



Oregon Attorney General's Sexual Assault Task Force

Testimony in support of SB 826
House Committee on Judiciary
Submitted by: Michele Roland-Schwartz, Executive Director
May 1, 2017

Chair Barker, Vice Chairs Williamson and Olson, and members of the Senate Committee on Judiciary:

On behalf of the Oregon Attorney General's Sexual Assault Task Force¹, I submit this testimony in strong support of SB 826, which would remedy an oversight when advocate privilege was passed in 2015 by extending confidentiality to tribal advocate programs.

Oregon is second in the nation (behind Alaska) in rates of sexual violence against women where 1 in 4 women will experience sexual violence in their lifetime, compared to 1 in 5 women nationally². Research has consistently shown that American Indian women experience higher rates of sexual violence than other women nationally, at a rate of more than 1 in 3 native women who will be raped in their lifetime.³ The historical trauma experienced by Native communities, coupled with jurisdictional complexities that often leave victims with no recourse, amplifies the impact of trauma experienced by survivors on tribal lands⁴.

When victims limit what they disclose, responses cannot be properly tailored to meet their unique needs, minimizing the impact and effectiveness of safety planning and overall trust in the system. The added layer of victim blaming, self blame, and shame compounds any trepidation that a victim feels about who they can disclose to, if they disclose at all. We have already seen the benefit of providing privileged advocates on Oregon's campuses, as evidenced by a 138% increase in student survivors accessing services in a 12-month period. We believe that we will see a similar increase in access to services once advocate privilege is extended to tribal advocacy programs.

¹ The Sexual Assault Task Force is a private, non-profit, non-governmental statewide agency with over 100 multi-disciplinary members appointed by Attorney General Rosenblum. Members serve as advisors on 1 of 8 subcommittees including: Campus, Criminal Justice, Legislative & Public Policy, Medical-Forensic, Men's Engagement, Offender Management, Prevention Education, and Victim Response.

²Prevalence and Characteristics of Sexual Violence, Stalking, and Intimate Partner Violence Victimization – National Intimate Partner and Sexual Violence Survey, 2001: <https://www.cdc.gov/violenceprevention/nisvs/summaryreports.html>

³ Tjaden, P. & Thonennes. (2000). The Prevalence, Incidence, and Consequences of Violence Against Women: findings from the National Violence Survey Against Women. National Institute of Justice & the Centers for Disease Control & Prevention. <http://www.ncjrs.gov/txtfiles1/nij/183781.txt>

⁴Amnesty International (2007). *Maze of Injustice: The Failure to Protect Indigenous Women from Sexual Violence in the USA*. <https://www.amnestyusa.org/pdfs/mazeofinjustice.pdf>

Providing victims with meaningful access to services that meet their needs is one way we can mitigate the trauma experienced after an incident of sexual assault, and is critical for a victim's safety and survival. Providing safe spaces for survivors to disclose their stories is foundational to the prevention of violence. Extending advocate privilege to tribal advocates in the same way it is extended to Oregon's community-based and campus-based advocates, ensures that victims have equal access to services no matter where they reside or which program they seek safety and services from. For this reason, we urge your support.