Presentation to the House Committee on Early Childhood and Human Services

OREGON DEPARTMENT OF Human Services

Reviews for HB 4059

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Agenda

1. Threat of harm proposed updates
2. Threat of harm data and impacts
3. Disposition threshold proposed updates
4. Preponderance of evidence data and impacts
5. Q+A

The reviews

Threat of harm review

- Reviewed screening reports from 2025 that were assigned for threat of harm.
- **Applied the proposed definition** to see how many would still be assigned.

Founded dispositions

- Reviewed assessments with founded dispositions from 2025.
- Applied the **preponderance of the evidence** standard to see how many would still be founded.

Threat of harm proposal

Current definition

Threatened harm to a child, which means subjecting a child to a **substantial** risk of harm to the child's health or welfare.

Proposed definition

Threatened harm to a child, which means subjecting a child to an **imminent** risk of **severe harm** to the child's health or welfare.

Threat of harm review

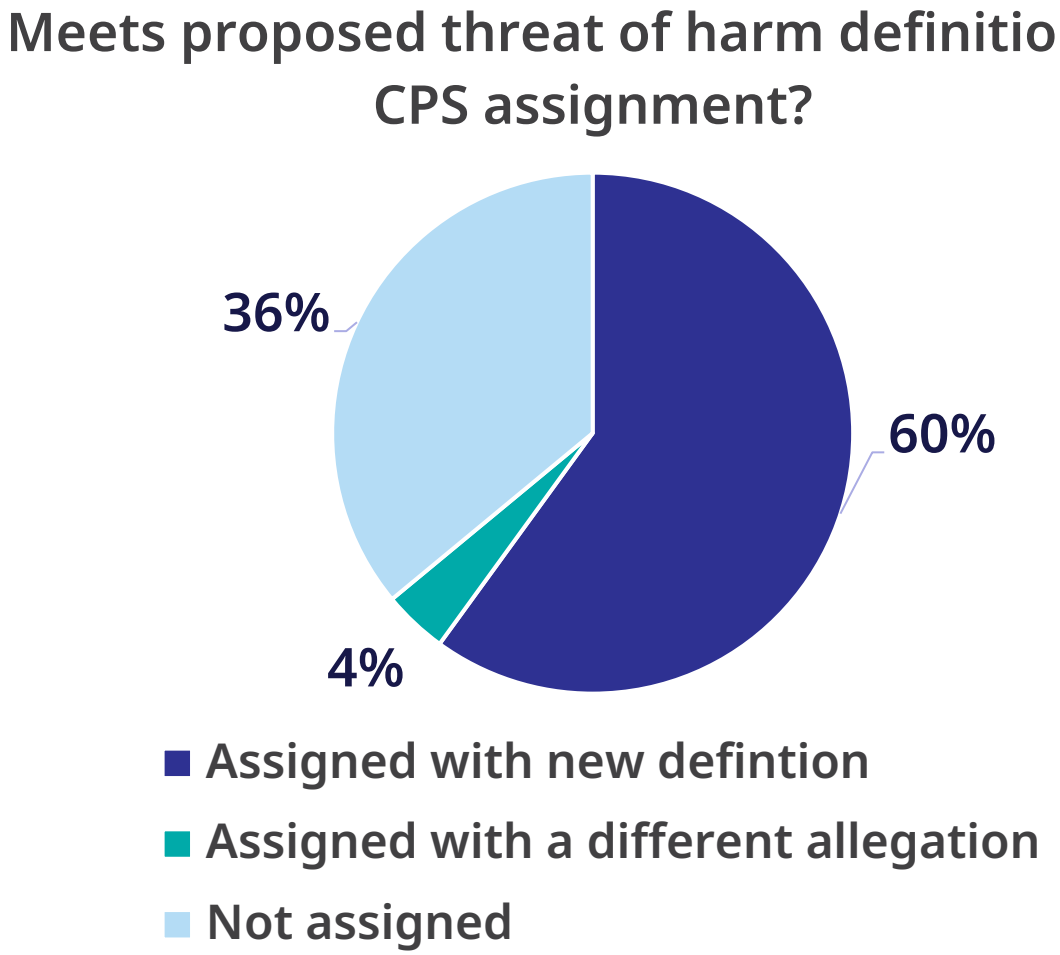
Allegation criterion review

19,852 threat of harm screening reports in 2025

- 273 threat of harm reports reviewed
- 90% confidence level
- 5% margin of error
- Screening and quality assurance expertise

Screening impact

- **273 threat of harm reports reviewed**
- 164 met the proposed threat of harm definition and would still be assigned
- 12 met criteria for another type of abuse
- 97 reports would not be assigned



Impact to child safety

Of the 97 threat of harm screening reports that would not be assigned for investigation, **8** of them were on cases where there was an unsafe child.

