

Date: March 3, 2025

To: Oregon Senate Committee on Human Services

From: Sylvia Deporto and Leslie Ann Hay, Facilitators for HB 4086 Jurisdiction Study

The mission of the HB4086 Jurisdiction Advisory Committee (JAC) is to strengthen Oregon's child abuse investigation processes with a core focus on child safety. Our purpose is to collaboratively develop specific recommendations that prioritize the protection and well-being of children, while also:

- Reflecting the desires of the community, Tribes, child welfare staff, and system partners;
- Incorporating the latest trauma-informed research on safety, equity, and family support to promote resilient children and families; and
- Ensuring investigations are aligned across systems, strength-based, and culturally responsive to children, families, communities, and Tribes.

These recommendations will address child abuse and neglect definitions, scope of perpetrator jurisdiction, due process, and investigatory processes informed by best practices. A plan for ongoing interdisciplinary oversight of implementation of the recommendations will also be produced.

In this work we have identified and organized around the following four domains of study: Scope of Jurisdiction, Definitions, Pre-Investigation, and Due Process.

We are using an analytic process to arrive at recommendations—on a continuum from Do Nothing to Make Refinements to the status quo, to envisioning a Redesigned Approach. The members of the committee are providing the facilitators with advice and guidance from their respective areas of expertise. The facilitators will then make recommendations into a written report to present to the legislature as required by HB4086:

“Directs the Department of Human Services to commission a study, to be conducted by a facilitator who specializes in public policy, in consultation with an advisory committee, on the scope of child abuse investigations in Oregon. Requires that the department's contract with the facilitator must include the preparation and submission of a report to the interim committees on child welfare no later than September 15, 2025.”

Between now and the end of May, we're diving deep into these specific areas to perform the analytic steps of collecting information, gathering findings & supporting data, conducting analysis & exploring options, drawing conclusions, then proposing recommendations for each of the four domains:

SCOPE OF JURISDICTION - Refine scope & map shared responsibility, and MDT best practice to support scope.

DEFINITIONS - Dual definitions, mental injury, threat of harm, neglect clarification, poverty exception for neglect, alleged perpetrators named in statute, child on child sexual abuse.

PRE-INVESTIGATION - Alternative pathways.

DUE PROCESS - Client rights notification, registry conditions, and appeal process.

We are currently engaging sub-committees from the JAC membership to focus on specific issues. These sub-committees are developing some initial findings which are then reported back to the larger JAC. These findings will formulate the basis for the recommendations that will be developed.

Our timeline is to complete the sub-committee work by the end of May 2025; at which time the facilitators will begin drafting the report for the legislature. The months of July and August will be used to gather feedback and input on the draft report from the larger JAC, and the completed report will be ready for submission by the September 2025 deadline.

As the facilitators of this effort we know that an investment was made by the state of Oregon to study these issues and provide some recommendations to the legislature for consideration.

It is our recommendation that any legislation that has direct impacts on the scope of the HB4086 Jurisdiction Study be paused until the study and recommendations are complete.