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**To: House Committee on Judiciary**  
**From: Sybil Hebb, Oregon Law Center**  
**Date: February 23<sup>rd</sup>, 2021**  
**Re: HB 2004 and 2006**

Chair Bynum, Vice-Chairs Noble and Power, and members of the committee:

On behalf of the Oregon Law Center, I submit this written testimony with technical comments regarding HB 2586, 2746, and 2747, heard on February 23<sup>rd</sup> in your committee. My sincere apologies that I was not able to be present during the hearing, due to a commitment in another committee at the same time.

We support the survivors who bravely spoke about their experiences in support of these bills, and are grateful for and impressed by their immense work. Thank you to Vice-Chair Noble for his chief-sponsorship of these bills.

As you may know, the Oregon Law Center (OLC) is a state-wide non-profit law firm whose mission is to achieve justice for low-income communities of Oregon by providing a full range of the highest quality civil legal services. Many of our clients seek our assistance to address legal issues related to domestic violence, sexual assault, sexual harassment, and stalking. These issues greatly contribute to the vulnerability of our clients, and further trap them in poverty.

Protection orders are an effective tool in reducing violence and establishing safety for victims, and OLC is committed to ensuring accessibility to these safety provisions for survivors. Particular attention must be paid to ensuring access to protections for survivors of color, for survivors whose first language is not English, survivors who are undocumented, and others who may be marginalized.

It is not uncommon for survivors to feel great shame or fear in coming forward to seek help from abuse. Many survivors feel additional fear at the idea of seeking help from law enforcement or system-based providers, due to historical trauma, structural racism, cultural barriers, and more.<sup>1</sup> For many survivors, a civil protection order is the only safety tool they feel they can safely access. OLC is committed to the coordinated community response necessary to help survivors access the culturally-specific and trauma-informed safety planning and support they need and deserve. Civil protection orders are a critical part of the safety-planning tool-box.

It is from this perspective that we offer technical comments regarding HB 2586, 2746, and 2747. We reached out to the chief sponsor about these comments prior to the committee hearing, and follow up with this below written testimony in case it is helpful.

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<sup>1</sup> <http://www.thehotline.org/wp-content/uploads/sites/3/2015/09/NDVH-2015-Law-Enforcement-Survey-Report.pdf>

**HB 2586:** If there is a need for another form of protection that is not met by current law, we suggest that this could be accomplished thru a new statutory form of relief designed for that instance, rather than amending the Sexual Abuse Protection Order (SAPO) process. The addition of a new category of injury as grounds for issuance of a SAPO could change the purpose of an order that was designed and formulated to specifically address the needs of sexual assault survivors. The nature and severity of the many physical, psychological, and emotional impacts of sexual assault and abuse on survivors require specific and specialized response, which is well crafted in the current law. The SAPO is particularly important for survivors who may for a variety of reasons feel safer accessing a non-system-based, civil protection response. The testimony in support of the bill indicated an understanding that former spouses would not qualify for a Family Abuse Prevention Act (FAPA) order; however, ORS 107.705 already allows this access. FAPA was designed specifically to address the needs of parties who have current or former family or household relationships.

**HB 2746:** The creation of a “Hope Card” program would be a wonderful safety tool for some survivors, and we appreciate this proposal designed to provide practical and supportive information. We would like to suggest that the proposed language in the card contain some additional information, to ensure that survivors got the best available resources. It would also be important that survivors were given the *option* of taking a card (recognizing that in some instances in which the Respondent had not yet been served, it might be dangerous for some petitioners to have a card on their person). In addition, it would be important to make it clear that enforcement is not dependent on having a card, include information about where a survivor could find confidential safety planning services, and make it clear that calling 911 is not mandatory.

**HB 2747:** This bill would potentially replace the renewal process with the modification process, and we were unclear why the current renewal process does not meet the same need.

In closing, we appreciate the perspective and voice of the proponents of these bills, and if these concepts move forward, would hope to have these technical questions addressed. We are happy to answer any questions, and thank you for your work and for your commitment to safety for survivors in Oregon.