



ASSOCIATION OF COMMUNITY CORRECTIONS DIRECTORS

TESTIMONY IN OPPOSITION TO SB 652

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Restoration*

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Chair Senator Sara Gelser and members of the Oregon Legislative Assembly's Senate Committee on Human Services, my name is Steve Berger and I am the Director of Washington County Community Corrections. I am here today to speak on behalf of the Oregon Association of Community Corrections Directors (OACCD). Thank you for the opportunity to meet with you today.

The OACCD, in consultation with the crime victims' Post-Conviction Advocacy Network, offers testimony in opposition to SB 652 which would automatically impose a Protective Order (commonly referred to as a Restraining Order: RO) against a petitioner in a Family Abuse Prevention Act (FAPA) proceeding.

Protective Orders exist to provide legal protection to people who fear for their safety. A protective order can be a valuable part of a victim's safety plan and are effective tools when they prioritize victim, child, and community safety. However, SB 652 is not consistent with best practices in the community supervision of family violence and targets those seeking protection. Specifically, we are opposed to this bill for the following reasons:

- It makes an automatic assumption that petitioners who obtain ROs are mutually engaged in abusive behavior and that all respondents need protection from the petitioner;
- It fails to provide due process and judicial review establishing need for protection provided within the original protection order process; and
- It is redundant. Currently, a respondent has the right to get their own protective order against the petitioner if necessary. Additionally, when a respondent is served with a RO they have the right to contest the RO. There is no need to penalize all petitioners by putting an automatic RO on them. Since a solution to the problem already exists, it appears SB 652 may only serve to discourage people from seeking help.

OACCD respectfully recommends a "no" vote on SB 652.

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