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SB 994 prioritizes kids' safety in DHS mandated custody changes

SB 994: Requires background checks for noncustodial parents before DHS can place children in their care

SALEM – The Department of Human Services would be required to complete a background check on an estranged parent and all other adults in that parent's home before placing an abused or neglected child in that home as part of a safety plan under a bill passed today in the Oregon Senate.

[Senate Bill 994](#) passed with a 28-0 vote on the Senate floor. When a child is removed from a parent due to abuse or neglect, it is ideal for that child to be placed with a family member or another parent. However, in some cases, placement with an estranged parent may place a child in further danger. The bill will ensure kids' safety is prioritized above biology during these traumatic situations.

"Being removed from a parent is a traumatic event in a child's life," said Sen. Sara Gelser (D-Corvallis), who carried the bill on the Senate floor. "While the department should do everything it can in these cases to place a child with a family member, it must be certain it is a safe placement. Unfortunately, in several recent cases, children have been placed with noncustodial parents who had existing restraining orders or significant criminal records including child abuse and sex abuse. Senate Bill 994 will prevent that from happening in the future by giving the department the tools it needs to maximize child safety."

The bill also requires DHS to comply with background check requests and adopt rules for that purpose. Those must be consistent with the requirements of the Department of State Police's rules for use of the Law Enforcement Data System.

A child may be taken into custody when the child's conditions or surroundings reasonably appear to jeopardize the child's welfare, when a court has ordered that the child be taken into protective custody or when it reasonably appears that the child has run away from home. The child must be released to the custody of their parent or another responsible person, unless a court has ordered that the child be taken into protective custody or if the welfare of the child or others may be jeopardized. This bill will help ensure children who are being placed with an estranged parent are protected.

Senate Bill 994 now goes to the House of Representatives for consideration.

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