

Oregon child abuse reporting law

Reporting of child abuse

419B.005 Definitions. As used in ORS 419B.005 to 419B.050, unless the context requires otherwise:

(1)(a) "Abuse" means:

- (A) Any assault, as defined in ORS chapter 163, of a child and any physical injury to a child which has been caused by other than accidental means, including any injury which appears to be at variance with the explanation given of the injury.
- (B) Any mental injury to a child, which shall include only observable and substantial impairment of the child's mental or psychological ability to function caused by cruelty to the child, with due regard to the culture of the child.
- (C) Rape of a child, which includes but is not limited to rape, sodomy, unlawful sexual penetration and incest, as those acts are described in ORS chapter 163.
- (D) Sexual abuse, as described in ORS chapter 163.
- (E) Sexual exploitation, including but not limited to:
 - (i) Contributing to the sexual delinquency of a minor, as defined in ORS chapter 163, and any other conduct which allows, employs, authorizes, permits, induces or encourages a child to engage in the performing for people to observe or the photographing, filming, tape recording or other exhibition which, in whole or in part, depicts sexual conduct or contact, as defined in ORS 167.002 or described in ORS 163.665 and 163.670, sexual abuse involving a child or rape of a child, but not including any conduct which is part of any investigation conducted pursuant to ORS 419B.020 or which is designed to serve educational or other legitimate purposes; and
 - (ii) Allowing, permitting, encouraging or hiring a child to engage in prostitution as described in ORS 167.007 or a commercial sex act as defined in ORS 163.266, to purchase sex with a minor as described in ORS 163.413 or to patronize a prostitute as described in ORS 167.008.
- (F) Negligent treatment or maltreatment of a child, including but not limited to the failure to provide adequate food, clothing, shelter or medical care that is likely to endanger the health or welfare of the child.
- (G) Threatened harm to a child, which means subjecting a child to a substantial risk of harm to the child's health or welfare.
- (H) Buying or selling a person under 18 years of age as described in ORS 163.537.

WHAT YOU CAN DO ABOUT CHILD ABUSE

- (I) Permitting a person under 18 years of age to enter or remain in or upon premises where methamphetamines are being manufactured.
- (J) Unlawful exposure to a controlled substance, as defined in ORS 475.005, that subjects a child to a substantial risk of harm to the child's health or safety.
- (b) "Abuse" does not include reasonable discipline unless the discipline results in one of the conditions described in paragraph (a) of this subsection.
- (2) "Child" means an unmarried person who is under 18 years of age.
- (3) "Higher education institution" means:
 - (a) A community college as defined in ORS 341.005;
 - (b) A public university listed in ORS 352.002;
 - (c) The Oregon Health and Science University; and
 - (d) A private institution of higher education located in Oregon.
- (4) "Law enforcement agency" means:
 - (a) A city or municipal police department.
 - (b) A county sheriff's office.
 - (c) The Oregon State Police.
 - (d) A police department established by a university under ORS 352.383 or 353.125.
 - (e) A county juvenile department.
- (5) "Public or private official" means:
 - (a) Physician or physician assistant licensed under ORS chapter 677 or naturopathic physician, including any intern or resident.
 - (b) Dentist.
 - (c) School employee, including an employee of a higher education institution.
 - (d) Licensed practical nurse, registered nurse, nurse practitioner, nurse's aide, home health aide or employee of an in-home health service.
 - (e) Employee of the Department of Human Services, Oregon Health Authority, Early Learning Division, Youth Development Division, Office of Child Care, the Oregon Youth Authority, a county health department, a community mental health program, a community developmental disabilities program, a county juvenile department, a licensed child-caring agency or an alcohol and drug treatment program.
 - (f) Peace officer.
 - (g) Psychologist.
 - (h) Member of the clergy.
 - (i) Regulated social worker.
 - (j) Optometrist.

