

Karly's Law ORS 419B.022-419B.024

Phase I

Phase II

A. DHS/LEA Investigation

ORS 419B.023(2)

If a person conducting an investigation under ORS 419B.020 observes a child who has suffered suspicious physical injury . . .

Investigation is either:

- **Already under way; or**
- **Initiated as a result of a concern about a possible physical injury**

B. Suspicious Physical Injury

Includes but not limited to: ORS 419B.023(b)(A)-(K)

- (A) *Burns or scalds;*
- (B) *Extensive bruising or abrasions on any part of the body;*
- (C) *Bruising, swelling or abrasions on the head, neck or face;*
- (D) *Fractures of any bone in a child under the age of three;*
- (E) *Multiple fractures in a child of any age;*
- (F) *Dislocations, soft tissue swelling or moderate to severe cuts;*
- (G) *Loss of the ability to walk or move normally according to the child's developmental ability;*
- (H) *Unconsciousness or difficulty maintaining consciousness;*
- (I) *Multiple injuries of different types;*
- (J) *Injuries causing serious or protracted disfigurement or loss or impairment of the function of any bodily organ; or*
- (K) *Any other injury that threatens the physical well-being of the child.*

AND

C. Certain or Reasonable Suspicion Injury Result of Abuse.

Look at the totality of the circumstances, i.e.:

- People/Parents/Caregivers
 - Related to child
 - In the household/with the child/access to the child
 - History of DHS/LEA involvement
 - Capacity to provide care/safety
- Injury
 - Nature and severity
 - Isolated incident or part of a series of occurrences
 - Whether related to unmanaged chronic disease
 - Recent visits to ER or other provider for similar concerns
- Explanation of how injury occurred
 - Lines up/is consistent with injury
 - Conduct, attitude, statements of parents/caregivers (cooperation)
 - Consistency of statements each witness and among witnesses
- Conditions of environment
- Other risk factors/your protocols for investigation

Possible outcomes at this stage:

- Absolutely no concerns:
No Reas Sus

-Clear risks

-Some risks but unclear

IF A, B, and C, THEN:

1. Immediately Photograph

ORS 419B.028(1): Photos of anal or genital only taken by medical personnel.

AND

2. Medical Assessment

with either

(a) DMP within 48 hours

(Reasonable efforts must be made to have child seen by DMP ORS 419B.023(4)(a))

OR

Outcomes:
-DMP diagnosis & Recommendations

(b)(i) If DMP is not available within 48 hours:

Child shall be evaluated by another physician and physician's evaluation & diagnostic records should be sent to the DMP for review within 72 hours of the child's evaluation. (ORS 419B.023(4)(b))

(b)(ii) Wait for DMP opinion before closing case.

Possible outcomes at this stage:

- DMP concurs with other provider
- DMP disagrees with other prov.
- Recommendations/further assessment/forensic interview