

These minutes contain materials which paraphrase and/or summarize statements made during this session. Only text enclosed in quotation marks

report a speaker's exact words. For complete contents of the proceedings, please refer to the tapes.

HOUSE COMMITTEE ON HUMAN RESOURCES

February 25, 1991Hearing Room D 1:30 p.m.Tapes 50 - 52

MEMBERS PRESENT:Rep. Mary Alice Ford, Chair Rep. Beverly Stein, Vice-Chair (arrived 1:37 p.m.) Rep. Jerry Barnes Rep. Cedric Hayden (arrived 1:35 p.m.) Rep. John Meek (arrived 1:35 p.m.) Rep. Hedy Rijken (arrived 1:35 p.m.) Rep. Jackie Taylor

STAFF PRESENT: Melanie Zermer, Committee Administrator Holly Blanchard, Committee Assistant

MEASURES CONSIDERED: HB 2398 -Child Abuse, Fingerprint - PH HB 2540 - Child Abuse, Risk Assessment - INF

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TAPE 50, SIDE A

010 CHAIR FORD: Calls the meeting to order at 1:32 p.m.

Staff submits a flowchart of DHR(EXHIBIT C).

PUBLIC HEARING: HB 2398 - CHILD ABUSE, FINGERPRINT

Witnesses: Rep. Peter Courtney, District 33 Mary Hoyt, CSD Lee Erickson, State Police C.W. Daimler, State Police Bill Carey, CSD Ken Otto, DHR

Staff submits a SMS on HB 2398 (EXHIBIT A).

020 REPRESENTATIVE PETER COURTNEY, DISTRICT 33: Served as legislative member on the Governor's Task Force on Sex Offenses Against Children. Notes 17 bills came out of that Task Force and two stand out; registration of sex offenders once they get out of jail and HB 2398 which requires the Dept. of Human Resources to obtain criminal check of criminal records relating to potential sex abuse to children in certain situations.

028 This bill as drafted is far too far too narrow. Wants the House Human Resources Committee to help the Task Force do a better job in this area. Task Force said the bill involves the Dept. of Human Resources and agencies that license. However, doesn't address individuals who may be coaching, teaching, monitoring, or baby-sitting young children and could put those children in harms way concerning sex abuse.

039 CHAIR FORD: Are we talking about agencies like family day care, group day care, or about the individual baby-sitter that comes into someone's home? How broad do you want to address this?

041 COURTNEY: Gives three examples, Salem Boys and Girls basketball team, Little League, and Cub Scouts as three areas that aren't included in HB 2398. Just finished coaching 10 little boys for 10 weeks but wasn't required to make note of any criminal record nor is anything being done on state level to require any background check on Cub Scouts. Doesn't want to assault these organizations but wants to give concrete examples.

058 :MARY HOYT, CHILDREN SERVICES DIVISION AND CHAIR OF GOVERNOR'S TASK FORCE ON SEX OFFENSES AGAINST CHILDREN: Originally, the Task Force looked at broadening HB 2398, and started looking at Boy Scout groups, Boys and Girls Clubs, etc. and decided maybe that was too broad. That's why bill has been narrowed.

068 CHAIR FORD: Did discussion of organizations include who was going to order that check and who was going to pay for it?

071 HOYT: At one point, discussion centered on any incorporated entity in Oregon doing any work with children would be subject to absolute liability. But the Task Force wasn't ready to go that far. Must say, there's been a lost of interest since the Task Force's report came out--Head Start and other community organizations are interested in accessing criminal record checks. Bill would seem like a simple idea but became very complex. Asked State Police to be here to walk through what could be obtained from the bill.

097 COURTNEY: Two reasons to have this bill: 1) Create a chilling effect and deterrence on individuals who might prey on children and have criminal record; 2) Put these agencies on notice of who's involved in their volunteer programs. 121 - The question raised about neigHB orhood baby-sitters brings up whether this bill can address every situation. Doesn't think it can. Doesn't want to create suspicion or distrust but there are enough organizations heavily involved with children that there needs to be a better to way to screen and check individuals who might be involved with them.

133 CHAIR FORD: Have read newspaper articles on sex abuse having to do with churches. Will this bill extend into the religious community?

141 COURTNEY: This bill doesn't do that but no one should be held harmless in this situation. Don't mean to indite organized religion but might have to look at it too. Need to look at possible trouble with a state/church situation and go off and think about it.

154 CHAIR FORD: Make sure you take the Constitution with you.

162 COURTNEY: It's a tough question that needs to be asked and looked into--just because it's associated with religion.

158 REPRESENTATIVE HAYDEN: If we don't hold anyone harmless, would logical step be prenuptial licensing of prospective parents?

166 COURTNEY: This time you've made me numb, can't respond.

172 REPRESENTATIVE BARNES: Has concerns about where parental responsibility ends and government involvement begins. Are we sending parents a message that they don't have to make routine inquiries concerning people who deal with their children? Are parents going to be over-reliant on government to protect their children?

184 COURTNEY: If adults acted the way they should to their children, we wouldn't need any of the 17 bills introduced from this Task Force. Because that's not happening and there's overwhelming evidence of abuse, as a public policy maker, we must pass laws to protect children. We need this legislation very regrettably. Even if parents ask these questions, the present system doesn't make it so they can even find out this information.

211 HOYT: In summary, thinks the Task Force's objective was narrowed just to agencies licensed by the state to care for children. Saw that as a mechanism to ensure children in licensed programs by the state are protected. Looks simple but is complex and expensive.

228 FORD: Any kind of analysis that can be done to show by the expenditure of these funds in order to do the checks and thereby assuring that you have secure persons licensed by the state, that we'll be saving the state money in lengthy CSD takeovers of abused children? Notes the Ecclesia case.

249 HOYT: Several CSD staffers have looked at different options and costs and priced them out. Refers to levels of information and costs incurred.

