



Support SB766  
Sexual Abuse Protective Order  
Submitted by Jessica Mindlin  
May 18, 2021

Chair Bynum, Vice Chair Noble and Power, and Members of the Committee on House Judiciary,

On behalf of the Victim Rights Law Center (VRLC), I write to request your support for SB 766. This Bill will accomplish two critical changes: (1) Modify the date of expiration of sexual abuse protection orders (SAPOs) when the petitioner is a minor; and (2) Specify procedures for when respondent is to be served by a method of alternative service. I believe both these amendments are urgently needed.

I serve as the Director of the Victim Rights Law Center Oregon office, and VRLC's National Director of Technical and Training Assistance (TTA). The VRLC mission is to provide legal representation to victims of rape and sexual assault to help rebuild their lives, and to promote a national movement committed to seeking justice for every rape and sexual assault victim. VRLC was the first – and remains one of the few – non-profit legal agencies in the country devoted exclusively to serving victims of sexual assault.

In Oregon, VRLC provides free, holistic legal services to sexual assault survivors in Clackamas, Multnomah, and Washington counties. In addition, we serve sexual assault survivors statewide on certain education and immigration matters. We also assist transgender survivors with gender marker change documents statewide.

In the last year alone, VRLC served nearly 350 adult and minor sexual assault survivors in Oregon. We help survivors with their housing, employment, immigration, education, financial, privacy, safety, and other matters. And of course our efforts to help keep survivors safe includes, but is not limited to, representing them in Sexual Assault Protection Order (SAPO) matters.

Oregon's SAPO scheme provides a critical access point to civil legal remedies for survivors of sexual abuse. SAPOs are available in the narrow set of 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, and who is not covered by any other form of protection order.

VRLC is grateful the Oregon Legislature modified the SAPO statute in 2019, passing SB 995 to accomplish three necessary changes to the statute. Specifically, SB 995:

- 1) Removed the requirement that a Petitioner file the SAPO within 180 days of the sexual abuse;
- 2) Extended the duration of a SAPO from one year to five years or until a minor petitioner reaches the age of 19 years old, whichever occurs later. (In certain circumstances, the SAPO order may be permanent); and
- 3) Granted the Court the authority to order that the Respondent be served by alternative service as outlined Oregon Rules of Civil Procedure (ORCP) 7D(6).

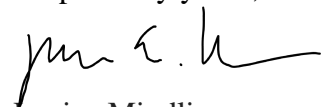
SB 766 will complement these changes, enacting a technical fix to the SAPO statute to fully implement the important changes of 2019's SB 995. The technical fixes will:

- 1) Change the expiration date to avoid revealing a survivor's date of birth;
- 2) Clarify the procedures by which respondent can be served by alternative method; and
- 3) Ensure that a SAPO served by an alternative method is entered into the appropriate law enforcement databases.

Individually and collectively these "fixes" are critical for the sexual assault survivors VRLC serves each day. When a SAPO was finally passed in Oregon, it filled a long-standing void that, for far too many years, had left sexual assault survivors unprotected. According to the CDC, Oregon has the second highest rates of rape and sexual assault for women and girls in the country. We know that perpetrators target for harm some of Oregon's most vulnerable residents: survivors who are minors, individuals who are undocumented, have a disability, are limited English proficient, poor and low-income, or otherwise marginalized and under-served. I urge you to protect these and other vulnerable survivors in our community.

I hope you will support SB 766.

Respectfully yours,



Jessica Mindlin  
National Director of TTA  
Director, Oregon Office  
[jmindlin@victimrights.org](mailto:jmindlin@victimrights.org)