



Oregon Alliance to End Violence Against Women

Support for SB1574-1

SAFE-Kit Fix

February 8, 2022

Senate Committee on Judiciary and Ballot Measure 110 Implementation

Founded in 1999, the Oregon Alliance to End Violence Against Women (the Alliance) is a grassroots organization of survivors, advocates, multi-disciplinary community and system-based responders, and allies. The Alliance is dedicated to promoting legislation in Oregon that will protect and empower survivors of domestic and sexual violence.

The Alliance, along with the Oregon Law Center, the Oregon Coalition Against Domestic and Sexual Violence, the Oregon Attorney General's Sexual Assault Task Force, The Center for Hope & Safety, and Clackamas Women's Services is pleased to offer joint support for SB1574-1, which modifies the definition of Oregon's Sexual Assault Forensic Evidence Kit to include a copy of the medical-forensic examination form.

Oregon relies on specially trained Sexual Assault Nurse Examiners (SANE) and Sexual Assault Examiners (SAE) to provide medical-forensic care for survivors of sexual assault in hospitals and some campus health settings. SANE/SAE provide comprehensive medical care and treatment for survivors of sexual violence and abuse, in addition to collecting valuable evidence and documenting injuries.

Survivors typically assume that any evidence collected and written documentation completed by the SANE/SAE, is stored in the SAFE Kit following the medical-forensic exam.

There is currently a logistical flaw that may prevent some examiners from including a copy of the medical forensic examination form in the SAFE Kit, which poses evidentiary issues if a case moves forward for trial, requiring a fix to the statutory definition of the SAFE Kit. It is necessary that the medical-forensic examination form be included in the SAFE Kit to ensure the survivor's sexual assault history, injury documentation, and physical evidence documentation is preserved. Sexual Assault Nurse Examiners/Sexual Assault Examiners rely on this form when they prepare for testimony, as trials can take place years after the initial exam.

SB1574-1 will not impact a survivor's ability to make an anonymous report and still receive comprehensive medical care, a right we whole-heartedly support.

Lastly, privacy protections and informed consent are in place to ensure the Survivor has control of their own story and experience. These privacy and consent protocols include a requirement that survivors are informed of what will happen during the medical-forensic exam, that they are in charge of what happens during the exam (they can decline any portion of the exam), and documentation of

their expressed consent to release the medical-forensic examination form and SAFE-Kit to law enforcement for storage for at least 60-years, per ORS 181A.325.

We are grateful for the care provided by trained SANE/SAE in Oregon. Broadening the definition of Oregon's SAFE Kit acknowledges that SANE/SAEs care for the whole person, and not just evidence. For this reason we urge your support of SB1574-1.

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