260 CHAIR FORD: Could it be done on a trial basis for a biennium to get statistics without going into heavy CSD case reviews?

262 HOYT: That's more likely and easier to do. Frequency of such cases is low; aren't many foster parents with criminal records. Problem is one child can cost a lot of money in court costs, trials, etc.

272 REPRESENTATIVE MEEK: Bill addresses only those licensed. Wants list of who they aren't and rules that apply to helping Human Resources. Any thoughts about where \$6 million will come out of your budget?

288 HOYT: Dept. of Human Resources will address that.

295 COURTNEY: Hopes the dollar sign is not going to dominate sex-abused children issue with legislative session walking away from it. Some things can't put a price tag on. Magnitude of criminal activity by sex-abused people is staggering. Realizes that dollars are important but wants this legislative session to make statement on this issue.

331 BARNES: Do we have sufficient penalties for these offenders?

345 COURTNEY: Worked with last session's sentencing guidelines to reflect stiffer penalties for these offenders which is now before the House Judiciary Committee. Will present exact statement of the crimes to this committee.

353 CHAIR FORD: Helpful to have short summary of how the bills fit together.

361 HAYDEN: Remembers during last session, discussed getting epidemiological studies to get at root of problem. Maybe only a certain number of variables cause this kind of behavior. Maybe \$6 million for fingerprinting could be used for epidemiological study to identify what causes this behavior and approach it through education rather than by legislation.

397 COURTNEY: Refers to a bill requiring insurance companies to cover counseling of young, sex-abused victims. Insurance industry is now working with these victims without the need of legislation.

TAPE 51, SIDE A

010 LEE ERICKSON, DIRECTOR, IDENTIFICATION SERVICES, CRIMINAL DIVISION, ACCOMPANIED BY LT. C.W. DAIMLER (SAME AGENCY) (EXHIBITS D & E): Goes through process of name check (Automated Fingerprint Identification System ((AFIS)) versus fingerprinting check for criminal record identification. 093 - The major change proposed in this bill would allow designated agencies to go beyond Oregon's borders to do a criminal history check by fingerprint card all the way to the FBI level. Goes through fingerprint card check process (refers to Chart, EXHIBIT E) which is positive source of identification. Those cards can be turned around in about 24 hours. Refers to pie-chart in EXHIBIT E which shows almost 55 percent of people in Oregon record aren't identified at the federal level. If multistate offenders are positively identified by fingerprint card in Oregon, we're authorized to give another state's criminal history data to any designated agency that requested the information. Gives example: If Michigan has criminal history data that's also indexed into FBI, we can pull that Michigan data and give it to the Oregon requestor because we've made the positive identification by fingerprint. Continues to explain pie-chart in EXHIBIT E.

122 CHAIR FORD: What is group that refers to FBI Number Only (pie-chart, EXHIBIT E) that's almost 13 percent?

131 LT. DAIMLER: Those are people arrested and fingerprint card submitted to the FBI prior to Oregon's participation in the Interstate Identification Index. The record that Oregon has is not identical to the record the FBI has for the same person. The reporting is fragmented. It's a manual record of the FBI which can only be obtained with a fingerprint card arriving in Washington, D.C.

153 ERICKSON: Last year the FBI received about 1.5 million regulatory cards that they processed for identification. The fee for this is \$23 each. Talks about disappointing parts of criminal history: >Unless sent to adult court, juveniles' criminal records aren't in this system which account for 37 percent of major property and major behavioral crimes. >Criminal arrests get rejected and don't end up in our repository. >We currently don't audit police agencies to ensure they submit fingerprint cards required by law to submit. >We reject cards due to print quality, demographics, information on card, etc. >We're working on trying to get those rejected cards tagged and into the system.

187 CHAIR FORD: Does this mean by the time you get to local

communities, the people are gone?

188 ERICKSON: Frequently they are out of jail. Until we start our reverse notification process to the courts, it's presently a rejection black hole. But we're starting to take a more aggressive approach to get those arrests to show the disposition posted to those accounts.

205 ERICKSON: Refers to estimated fiscal impact statement (EXHIBIT E, Page 8) and costs incurred for participation in Western Identification Network for 1991-93 Biennium. 289 - Comments on bill. Believes enabling legislation that would allow Dept. of Human Resources to make fingerprint card checks would be useful tool. Question that needs to be asked: When is a name check enough? When do you take next step to fingerprint card? That's really the issue. A name check will tell what a person's about if they have strong community ties. A card submitted all the way through the system will tell us about other people.

298 HAYDEN: Heard on radio that in one part of the country, the Mother of Year appointed in August was busted in September for methamphetamine possession. Maybe just a name check won't do it.

312 WILLIAM CAREY, ADMINISTRATOR, CHILDREN SERVICES DIVISION (CSD) AND KEN OTTO, DIRECTOR'S OFFICE, DEPT. OF HUMAN RESOURCES (DHR) (EXHIBIT F): OTTO: Complex bill as it's written now and raises some issues. >The fiscal impact is rather large and not in Governor's proposed budget. >Total cost to implement HB 2398 is approximately \$6.4 million. >DHR is considering budget reductions that will affect its programs. >DHR staff has concerns about language dealing with the processing charge and its affect on ability to improve staff. >Asks that any bill adopted be cost-neutral and easy to implement. >Suggests costs could be reduced by narrowing the bill.

391 OTTO: Suggests costs could be reduced by checking people who have multi-state offender codes, for example.

394 CHAIR FORD: If they have a multi-offender code, you certainly aren't going to place a child there for foster care, adoption, or anything else, are you?

378 CAREY: That depends on what the offenses were in terms of looking at a person's qualifications to be a foster parent. For example, if they had a criminal record when they were young and then had a period of time of contribution to the community, we might consider them.

