

TESTIMONY IN SUPPORT OF HB 4143

Submitted to the Senate Judiciary Committee

By Kerry Naughton, Crime Survivors Program Director, Partnership for Safety and Justice  
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Chair Prozanski, Co-Chair Close, and Members of the Committee:

My name is Kerry Naughton and I am the Director of the Crime Survivors Program at Partnership for Safety and Justice. Partnership for Safety and Justice is a 15-year-old statewide membership organization that advocates for smart public safety policy, which to us means working with everyone most impacted by crime and violence: victims and survivors of crime, people convicted of crime, and system stakeholders. We think this gives us a critical and comprehensive perspective on needed changes to build safe, healthy communities.

Please accept this testimony in support of allocating additional funding for Oregon legal aid organizations through the passage of HB 4143.

As we know, family relationships that are safe and healthy provide an important foundation for success in life. Being safe and supported at home enables children to succeed in school, parents to excel in their careers, and communities to prosper and thrive. Unfortunately, not every family relationship is safe and healthy. Far too many are fraught with fear of physical violence, psychological and financial abuse, and feeling like you're standing on unstable ground, never sure when the next tremor of harm will occur.

This is the unfortunate reality for a significant number of Oregonians. According to a 2001 survey of Oregon women age 20-55, nearly one-third reported that they were physically or sexually abused by their partner in the previous five years. This violence has a significant impact not only of the survivors themselves, but their children, families, and entire communities.

Oregonians who survive domestic violence have a vast array of needs--safe shelter and stable housing, counseling, safety planning, medical services, job training, mentoring, and, often, legal services. Meeting these needs can only be achieved through coordinated systems that are informed about the effects of victimization and are actually accessible to victims. Oregon's legal aid organizations are a key part of this safety and support structure.

Oregon legal aid organizations provide services that are vital to domestic violence survivors' ability to become safe and rebuild their lives. Domestic violence comprises about 40% of legal aid's cases. For many people--particularly survivors of domestic violence who are experiencing significant trauma--the legal system is frightening, full of complex jargon, intimidating stakeholders, and confusing timeframes. Often, the difference between a survivor being able to successfully obtain a protection order or retain custody of her children comes down to whether or not she was able to have a knowledgeable attorney assist her through the justice process.

Consider this example of a legal aid client:

Helen is the mother of five young daughters under age 11. She was seriously physically abused by her husband, and her children often witnessed the abuse. Helen's religious beliefs kept her from showing her injuries to the police, and the police did not arrest her husband. When Helen's husband threw her out of the home and denied her requests to see her children, Helen turned to legal aid for help. With legal aid's assistance, Helen successfully obtained a protection order to keep herself and her children safe. Legal aid represented Helen through her divorce and obtained a favorable custody and child support decision on her behalf. Helen and her children are now safe from violence and on a path towards rebuilding their lives.

Helen was one of the domestic violence survivors fortunate enough to access legal aid. Currently, legal aid has funding to meet just 15% of the civil legal needs of low-income Oregonians. This is down from 20% in previous years. This lack of funding effectively shuts out countless survivors who need legal aid to obtain protection orders, retain primary custody of their children instead of their abusive partner, and have a knowledgeable legal advocate by their side.

Oregon survivors of domestic violence deserve access to the systems designed to provide safety and justice. We urge you to increase funding for legal aid by passing HB 4143.