

Oregon Department of Justice



Oregon Alliance to End Violence Against Women

Increase Victim Access to Confidential Services

Enact a Victim-Advocate Privilege

Help Sexual Assault and Domestic Violence Victims Become Survivors

Support HB 3476

Why do Victims need Confidential Support Services?

Confidentiality between a victim and a domestic or sexual violence advocate is critical to effective access to services and options for safety. Victims of these crimes suffer a wide range of emotional and psychological trauma.

- Sharing information without the victim's permission directly threatens a victim's safety, autonomy, and confidence in advocacy services.
- Without assurances of confidentiality, victims:
 - May not seek help from support services;
 - May not disclose true nature of abuse or assault, compromising their safety and undermining effective interventions; and
 - May stay in unsafe situations and suffer more abuse or assault.

The right to privacy is particularly critical for victims in small communities or on college campuses.

A statutory victim-advocate privilege will ensure that victims feel free to access support and advocacy, and can attain safety and stability for themselves and their families without fear of disclosure.

HB 3476 Ensures Confidential, Survivor-Centered Services

| AARON KNOTT - OREGON DEPARTMENT OF JUSTICE - 503-798-0987 - AARON.D.KNOTT@DOJ.STATE.OR.US |
| NIKI TERZIEFF - LEADING EDGE PUBLIC AFFAIRS - 503.480.9771 - NIKI@LEADINGEDGEPUBLICAFFAIRS.COM |
| MARIO PARKER-MILLIGAN - OREGON STUDENT ASSOCIATION - 541.515.2652 - MARIO@ORSTUDENTS.ORG |
| SYBIL HEBB - OREGON LAW CENTER - 503.743.8318 - SHEBB@OREGONLAWCENTER.ORG |



Oregon Alliance to End Violence Against Women

HB 3476 - Details

Provides a Statutory Privilege Preventing the Disclosure of Confidential Communications Without the Victim's Permission

- Protects victims of domestic violence, sexual assault, and stalking.
- Requires confidentiality and protects against disclosure without the victim's permission of confidential communications made to advocates who:
 - Have a minimum level of training in victim service provision as certified by the Attorney General by rule; **and**
 - Are employed by or volunteer with a non-governmental, non-profit community-based victim services program or with a campus-based victim services program.
- Protection would apply to communications and records made in the course of providing counseling, advocacy, support, and safety services to victims.

Support HB 3476 to Ensure Confidential Services for Survivors

- 40 other states provide some protections for these communications. HB 3476 is based on best practice models providing complete protection.
- Access to confidential services means victims can come forward for help and support without fear of retribution or embarrassment.
- Confidentiality allows victims to take the time they need to consider their options and make the reporting or other choices that are right for them.
- Oregon currently falls short in meeting the confidentiality needs of survivors.
 - Survivor services at community-based programs are confidential in 40 other states, 8 of which provide absolute protections.
 - The Federal government is encouraging campuses to provide access to confidential services. (see: *UNITED STATES DEPARTMENT OF EDUCATION OFFICE FOR CIVIL RIGHTS Questions and Answers on Title IX and Sexual Violence*)