delivered so that when a child moves between levels of care (out-patient, community based intensive care, day treatment, and residential treatment) there can be a continuity of care. My son had 8 therapists in 2.5 years as he volleyed between levels of care, not to mention whole new slates of skills trainers and a new psychiatrist, and understand that for some kids, "day treatment," might in fact be the least restrictive environment in which they can be successful so that there is not a huge push to send them out the door as soon as they show any sign of progress and back to an environment where they can no longer be successful.

Incremental and targeted fixes to specific problems are needed. This bill is sweeping, confusing, and does nothing to promote the safety and health of children. It simply lets DHS off the hook for its persistent failures.

I urge you to vote "no" on this bill.

¹ <https://projects.propublica.org/nonprofits/organizations/930386966>

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