



Presentation to the Interim House Committee on Early
Childhood and Human Services

ODHS Child Abuse Investigation Jurisdiction

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Agenda

- I. Why it matters
- II. Risks and proposed solution
- III. Questions

What's at stake: Child safety



Every child deserves to grow up in a safe and supportive environment.



Almost 4,000 times a month, staff from ODHS Child Protective Services (CPS) or the Office of Training, Investigation and Safety (OTIS) respond to a new allegation of child abuse.



To ensure children's safety, staff must be able to **respond quickly and conduct thorough assessments.**



CPS staff must also be able to **meaningfully engage with families** to understand their needs and provide the necessary supports to help their children thrive.

Risk: Current jurisdictional requirements can negatively impact children and families

- Current law requires ODHS to investigate **all allegations of child abuse**, including those involving alleged perpetrators who fall outside ODHS' traditional scope of families and communities – such as unknown persons committing internet crimes against children.
- This has translated into a **workload increase of 3,500 investigations** per year.
- This wide jurisdiction – along with chronic staffing shortages across human services – **inhibits ODHS' capacity to respond timely to allegations of abuse** and provide families with the supports they need to keep their children safe.
- It also means that **children and families may have to endure multiple investigations** – by ODHS as well as law enforcement – which can be unnecessarily traumatizing.



Proposed solution

ODHS investigates to protect children in their families and trusted communities.
These investigations may be concurrent with law enforcement where appropriate.



Protecting children with their families

- Parent/caregiver
- Person residing in or with access to the child's home
- Person who has access to the child based on the person's relationship to the child's parent, guardian, custodian, household member, or caregiver



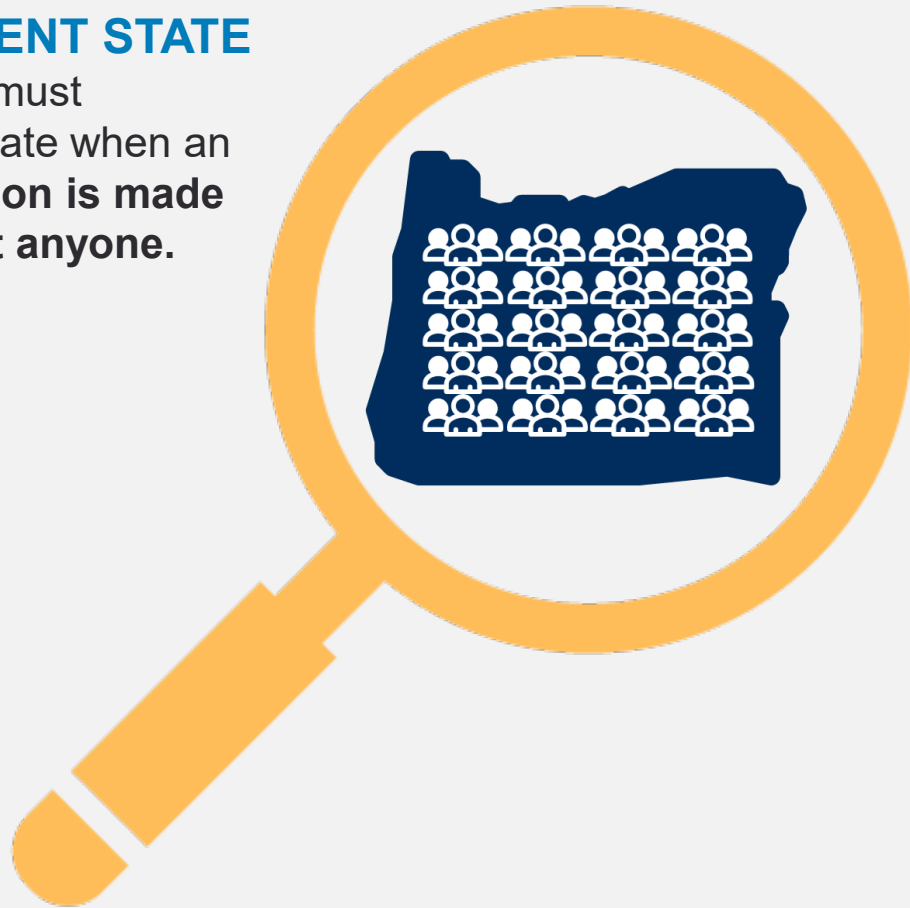
Protecting children in their communities

- Child care provider
- Education provider
- Child Caring Agency/ODDS home/foster home
- ODHS contracted service providers
- Allegations of sexual abuse in OYA and juvenile department settings
- Trusted community members
- Sex trafficker

ODHS jurisdiction: What would change?