385 CHAIR FORD: Nothing from the abuse line, I hope.

386 CAREY: Theft from a beer truck, for example, that would be a felony and would show up on a criminal records check.

392 REPRESENTATIVE TAYLOR: Refers to prioritizing services. Seems like any effort is worth making.

400 CAREY: Thinks we could go forward and do criminal records check if necessary. Have similar legislation for day care programs which is seldom used.

415 CHAIR FORD: Please give some examples.

418 CAREY: We do 3,500 checks per month with Oregon for employees,

foster parents, and a whole range of people. Going further would depend on how long person was in the community. If they've been in a community a relatively short time and show an FBI criminal record, we might take a closer look if we wanted to proceed in the certification process.

438 BARNES: Any type of psychological test to give applicants based on certain responses, that would trigger further action, like a name check or criminal check?

446 CAREY: Believes psychological testing and interpretation of that would be more expensive than this bill. Probably wouldn't be as useful on a mandatory, widespread scale as criminal checks on a limited scale.

456 TAYLOR: Refers to experience as volunteer director. There's a man who wants to be a big brother -- you know that he wants a little boy. There are many times such a tool would be useful.

469 CAREY: Agrees. As the system develops over the next 10 years, it's going to become much more sophisticated. More states will be participating.

TAPE 50, SIDE B

033 REPRESENTATIVE MEEK: Has concern that volunteers might be discouraged from volunteering because of the extent of this legislation. Not sure if people want to be fingerprinted- -just because they don't want the state to have another way to brand them. There are lots of community volunteers. See this as a problem and how broad do you see this legislation going?

059 CAREY: See a narrowing of administrative rule that would be very tight in terms of asking for a fingerprint check all the way to the FBI. Staff who handle these records must also have a fingerprint file with the FBI in order to handle information coming back.

069 HAYDEN: Mentions Kwanis Club and those groups that have people from overseas. Presents an obvious problem.

072 CAREY: Agrees. Don't think we'd want an administrative rule that would require a check on everyone who was going to provide a service like that. Gives example of Richard Smith sex offender case in Portland. Wouldn't have picked him up had it not been for his New York state fingerprint record.

086 TAYLOR: Submits that the process would be a deterrent.

091 CHAIR FORD: Recesses the meeting at 2:50 p.m. - Re-convenes the meeting at 3:05 p.m.

095 CAREY: Tape inaudible.

096 ERICKSON: Comments about storing data and possible costs incurred.

102 CHAIR FORD: Closes public hearing on HB 2398 and opens hearing of invited testimony on HB 2540.

INFORMATIONAL HEARING: HB 2540 - CHILD ABUSE, RISK ASSESSMENT

Witnesses: William Carey, CSD Toni Peterson, CSD

Staff submits a SMS on HB 2540 (EXHIBIT B).

105 WILLIAM CAREY, ADMINISTRATOR, CHILDREN SERVICES DIVISION (EXHIBITS G & H): HB 2540 is what we built our 1991-93 budget request on. Last 21 years, CSD has operated on an open in-take system for children and families guided by general criteria. Noticeable in last 4 years is a system that's overloaded. Refers to AFS/CSD workload and impact on job effectiveness. HB 2540 would allow CSD to prioritize those we would serve; focus would narrow depending on budget. Reads statute concerning children the bill would address.

147 CAREY: Considering CSD's budget, hold us accountable for: >Children significantly abused and neglected >Youth who've committed a crime, present a significant danger, and youths who endanger the community.

155 CAREY: Refers to list of people serving on work group for CSD who will prioritize CSD clients, considering the budget (EXHIBIT H).

160 TONI PETERSON, ASSIST. ADMINISTRATOR, FAMILY SVS. SECTION, CSD: Priority Group (EXHIBIT H) had productive meetings and looked at legislative mandates for CSD clients. Set principles and values to determine priorities. Work group will prioritize clients in most need and finalize product.

190 CAREY: Measure 5 and CSD's budget helped identify more concretely where the agency is headed in helping children and families in Oregon. Would still want to pursue this course even if Measure 5 did not exist. CSD wants to serve clients but also needs to control its workload. Refers to transfer of Children's Trust Fund support activities to Children's Youth Services Commission. CSD is committed to prevention.

210 FORD: Have you been working with Janice Yaden and the Governor's Task Force and their suggestions?

215 CAREY: Yes, but in terms of budget preparation, it made sense that the Children's Trust Fund become part of the Children's Youth Services Commission.

221 FORD: CSD will be doing nothing but protective services, right?

224 CAREY: We'll still be doing adoptions and permanent planning activities but services will focus on protective services to provide as much family support as possible.

231 FORD: Does the Children's Youth Services Commission budget reflect services you're not going to do? Are the funds and programs transferred to them?

236 CAREY: No, there isn't enough money in Oregon to serve those who are being served today. In narrowing the focus, we'd prioritize those families.

242 FORD: You mentioned that even without Measure 5, you would eliminate some services to families that need assistance. What do you plan to do with those other services?

248 CAREY: Still look at narrowing that focus. CSD's workload is out

of control. CSD can't serve the children and families we're obligated to serve today with our current resources.

257 FORD: The ones you don't serve include runaways, children who are dangerous to themselves, those beyond control of their parents, etc. Don't you think you'll have to pick them up under your system eventually, as they progress and get worse?

265 CAREY: You're right on target. There are many things you can do with a system. Refers to difficulty cutting off services to clients. Abuse will be one of the highest priorities within the agency. Hopes to have priority list to the committee by March 8.

299 FORD: Finds it totally unacceptable.

300 REPRESENTATIVE STEIN: This parallels what's happening with the Health Services Commission; ranking services based on budget availability. However, we put prevention at the top of the list for the Health Services Commission. Has concerns that CSD is doing it the other way--responding to the need AFTER it has presented itself, rather than BEFORE. CSD and the Children's Youth Services Commission needs to show the committee how they will assign resources. Refers to at-risk families coming into CSD's critical care system.

