



ARCHDIOCESE
OF PORTLAND
IN OREGON

CHILD PROTECTION POLICY

REVISED 2015



ARCHDIOCESE OF PORTLAND IN OREGON

Office of the Archbishop

March 1, 2015

Dear brothers and sisters in Christ,

I am pleased to promulgate this 2015 *Child Protection Policy* of the Archdiocese of Portland in Oregon. It is now up to date with revisions to the United States Conference of Catholic Bishops' *Charter for the Protection of Children and Young People*, amendments to Oregon law, and our current child protection programs and practices. This policy will guide the actions of our Church personnel as they work to provide a safe environment for our children.

Special thanks to all who worked on this policy revision: our Child Protection Officer and staff at the Pastoral Center; the Ministry Review Board; and the pastors and others in the parishes and schools who reviewed earlier drafts. Most important, I want to thank all of you who so diligently administer programs, participate in safe environment training, complete background checks and are vigilant for the safety of our children.

As a Church, we remain faithful to our promises to protect our children and to promote the healing of those who have suffered abuse. With this updated *Child Protection Policy*, each of us re-affirms our commitment to creating a safe environment within our parishes, schools and other Church communities for our children and all whom we serve.

Sincerely yours in Christ,

Most Rev. Alexander K. Sample
Archbishop of Portland in Oregon

PREFACE TO 2015 *CHILD PROTECTION POLICY*

The *Child Abuse Policy* of the Archdiocese of Portland in Oregon was last revised in October 2002. Much has happened since then.

- Oregon law concerning child abuse reporting, training, personnel screening, etc. has changed.
- The *Charter for the Protection of Children and Young People* promulgated by the United States Conference of Catholic Bishops in June 2002 has been updated.
- New child protection programs and practices have been implemented for the Archdiocese, parishes and schools.
- Parishes and Archdiocesan high schools are now separately incorporated.
- Perhaps most significantly, we have learned from our experience with persons who report child abuse and have come to a deeper understanding that each and every one of us must take responsibility for protecting all our children.

This 2015 revision addresses all of these developments while maintaining the essentials of past policies and practices.

Child Protection Policy of the Archdiocese of Portland in Oregon

INTRODUCTION

Child abuse is absolutely contrary to the Gospel values of care and concern that Jesus commands us to have for one another. Child abuse is contrary to all that the Catholic Church believes and professes about the dignity of human persons. Thus, it is the policy of the Archdiocese of Portland in Oregon (“Archdiocese”) that child abuse of any kind is never to be tolerated.

With respect to allegations of child sexual abuse involving Church personnel¹, the Archdiocese began following *The Five Principles* established by the United States Conference of Catholic Bishops in 1992. These are:

1. Respond promptly to all allegations of abuse where there is reasonable belief that abuse has occurred;
2. If such an allegation is supported by sufficient evidence, relieve the alleged offender promptly of ministerial duties and make a referral for appropriate medical evaluation and intervention;
3. Comply with obligations of civil law to report the incident and cooperate with any investigation by civil authorities;
4. Reach out to victims and their families and communicate sincere commitment to their spiritual and emotional well-being; and
5. Within the confines of respect for privacy of the individuals involved, deal as openly as possible with the members of the community.

Besides *The Five Principles* which remain an essential part of this policy, the Archdiocese fully complies with the *Charter for the Protection of Children and Young People* promulgated by the United States Conference of Catholic Bishops in June 2002, as revised in June 2005 and June 2011. *The Archdiocesan Child Abuse Policy has been in effect since 2002*, and is now reissued and updated as the *Child Protection Policy* (“Policy”). No child protection policy of itself prevents abuse or harm. It is vigilance that prevents abuse and sees that no child, no one at all, is victimized by such sinful and hurtful behavior. The Archbishop has promulgated this 2015 Policy to focus and aid that vigilance. This Policy incorporates by reference other statements governing the conduct of Church personnel as it relates to minors, including but not limited to: the *Standards of Conduct for Ministry with Children and Youth*, the *Policy on Travel with Minors*, the *Code of Conduct for Church Personnel*, the *Policies and Best Practices for Use of*

¹ Capitalized terms are defined in Section VI. of this Policy.

the Internet and Social Media, employee handbooks, and any other applicable policy or practice guiding the conduct of Church personnel. The policy also intends full compliance with applicable canon and civil law.

With the promulgation of this updated Child Abuse Prevention Policy, the Archdiocese, each Parish and each School, renews its determination to provide a safe environment for the children and young people in its ministries and to assist Church personnel and others in recognizing, reporting and attending to the needs of abused children and their families.

