

Submitter: lissa kaufman

On Behalf Of:

Committee: Senate Committee On Judiciary

Measure, Appointment or Topic: SB1579

Greetings,

I am a family law attorney practicing family law and juvenile law in Oregon for nearly 30 years. I interact with Oregon Department of Human Services (ODHS) on a regular basis. I have made reports to the hotline, assisted my clients in doing so, and have assisted clients in defending against allegations of abuse and in navigating ODHS investigations. I write in opposition of the proposed legislation for several reasons:

1. Reports to ODHS are required and encouraged in many situations. The legislation would place potential reporters in a potential bind if there could be any suggestion that a report made is false.
2. I am concerned about the inconsistency in the training, experience and approach of ODHS workers in Oregon. In my experience, it is very common for the workers to take inaccurate notes, make inaccurate assumptions, and to engage in credibility determinations. This is worrisome if an ODHS worker's assessments and reports are used to support criminal charges.
3. Child abuse and neglect is not always a bright line. I am concerned that a person might have a good faith belief that a hotline call to ODHS is warranted, only to be swept into a situation where there could be criminal liability.

I wholeheartedly agree that bad faith reports to ODHS should be deterred. I do not believe that the legislation, as written, is concise and descriptive enough to pinpoint the behavior it seeks to address and deter.