378 CAREY: What we're saying is there's not enough money to serve every child and family in Oregon and to identify those we're not going to serve. It's a difficult policy decision.

385 FORD: Committee will hear from Children's Youth Services Commission on March 8. Tired of hearing agencies say they're going to drop people from programs. Understands prioritizing but something needs to be done.

387 CAREY: Hardest thing is maybe we won't be able to serve all our client's we're serving today. Heard Representative Katz say she was appalled at what was taken out of the system. In reality, we're dropping clients off the plate every day of the week--you're just not aware of it.

412 CHAIR FORD: Wants to see an outline of training/length for caseworkers who deal with more severe cases. Suggest rest and perhaps job sharing, etc. to ease emotional job strain.

433 CAREY: Protective service workers account for the biggest turnover--about 60 percent within the agency.

444 CHAIR FORD: Inconsistency and lack of training in dealing with families is disturbing.

460 CAREY: Yes. Refers to inconsistencies even between counties as far as taking action on a given case.

TAPE 51, SIDE B

033 CHAIR FORD: Rules are such that a caseworker has difficulty applying judgment based on priorities.

052 CAREY: Available training is fairly limited but we have extensive training for new protective service workers. CSD does new employee



orientation for all new staff with emphasis on social service positions for three days. Trying to make protective services training more relevant to the job. Discusses supervision during training.

067 PETERSON: Every Child Protective Services (CPS) supervisor has had overall training. Still have backlog of CPS workers who need training. Some CPS supervisors haven't been trained but have had an overview of material in training.

073 STEIN: Could you show us a ranking list of the most intensive care to least intensive care, number of people who need that service, where CSD is drawing the line with its budget, and how much additional money will be needed to take on each service. Presently doing a Return on Human Investment Model and would like a similar 5-year model for CSD. Model should indicate investment/savings ratio.

098 CAREY: We can do that. Don't want to give illusion that we've talked with Children's Youth Services Commission about accepting any clients we're dropping off the plate except the Children's Trust Fund. Hasn't been discussed at this time.

103 STEIN: Doesn't matter who would pick it up--the question is costs.

109 CHAIR FORD: What would happen if we didn't ask these questions--would these things go blithely through?

111 CAREY: Thinks this is a major policy issue that will generate a lot of discussion about CSD. Another major policy issue is limiting juvenile corrections to age 19. Also limiting parole services to one year.

122 STEIN: How much money is in the Children's Trust Fund?

125 CAREY: Can't answer that. Other policy issues gives the Trust Fund the ability to raise and spend money. Refers to Trailblazers hosting of Mission Impossible this year.

143 CHAIR FORD: Will have public hearing on this in the future. Wants cohesiveness in putting this together. Wants to get Janice Yaden of Governor's Task Force involved in this. 168 - Reminds committee members and audience about public hearing on CSD at 6:30 p.m. this evening in Hearing Room F. There will also be another public hearing on the same matter next Monday night.

CHAIR FORD: Adjourns the meeting at 3:24 p.m.

Submitted by,

Reviewed by,

Holly Blanchard

Melanie Zermer

EXHIBIT LOG: A - HB 2398, Preliminary Staff Measure Summary, 1 page B - HB 2540, Preliminary Staff Measure Summary, 1 page C - Children's Services Adm. by DHR(Chart), 1 page D - Written testimony, Lee Erickson, OSP, 7 pages E - Regulatory Fingerprint Card Processing Chart, OSP, 19

pages F - Written testimony by Ken Otto, Dept. Human Resources, 13 pages  
G - Written testimony by William Carey, Adm., CSD, 2 pages H - Priority  
Group (Members) List for CSD, 1 page

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HOUSE COMMITTEE ON HUMAN RESOURCES

February 25, 1991Hearing Room F 6:30 p.m.Tapes 52 - 57

MEMBERS PRESENT:Rep. Mary Alice Ford, Chair Rep. Beverly Stein, Vice-Chair Rep. Jerry Barnes Rep. John Meek Rep. Hedy Rijken Rep. Jackie Taylor

MEMBER EXCUSED: Rep. Cedric Hayden

VISITING MEMBER:Rep. Bob Pickard

STAFF PRESENT: Melanie Zermer, Committee Administrator Pamela Berger, Committee Assistant

MEASURES CONSIDERED: PROPOSED CSD BUDGET CUTS - PH

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TAPE 52, SIDE A

010 CHAIR FORD: Calls the meeting to order at 6:35 p.m.

PUBLIC TESTIMONY: CHILDREN SERVICES DIVISION PROPOSED BUDGET CUTS

Witnesses: Velma Hartwig, Citizen Mindy Baines, DARTS Program Bill Wellard, DARTS Program Bud Beyers, Citizen Judy Beyers, Citizen Bobbie Helberg, Citizen Josephine East, Citizen Bob King, Clackamas County, DARTS Program Fred Inkelaar, Foster Parent Association Jim Dyer, Foster Parent Association Louise Calder, Foster Parent Association Pam Patton, Morrison Center Larry OgleSB y, Oregon Juvenile Department Director's Association (OJDDA) Bobbi Jo Griffith, Citizen Gerry Huntley, CSD and OPEU Lynn Jenkins, CSD and OPEU Claudia Jones, Klamath County DARTS Program Kay Easton, Klamath County DARTS Program James R. Fowlds, Klamath County DARTS Program Juanita Santana, Migrant Head Start Program Alma Mendez, Migrant Guadalupe Geronimo, Migrant Teresa Pacheco, Migrant Geri Grover, Tualatin Treatment Center Bull Furtick, Lane County Attorney Melody Adams, Housebuilders Heather Eggleston, Cascade Child Center Shirley Doyle, Klamath Youth Development Carol Neumann, OPTIONS

Counseling Services Dave Walker, Lane County Foster Parent Association Patricia Fox, Family Therapist Rick, DARTS Program, student Brian, DARTS Program, student Robin, DARTS Program, student Larry Lang, Citizen Shannon Lang, Citizen Christina Lang, Citizen Donna Middleton, Polk County Human Services Michael Ranson, Linn County CSD Branch Joe Roszak, Adolescent Day Treatment Center (ADTC) Sharon Cornish, Citizen Betty Rasmussen, Poyama Land Treatment Center Richard Koenig, Citizen Floyd Oster, Citizen Cynthia Collett, DARTS Program

Staff submits a report on the Childrens Services Division (CSD) major budget issues (EXHIBIT A).