All Church personnel must maintain the integrity of the ministerial relationship at all times. Abusive conduct of any kind, including sexual conduct, between one who is performing duties on behalf of the Archdiocese, a Parish or a School, and a minor, not only is criminal, but also violates the ministerial relationship and Catholic moral teaching. Such conduct is gravely sinful. It is never permissible.

This Policy addresses: I. Education and prevention of child abuse; II. Reporting child abuse; III. Response to a child abuse report; IV. Possible outcomes of a child abuse report; and V. Ensuring policy implementation and accountability.

I. EDUCATION AND PREVENTION OF CHILD ABUSE

The Archdiocese, each Parish and each School, is committed to preventing and fully addressing child abuse by any Church personnel, and to recognizing and responding to signs of child abuse in the children it serves. The following evidence this commitment.

- A. Screening.** Any cleric or religious applying for or proposed for assignment to ministerial services in an entity operated by the Archdiocese, a Parish or a School must complete an application process which conforms with the guidelines of the United States Conference of Catholic Bishops for such clerics and religious and undergo a criminal background check.

All Church personnel whose service involves direct personal contact with minors must undergo a criminal background check. All employees of the Archdiocese, a Parish or a School are required to undergo a background check, regardless of the extent to which their positions involve minors. Background checks must be done in accordance with policies and procedures established by the Archdiocesan Child Protection Office.

Further background checking (including fingerprinting) is conducted through the State of Oregon for those in various daycare, pre-kindergarten, teacher and administrator positions. Schools will comply with any additional screening requirements applicable to their personnel under Oregon law.

Ordinarily, this screening will be initiated on or before the beginning date of conditional employment or volunteer service and updated periodically thereafter.

- B. Education.** The Archdiocese, each Parish and each School will comply with all current requirements (including those in Oregon law) for educating its personnel and others on the prevention, recognition of and reporting requirements for child abuse.

Current requirements applicable to Church personnel are summarized in the following chart.

SAFE ENVIRONMENT TRAINING	
UPON HIRE/START OF SERVICE AND ANNUALLY THEREAFTER	UPON HIRE AND EVERY THIRD YEAR THEREAFTER
<p>Clergy</p> <p>Seminarians</p> <p>Religious</p> <p>Employees whose duties regularly involve minors</p> <p>Volunteers whose duties regularly involve minors</p>	<p>Employees whose duties do not regularly involve minors</p>

In addition, Parishes and Schools will offer training each year for parents and other interested adults on the prevention, recognition and reporting of child abuse. Parishes and Schools also will offer to minors in their programs training on safe touch and appropriate boundaries with adults, and other issues related to prevention of child abuse.

- C. Child Protection Officer.** A Child Protection Officer is available to assist Parishes and Schools in implementing this *Child Abuse Policy* and “safe environment” programs.
- D. Distribution of policy statement.** This policy statement will be distributed or made available to all Church personnel. It will be available to all interested parties on the Archdiocesan website (www.archdpx.org) and from the Child Protection Officer (503-416-8810). A basic summary will be widely available in English, Spanish and Vietnamese. Parishes and Schools are encouraged to display the summary in a public area near the entrance to their facilities.

II. REPORTING CHILD ABUSE

Under Oregon law, the term “child abuse” may refer to the physical abuse, neglect, sexual abuse or exploitation, mental injury, or threat of harm to a minor. It includes any activity related to child pornography, even viewing such material. Child abuse of any kind is criminal.

Some Church personnel (e.g., school personnel and clergy) have long been mandatory reporters, required by Oregon law to report suspected abuse to civil authorities. Recently, however, the law has designated all employees of an organization providing child-related services or activities as mandatory reporters. This means that every employee of the Archdiocese, a Parish or a School is a mandatory reporter of child abuse. (See Appendix A, ORS 419B.005 and ORS 419B.010.)

A. Reporting by Church personnel.

Mandatory Reporters. All employees of the Archdiocese, a Parish or a School, and any other persons designated by statute as a “public or private official” (e.g., Clergy) are required by law to report (or cause to be reported) suspected child abuse to the Department of Human Services (“DHS”) or to a law enforcement agency. (See Appendix B for local telephone numbers for reporting child abuse.) All mandatory reporters are expected to fulfill this legal obligation.²

If such a report has been made and the suspected abuser is Church personnel, the Child Protection Officer or the Vicar General should be informed.

