SARC

SEXUAL ASSAULT RESOURCE CENTER

May 11, 2021

Chair Bynum, Vice Chairs Noble and Power, and Members of the Committee,

Re: Support of SB766, the technical fix to the *Sexual Abuse Protective Order (SAPO)* statute.

My name is Michele White and I am the Executive Director of the Sexual Assault Resource Center in Washington County. Thank you for considering SB766, which is essential for the stability and wellbeing of the victims and survivors we serve.

For over 40 years, SARC's dedicated staff and volunteers have been providing crisis intervention and ongoing support services to folks who have been impacted by sexual violence. Crisis intervention, including phone support and in-person response, is available 24 hours a day, 365 days a year. We also offer housing support, case management and counseling for survivors and their families.

Background Since the passage of HB2997 in 2013, SAPO's have opened access to civil-legal remedies for minors and adults who have experienced sexual violence by someone other than a family member or intimate partner, who are not otherwise eligible for an order of protection. Since SAPO's took effect in January of 2014, 751 SAPOs have been filed. In general, courts issue a protective order in about 80% of cases filed and just over a third of cases have a petitioners who is a minor.

SB766 Technical Fix SB 766 will make two critical technical fixes to the SAPO statute, to ensure that the privacy and safety of sexual assault victims are upheld:

1) **Modifies the expiration date of the SAPO for orders entered when the petitioner was under 18 years of age.** Current law provides that orders expire on the minor's 19th birthday, which requires the listing of the minor victim's date of birth in the paperwork. This release of personally identifying information about the victim creates a privacy and safety issue for survivors. SB 766 provides that orders expire on January 1 of the year after the minor's 18th birthday. This change removes the risk of releasing personally identifying information about the victim.

2) **Modifies procedures when service on respondent of SAPO is completed by alternative service.** Current law provides that in certain circumstances, if the sheriff is unable to personally serve the Respondent, the court may order alternative service pursuant to ORCP (7)(d)(6). If the court orders service by posting, the entire SAPO petition must be included in the posting. This can result in public release of the survivor's assault history, and significant privacy violations. SB 766 will protect against this result by providing that a court may order the use of a summons to effect service when appropriate.

. Thank you for your continued support of this critical legislation that provides increased access to safety and civil-legal remedies for people who have experienced sexual violence across Oregon.

Sincerely,

Michele White
Executive Director
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