057 MINDY BAINES, DARTS: Submits and reads written testimony regarding the proposed CSD budget cuts, specifically on how the DARTS program helped her son (EXHIBIT C).

091 BILL WELLARD, DARTS: Submits and reads written testimony regarding the proposed CSD budget cuts, specifically the effects on the DARTS program (EXHIBIT B).

318 JIM DYER, FOSTER PARENT ASSOCIATION: Submits and reads written testimony regarding the proposed CSD budget cuts, specifically the effects on foster care (EXHIBIT F).

TAPE 53, SIDE A

017 FRED INKELAAR, FOSTER PARENT ASSOCIATION: Testifies on the effects that

the proposed CSD budget cuts will have on foster care. - Owns a boys group home and is a foster parent. - The proposal will put 1,500 children on waiting list for care. - Currently, many foster homes have 3-10 (short term) kids over the limit. - If programs that are proposed to be cut, are cut, more children will go into CSD custody an need foster homes. - The children in my care are the one the institutions do not accept because they have been found to be too difficult to deal with. - Generally, the mom and pop group homes do not receive increases. They provide care, for the state, for approximately 1/4 - 1/3 of the cost of institutional care; caring for equally or more difficult kids. - Mom and pop group homes receive approximately \$950 a month, per child. - The proposal cuts the number of group home providers as well as the foster parents. - It cost \$7 a day to house a dog; CSD pays \$7.46 to house our children. You can't even get day care for \$7.46 a day. - Besides care, foster parents provide food, clothing, and other necessities; 24 hours a day, seven days a week.

050 LOUISE CALDER, FOSTER PARENT ASSOCIATION: Submits and reads written testimony regarding the proposed CSD budget cuts, specifically foster care (EXHIBIT W). - Submits a letter from the Foster Parents Association (EXHIBIT D). - Submits and explains a monthly schedule of events she engages in as a foster parent and a member of the Foster Parents Association (EXHIBIT E). 113 - Describes costs to care for a foster child.

180 CLAUDIA JONES, KLAMATH COUNTY DARTS PROGRAM: Submits and reads written testimony regarding the proposed CSD budget cuts, specifically how the DARTS program helped her child (EXHIBIT G).

200 KAY EASTON, KLAMATH COUNTY DARTS PROGRAM: Testifies on the proposed CSD budget cuts, specifically on how the DARTS program helped her son. - My son has serious emotional and behavioral problems. He is able to live at home and attend school in this particular program. We had tried a variety of schools (i.e. public, home schooling, special education services). - The DARTS program has kept our family together by providing family counseling. - As a single employed parent, I do not qualify for Medicaid. - Without this program, I may need to put my son up for foster care. Currently, there are no Level 5 foster placements available in Klamath County. - A multi-disciplinary team has determined that his behaviors do not warrant residential placement. He is not severe enough for residential placement, but too severe for other programs. - I will continue working with my son but I need the support, encouragement, educational, and psychological services provided by the DARTS program. - Since my son is a fire starter, I would need to quit my job, as a registered nurse, in order to stay home with him. - I would not qualify for unemployment because there are nursing jobs available. - Please consider keeping services available for Oregon's children who do not qualify for Medicaid. - As a taxpayer, I contribute to the payment of these program.

250 JAMES FOWLDS, KLAMATH COUNTY DARTS PROGRAM: Testifies on the proposed CSD budget cuts, specifically on how the DARTS program effected two children. - After attending our program for two years, John was intra-grated back into his school and was allowed to receive his diploma, and is planning to attend college courses. - Last week I had to tell an 8th grader's parents that there would be no program for the child this fall because they work and pay taxes. The school system is not able to deal with him. We could have handled him. I suspect, that by next year, he will be a high school drop out with a criminal record and will probably be placed in MacLaren. - In Klamath county, we are the only treatment center that works with the emotional disturbed children at a Class 5 level. - In Klamath county there will no longer be treatment programs for anybody, no matter what level of income the family has.

320 HEATHER EGGLESTON, CASCADE CHILD CENTER: Submits and reads written testimony regarding the proposed CSD budget cuts, specifically the DARTS Program (EXHIBIT H).

350 SHIRLEY DOYLE, KLAMATH YOUTH DEVELOPMENT: Submits and reads written testimony regarding the proposed CSD budget cuts, specifically the DARTS Program (EXHIBIT P).

400 JUANITA SANTANA, MIGRANT HEAD START: Testifies on the proposed CSD budget cuts, specifically migrant day care. - Introduces Alma Mendez, Guadalupe Geronimo, and Teresa Pacheco.

TAPE 52, SIDE B

010 ALMA MENDEZ: Testifies on how the proposed CSD budget cuts will effect migrant day care. - While seeking employment, we live in cars because there is no housing available, exposing our children to unnatural situations. - Having migrant day care available in the communities would allow parents to go to work knowing their children will receive a meal and a safe environment.

030 GUADALUPE GERONIMO: Testifies on how the proposed CSD budget cuts would effect migrant day care. - In many areas, day care costs are up to \$8 per child, per day. Families are not able to pay for that care.