There is an exception to mandatory reporting under the clergy-penitent privilege. A priest or deacon is not required to report information he acquires in a privileged conversation. Further, the sacramental seal of confession is inviolable. A priest is absolutely prohibited from revealing, in words or in any manner for any reason, information acquired from a sacramental confession. This confidentiality is recognized under Oregon law. (See Appendix A, ORS 419B.010 (1); ORS 40.260(3).)

Clergy are encouraged, however, not to accept confidential communications concerning child abuse outside of a sacramental confession.

Voluntary Reporters. Church personnel who are not mandatory reporters (i.e., those who serve as volunteers and who are not designated by statute as a “public or private official”) are encouraged voluntarily to report suspected child abuse when they have reasonable grounds to do so. Such reports should be made to the Department of Human Services (“DHS”) or to a law enforcement agency. (See Appendix B for local telephone numbers for reporting child abuse.) Oregon law protects those who report child abuse in good faith and with reasonable grounds for doing so from liability for making the report. (See Appendix A, ORS 419B.025)

²Under Oregon law, a mandatory reporter has a 24-7 obligation to report suspected child abuse, regardless of whether knowledge of the abuse was gained in the reporter’s official capacity.

Questions on Child Abuse Reporting

Church personnel are encouraged to call a DHS Child Abuse Hotline with questions concerning the reporting of child abuse. DHS is available for consultation as well as reporting. (See Appendix B for local telephone numbers.)

Exception: Clergy with questions about child abuse reporting that involve clergy-penitent privilege should call the Vicar for Clergy or, in his absence, the Vicar General.

B. Reporting by members of the public.

Present/reportable abuse. Anyone who has reasonable cause to believe that child abuse involving Church personnel is a present concern should report the suspected abuse directly to civil authorities. Church personnel shall encourage such direct reporting.

Past abuse. To promote healing and reconciliation for those who have suffered abuse by Church personnel in the past, when the abuse is not reportable under Oregon law, such persons are encouraged to contact the Archdiocese's Assistance Coordinator at (503) 416-8810. The Archdiocese will provide pastoral or other assistance when appropriate on a case-by-case basis.

III. RESPONSE TO CHILD ABUSE REPORT

A sacred relationship exists between the Catholic Church and its members, whether they are children or adults. Child abuse of any kind, and certainly child sexual abuse, are matters of gravest concern. Knowledge of such abuse calls for a special response so that the safety of the child and the community is assured and healing can take place.

The first response must always be immediate and direct reporting to the proper civil authorities. The next response should be assistance to bring healing and pastoral care wherever that is possible. With this in mind, the Archbishop has designated a special Assistance Coordinator to assure appropriate responses in situations of reported sexual abuse of minors by Church personnel.

When the Archdiocese, a Parish or a School is informed of allegations of child abuse by any of its personnel, the needs and rights of all involved must be addressed: those of the person alleging abuse, the accused, and the community affected. The Assistance Coordinator will respond promptly to persons who contact the Archdiocese concerning child abuse and will offer to meet with them. As appropriate, the Assistance Coordinator will offer, or coordinate with a Parish or School to provide, whatever outreach will best promote healing and reconciliation.

This outreach may include professional counseling, spiritual assistance or other services. For reasons of charity and pastoral concern, outreach may be offered regardless of whether a report of abuse is credible.

If the complainant is an adult alleging abuse reportable under Oregon law, he/she will be encouraged to report the abuse directly to civil authorities. If the complainant declines to do so, and the Assistance Coordinator or other designated person receiving the report believes the allegation is subject to reporting under ORS 419B.010, the Assistance Coordinator and/or other designated person will make or cause a report to be made to an appropriate authority under that statute.

If civil authorities investigate a child abuse report, the Archdiocese (and/or the Parish or School) will cooperate fully with civil authorities in their investigation of the charges. Depending on circumstances, to ensure that there will be no interference or perceived interference in the investigation by civil authorities, an internal investigation may be postponed while that investigation is pending, except for what may be required for compliance with canon law.

Unless civil authorities request otherwise, if this has not already occurred, the accused individual also will be informed of the allegation by the Archbishop or his delegate (who may be a Parish or School official) and will be given every opportunity to respond to the charges.

In the case of a cleric, member of a religious institute or holder of ecclesiastical office, ordinarily the Archbishop will place the person accused on administrative leave and will encourage an outside professional assessment of the person accused. Should this be a cleric, canon law will be followed. (These three categories of persons are singled out because of their unique relationship to the bishop or superior and because they are subject in a particular way to canon law. Decisions regarding such individuals will be guided by procedures of canon law.)

