

Senate Bill 557

Sponsored by Senator EDWARDS, Representative HOYLE; Senators BONAMICI, DEVLIN, DINGFELDER, MONNES ANDERSON, PROZANSKI, ROSENBAUM, Representatives BAILEY, BARKER, BERGER, BREWER, DOHERTY, GELSER, GREENLICK, KOTEK, MATTHEWS, READ, J SMITH, TOMEI (Presession filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires district attorney of each county to organize sexual assault response team. Requires each team to adopt protocols addressing sexual assault response. Requires certain health care facilities to adopt policies for treatment of acute sexual assault patients. Requires certain health care facilities that perform forensic medical examinations of sexual assault patients to adopt guidelines developed by Sexual Assault Task Force and to employ or contract with sexual assault forensic examiner trained to satisfy certification requirements of Oregon SAE/SANE Certification Commission. Declares emergency, effective July 1, 2011.

A BILL FOR AN ACT

1
2 Relating to sexual assault response; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. (1) The district attorney in each county shall organize a sexual assault re-**
5 **sponse team to consist of:**

6 (a) **A representative of the district attorney's office;**

7 (b) **A representative of a prosecution-based victim assistance program or unit;**

8 (c) **A sexual assault forensic examiner;**

9 (d) **A representative of the county sheriff's office;**

10 (e) **A representative of local law enforcement agencies;**

11 (f) **A representative of a nonprofit agency or program that receives moneys administered**
12 **by the Department of Human Services or the Department of Justice and that offers safety**
13 **planning, counseling, support or advocacy to victims of sexual assault; and**

14 (g) **Other persons the district attorney considers necessary for the operation of the team**
15 **or as recommended by the team.**

16 (2) **Each team must meet:**

17 (a) **At least quarterly at a time appointed by the district attorney of the county; and**

18 (b) **Independently of the county's multidisciplinary child abuse team.**

19 (3) **Each team shall develop and adopt protocols addressing the response to adult and**
20 **adolescent sexual assault victims in the county.**

21 **SECTION 2. (1) Each hospital, emergency medical service provider, intermediate care**
22 **facility, skilled nursing facility, long term care facility and residential care facility in this**
23 **state shall adopt policies for the treatment or referral of acute sexual assault patients.**

24 (2) **Each hospital, emergency medical service provider, intermediate care facility, skilled**
25 **nursing facility, long term care facility and residential care facility in this state that per-**
26 **forms forensic medical examinations of sexual assault patients shall:**

27 (a) **Adopt, in addition to the facility's own guidelines, if any, the State of Oregon Medical**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **Guideline for Sexual Assault Evaluation of Adolescent and Adult Patients developed and**
2 **published by the Attorney General's Sexual Assault Task Force.**

3 **(b) Employ or contract with at least one sexual assault forensic examiner who has com-**
4 **pleted didactic training sufficient to satisfy the training requirement for certification by the**
5 **Oregon SAE/SANE Certification Commission established by the Attorney General.**

6 **SECTION 3. (1) A sexual assault response team must comply with section 1 (3) of this**
7 **2011 Act no later than December 31, 2012.**

8 **(2) A hospital, emergency medical service provider, intermediate care facility, skilled**
9 **nursing facility, long term care facility or residential care facility must comply with section**
10 **2 (1) of this 2011 Act no later than December 31, 2012.**

11 **(3)(a) A hospital, emergency medical service provider, intermediate care facility, skilled**
12 **nursing facility, long term care facility or residential care facility that performs forensic**
13 **medical examinations of sexual assault patients must comply with section 2 (2)(b) of this 2011**
14 **Act no later than:**

15 **(A) December 31, 2012, if located in a county with a population of more than 150,000 in-**
16 **habitants.**

17 **(B) December 31, 2013, if located in a county with a population of 150,000 or fewer in-**
18 **habitants.**

19 **(b) For purposes of this subsection, county population is determined as of the effective**
20 **date of this 2011 Act, based on the most recently available data published or officially pro-**
21 **vided by the Portland State University Population Research Center.**

22 **SECTION 4. This 2011 Act being necessary for the immediate preservation of the public**
23 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
24 **July 1, 2011.**

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