074 TERESA PACHECO: Testifies on how the proposed CSD budget cuts will effect migrant day care. - When families are forced to take children out in field, the children are exposed to pesticides and other dangers.

117 SANTANA: We need migrant day care to protect the children from exposure to pesticides and isolation (they are often referred to as the invisible population). - This program is cost effectiveness because we have complete coordination with other sources of funding. Very few agencies coordinate and share resources as we do. - There are no services available to the out-of-state migrants. - Only families moving from county to county are receiving services because of the limited amount of available dollars. 200 - Will provide statistics of number of migrants in need of day care in comparison to Washington state.

CHAIR FORD: Recesses the meeting at 7:45 p.m. - Re-convenes the meeting at 7:57 p.m.

215 BILL FURTICK, LANE COUNTY ATTORNEY: Testifies on Lane County CSD practices. - Over the past four years, there has been a 65% decrease in the number of petitions brought into the system, there has been a 100% increase of supervisors, and a dramatic increase in the number of voluntary placements into voluntary foster homes. - Many times, there are no available state foster care beds because those beds are already taken by voluntary placements. - Agencies in Lane county believe they have the power and duty to remove material from files before sharing it with interested parties the attorneys. The Attorney General's Office once recommended that agencies not share information pertaining to police reports, mental health, drug and alcohol information, and school records; on the grounds of confidentiality. Also, sensitive care issues such as sex abuse, physical abuse in foster homes, elected officials' complaints about agency involvement, are not shared. - It is difficult to obtain information about the whereabouts of the child. - CSD workers have been instructed not to reveal certain information to attorneys (i.e. abuse in the foster home). - At times, workers were directed, in writing, not to obey the orders of the court (those requests are no longer put in writing). - Case plans and intake reports are no longer made in detail because attorneys were using those to complain that the agency has not done what they promised to do. - Information regarding danger to the child is not shared (i.e. mom's boyfriend committed manslaughter of own child or is a known sex offender); because of

confidentiality standards. - The juvenile court has limited power to direct CSD to deliver services. - Similar problems occurred in Linn county, until that branch manager was transferred. - There are no CASAs in Lane county, but we do have a Citizen Review Board (CRB). - Lane county provides an attorney for the child, unlike most counties. 384 - Most children in foster care are six and under. Explains how they represent those. - The juvenile court receives requests from school teachers to investigate matters which CSD refused to become involved with.

TAPE 53, SIDE B

010 CHAIR FORD: CSD representaties told us earlier today that programs

will serve only involuntary and severe cases.

FURTICK: That has not yet happened in Lane county. - If, as a parent, you told CSD that you had problems with your child, they probably would not provide services. - CSD offers fewer and fewer services each year. There is no budget for parent education, sex abuse treatment, or prevention services.

033 DAVE WALKER, LANE COUNTY FOSTER PARENT ASSOCIATION: Submits and reads written testimony regarding problems with the foster parent program in Lane County, including the suggestion of conducting a performance audit of the CSD Lane County Branch Office (EXHIBIT I).

070 CAROL NEUMANN, OPTIONS COUNSELING SERVICES OF OREGON: Testifies on Lane County CSD practices. - Among other things, I have worked as a social service specialist for the Lane county CSD office for more than 2 1/2 years, have been a foster parent, and adopted two children from CSD. - CSD line workers do an excellent job. - Questions if the number of CSD administrators and supervisors are increasing to the rate of actual cases. - Community members expressed that supervisors do not spend enough time with clients on client related issues. - Community members suggest that an ombudsmen office be created to handle citizen and CSD employees concerns. - Who will speak for families and children at risk? Who will address their needs in the system if workers, parents, foster parents, or clients feel that the system has become so large and has so much institutionalized arrogance that it can discourage, restrain, persuade, prevent, and prohibit the disclosure of information? When a system chooses to spend its time and energy silencing individuals and groups who speak up, rather than exploring alternatives for change, it ceases to be responsive to public need. - Submits letter (to Rockstroh and Reise, from Neumann) regarding the need for services (EXHIBIT J).

123 CHAIR FORD: When a case worker wants to advocate for a client, are they silenced?

NEUMANN: Tells experience with political power from Bill Thomas and the governor's office. - I was told to delete information from a court report. The judge removed CSD from the case and went with my recommendation.

FURTICK: Expands on the case.

198 NEUMANN: When people speak up, they are persuaded not to do so. It is hard to advocate for clients. There needs to be a safe place bring these issues.

208 REPRESENTATIVE STEIN: Is the administration at CSD, you are referring to, still in charge?

NEUMANN: Yes. - Tells of another incident regarding lack of services in the Florence community and was told be silent.

331 MELODY ADAMS, HOUSEBUILDERS: Submits and reads written testimony on the Lane county CSD practices (EXHIBIT L).

TAPE 54, SIDE A

BARBARA HELBERG, CITIZEN: Submits and summarizes written testimony on

the Lane county CSD office (EXHIBIT K).

150 GERI GROVER, TUALATIN DAY TREATMENT CENTER: Testifies on the proposed CSD budget cuts, specifically how those cuts would effect treatment centers. - Agrees with testimony by WELLARD. - CSD should continue managing DARTS programs until additional information is available. - To serve only Title 19 eligibles would cut all but two of our clients.

152 PATRICIA FOX, FAMILY THERAPISTS: Testifies on the proposed CSD budget cuts, specifically how those cuts would effect treatment centers. - Introduces Rick, Brian, and Robin.

RICK, DARTS PROGRAM, STUDENT: Testifies on the proposed CSD budget cuts, specifically how those cuts would effect treatment centers. - If I were cut out of this program, I would probably return to my old behaviors (low grades, aggressive behavior).