An accused employee or volunteer who is not a cleric, member of a religious institute or holder of ecclesiastical office ordinarily will be placed on administrative leave pending the outcome of the internal and/or civil investigation or will be terminated. Archdiocesan officials will coordinate with the accused individual's employer or supervisor on this decision.

When allegations of child abuse have been made and the Archdiocese, a Parish or a School is providing outreach to persons affected, efforts will be made to keep in contact with the individual (or the parent or guardian of a minor), and his or her family, if appropriate. Psychological counseling and/or pastoral care may be offered in the spirit of Christian justice and charity. Preapproval of the therapist may be required when counseling is paid for by the Archdiocese, a Parish or School.

Within the confines of respect for the privacy and the reputations of the individuals involved, the Archdiocese, a Parish or a School will deal as openly as possible with members of the community, providing assistance and support to communities directly affected by alleged ministerial misconduct with minors.

Since the need to protect children who may be at risk and the safety of the community is always paramount, the Archbishop, at his discretion and according to the norms of civil and canon law, may take further action when there has been an allegation of child abuse to ensure that safety, considering also the rights and reputation of the person accused.

IV. POSSIBLE OUTCOMES OF CHILD ABUSE REPORT

Circumstances related to reports of child abuse vary significantly. The reported abuse may be recent or decades old; the accused may be living or deceased; the reporter may be a minor or well into adulthood; the report may have come directly from the person involved or through law enforcement or an attorney; the report may be entirely credible or questionable; the individual reporting may seek only healing and reconciliation with the Church or only financial compensation. The following guidelines will apply as appropriate in a particular situation.

There are two possible outcomes of the civil and/or internal investigation/ assessment process:

1. The allegation is substantiated either through the admission or lack of denial of the perpetrator or through an investigation or assessment process.
2. The allegation is unsubstantiated because: it is disproved through an investigation or assessment process; the evidence supporting the allegation is insufficient or inconclusive; or the conduct complained of does not constitute child abuse.

1. Allegation substantiated. When the alleged abuse concerns current Church personnel, if an allegation of child abuse is substantiated, the person accused will have been reported to a governmental authority and is subject to the sanctions of criminal and/or civil law. When any cleric, member of religious institute or holder of ecclesiastical office is found guilty under secular law of child abuse (or when it appears that an allegation of child abuse against such a person is true), the Archbishop shall proceed according to the norm of canon law. An offending priest or deacon will be permanently removed from ministry.

When any employee or volunteer of the Archdiocese, a Parish or a School, who is not a cleric, member of a religious institute or holder of ecclesiastical office is found guilty of child abuse (or when it appears that an allegation of child abuse against such a person is true), the individual will be terminated from employment, volunteer service, or any other position of responsibility within the Archdiocese, a Parish or a School, if termination has not earlier occurred.

The parties will be informed of the outcome of the investigation. Arrangements for the ongoing psychological and pastoral care of the victim may be made. The offender will be asked to pay for or contribute to the financial costs of his/her misconduct whenever feasible.

2. Allegation unsubstantiated. If an allegation of child abuse is unsubstantiated, as appropriate, the parties will be informed of the outcome of the investigation. If necessary, continued efforts will be made to maintain the good name of the accused and provide for his or

her well-being. If there are any future steps that can be taken to assure a return to normal relationships in the parish, school, or entity involved, they will be considered.

In situations where the evidence is insufficient or inconclusive as to the validity of an allegation of child abuse, or it is determined that the conduct complained of does not constitute child abuse, two factors must be balanced: the safety and well-being of the alleged victim and the community; and the rights of the accused.

Based on the accusation and the nature of the evidence, lay employees or volunteers may be restored to their former positions, placed on corrective action or terminated under the personnel policies of the employer in effect at that time.

Clerics may be issued a warning as understood in canon law. It lies within the prudential judgment of the Archbishop or his delegate to require psychological evaluation and treatment of the person accused.

Depending on circumstances, the parties may be informed of the outcome of the investigation. Efforts may be made to minimize the impact on the alleged victim and the community. The alleged victim may be offered pastoral care and psychological counseling, as appropriate, even if the allegation is unsubstantiated.

Whenever the investigation under civil or canon law raises questions of the continued fitness for ministry of a priest or deacon, the matter will be referred to the Ministry Review Board for further review and recommendation to the Archbishop.

V. ENSURING POLICY IMPLEMENTATION AND ACCOUNTABILITY

To ensure the full implementation of this *Child Protection Policy* and to provide a vehicle for accountability, the following will be in place.

