



May 13, 2019

Chair Prozanski, Vice Chair Thatcher and Members of the Committee:

On behalf of the American Association of University Women (AAUW) of OR, we respectfully request your support for Senate Bill 3293 A.

Sexual assault victims often experience a complicated mix of shame, pain, fear, guilt and self-doubt.<sup>1</sup> They mistakenly believe that the sexual contact was their fault or that they should have done something different.

Recent neurobiological research has confirmed that sexual assault has a direct and deleterious impact on brain functioning. Instead of a fight-or-flight response to danger, it might be more accurately be called fight-flight-or-freeze. Although almost always unconscious and if not professionally attended to, post-traumatic stress may reinforce a mental self-paralysis.<sup>2</sup>

Victims attempting to overcome these challenges also face the double whammy of finding themselves embedded in a culture that commonly discounts their experiences and excuses the behavior of their assailants. The criminal justice system frequently decides not to press charges, which can further exacerbate the victim's shame and guilt. Out of 1,000 instances of rape, only 13 cases get referred to a prosecutor and only 7 cases will lead to a felony conviction.<sup>3</sup>

Despite these very real impediments, Oregon gives sexual assault victims only two years to bring a civil action for damages arising out of sexual assault. In stark contrast, people have six years to file a lawsuit for injury to

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<sup>1</sup> David Schwartz (Univ. of Southern California), Delayed Reporting of Sexual Assault Is No Reason to Discredit the Accuser, *Phys Org*, September 27, 2018

<sup>2</sup> Shaila Dewan, *Why Women Can Take Years to Come Forward with Sexual Assault Allegations*, *New York Times*, September 18, 2018, citing van der Kolk BA and van der Hart O's article, *Pierre Janet and the Breakdown of Adaptation in Psychological Trauma*, *Am J. Psychiatry*, Dec, 1989.

<sup>3</sup> RAINN, What to Expect from the Criminal Justice System, available at <https://www.rainn.org/articles/what-expect-criminal-justice-system>.

personal property, trespassing, contracts and debt collection. [ORS Section 12.080]. This disparity is patently unfair and unjust.

Increasing the statute of limitations will not only provide victims of sexual assault an opportunity to obtain monetary relief for medical expenses and emotional distress, but it can breathe new life into a victim's a sense of control, power, and self respect. Justice calls for no less.

Respectfully submitted,

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