CURRENT STATE

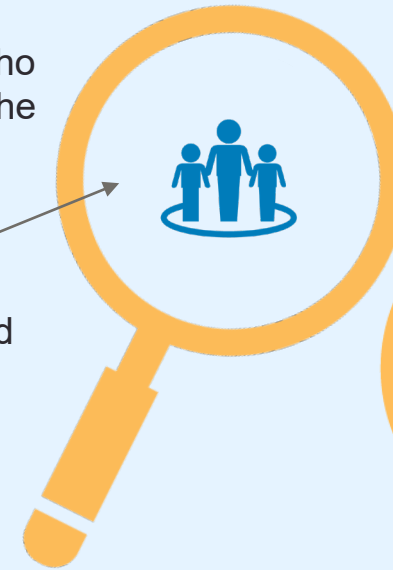
ODHS must investigate when an **allegation is made against anyone.**



FUTURE STATE

ODHS investigates only within the **family and community scope.**

People who live with the child or regularly interact with the household



People in trusted community settings like schools, daycare facilities, places of worship, residential treatment facilities, etc.



Exceptions

Examples of future exceptions to ODHS jurisdiction:

- Internet crime against a child by an unknown person
- Adult stranger in the community throwing rocks at children causing injury
- Adult stranger in the community indecently exposing themselves to children
- Physical altercation between 16-year-old and 18-year-old peers or gang violence between minors

Notes:

- An allegation *would* be assigned to ODHS if a contributing factor to one of the above situations was due to parental or caregiver neglect.
- An allegation would also be assigned if over the course of an investigation by law enforcement, an unknown person is identified as an individual ODHS is required to investigate.



A collaborative proposal

ODHS worked with internal and external partners to develop the proposal for statutory clarity around concurrent investigations with law enforcement. We engaged members of the following groups:

- Law enforcement personnel
- District Attorneys
- DOJ: Child Advocacy and Protection Division and ICAC Task Force
- Child Advocacy Center staff
- Governor's Advocacy Foster Care Ombudsmen
- Providers in the continuum of care for children
- Oregon Youth Authority
- Juvenile Detention Directors
- Youth with lived experience
- Parents with lived experience



Legislative Concept 165

- Legislative Concept 165 has been drafted to introduce this proposed solution.
- An anticipated revision or amendment is being developed to incorporate additional feedback from impacted community partners gathered since December 19, when Legislative Council finalized the draft.





Questions?

Study of the statewide response to children exhibiting problematic sexual behavior

Anna Williams, Director
System of Care Advisory Council

What will be studied?

Current state of
services and
resources

Gaps in response
and services

National best
practices

Current state and
federal funding

**Solutions to
identify and
provide support,
treatment, and
resources**

Study Committee

- Families with lived experience with a child exhibiting problematic sexual behaviors
- Youth with lived experience*
 - These youth are challenging to recruit and engage
- Representatives of organizations involved with children exhibiting problematic sexual behaviors. Such organizations may include, but are not limited to,
 - Oregon Health Authority
 - Children’s behavioral health professionals
 - Department of Justice
 - Children’s Advocacy Centers
 - Oregon Youth Authority
 - County Juvenile Departments
 - Child Welfare
 - Office of Developmental Disability Services
 - Oregon Department of Education
 - Multi-disciplinary teams with existing problematic sexual behavior subcommittees
 - District Attorneys
 - Attorneys representing children
 - Delinquency Judges
 - Other relevant advocates for children

Reporting

- Preliminary findings and recommendations, including any recommended statutory changes, to the interim legislative committees on child welfare in September 2024.
- A comprehensive report on the study's findings and recommendations, including any recommended statutory changes, will be provided to the interim legislative committees on child welfare no later than September 15, 2025.