1. Parish/School Coordinator. Each Parish and School will designate one person as child safety administrator to coordinate and ensure implementation of the policies and procedures required by this Policy (e.g., background checks, training for personnel, etc.). The pastor or principal, if not the designated person, is ultimately responsible for child protection matters at the parish/school.
2. Child Protection Officer. The Archbishop has appointed a Child Protection Officer to assist parishes and schools in implementing the *Child Protection Policy* and “safe environment” programs and serve as a resource in matters related to child abuse. The Child Protection Officer may also serve as Assistance Coordinator.
3. Assistance Coordinator. The Archbishop has appointed an Assistance Coordinator to receive and coordinate the handling of allegations of child abuse by Church personnel. The Assistance Coordinator may also serve as the Child Protection Officer.

4. Ministry Review Board. The Archdiocese has an ongoing Ministry Review Board that meets regularly. The Ministry Review Board assists the Archbishop in reviewing allegations made, evaluating fitness for ministry, and reviewing Archdiocesan policies and procedures for dealing with sexual abuse of minors. The Ministry Review Board may also advise the Archbishop on other related matters, at his request.

VI. DEFINITIONS

For purposes of this policy statement, the following terms have the meaning indicated:

Archbishop means the Archbishop of Portland in Oregon. For purposes of this document, references to the Archbishop assume that in his absence the Vicar General (or in his absence the Vicar for Clergy) has the necessary authority.

Archdiocese means the ecclesiastical entity Archdiocese of Portland in Oregon, of which the Archbishop is head. The term may also refer to the Oregon corporation sole, commonly referred to as the Archdiocese of Portland in Oregon which conducts the temporal affairs of the Archdiocese.

Church personnel means all seminarians, clerics (priests and deacons), members of religious orders, lay employees and volunteers who are performing ministerial or other duties for the Archdiocese, or for a Parish or School which, as an Oregon nonprofit religious corporation, has the Archbishop as its sole member.

Child means an unmarried person who is under 18 years of age. (See Appendix A, ORS 419B.005(2).)

Child abuse includes all conduct involving a child which constitutes “abuse” under Oregon law. (See Appendix A, ORS 419B.005(1).)

Parish means a parish (which may include a parish school) under the ecclesiastical jurisdiction of the Archbishop which, as an Oregon religious nonprofit corporation, has the Archbishop as its sole member.

School means a separately incorporated school under the ecclesiastical jurisdiction of the Archbishop which, as an Oregon religious nonprofit corporation, has the Archbishop as its sole member. In context, the term “School” may also include a Parish school.

This Child Protection Policy is based upon the teachings of the Catholic Church and its Code of Canon Law, as well as on civil law. Nothing in this document is intended to recognize, create or confer any additional legal rights, canonical or civil.

The Archbishop retains the right at all times to modify this protocol on a case-by-case basis in order to respond to specific situations and issues which may require an alternate response, with due respect for the requirements of civil and canon law.

APPENDIX A

CHILD ABUSE REPORTING Selected Oregon Statutes

CHILD ABUSE REPORTING

Selected Oregon Statutes

2013 Edition

40.260 Member of clergy-penitent privilege. (1) As used in this section, unless the context requires otherwise:

(a) "**Confidential communication**" means a communication made privately and not intended for further disclosure except to other persons present in furtherance of the purpose of the communication.

(b) "**Member of the clergy**" means a minister of any church, religious denomination or organization or accredited Christian Science practitioner who in the course of the discipline or practice of that church, denomination or organization is authorized or accustomed to hearing confidential communications and, under the discipline or tenets of that church, denomination or organization, has a duty to keep such communications secret.

(2) A member of the clergy may not be examined as to any confidential communication made to the member of the clergy in the member's professional character unless consent to the disclosure of the confidential communication is given by the person who made the communication.

(3) Even though the person who made the communication has given consent to the disclosure, a member of the clergy may not be examined as to any confidential communication made to the member in the member's professional character if, under the discipline or tenets of the member's church, denomination or organization, the member has an absolute duty to keep the communication confidential. [1981 c.892 s.35; 1999 c.7 s.1]

Note: Section 2, chapter 7, Oregon Laws 1999, provides:

Sec. 2. The amendments to ORS 40.260 by section 1 of this 1999 Act apply to all confidential communications made to a member of the clergy, whether made before, on or after the effective date of this 1999 Act [October 23, 1999]. [1999 c.7 s.2]

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.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.

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(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.