198 BRIAN, DARTS PROGRAM, STUDENT: Testifies on the proposed CSD budget cuts, specifically how those cuts would effect treatment centers. - I am 12 years old and the youngest in the program and have made the greatest improvement. - Tells of improvements made since enrolling in this treatment school (improved grades, control of temper). - I will have a chance of living a real life now that I have had this treatment. For those who won't be able to receive treatment, they will probably end up living on the streets; and we don't need to add to the homeless problem.

238 ROBIN, DARTS PROGRAM, STUDENT: Testifies on the proposed CSD budget cuts, specifically how those cuts would effect treatment centers. - I was a gang member, involved in drugs, and abused. - This program has helped me a lot.

280 CYNTHIA COLLETT, DARTS PROGRAM: Testifies on the proposed CSD budget cuts, specifically how those cuts would effect the DARTS program, which was the only resource available for her daughter. - My income is too low to pay for this treatment, but too high to qualify for Medicaid. - Submits testimony from Jolie Sanders (EXHIBIT M).

370 LARRY LANG, CITIZEN: Testifies on how he was railroaded by the CSD system, costing over \$20,000 in legal fees. - My daughters have been damaged by CSD's rude tactics. - The higher achy in CSD needs to be trimmed. The lineworkers are doing a great job. - I have seen a lot of cases that CSD should not be involved with.

TAPE 55, SIDE A

012 SHANNON LANG: I have such bad problems in school that I don't want to go any more. - I can't have friends.

CHRISTINA LANG: CSD turns stories all around.

030 LARRY LANG: My 14 year old son was accused, by CSD, of sexually molesting my youngest daughter in March, 1989. Two medical reports stated that it was physically impossible. - There is no proof of these allegations. - My son is now in a special school for social misfits. He is escorted everywhere, even the bathroom. - Did not hear about a citizens review hearing until January 23, 1991. - When I requested a hearing from the CSD referee, she threatened to remove my daughter from



the home again. - It is okay for my son to visit home on the weekends. - My son's counselors say he should live at home. - My wife and myself were required to have psychological tests, at our expense of \$500 each. The test proved there was nothing wrong with either one of us. - I have a hearing scheduled with the citizens review board on March 12, but they will remove my daughter if I go.

CHAIR FORD: I will write a letter to Multnomah County regarding this case. - Does your son have a CASA?

LANG: No.

130 LARRY OGLESB Y, OREGON JUVENILE DEPARTMENT DIRECTOR'S ASSOCIATION (OJDDA): Submits and reads written testimony on the proposed CSD budget cuts, specifically how those cuts would effect the ability for OJDDA to carry-out statutory responsibilities to respond to the needs of children and families in crisis situations (EXHIBIT N).

168 BOBBI JO GRIFFITH: Submits and reads written testimony on the proposed CSD budget cuts, specifically for foster parents, mentor programs, and drug, alcohol and behavioral treatment (EXHIBIT O).

330 DONNA MIDDLETON, DIRECTOR, HUMAN SERVICES, POLK COUNTY: Testifies on the proposed CSD budget cuts. - The proposed cuts will effect bed space in our program.

CHAIR FORD: Recesses the meeting at 9:30 p.m. - Re-convenes the meeting at 9:45 p.m.

368 GERRY HUNTLEY, CSD STAFF & OPEU MEMBER: Testifies on the proposed CSD budget cuts. - There currently are a lack of treatment resource beds and these cuts will make that situation worse. - Tells of girl in an unsatisfactory situation because of the lack of appropriate placements and resources.

TAPE 54, SIDE B

047 - The children I work with are Level 5 and don't belong in a family home; even with skilled foster parents; they need a highly structured situation. Many kids are not Title 19 eligible as long as they live at home. - Children are not getting needed services. - When children are inappropriately placed, they ususally continue to be bounced all around; these kids are already disturbed. - A certain number of them bring victim behavior to the foster home and the foster families can become victims. - An appropriate placement would avoid two tragedies. - We don't have the needed professional structured resources. - We have a lot of private sector programs, but not enough. - More money is needed to provide the needed programs. - We gamble with children when inappropriate placement occurs.

149 CHAIR FORD: How do you feel about DARTS programs serving only Title 19 eligibles?

HUNTLEY: Many children in need of services are not Title 19 eligible. - Day treatment works best when kids live in their own homes, even if it isn't a perfect situation.

175 LYNN JENKINS, CSD STAFF & OPEU MEMBER: Testifies on the proposed

CSD budget cuts. - Multnomah county receives more referrals than there are openings for services. - Early intervention is imperative. Children are now being referred when their problems are severe. - Concerned that the gate will only become narrower. - We now also have the drug baby population to work with. - Health nurses will lose funds and will not be able to help the drug babies.

CHAIR FORD: Tells story of child going to a doctor for vaginal infection, and was turned in to CSD, by a substitute doctor, for sexual abuse.

JENKINS: CSD is required to check out allegations. - Can't address this situation without knowing all of the facts. - Who are we going to cut out? The scope is already is so narrow. - We now have more difficult cases. - We won't have the resources to help children return home.

TAPE 55, SIDE B

001 MICHAEL RANSON, CSD, LINN BRANCH OFFICE: Testifies on the proposed CSD budget cuts. - Linn county does not have a DARTS program, yet we have the same type of kids. - How we meet the needs of those kids is part of the stress CSD staff faces. - Gives examples of children in need of services who fall through the cracks of the system. The school system is having to deal with children they are not equipped to. - Most children in need of services through a DARTS program are not Title 19 eligible, unless they were placed in foster care. - Most counties contract out for mental health services to comply with legislative mandates. - CSD caseworkers want and need additional training. Without appropriate training, they make inappropriate decisions making CSD, themselves, and the legislature look bad. - Training alone, will not solve all of the problems. Will provide additional solutions at a later time.

