

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

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<b>Action:</b>	Without Recommendation as to Passage and Be Referred to the Committee on Judiciary by prior reference
<b>Vote:</b>	5 - 3 - 0
<b>Yeas:</b>	Frederick, Parrish, Weidner, Gilliam, Tomei
<b>Nays:</b>	Greenlick, Harker, Thompson
<b>Exc.:</b>	0
<b>Prepared By:</b>	Jennifer Kellar, Administrator
<b>Meeting Dates:</b>	4/6

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**WHAT THE MEASURE DOES:** Makes a knowingly false report of child abuse to the Department of Human Services or a law enforcement agency a Class A misdemeanor punishable by a maximum of one year's imprisonment, \$6,250 fine, or both.

**ISSUES DISCUSSED:**

- Current statute in place to remedy false claims
- Severity of punishment
- Theoretical versus actual problem with false report allegations
- Cost and burden of false reporting

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** Oregon Revised Statute (ORS) 419B.005 to 419B.050 provides the statutory reference for child abuse reporting. Current statutes require any public or private official with a reasonable belief that a child with whom they have contact has suffered abuse or has abused another child, shall immediately file a report with the Department of Human Services or a law enforcement agency. Exceptions to this requirement, due to privileged communications, are psychiatrists, psychologists, members of the clergy, and attorneys or guardians ad litem. Additionally, a report is not required to be made if the public or private official reasonably believes that the information is already known by a law enforcement agency or the Department of Human Services.

ORS 166.025 outlines the sanctions and remedy for knowingly making a false report of a crime as a Class B Misdemeanor, which could carry a penalty of up to six months in jail and up to \$2,500 fine.

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*This summary has not been adopted or officially endorsed by action of the committee.*