(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

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(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; .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.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.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]

419B.040 Certain privileges not grounds for excluding evidence in court proceedings on child abuse. (1) In the case of abuse of a child, the privileges created in ORS 40.230 to 40.255, including the psychotherapist-patient privilege, the physician-patient privilege, the privileges extended to nurses, to staff members of schools and to regulated social workers and the husband-wife privilege, shall not be a ground for excluding evidence regarding a child's abuse, or the cause thereof, in any judicial proceeding resulting from a report made pursuant to ORS 419B.010 to 419B.050.

(2) In any judicial proceedings resulting from a report made pursuant to ORS 419B.010 to 419B.050, either spouse shall be a competent and compellable witness against the other. [1993 c.546 §21; 2009 c.442 §37]

APPENDIX B

COUNTYWIDE DAYTIME AND AFTERHOURS NUMBERS FOR REPORTING CHILD ABUSE

**COUNTYWIDE DAYTIME AND AFTERHOURS NUMBERS
FOR REPORTING CHILD ABUSE**

WESTERN OREGON

County	Daytime phone numbers	Office hours	After hours <u>phone</u> numbers
Benton	541-757-5019 local 866-303-4643 toll free (Dedicated child abuse hotlines)	Monday through Friday 8 a.m. to 5 p.m.	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 800-628-7876 toll free (Dedicated child abuse hotline)	Monday through Friday 8 a.m. to 5 p.m.	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 a.m. to 5 p.m.	911
Columbia	877-302-0077 toll free (Dedicated child abuse hotline)	Monday through Friday 8 a.m. to 5 p.m.	911
Coos	541-756-5500 local 800-500-2730 toll free (Main office numbers)	Monday through Friday 8 a.m. to 5 p.m.	541-756-5500 local 800-500-2730 toll free (Main office numbers)
Curry	541-756-5500 local 800-500-2730 toll free (Main office numbers)	Monday through Friday 8 a.m. to 5 p.m.	541-756-5500 local 800-500-2730 toll free (Main office numbers)
Douglas	541-440-3373 local 800-305-2903 toll free (Main office numbers)	Monday through Friday 8 a.m. to 5 p.m.	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
Jackson	541-858-3197 local 866-840-2741 toll free (Dedicated child abuse hotline)	Monday through Friday 8 a.m. to 5 p.m.	911 or local law enforcement agency: Jackson County Sheriff 541-774-6800 Ashland Police 541-488-2211 Butte Falls Police 541-865-3200

APPENDIX B-2

COUNTYWIDE DAYTIME AND AFTER HOURS NUMBERS FOR REPORTING CHILD ABUSE

Western Oregon

County	Daytime phone numbers	Office hours	After hours phone numbers
			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
Josephine	541-858-3197 local 866-840-2741 toll free (Dedicated child abuse hotline)	Monday through Friday 8 a.m. to 5 p.m.	911 or local law enforcement agency: Josephine Sheriff 541-474-5123 or 911 if emergency Grants Pass 541-474-6370
Lane	541-686-7555 local 866-300-2782 toll free (Main office numbers)	Monday through Friday 8 a.m. to 5 p.m.	911
Lincoln	541-265-8557 local 866-303-4643 toll free (Dedicated child abuse hotlines)	Monday through Friday 8 a.m. to 5 p.m.	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	541-757-5019 local 866-303-4643 toll free (Dedicated child abuse hotlines)	Monday through Friday 8 a.m. to 5 p.m.	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

**COUNTYWIDE DAYTIME AND AFTER HOURS NUMBERS FOR
REPORTING CHILD ABUSE**

Western Oregon

County	Daytime phone numbers	Office hours	After hours phone numbers
Marion	503-378-6704 local (Dedicated child abuse hotline) 800-854-3508 toll free (Main office number)	Monday through Friday 8 a.m. to 5 p.m.	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 Marion office (Dedicated child abuse hotline) 800-854-3508 toll free Marion office (Main office number)	Monday through Friday 8 a.m. to 5 p.m.	911
Tillamook	877-302-0077 toll free (Dedicated child abuse hotline)	Monday through Friday 8 a.m. to 5 p.m.	911
Washington	503-681-6917 local (Dedicated child abuse hotline) 800-275-8952 dial 1, toll free (Main office number)	Monday through Friday 8 a.m. to 5 p.m.	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
Yamhill	503-378-6704 local Marion office (Dedicated child abuse hotline) 800-854-3508 toll free Marion office (Main office number)	Monday through Friday 8 a.m. to 5 p.m.	911