- (k) Chiropractor.
- (L) Certified provider of foster care, or an employee thereof.
- (m) Attorney.
- (n) Licensed professional counselor.
- (o) Licensed marriage and family therapist.
- (p) Firefighter or emergency medical services provider.
- (q) A court appointed special advocate, as defined in ORS 419A.004.
- (r) A child care provider registered or certified under ORS 329A.030 and 329A.250 to 329A.450.
- (s) Member of the Legislative Assembly.
- (t) Physical, speech or occupational therapist.
- (u) Audiologist.
- (v) Speech-language pathologist.
- (w) Employee of the Teacher Standards and Practices Commission directly involved in investigations or discipline by the commission.
- (x) Pharmacist.
- (y) An operator of a preschool recorded program under ORS 329A.255.
- (z) An operator of a school-age recorded program under ORS 329A.257.
- (aa) Employee of a private agency or organization facilitating the provision of respite services, as defined in ORS 418.205, for parents pursuant to a properly executed power of attorney under ORS 109.056.
- (bb) Employee of a public or private organization providing child-related services or activities:
 - (A) Including but not limited to youth groups or centers, scout groups or camps, summer or day camps, survival camps or groups, centers or camps that are operated under the guidance, supervision or auspices of religious, public or private educational systems or community service organizations; and
 - (B) Excluding community-based, nonprofit organizations whose primary purpose is to provide confidential, direct services to victims of domestic violence, sexual assault, stalking or human trafficking.
- (cc) A coach, assistant coach or trainer of an amateur, semiprofessional or professional athlete, if compensated and if the athlete is a child. [1993 c.546 §12; 1993 c.622 §1a; 1995 c.278 §50; 1995 c.766 §1; 1997 c.127 §1; 1997 c.561 §3; 1997 c.703 §3; 1997 c.873 §30; 1999 c.743 §22; 1999 c.954 §4; 2001 c.104 §148; 2003 c.191 §1; 2005 c.562 §26; 2005 c.708 §4; 2009 c.199 §1; 2009 c.442 §36; 2009 c.518 §1; 2009 c.570 §6; 2009 c.595 §364; 2009 c.633 §10; 2009 c.708 §3; 2010 c.60 §4,5; 2011 c.151 §12; 2011 c.506 §38; 2011 c.703 §34; 2012 c.37 §60; 2012 c.92 §1; 2013 c.129 §26; 2013 c.180 §40; 2013 c.623 §17; 2013

c.624 §82; 2013 c.720 §11]

419B.007 Policy. The Legislative Assembly finds that for the purpose of facilitating the use of protective social services to prevent further abuse, safeguard and enhance the welfare of abused children, and preserve family life when consistent with the protection of the child by stabilizing the family and improving parental capacity, it is necessary and in the public interest to require mandatory reports and investigations of abuse of children and to encourage voluntary reports. [1993 c.546 §13]

419B.010 Duty of officials to report child abuse; exceptions; penalty. (1) Any public or private official having reasonable cause to believe that any child with whom the official comes in contact has suffered abuse or that any person with whom the official comes in contact has abused a child shall immediately report or cause a report to be made in the manner required in ORS 419B.015. Nothing contained in ORS 40.225 to 40.295 or 419B.234 (6) affects the duty to report imposed by this section, except that a psychiatrist, psychologist, member of the clergy, attorney or guardian ad litem appointed under ORS 419B.231 is not required to report such information communicated by a person if the communication is privileged under ORS 40.225 to 40.295 or 419B.234 (6). An attorney is not required to make a report under this section by reason of information communicated to the attorney in the course of representing a client if disclosure of the information would be detrimental to the client.

