



Oregon Alliance to End Violence Against Women

Support
Sexual Abuse Protective Order Technical Fix
May 18th, 2021
House Judiciary Committee

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.

SB 766 is a legislative priority for the Oregon Alliance to End Violence Against Women. Sexual Assault Protective Orders (SAPOs) are critical to survivors who would not otherwise be eligible for an order of protection, but who need access to safety measures. Access to SAPOs remove barriers to protection and offer survivors a safety-net in the aftermath of sexual assault. SAPOs are a critical component to a survivor's overall safety plan.

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.

SB 766 strengthens Sexual Abuse Protective Orders and will ensure high standards of confidentiality, safety, and privacy for survivors of sexual violence. Thank you for continuing to support survivors of sexual violence by first establishing Sexual Abuse Protective Orders via HB 2997 in 2013, and making critical updates to the statute via SB 995 in 2019. Passing SB 766 is one more critical step in ensuring that survivors of sexual violence are able to access safety while maintaining dignity in the process. For these reasons we urge your support of SB 766.