Of those 8 unsafe determinations, **all** would still have been identified without the threat of harm report being assigned.

Estimated impact

13,861 reports assigned in 2025 for *only* threat of harm.

Updated definition results in fewer assignments.

Approx 36% impact

A difference of 4,990 threat of harm assignments per year.

CPS assessments answer two questions:

Did abuse occur?

- Abuse is confirmed,
- Abuse did not occur, or
- There is not enough information to decide

Is the child safe?

Does a safety threat exist in the family?

Is the child likely to be imminently and severely harmed by the threatening family condition?

If yes, the child is unsafe

Proposed standard of proof for disposition

The proposal would change the standard of proof for a founded disposition of child abuse.

Reasonable cause to believe

Reasonable belief, given all the circumstances and based on specific and articulable facts.

A preponderance of the evidence

More likely than not to be true based on the evidence.

Preponderance of the evidence review

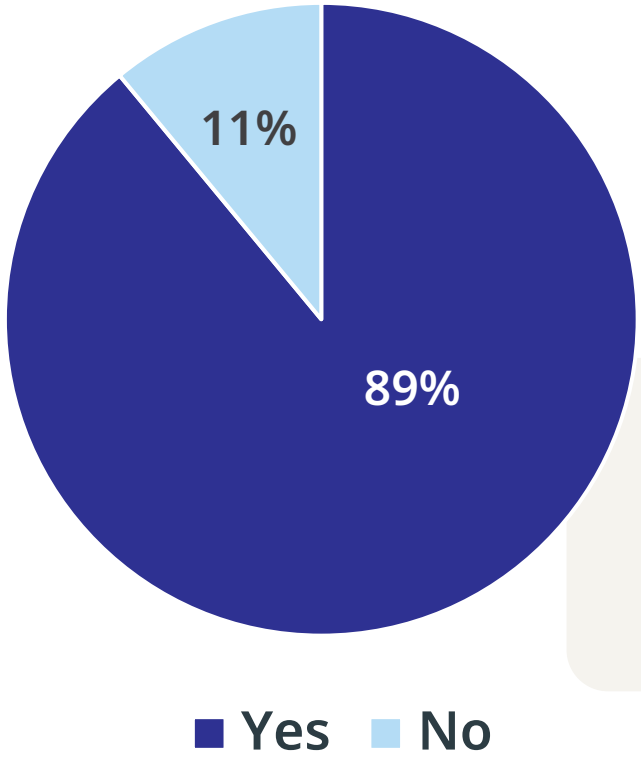
Standard of proof review

8,120 founded dispositions in 2025

- 277 founded dispositions reviewed
- 90% confidence level
- 5% margin of error
- Child Protective Services (CPS) expertise

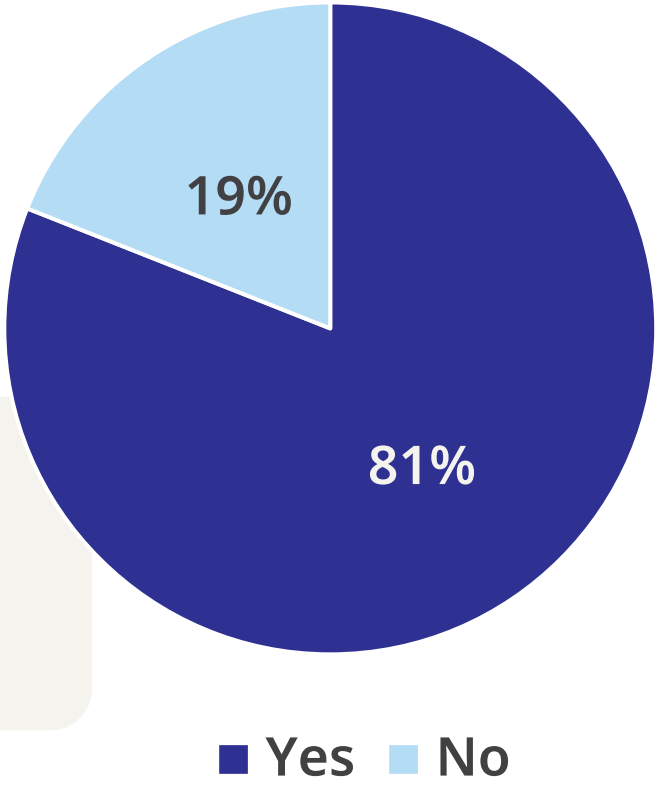
Standard of proof

Met reasonable cause to believe



Of the 246 (89%) reports that met reasonable cause, 200 (81%) met preponderance of the evidence

