



Oregon

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Report on Third-Party Child Abuse Reports per SB 1605, 2020 First Special Session Oregon Department of Human Services

Senate Bill (SB) 1605 passed during the 2020 First Special Session and was an omnibus bill that included provisions related to reports of alleged child abuse by third parties. SB 1605 allowed the Oregon Department of Human Services (ODHS) to establish Oregon Administrative Rules (OARS) for closing reports of child abuse at screening when the alleged perpetrator is a third-party, and certain criteria is met. This authority is repealed March 31, 2021. SB 1605 also required the collection and reporting of specific data to the legislative committees on child welfare. This report will include the number of reports closed at screening, the relationship between the alleged abuser and victim, the type of abuse alleged, and the resources needed to fully implement investigations for these types of reports.

Beginning January 1, 2020, the Oregon Child Abuse Hotline (ORCAH) began capturing the data related to reports of alleged child abuse that were closed at screening due to the alleged abuser being a third-party. Per OAR 413-015-0115 (74) "Third party abuse" means abuse by a person who is not the alleged victim's parent¹, caregiver², or other member of the alleged victim's household³, and not a person responsible for the alleged victim's care, custody, and control.

To prepare this legislative report, the Office of Training, Investigations and Safety (OTIS) conducted a comprehensive review of the ORCAH data and is reporting the findings from January to April 2020. This time period was selected due to the anticipated impact that the COVID-19 pandemic would have on the number of child abuse reports to the ORCAH.

The Number of Reports

An in-depth review was completed of the screening reports for January through April 2020. ORCAH received an average of 300 reports of child abuse per month that were closed at screening due to the alleged abuser being a third-party. This comprehensive review also identified an average of 7 reports a month that were miscategorized as third-party abuse. New protocols have been put in place to ensure greater accuracy in identifying and categorizing third-

¹ OAR 413-015-0115 (44) "Parent" means the biological or adoptive mother or the legal father of the child.

² OAR 413-015-0115 (2) "Caregiver" means a guardian, legal custodian, or other person acting in loco parentis, who exercises significant authority over and responsibility for a child or young adult.

³ OAR 413-015-0115 (23) "Household" means an association of persons who live in the same home or dwelling and may be related by blood, adoption, or marriage or may be unrelated persons residing in the same home or dwelling as the child.

party abuse. This brings the monthly average reports to 293, which was used to project an annual report volume of 3,516 reports of third-party abuse.

A decline in third-party screening reports was anticipated as a result of the COVID-19 related stay-at-home orders, school closures and shift to distance learning. However, this did not occur and the monthly average number of reports from May to September 2020 remained consistent with the pre-pandemic numbers.

Relationship Between Alleged Abuser and Alleged Victim

14 relationship categories were identified to describe the connection between the alleged abuser and alleged victim. Once the monthly average was calculated for each relationship type, the percentage was used to extrapolate the annual projection. It is important to note that multiple alleged abusers with various relationships can be identified in a single report. Therefore, there is some variation between the monthly average and annual projections listed in the total reports row below and the “Total Number of Reports” section of this report.

Relationship of Alleged Abuser and Alleged Victim			
Relationship	Monthly Average	Annual Projection	Percentage
Minor	54	648	18%
Child’s Significant Other (over 18 years old)	47	564	16%
Family Member	46	552	15%
Former Household Member	42	504	14%
Out-of-State or Online Only	31	372	10%
Too Vague to be Categorized ⁴	23	276	8%
Family Friend, Friend’s Parent, or Acquaintance	16	192	5%
Professional	11	132	4%
Non-familial Babysitter	8	96	3%

⁴ The age and/or relationship of the alleged abuser is not identified in the screening report. It is expected this number will decrease with more thorough screening practices.

Stranger	7	84	2%
School/Daycare ⁵	7	84	2%
Neighbor	5	60	2%
Sex Trafficker	1	12	0.3%
Co-worker	0.5	6	0.2%
Total Reports	299	3,582	100%

Type of Alleged Abuse

The statutes governing child abuse recognize 5 categories of child abuse; sexual abuse, threat of harm, neglect, physical abuse and mental injury. Sexual abuse accounted for nearly 60% of the types of third-party abuse reported to ORCAH. The second highest type of third-party abuse was threat of harm, which primarily involves children being exposed to unsafe situations including violence, domestic violence or unsafe people. Neglect only accounted for 13% of the types of third-party abuse, which should be expected as the definition of neglect implies the respondent is responsible to provide and maintain the health and safety of the child. Please note that multiple abuse types can be alleged in a single report.

Type of Alleged Child Abuse	
Sexual Abuse	58%
Threat of Harm	19%
Neglect	13%
Physical Abuse	10%
Mental Injury	<1%

Resources Needed to Begin Investigating Reports of Third-Party Child Abuse

In 2019, it was estimated that the annual number of third-party child abuse reports was approximately 4,600. Based on those initial projections, OTIS requested 46 positions to complete screening activities, conduct investigations and perform administrative duties. In an effort to secure the needed resources, ODHS requested Policy Option Package #126 in its 2021-2023 Agency Request Budget. Through enhanced data collection and careful analysis of third-party

⁵ These were incorrectly identified as third-party reports at the time of screening.

reports closed at screening from January to April 2020, more precise projections are now available.

Projected Workload			
Projection Type	Monthly Average	Annual Projection	Percentage
Reports Closed at Screening from January to April 2020 ⁶	293	3,516	N/A
Anticipated Reports to be Assigned for Investigation Starting April 2021	152	1,824	52% ⁷
Anticipated Reports to be Closed at Screening Starting April 2021 ⁸	141	1,692	48%

The updated projections estimate the need to conduct 1,824 third-party child abuse investigations a year. On average an investigator conducts 72 investigations per year, which means approximately 26 investigators are needed to complete this body of work. In addition to abuse investigators, 3 investigators are needed for screening reports, 2 administrative specialists are needed, as well as an operations and policy analyst, a hearings representative and a unit manager. This brings the total needed positions to 38.

In August 2020, ODHS was allocated a mix of 17 positions, which leaves a remaining need of 17 investigators, an administrative specialist, a hearings representative and 2 unit managers. This leaves an outstanding need of 21 positions to begin conducting third-party investigations on April 1, 2021.

For more information, please contact:

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⁶ Average after excluding an average of 7 reports a month that were miscategorized

⁷ Assignment rate is based on the 2019 child welfare assignment rate

⁸ Reports will only be closed at screening when the allegation does not meet the statutory definitions of child abuse under 419B.005 or the department does not have jurisdiction.