

**TESTIMONY ON HB 2746
BEFORE HOUSE JUDICIARY COMMITTEE
FEBRUARY 24, 2021**

**PRESENTED BY: Nanci Thaemert
JUVENILE AND FAMILY COURT PROGRAMS DIVISION DIRECTOR
OREGON JUDICIAL DEPARTMENT**

Chair Bynum, Vice-Chair Noble, Vice-Chair Power, and Members of the Committee:

My name is Nanci Thaemert, and I am the Director of the Juvenile and Family Court Programs Division at the Oregon Judicial Department. OJD does not have a position on HB 2746; however, we wanted to offer suggestions to improve the effectiveness of the concept, while providing the OJD with some flexibility for implementation.

The OJD Strategic Campaign commits to Oregonians that we will join with communities and partners to improve services to people who are vulnerable and marginalized. We listened carefully to the brave testimony on this bill from survivors, and we thank them and Representative Noble for bringing this bill forward and will be working with them to meet their needs.

House Bill 2746 would direct the State Court Administrator (SCA) to develop and implement a Hope Card Program by issuing information cards to each person protected by a listed series of restraining orders. The bill would require the court to issue a durable, wallet-sized card when granting the protection order. The required information would include the terms, issuance and expiration dates of the order, court case number, identifying information about the person subject to the protection order, and a statement to the protected person directing them what to do if they see the person subject to the protection order in their vicinity.

We understand that protection orders issued from the court are multi-page documents that can be unwieldy to carry on your person. The previous testimony you received on the bill indicates that a wallet card issued from the court could eliminate the need to carry the large protection order document. Additionally, proponents of the bill feel it is important to remind protected persons that they should seek help from law enforcement rather than members of the general public when the order is violated.

OJD has several concerns about the proposed statement drafted in the bill that is directed to survivors. First, courts generally do not advise people about what to do if a court order is violated. That would be a new role for the court and one that deserves careful consideration whether the court is the appropriate entity to provide that information.

Similarly, the bill advises protected persons to call 911 when the person subject to the order is in the vicinity; however, calling 911 may not be the most appropriate or safest response in every circumstance. Alternative language that makes this a suggestion

rather than an order could address this. Additionally, the language not to expect help from strangers, as a directive from the court, should be revised.

The bill requires a physical, wallet-sized card be issued from the court, but many hearings are being conducted by remote means at this time. If the bill could include flexibility on the manner and format of the card, including electronic format, that would effectuate the ultimate goal of the bill. It is important to note, too, that this would be a major shift from current court protocols and procedures. Issuing durable cards, or any cards, to those protected would require staff, training, form development, and other investments to get it off the ground. We want to ensure that when launched, the program that is implemented is effective and our courts are prepared.

The OJD strongly supports protecting the safety of some of our most vulnerable Oregonians and welcomes the opportunity to work with sponsors and the Committee on amendments to the bill. Thank you for your time and consideration.