



Oregon Law Center

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To: Senate Committee on Human Services, Mental Health, and Recovery
From: Sybil Hebb, Oregon Law Center
Date: May 4th, 2021
Re: HB 2155

Chair Gelser, Vice-Chair Anderson, and members of the committee:

On behalf of the Oregon Law Center, I submit this written testimony in support of HB 2155, which would resolve an inadvertent and technical drafting error in prior legislation that if left unresolved, would hinder the provision of best-practice services to survivors of domestic and sexual violence.

Thank you to the Attorney General and the Crime Victim and Survivor Services Division for bringing this bill forward.

The Oregon Law Center is a non-profit statewide legal aid provider whose mission is to achieve justice for Oregon's low-income communities through the provision of the highest quality legal services. A significant number of our clients come to us for help as they are struggling to escape or recover from domestic violence. Domestic and sexual violence are serious public health and safety issues in our state. Victims suffer great psychological, emotional, and physical trauma, which have long term impact on their lives. Domestic and sexual violence greatly contribute to the vulnerability of our clients, and further trap them in poverty and crisis. OLC is committed to supporting the coordinated community response necessary to help prevent this violence, and to helping victims in crisis move towards the safety and stability they need for recovery.

Victims need confidential support services: Confidentiality is critical to effective access to services and options for safety. Without access to confidential services, survivors are less able to come forward to seek safety and support – for fear of shaming, retribution, embarrassment, and more. Many studies have shown that access to confidential shelter and emergency support services is linked to decreased incidence and severity of abuse. Access to these safety services help survivors and their children. And barriers to these services cause safety concerns.

That is why Oregon law has for some time provided an exemption from our mandatory child abuse reporting statutes for domestic violence and sexual assault programs. Found in ORS 419.005(bb)(B), this law has been important in ensuring that doors are not perceived to be closed to survivors seeking safety.

However, under the current law, the way the statute is written, it can be read to apply only to stand-alone organizations, and inadvertently excludes some domestic violence programs which are housed in a larger organization with a broader purpose. Particularly, this has a greater impact on some of the culturally specific programs, like many programs of the Oregon Tribes, and

culturally specific programs such as the survivor program housed within the Immigrant and Refugee Community Organization (IRCO) and El Programa Hispano (housed within Catholic Charities).

The amendment to this provision is a simple clarifying fix that is in keeping with the original intent of this exception. We are lucky in Oregon that many domestic and sexual violence survivors are able to access DV/SA services at a multitude of locations. Some of these programs are nested within larger culturally specific programs or programs whose primary purpose may be to serve a different need, such as housing. These programs help to better support all survivors' unique needs. However, because such DV/SA programs are within larger organizations whose primary purpose may not be specifically to serve DV/SA survivors, the original exception in (bb)(B) can be read not to apply to them, putting survivors' privacy and confidentiality at risk.

This change will ensure that survivors who receive services from Tribal, culturally-specific, and other DV/SA programs within larger umbrella organizations will continue to have access to the same level of services as those survivors who receive services through stand-alone DV/SA programs whose sole/primary purpose is to support survivors.

Thank you again for the opportunity to speak to you about HB 2155, and we urge your support.