140 JOE ROSZAK, ADOLESCENT DAY TREATMENT CENTER (ADTC): Submits and reads written testimony on the proposed CSD budget cuts (EXHIBIT Y). - Our program serves children between the ages 12-17. - 92% of our kids are Level 5. - Currently, our program is 29% under-funded. - If I make the cuts, as recommended, I would need to cut three of the 16 kids in our center. - The children I serve come from working poor families. - Restricting admissions to Medicaid and Early Periodic Screening Diagnosis Treatment, would contradict DARTS standards which are based on admissions and psychiatric impairment, not income. Also, we are to be community accessible. - 75% of my kids need special education. Because they will not meet the criteria in the proposed cuts, they will be terminated.

270 PAM PATTON, MORRISON CENTER: Submits and reads written testimony on the

proposed CSD budget cuts (EXHIBIT Q).

TAPE 56, SIDE A

017 BOB KING, CLACKAMAS COUNTY DARTS PROGRAM: Submits and reads written testimony on the proposed CSD budget cuts, specifically the DARTS program (EXHIBIT R).

100 SHARON CORNISH, CITIZEN: Submits and reads written testimony on the proposed CSD budget cuts, specifically foster parents (EXHIBIT S).

370 BETTY RASMUSSEN, POYAMA LAND TREATMENT CENTER: Submits and reads written testimony on the proposed CSD budget cuts, specifically treatment centers (EXHIBIT T).

TAPE 57, SIDE A

030 JOSEPHINE EAST, GRANDPARENT OF CHILDREN IN CSD CUSTODY: Testifies on wanting custody of their grandchildren who are placed in state foster care. - We could save the state money if we had custody of our granddaughters. - They were removed from their home because of alleged sexual abuse by their father. - It is essential, as grandparents, to provide stability to our granddaughters. - Our home is a safe and constant place for them. - We do not know where our grandchildren currently live. - We do not know much about the foster parents, except rumors we hear. - We have been allowed to see them 27 1/2 hours since June 1, 1990 and only with CSD supervision. - They have only been allow to spend 10 hours at our home. - Thus far, this situation as cost us \$24,000 for legal services. - We have been denied, many times, to have our granddaughters live with us. - We are not able to spend weekends, grandparents day, take cookies to their schools, spend their birthdays with them, Christmas vacation, Thanksgiving, or attend school programs. - Reads article from John Wolfe, CSD Multnomah Branch, about the lack of foster homes and relative placements. - We have been mandated to have psychological testing, at our expense. - We were not aware that relatives could be considered custodians until we received a pamphlet CSD published. Our daughter supplied us with the pamphlet in September 199 0. Then we requested custody, in writing.

212 JUDY BEYERS, CITIZEN: Provides additional information at the EAST'S circumstances.

250 BUD BEYERS, CITIZEN: Submits and reads written testimony regarding CSD (EXHIBIT U).

TAPE 56, SIDE B

050 VELMA HARTWIG, CITIZEN: Submits and reads written testimony regarding CSD practices (EXHIBIT V).

101 RICHARD KOENING, CITIZEN: Submits and reads written testimony regarding CSD practices (EXHIBIT X).

200 FLOYD OSTER, CITIZEN: Testifies on CSD practices. - Addresses the credibility of CSD workers. Gives examples of cases.

383 JUDY BEYERS: Expresses fear, from many who testified tonight, of retaliation.

CHAIR FORD: People have the right to speak in a public hearing. If there is any retaliation, please tell this committee and we will look into it.

TAPE 57, SIDE B

HELBERG: Mrs. East was advised, by her attorney, not to testify tonight for fear of retaliation.

Submitted for the record: \_ Testimony from CSD (EXHIBIT AA). \_ Testimony from the Conference of Private Child Caring Agencies of Oregon (EXHIBIT BB). \_ Testimony from the Oregon Association of Youth and Family Programs (EXHIBIT CC). \_ Testimony from various citizens and associations (EXHIBIT Z).

CHAIR FORD: Adjourns the meeting at 12:10 a.m.

Submitted by,

Reviewed by,

Pamela Berger

Melanie Zermer

EXHIBIT LOG: A - Measure 5 - CSD budget - staff - 4 pp. B - Measure 5 - Testimony from Wellard - 14 pp. C - Measure 5 - Testimony from Baines - 1 p. D - Measure 5 - Testimony from the Foster Parents Association - Calder - 6 pp. E - Measure 5 - Testimony from Calder - 1 p. F - Measure 5 - Testimony from Dyer - 3 pp. G - Measure 5 - Testimony from Jones - 2 pp. H - Measure 5 - Testimony from Eggleston - 2 pp. I - CSD Practices - Testimony from Walker - 2 pp. J - CSD Practices - Testimony from Neumann - 5 pp. K - CSD Practices - Testimony from Helberg - 11 pp. L - CSD Practices - Testimony from Adams - 2 pp. M - Measure 5 - Testimony from Collett - 1 p. N - Measure 5 - Testimony from OgleSB y - 4 pp. O - Measure 5 - Testimony from Griffith - 5 pp. P - Measure 5 - Testimony from Doyle - 2 pp. Q - Measure 5 - Testimony from Patton - 6 pp. R - Measure 5 - Testimony from King - 6 pp. S - Measure 5 - Testimony from Cornish - 1 p. T - Measure 5 - Testimony from Rasmussen - 1 p. U - Measure 5 - Testimony from Beyers - 5 pp. V - CSD Practices - Testimony from Hartwig - 3 pp. W - Measure 5 - Testimony from Calder - 3 pp. X - CSD Practices - Testimony from Koenig - 2 pp. Y - Measure 5 - Testimony from Roszak - 4 pp. Z - Measure 5 - Testimony from various associations and citizens - staff - 72 pp. AA - Measure 5 - Testimony from CSD - staff - 71 pp. BB - Measure 5 - Testimony from the Conference of Private Child Caring Agencies of Oregon - staff - 37 pp. CC - Measure 5 - Testimony from the Oregon Association of Youth and Family Program - staff - 49 pp.