

calltosafety

Oregon Law Center



SAVING GRACE
Imagine Life without Violence



Oregon Coalition
Against Domestic & Sexual Violence

Support SB 995-A Improvement to Sexual Abuse Protective Order (SAPO) Statutes

Background:

Oregon's *Sexual Abuse Protective Order (SAPO)* is available in certain cases where a person was subjected to unwanted sexual abuse by a person who does not meet the definition of family member or intimate partner under the *Family Abuse Prevention Act*. This is an extremely important form of protection for survivors of sexual abuse. 37% of the victims protected by these orders in Oregon, since 2014, are minor victims of assault. To be eligible for a SAPO, the perpetrator must not already be prohibited from contacting the victim by another court order and must have sexually abused or assaulted the victim within the last 180 days, and the victim must establish they are in reasonable fear for their physical safety.

Problem:

Under current law, this important form of relief for vulnerable survivors is often difficult to access, due to technical limitations:

- Often, survivors of sexual assault have difficulty serving the perpetrator, if the perpetrator strategically avoids service.
- Often, survivors of sexual abuse face great trauma in coming forward to seek relief. This can be especially true of victims who are minors at the time of the assault. It may take a survivor more than 6 months to have the ability to come forward safely to disclose abuse and seek safety services.
- Because the perpetrators in these cases may not be well known to petitioners, it can be difficult for petitioners to predict the perpetrator's whereabouts. This makes it difficult for survivors to safety plan and can make it difficult to serve respondents with renewal requests.

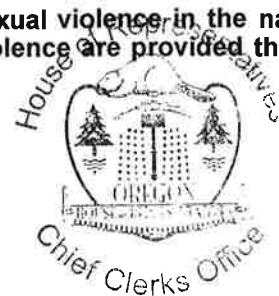
Solution:

SB 995 resolves the above difficulties to ensure that SAPO orders can deliver the protection that survivors of sexual abuse and assault deserve:

- Removes the requirement that a sexual assault restraining order be filed within 180 days of a sexual assault. This ensures that relief is available when a survivor is able to come forward.
- Provides that a SAPO order shall be effective for a period of five years or, if the petitioner is under 18 years at the time of entry, until the person attains 19 years of age, whichever occurs later.
- Allows the court to enter a permanent restraining order in certain circumstances, like if the perpetrator has been convicted of sexual assault crimes or if there are serious indicators of lethality.
- Provides that a 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.

The CDC has found that Oregon has one of the highest rates of sexual violence in the nation. SB 995 removes barriers to protection and ensures that victims of sexual violence are provided the safety they need in the aftermath of assault.

Please Support SB 995-A



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