Met preponderance of the evidence



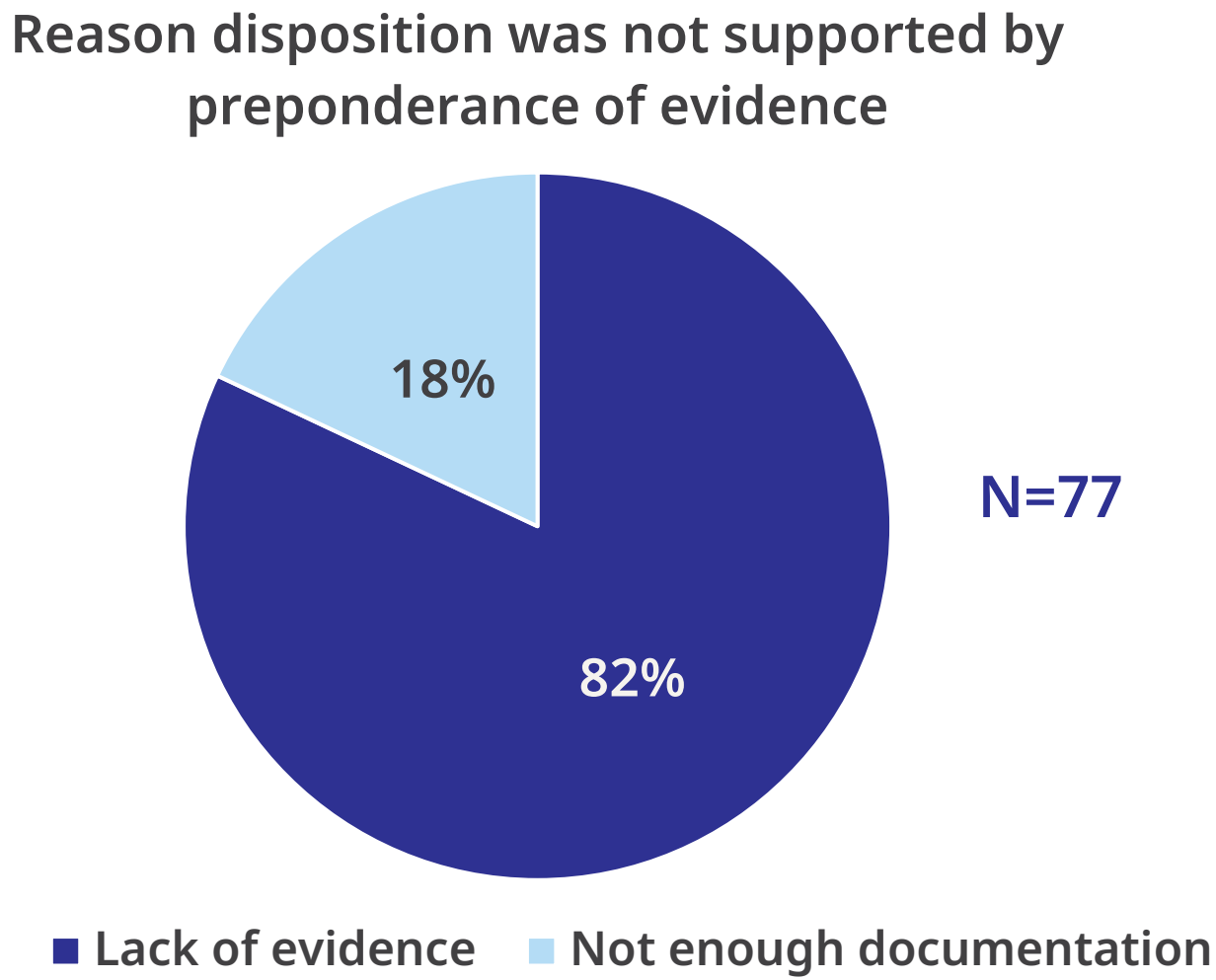
Why preponderance of the evidence not supported

Lack of evidence:

- Thorough assessment
- Complete documentation
- Available evidence did not meet a preponderance of the evidence.

Not enough documentation:

- Documentation was insufficient
- Could not identify if there was enough evidence to support a preponderance of the evidence.



Estimated reduction

246 dispositions met reasonable cause to believe standard

200 dispositions met preponderance of the evidence standard

Difference of 13%

Estimated to reduce by 1,322 founded allegations per year

Impact to child safety

Separate decisions points

Disposition

- Founded
- Unable to be determined
- Unfounded

Safety decision

- Safety threat identification
- Five threshold criteria

Questions and discussion

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