

SB 901 STAFF MEASURE SUMMARY

Carrier: Sen. Gelser Blouin

Senate Committee On Human Services

Action Date: 02/27/23

Action: Do pass.

Vote: 4-0-1-0

Yeas: 4 - Gelser Blouin, Manning Jr, Prozanski, Weber

Exc: 1 - Robinson

Fiscal: Has minimal fiscal impact

Revenue: No revenue impact

Prepared By: Iva Sokolovska, LPRO Analyst

Meeting Dates: 2/20, 2/27

WHAT THE MEASURE DOES:

Permits the Director of Human Services to compel the production of documents and records in connection with child abuse investigations. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Impact of subpoena authority
- Intent of subpoena to comply with federal guidelines
- Office of Training, Investigations and Safety (OTIS) investigations in Oregon Youth Authority facilities and correctional facilities
- Limitation and inclusion of different types of records included relevant to investigations

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

When a child abuse report is received by a law enforcement agency or the Department of Human Services' Child Protective Services (CPS), they immediately investigate to determine the nature and cause of the abuse of the child and notify all relevant entities based on the nature and cause. CPS and law enforcement agencies have a shared legal responsibility for taking child abuse reports and responding to them. Law enforcement and DHS collaborate with other service providers including school officials and local health and mental health departments to develop specific procedures and guidelines for investigating child abuse. CPS staff work closely with law enforcement agencies and other members of multidisciplinary teams in each county to assess child abuse reports. The Oregon Child Abuse reporting Law, ORS 419B.005 to 419B.050, was enacted in 1971 and has been updated several times.

Senate Bill 901 allows the Director of Human Services to subpoena documents and records in connection with child abuse investigations, including audio records, video records, photographs and student records.