- (2) Notwithstanding subsection (1) of this section, a report need not be made under this section if the public or private official acquires information relating to abuse by reason of a report made under this section, or by reason of a proceeding arising out of a report made under this section, and the public or private official reasonably believes that the information is already known by a law enforcement agency or the Department of Human Services.
- (3) The duty to report under this section is personal to the public or private official alone, regardless of whether the official is employed by, a volunteer of or a representative or agent for any type of entity or organization that employs persons or uses persons as volunteers who are public or private officials in its operations.
- (4) The duty to report under this section exists regardless of whether the entity or organization that employs the public or private official or uses the official as a volunteer has its own procedures or policies for reporting abuse internally within the entity or organization.
- (5) A person who violates subsection (1) of this section commits a Class A violation. Prosecution under this subsection shall be commenced at any time within 18 months after commission of the offense. [1993 c.546 §14; 1999 c.1051 §180; 2001 c.104 §149; 2001 c.904 §15; 2005 c.450 §7; 2012 c.92 §11]

419B.015 Report form and content; notice. (1)(a) A person making a report of child abuse, whether the report is made voluntarily or is required by ORS 419B.010, shall make an oral report by telephone or otherwise to the local office of the Department of Human Services, to the designee of the department or to a law enforcement agency within the county where the person making the report is located at the time of the contact. The report shall contain, if known, the names and addresses of the child and the parents of the child or other persons responsible for care of the child, the child's age, the nature and extent of the abuse, including any evidence of previous abuse, the explanation given for the abuse and any other information that the person making the report believes might be helpful in establishing the cause of the abuse and the identity of the perpetrator.

- (b) When a report of child abuse is received by the department, the department shall notify a law enforcement agency within the county where the report was made. When a report of child abuse is received by a designee of the department, the designee shall notify, according to the contract, either the department or a law enforcement agency within the county where the report was made. When a report of child abuse is received by a law enforcement agency, the agency shall notify the local office of the department within the county where the report was made.
- (2) When a report of child abuse is received under subsection (1)(a) of this section, the entity receiving the report shall make the notification required by subsection (1)(b) of this section according to rules adopted by the department under ORS 419B.017.
- (3)(a) When a report alleging that a child or ward in substitute care may have been subjected to abuse is received by the department, the department shall notify the attorney for the child or ward, the child's or ward's court appointed special advocate, the parents of the child or ward and any attorney representing a parent of the child or ward that a report has been received.
- (b) The name and address of and other identifying information about the person who made the report may not be disclosed under this subsection. Any person or entity to whom notification is made under this subsection may not release any information not authorized by this subsection.
- (c) The department shall make the notification required by this subsection within three business days of receiving the report of abuse.
- (d) Notwithstanding the obligation imposed by this subsection, the department is not required under this subsection to notify the parent or parent's attorney that a report of abuse has been received if the notification may interfere with an investigation or assessment or jeopardize the child's or ward's safety. [1993 c.546 §15; 1993 c.734 §1a; 2005 c.250 §1; 2007 c.237 §1]

419B.016 Offense of false report of child abuse. (1) A person commits the offense of making a false report of child abuse if, with the intent to influence a custody, parenting time, visitation or child support decision, the person:

- (a) Makes a false report of child abuse to the Department of Human Services or a law enforcement agency, knowing that the report is false; or
- (b) With the intent that a public or private official make a report of child abuse to the Department of Human Services or a law enforcement agency, makes a false report of child abuse to the public or private official, knowing that the report is false.

(2) Making a false report of child abuse is a Class A violation. [2011 c.606 §2]

Note: 419B.016 was added to and made a part of 419B.005 to 419B.050 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

419B.017 Time limits for notification between law enforcement agencies and Department of Human Services; rules. (1) The Department of Human Services shall adopt rules establishing:

- (a) The time within which the notification required by ORS 419B.015 (1)(a) must be made. At a minimum, the rules shall:
 - (A) Establish which reports of child abuse require notification within 24 hours after receipt;
 - (B) Provide that all other reports of child abuse require notification within 10 days after receipt; and
 - (C) Establish criteria that enable the department, the designee of the department or a law enforcement agency to quickly and easily identify reports that require notification within 24 hours after receipt.
 - (b) How the notification is to be made.
- (2) The department shall appoint an advisory committee to advise the department in adopting rules required by this section. The department shall include as members of the advisory committee representatives of law enforcement agencies and multidisciplinary teams formed pursuant to ORS 418.747 and other interested parties.
- (3) In adopting rules required by this section, the department shall balance the need for providing other entities with the information contained in a report received under ORS 419B.015 with the resources required to make the notification.
- (4) The department may recommend practices and procedures to local law enforcement agencies to meet the requirements of rules adopted under this section. [2005 c.250 §3]

