

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action: Do Pass
Vote: 4 - 0 - 1
Yeas: Close, Dingfelder, Kruse, Prozanski
Nays: 0
Exc.: Roblan
Prepared By: Bill Taylor, Counsel
Meeting Dates: 5/15

WHAT THE MEASURE DOES: Allows the Department of Human Services (DHS) to give the required notice to an individual that DHS have requested the individual's criminal records from the Oregon State Police (State Police) before or after the information is obtained from the State Police. Eliminates the requirement for DHS to give notice that an individual whose criminal records have been requested from the State Police that Title VII of the Civil Rights Act of 1964 may apply. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

- In the context of family situations, prior notice can substantially increase family tensions

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: Generally speaking, the State Police can only give criminal offender information about an individual to an agency if the individual gives prior written consent. The DHS may obtain, without the prior consent of an individual, criminal offender information on the individual from the State Police to investigate a report of child abuse or neglect and the individual is either the alleged perpetrator of an individual who resides in or frequents the victim's residence. However, DHS must provide written notice to the individual that the department obtained the criminal history of the individual with a statement that the individual may challenge the accuracy of the information and that Title VII of the Civil Rights Act of 1964 may apply.