



Oregon

Tina Kotek, Governor

Department of Human Services

Office of the Director
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March 4, 2025

Senate Committee on Human Services
Oregon State Capitol
900 Court St. NE
Salem, OR 97301

RE: SB 912, Child Abuse Definitions: Neglect and Threat of Harm

Dear Chair Gelser Blouin, Vice Chair Linthicum, and Members of the Committee:

Scope of Impact

If passed, SB 912 would significantly impact across Oregon as the bill would limit the definition of alleged perpetrators of child neglect to parents and guardians and only applies to custodians and caregivers in cases of chronic or extreme neglect.

Anticipated Impacts and Potential Consequences:

1. Discontinued Investigations and Assessments

- **OTIS Investigations:** Investigations into neglect or harm allegations involving third-party professionals, other third parties, or education providers will no longer be pursued.
- **CPS Assessments:** Child Protective Services (CPS) will limit assessments for neglect cases that do not directly impact child safety. The focus will shift to gathering often inaccessible financial or community resource information.
- **Sex Offender Cases:** CPS assignments will decrease in cases where sex offenders' behaviors pose a risk to children, particularly when reporting or evidence is limited.
- **Investigation Closures:** Cases with insufficient information to proceed will be closed during the screening phase.

2. Impact on Abuse or Neglect Cases

- **Increased Assignments:** More reports will be assigned where parents are held accountable for abuse committed by other people.

- **Rise in Founded Dispositions:** There will be an increase in founded dispositions for cases involving:
 - Survivors of domestic violence, sexual assault, or trafficking.
 - Parents or caregivers responsible for abuse by others.
 - Parents or caregivers refusing services due to limited availability or trauma caused by those services.
- **Reduced Family Autonomy:** Families will have less control over decisions regarding their well-being, potentially facing barriers to employment and challenges with informed decision-making.

3. Risk of Unaddressed Harm

- **Loss of "Threat of Harm" Category:** The removal of the "Threat of Harm" category hinders the ability to assess child abuse related to domestic violence. This category was essential for addressing risks posed by an abusive partner's parenting, even when the child is not directly harmed.
- **Sex Offender Behaviors:** Sex offenders' actions that endanger children, even when the child is not the direct victim, will not be classified as abuse unless the parent is also deemed neglectful. This increases the risk of harm to children.
- **Newborns at Risk:** Newborns exposed to harmful substances or born to parents with unmanaged substance use may not receive necessary safety assessments at birth, leaving them vulnerable to immediate harm.

4. Financial Capacity and Resource Availability

- **Assessment Challenges:** Oregon's Child Abuse Hotline and CPS lack the tools to assess a family's financial capacity to meet basic needs. Without proper systems to evaluate financial resources, addressing this critical factor during screenings and investigations will be difficult.

5. Challenges for Mandatory Reporters

- **Confusion in Definitions:** The complexity of neglect definitions, such as failure to meet basic needs or failure to protect a child, may lead to confusion among mandatory reporters, resulting in over-reporting or under-reporting of cases.
- **Ambiguity in Accountability:** Mandatory reporters may struggle to determine whether a parent is responsible for another person's abuse or is utilizing available resources appropriately, undermining the accuracy and effectiveness of abuse identification and reporting.

Overall, SB 912 would create significant barriers in assessing child safety, properly addressing abuse and neglect, and protecting vulnerable children, while increasing confusion and potentially exacerbating trauma for families involved.

Current Related Work

In 2024, the Oregon Department of Human Services (ODHS) advocated for [HB 4086](#) to join the national effort to limit unnecessary child welfare involvement in families that do not pose a risk to child safety. The work on HB 4086 is currently underway, focusing on the following key areas:

Oregon’s Child Abuse Definitions: Specifically, neglect and the threat of harm, with an emphasis on reducing racial and socioeconomic biases. [Casey Family Foundation: Analysis of State Definitions of Child Neglect \(2023\)](#)

Due Process Protections: Ensuring procedural fairness for families and individuals subject to child abuse investigations.

Alternative Pathways for Families: Exploring ways for families to receive services without unnecessary child welfare involvement.

In September 2024, contracts were initiated with facilitators who have expertise in public policy, and the multidisciplinary advisory committee began convening.

In October 2024, the [Bipartisan Policy Center](#) released a [report](#) comparing Oregon’s statutes and data to those from other states and federal sources. The report identified notable differences in Oregon’s definitions of child abuse, perpetrator jurisdiction, due process, and standard of proof.

Starting in October 2024, the facilitators and advisory committee have met twice a month to build a consistent understanding of the current system, review data, and discuss potential policy changes.

Under HB 4086, the facilitators are required to submit a final report on their findings and recommendations, including any legislative proposals, to the interim committees on child welfare by no later than September 15, 2025.

Recommendation

Oregon needs statutes and policies that center on national best practice and incorporate the engagement of the multidisciplinary child safety system and people with lived experience. ODHS recommends that, rather than passing SB 912, that the legislature rely on the legislatively mandated and funded study under way with HB 4086 that is facilitating a robust multidisciplinary discussion on child abuse investigations in Oregon with findings and recommendations due to the legislature in September 2025.

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