Note: 419B.017 was added to and made a part of 419B.005 to 419B.050 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

419B.020 Duty of department or law enforcement agency receiving report; investigation; notice to parents; physical examination; child's consent; notice at conclusion of investigation. (1) If the Department of Human Services or a law enforcement agency receives a report of child abuse, the department or the agency shall immediately:

- (a) Cause an investigation to be made to determine the nature and cause of the abuse of the child; and
 - (b) Notify the Office of Child Care if the alleged child abuse occurred in a child care facility as defined in ORS 329A.250.
- (2) If the abuse reported in subsection (1) of this section is alleged to have occurred at a child care facility:
- (a) The department and the law enforcement agency shall jointly determine the roles and responsibilities of the department and the agency in their respective investigations; and
 - (b) The department and the agency shall each report the outcomes of their investigations to the Office of Child Care.
- (3) If the law enforcement agency conducting the investigation finds reasonable cause to believe that abuse has occurred, the law enforcement agency shall notify by oral report followed by written report the local office of the department. The department shall provide protective social services of its own or of other available social agencies if necessary to prevent further abuses to the child or to safeguard the child's welfare.
- (4) If a child is taken into protective custody by the department, the department shall promptly make reasonable efforts to ascertain the name and address of the child's parents or guardian.
- (5)(a) If a child is taken into protective custody by the department or a law enforcement official, the department or law enforcement official shall, if possible, make reasonable efforts to advise the parents or guardian immediately, regardless of the time of day, that the child has been taken into custody, the reasons the child has been taken into custody and general information about the child's placement, and the telephone number of the local office of the department and any after-hours telephone numbers.
- (b) Notice may be given by any means reasonably certain of notifying the parents or guardian, including but not limited to written, telephonic or in-person oral notification. If the initial notification is not in writing, the information required by paragraph (a) of this subsection also shall be provided to the parents or guardian in writing as soon as possible.
 - (c) The department also shall make a reasonable effort to notify the noncustodial parent of the information required by paragraph (a) of this subsection in a timely manner.
 - (d) If a child is taken into custody while under the care and supervision of a person or organization other than the parent, the department, if possible, shall immediately notify the person or organization that the child has been taken into protective custody.

- (6) If a law enforcement officer or the department, when taking a child into protective custody, has reasonable cause to believe that the child has been affected by sexual abuse and rape of a child as defined in ORS 419B.005 (1)(a)(C) and that physical evidence of the abuse exists and is likely to disappear, the court may authorize a physical examination for the purposes of preserving evidence if the court finds that it is in the best interest of the child to have such an examination. Nothing in this section affects the authority of the department to consent to physical examinations of the child at other times.
- (7) A minor child of 12 years of age or older may refuse to consent to the examination described in subsection (6) of this section. The examination shall be conducted by or under the supervision of a physician licensed under ORS chapter 677 or a nurse practitioner licensed under ORS chapter 678 and, whenever practicable, trained in conducting such examinations.
- (8) When the department completes an investigation under this section, if the person who made the report of child abuse provided contact information to the department, the department shall notify the person about whether contact with the child was made, whether the department determined that child abuse occurred and whether services will be provided. The department is not required to disclose information under this subsection if the department determines that disclosure is not permitted under ORS 419B.035. [1993 c.546 §16; 1993 c.622 §7a; 1997 c.130 §13; 1997 c.703 §1; 1997 c.873 §33; 2007 c.501 §4; 2007 c.781 §1; 2013 c.624 §83]

419B.025 Immunity of person making report in good faith. Anyone participating in good faith in the making of a report of child abuse and who has reasonable grounds for the making thereof shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed with respect to the making or content of such report. Any such participant shall have the same immunity with respect to participating in any judicial proceeding resulting from such report. [1993 c.546 §17]

Child abuse reporting phone numbers

If you think someone is being hurt or is in danger, call 911 immediately.

