

TO: Jeff Barker, Chairman, Judiciary Committee

FROM: Erin Greenawald, AAG, Oregon DOJ

RE: HB 2779, Sexual Assault Protection Order—Testimony in Support

Domestic and Sexual violence is a problem of epidemic proportions both nationally and in Oregon

Nationally, 1 in 4 women has been subjected to severe physical violence in her lifetime; 1 in 5 women have been raped; and 1 in 6 women have been stalked.

Men are not immune—1 in 7 has experienced severe physical violence, and 1 in 71 men nationally report having been raped.

In Oregon, nine percent of all women report having been physically assaulted by an intimate partner within the last five years.

A 2010 Centers of Disease Control (CDC) report shows that in Oregon, about 27 percent of women said they've been raped or faced attempted rape at some point in their lives. Fifty-six percent said they have experienced sexual violence other than rape. **The CDC report placed Oregon well above the national average in terms of both sexual victimization and rape.** (2010 CDC Survey—National Intimate Partner and Sexual Violence Survey)

Thankfully current Oregon law allows victims of family and intimate partner violence to apply for protection against their abusers by obtaining a Family Abuse Prevention Act (FAPA) Restraining Order. Inexplicably, however, individuals who are sexually abused by someone other than a family or household member are not eligible for the same type or level of protection. This needs to change. In passing HB 2779 Oregon would join a growing number of states that have taken affirmative steps to offer some measure of safety to its citizens who have been victimized in this way.

The proposed bill, the Sexual Assault Protection Order (SAPO), serves to fill the gap for those sexual abuse victims who are not in a familial, intimate, or dating type of relationship with their abuser. Those individuals who qualify for a FAPA order or those victims who have criminal no-contact orders available to them would not be eligible for a SAPO. The bill truly focuses on that group of individuals who have been historically overlooked, but who are in need of additional protection against their abusers: the college co-ed who is raped by a fellow student, but who has not decided whether to engage the criminal justice system; the employee who is sexually abused by a customer who continues to frequent her place of employment; the sex crime victim whose non-family/household perpetrator is getting out of prison and will not be subject to a no-contact order. All of these are examples of Oregonians who have been, up until now, without legal protection against those who have abused them.

Prevention of Domestic and Sexual Violence is the ultimate solution to these horrible offenses. However, until we as a society are successful in preventing the proliferation of Domestic and Sexual violence, it is necessary to offer protections to those who are victimized. It is for these reasons that I offer my support to HB 2779 and urge the committee to vote yes on its passage.