



Oregon Attorney General's Sexual Assault Task Force

House Judiciary Committee Testimony in support of SB 995 May 13, 2019

Chair Williamson, Vice Chairs Sprenger and Gorsek, and Members of the Committee,

On behalf of The Oregon Attorney General's Sexual Assault Task Force, I urge your support of SB995.

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.

Our mission is to advance a multi-disciplinary, survivor-centered approach to the prevention of and response to sexual violence in Oregon. Our goal is to prevent sexual violence from happening in the first place, while simultaneously improving our response efforts to mitigate trauma and ensure the safety and security of all victims.

Since the passage of the HB2997 in 2013, Sexual Abuse Protective Orders (SAPO) have filled a critical role in addressing sexual violence committed against victims who are not in a familial or intimate relationship with their abusers. SAPOs are intended to fill a gap for victims who would not otherwise be eligible for an order of protection, like a *Family Abuse Protective Act Order (FAPA)*.

SAPOs have truly focused on a group of individuals who have historically been overlooked, have been disproportionately impacted by sexual violence, and who were in dire need of legal remedies and additional protection from their abuser.

Since SAPO's took effect in January of 2014, 442 SAPOs have been filed¹, with an average of 80% granted by the Courts.

Of the SAPOs that have been granted since 2014:

- an average of 37% of Petitioners were minors
- approximately 20% of granted SAPOs, the Respondent was also facing criminal charges
- approximately 19% of SAPOs were renewed between years 2014-2017 (we don't have data for 2018 at this time)

During the 2013 legislative session, SATF committed to convening our statewide membership to help develop the SAPO forms for the state, recognizing the reality of the fiscal situation in Oregon. We convened stakeholders in late 2013, and facilitated a several-month-long process

¹ 2014, 62 SAPOs filed; 2015, 76 SAPOs filed; 2016, 104 SAPOs filed; 2017, 83 SAPOs filed; 2018, 117 SAPOs filed

to develop the forms for use, effective January 2014. In 2016, we reconvened the workgroup in collaboration with the Oregon Judicial Department, to make necessary updates to the forms to ensure compliance with changing state laws. They have since been translated in five other languages, including Chinese, Korean, Russian, Spanish, and Vietnamese, thanks to grant funds sought by retired Judge and former OJD Staff Counsel, Rebecca Orf.

SATF remains committed to our promise to support any future changes to SAPO, including updates to the forms.

We remain grateful that the legislature passed this important legislation in 2013, and that we are revisiting this issue again to make necessary updates that include:

- Eliminating the 180-day statute of limitations.
- Establishing a 5-year award period for SAPO's, reducing the ongoing expectation that victims tend to the renewal of their SAPO so they can turn their attention to other forms of establishing safety and focusing on healing.
- Establishing a (high bar) path toward permanent orders in cases where there is a conviction or other determining factors as assessed by a judge.
- Address strategic dodging of service by providing that the Court may order service by an alternative method in accordance with ORCP 7D(6)(a) on proof of the petitioner's due diligence in attempting to effect service

SB995 builds on the great work that Oregon has put in place for survivors and makes necessary amendments to meet the needs of a particular group of victims who otherwise would not have a civil remedy and method to establish safety. For these reasons we urge your support of SB482.

Respectfully,



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