Report child abuse to a local office of the Department of Human Services (DHS) or a local police department, county sheriff, county juvenile department, or Oregon State Police.

You can also call **1-855-503-SAFE (7233)**. This toll-free number allows you to report abuse or neglect of any child or adult to the Oregon Department of Human Services.

County	Daytime phone numbers	Office hours	After hours phone numbers
Baker	541-523-6423 local 800-646-5430 toll free (Main office numbers)	Monday through Friday 8 am to 12 pm and 1 to 5 pm	911 or local law enforcement agency: Baker County Sheriff, 541-523-6415 Baker City Police, 541-523-3644
Benton	541-757-5019 local 866-303-4643 toll free (Dedicated child abuse hotlines).	Monday through Friday, 8 am to 5 pm	911 or local law enforcement agency: Benton County Sheriff, 541-766- 6858; Corvallis Police , 541-766-6925; Philomath Police, 541-929-6911
Clackamas	971-673-7112 local (Dedicated child abuse hotline)	Monday through Friday 8 am to 5 pm	971-673-7112 local (Dedicated child abuse hotline). Calls are forwarded to Multnomah County hotline
Clatsop	877-302-0077 toll free (Dedicated child abuse hotline)	Monday through Friday 8 am to 5 pm	911
Columbia	877-302-0077 toll free (Dedicated child abuse hotline)	Monday through Friday 8 am to 5 pm	911
Coos	541-756-5500 local 800-500-2730 toll free; (Main office numbers)	Monday through Friday, 8 am to 5 pm	541-756-5500 local 800-500-2730 toll free (Main office numbers) Calls are forwarded to Belloni Ranch
Crook	541-548-9499 local (Dedicated child abuse hotline)	Monday through Friday 8 am to 5 pm	911
Curry	541-756-5500 local 800- 500-2730 toll free (Main office numbers)	Monday through Friday, 8 am to 5 pm	541-756-5500 local 800-500-2730 toll free (Main office numbers)
Deschutes	541-548-9499 local (Dedicated child abuse hotline)	Monday through Friday, 8 am to 5 pm	911

County	Daytime phone numbers	Office hours	After hours phone numbers
Douglas	541-440-3373 local 800-305-2903 toll free (Main office numbers)	Monday through Friday 8 am to 5 pm	911 or local law enforcement agency: Douglas County Sheriff 541-440-4450 Myrtle Creek Police 541-863-5221 Oakland Police 541-459-2661 Reedsport Police 541-271-2100 Roseburg Police 541-673-6633 Sutherlin Police 541-459-2211 Winston Police 541-679-8704
Gilliam	855-541-0042 (Dedicated child abuse hotline)	Monday through Friday 8 am to 5 pm	911 or Tri-County Dispatch at 541-384-2080
Grant	877-877-5081 toll free (Dedicated child abuse hotline)	Monday through Friday 8 am to 5 pm	911
Harney	877-877-5081 toll free (Dedicated child abuse hotline)	Monday through Friday 8 am to 5 pm	911
Hood River	855-541-0042 (Dedicated child abuse hotline)	Monday through Friday, 8 am to 5 pm	911 or Hood River Sheriff 541-386-2711
Jackson	541-858-3197 local 866-840-2741 toll free (Dedicated child abuse hotline)	Monday through Friday 8 am to 5 pm	911 or local law enforcement agency: Jackson County Sheriff 541-774-6800 Ashland Police 541-488-2211 Butte Falls Police 541-865-3200 Central Point Police 541-664-5578 Eagle Point Police 541-826-9171 Gold Hill Police 541-855-1484 Jacksonville Police 541-899-7100 Medford Police 541-774-2200 Phoenix Police 541-535-1113 Rogue River Police 541-582-4931 Shady Cove Police 541-878-3200 Talent Police 541-535-1253
Jefferson	541-548-9499 local (Dedicated child abuse hotline)	Monday through Friday 8 am to 5 pm	911
Josephine	866-840-2741 toll free (Dedicated child abuse hotline)	Monday through Friday 8 am to 5 pm	911 or local law enforcement agency: Josephine Sheriff 541-474-5129 Grants Pass 541-474-6370
Klamath	541-883-5570 local (Main office number)	Monday through Friday 8 am to 5 pm	911

