



Domestic Violence Clinic
University of Oregon School of Law
PO Box 10486
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March 11, 2013

The Honorable Jeff Barker, Chair
House Judiciary Committee
Oregon House of Representatives
900 Court St. NE
Salem, OR 97301

Dear Chairman Barker and Members of the Committee:

As the Supervising Attorney for the Domestic Violence Clinic at the University of Oregon School of Law, I am writing to ask for your support of House Bill 2779. This legislation authorizes sexual assault protective orders for parties that do not meet the relationship requirements of the Family Abuse Prevention Act, thereby filling a critical gap in civil protective orders currently available in Oregon.

I have been working with survivors of domestic violence, sexual assault, and stalking for several years now. Recently, I was hired by the law school to train and supervise law students representing survivors in civil legal matters, most notably protective orders. While most survivors experience sexual violence at the hands of an intimate partner or family member, acquaintance and stranger sexual violence is also widespread. According to the 2010 National Intimate Partner and Sexual Violence Survey conducted by the Centers for Disease Control and Prevention (see <http://www.cdc.gov/violenceprevention/nisvs/> and the attached Table 2.5 taken from that report), 40.8% of rape survivors report being raped by an unrelated acquaintance and 13.8% report being raped by a stranger. Under the current state of Oregon law, these survivors do not qualify for civil protective orders.

The absence of protective orders for victims of sexual assault by unrelated perpetrators has left many survivors without the protection they need and deserve. In many cases, victims do not want to report sexual assault for a variety of reasons. Even when reported, crimes involving sexual assault are notoriously difficult to prosecute. According to the Rape, Abuse, and Incest National Network, only 9% of rapists are prosecuted and only 3% ever spend a day in jail (<http://www.rainn.org/get-information/statistics/reporting-rates>). As a result, the criminal justice system is ill suited to provide protection for victims of sexual assault.

Even when criminal prosecution is successful, the protections provided to survivors are limited. As an example, I recently met with a client who was a survivor of repeated childhood sexual abuse by a family acquaintance. The perpetrator was convicted of the sexual assault and served over a decade in prison followed by three years of post-prison supervision. At this point, although the perpetrator had "paid his debt to society," he remained a threat to my client, who is now in her early 20s. Unfortunately, because she is not related to the perpetrator, she does not qualify for any existing protective orders in Oregon. It is for this reason that we need sexual assault protective orders in Oregon.

I respectfully request that you support the establishment of sexual assault protective orders in Oregon as authorized by House Bill 2779.

Sincerely,

A handwritten signature in blue ink, appearing to read "MLQ", with a long horizontal flourish extending to the right.

Michael L. Quillin
Supervising Attorney

Enclosure

Table 2.5

Lifetime Reports of Sexual Violence Among Female Victims by Type of Perpetrator¹ — NISVS 2010

	Current or Former Intimate Partner	Family Member ²	Person of Authority ³	Acquaintance ⁴	Stranger
Rape	Weighted %	Weighted %	Weighted %	Weighted %	Weighted %
Attempted or completed forced penetration	51.1	12.5	2.5	40.8	13.8
Alcohol/drug-facilitated penetration	52.5	14.8	2.4	33.0	14.1
	43.0	6.6	*	50.4	9.6
Other sexual violence	35.7	16.1	7.9	42.1	44.8
Made to penetrate	*	*	*	*	*
Sexual coercion	75.4	6.1	5.7	21.8	*
Unwanted sexual contact	23.5	19.9	8.3	45.9	24.9
Non-contact unwanted sexual experiences	23.1	14.8	4.3	31.2	50.5

¹Relationship is based on respondents' reports of their relationship at the time the perpetrator first committed any violence against them. Due to the possibility of multiple perpetrators, combined row percents may exceed 100%.

²Includes immediate and extended family members.

³Includes, for example: boss, supervisor, superior in command, teacher, professor, coach, clergy, doctor, therapist, and caregiver.

⁴Includes friends, neighbors, family friends, first date, someone briefly known, and people not known well.

* Estimate is not reported; relative standard error >30% or cell size ≤ 20.