



DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

DATE: May 14, 2021

TO: Honorable Barbara Smith Warner, Chair, House Committee on Rules

FROM: Kate Denison, Deputy Legislative Director, Oregon Department of Justice

SUBJECT: SB 175 – Protecting Those Who Protect Our Children

This testimony is presented in support of SB 175.

Problem

The Child Advocacy Section (ChAS) within the Department of Justice (DOJ) Civil Enforcement Division represents the Department of Human Services (DHS) Child Welfare Program in juvenile dependency and termination of parental rights cases. Some of these cases involve a parent or relative who engages in violent, aggressive, threatening, or volatile behavior. Sometimes, such individuals make violent threats or engage in harassing behaviors toward DHS case workers or other staff. In some cases, this threatening or harassing behavior escalates and is directed at DOJ's child advocacy attorneys (also known as Assistant Attorneys General or AAGs) assigned to the case from ChAS.

Because there are not enough state vehicles for all of DOJ's child advocacy attorneys to drive anonymously to court hearings and DHS branches, many of these attorneys must use their own personal vehicles for this work. It is easy for a violent or threatening individual to follow an attorney out of court or track them to a parking area and obtain vehicle registration information, which includes personal information such as the attorney's home address. This causes safety concerns for our child advocacy attorneys and a risk that a violent individual connected with a juvenile dependency case will act on a threat to one of our child advocacy attorneys.

In fact, a number of our child advocacy attorneys have been threatened and subjected to this type of harassing behavior. For example, one DHS client posted personal information about a child advocacy attorney on numerous websites and encouraged others to perform a "citizen's arrest" and to harass her. Another DHS client, who is known to state and federal authorities, left a child advocacy attorney concerning messages about the attorney's children and attempted to personally contact her. In another incident, a DHS client contacted a relative of one of our child advocacy attorneys, and directed vulgar and offensive language at the attorney, causing the attorney and her family to feel unsafe in their home. Other child advocacy attorneys have been followed to and from courthouses and to their vehicles by DHS clients and relatives. Many of these incidents have also extended outside of the work arena.

Solution

ORS 802.250 affords certain public employees and officials confidentiality for personal and family safety reasons by allowing them to request that Department of Motor Vehicles records held by the Department of Transportation contain the employee's work address, rather than their home address, for the duration of their public employment. Currently, the employees afforded this option include DHS caseworkers whose duties include personal contact with their clients. This proposal would add DOJ's child advocacy attorneys who also have frequent contact with DHS clients to the employees listed in the statute.

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