County	Daytime phone numbers	Office hours	After hours phone numbers
Lake	541-947-2273 local 888-811-4201 toll free (Main office numbers)	Monday through Friday 8 am to 5 pm	911
Lane	541-686-7555 local 866-300-2782 toll free (Main office numbers)	Monday through Friday 8 am to 5 pm	911
Lincoln	866-303-4643 toll free (Dedicated child abuse hotlines)	Monday through Friday 8 am to 5 pm	911 or local law enforcement agency: Lincoln County Sheriff 541-563-3600 Lincoln City Police 541-994-3636 Newport Police 541-574-3348 Toledo Police 541-336-5555
Linn	866-303-4643 toll free (Dedicated child abuse hotlines)	Monday through Friday 8 am to 5 pm	911 or local law enforcement agency: Linn County Sheriff 541- 967-3950 Albany Police 541-917-7680 Lebanon Police 541-451-1751 Sweet Home Police 541-367-5181
Malheur	877-877-5081 toll free (Dedicated child abuse hotline)	Monday through Friday 8 am to 5 pm	911
Marion	503-378-6704 local (Dedicated child abuse hotline)	Monday through Friday 8 am to 5 pm	911
Morrow	541-481-9482 local 800-547-3897 toll free (Main office numbers)	Monday through Friday 8 am to 5 pm	911
Multnomah	503-731-3100 local 800-509-5439 toll free (Dedicated child abuse hotlines)	7 days a week 24 hours daily	503-731-3100 local 800-509-5439 toll free (Dedicated child abuse hotlines) Calls forwarded to Children's Receiving Center Friday & Saturday nights
Polk	503-378-6704 local (Dedicated child abuse hotline)	Monday through Friday 8 am to 5 pm	911
Sherman	855-541-0042 (Dedicated child abuse hotline)	Monday through Friday 8 am to 5 pm	911 or Tri-County Dispatch 541-384-2080
Tillamook	877-302-0077 toll free (Dedicated child abuse hotline)	Monday through Friday 8 am to 5 pm	911
Umatilla	541-481-9482 local 800-547-3897 toll free (Main office numbers)	Monday through Friday 8 am to 5 pm	911 or City/County Dispatch 541-966-3650 option 7

County	Daytime phone numbers	Office hours	After hours phone numbers
Union	541-963-8571 local 888-278-4411 toll-free (Main office number)	Monday through Friday 8 am to 5 pm	911 or local law enforcement agency: Union County Sheriff 541-963-1017 Elgin Police 541-437-9771
Wallowa	541-426-4558 local 866-538-5804 toll free (Main office numbers)	Monday through Friday 8 am to 5 pm	911 or Wallowa County Sheriff 541-426-3131
Wasco	855-541-0042 (Dedicated child abuse hotline)	Monday through Friday 8 am to 5 pm	911 or Wasco County Sheriff at 541-296-5454
Washington	503-681-6917 local (Dedicated child abuse hotline)	Monday through Friday 8 am to 5 pm	503-681-6917 local (Dedicated child abuse hotline) 800- 275-8952 dial 1, toll free (Main office number) Calls are forwarded to Multnomah County hotline
Wheeler	855-541-0042 (Dedicated child abuse hotline)	Monday through Friday 8 am to 5 pm	911 or Tri-County Dispatch 541-384-2080
Yamhill	503-378-6704 local (Dedicated child abuse hotline)	Monday through Friday 8 am to 5 pm	911