

February 7, 2025

Testimony in Support of Senate Bill 710

Presented to the 83rd Oregon Legislative Assembly, 2025 Regular Session

Dear Chairperson and Members of the Committee,

My name is Karla Reyes, and I am writing to express my strong support for Senate Bill 710, which seeks to address systemic injustices in Oregon's family court system, particularly in cases involving domestic violence, coercion, and parental rights disputes. As someone personally affected by these issues in Washington County, Oregon, I urge you to recognize the urgent need for reform and accountability in our legal system.

Senate Bill 710 requires the Judicial Department to study options for domestic and sexual violence training for judges. This is a crucial measure to ensure that judicial officers are adequately prepared to handle cases involving domestic abuse and coercive control with trauma-informed approaches. By equipping judges with comprehensive knowledge and training, the legal system can better protect survivors and prevent unjust custody decisions that place children at risk.

I have faced substantial legal and procedural hurdles in seeking a fair and just resolution in family court. Despite presenting clear evidence of domestic violence, psychological coercion, and child endangerment, the system has failed to adequately protect my rights and the well-being of my child. The following key issues illustrate why Senate Bill 710 is necessary:

1. Failure to Protect Victims of Domestic Violence in Custody Decisions

- Despite submitting a Domestic Violence Questionnaire detailing coercion, threats, and reckless behavior by the opposing party, the court failed to weigh this evidence appropriately. Instead, it prioritized co-parenting over safety, leaving my child exposed to an unsafe environment.
- My ex-spouse demonstrated a pattern of reckless disregard for our child's safety and well-being. In addition to exposing our child to health risks during the COVID-19 pandemic, he has also permitted an individual with a documented history of sexual offenses against minors to reside in or frequent his home. Despite repeated warnings and communications regarding these concerns, he dismissed or denied these safety issues, further exposing our child to potential harm. Reports to the Family Justice Center of Washington County resulted in a CPS investigation, highlighting the immediate danger.

2. Judicial Bias and Lack of Oversight

- Judges have ruled in favor of my ex-spouse despite overwhelming evidence of coercion and his failure to communicate important health information. The court ignored expert testimony and documented incidents of emotional abuse, demonstrating a troubling pattern of bias.

- Custody evaluations were conducted without properly considering past incidents of coercive control and child manipulation, giving the abuser unwarranted legal leverage.
 - While I could submit for a modification of custody due to imminent danger, I have no hope of receiving justice from a judge like Rebecca Guptill, who denied me legal counsel consecutively during my divorce proceedings and trial. Her rulings have shown a clear disregard for due process and the fair representation of domestic violence survivors.
- 3. Procedural Failures and Violations of Due Process**
- My legal representation changed multiple times due to conflicts and withdrawals, placing me at a disadvantage. When I was unrepresented at the final trial, the court proceeded without due consideration of my ability to fairly present my case.
 - My ex-spouse was allowed to relocate financial assets and manipulate the court process to gain control over shared property, violating principles of equitable division and financial fairness.
- 4. Being Punished for Protecting My Child**
- Instead of being recognized as a protective parent, I have been penalized for advocating for my child's safety. The legal system has treated my legitimate concerns as attempts to alienate the other parent, when in reality, I have only sought to shield my child from ongoing harm.
 - The court has imposed restrictions on my parental rights while granting increased access to the party whose actions have consistently put our child at risk. This outcome has not only affected my relationship with my child but has also emboldened the abuser to continue his coercive tactics without fear of accountability.
- 5. Failure to Regulate Custody Evaluators and Parent Coordinators**
- The custody evaluator, who was relied upon for the custody recommendation in my case, was reprimanded by the Oregon Board of Psychology for practicing without a valid license and misrepresenting his qualifications. His evaluations were conducted during his license suspension, violating ORS 675.070 and resulting in biased and unreliable recommendations that impacted my case and others.
 - The parent coordinator in my case failed to report abuse as a mandatory reporter for six months, violating ORS 419B.010. This neglect directly impacted my child's well-being and allowed continued endangerment.
 - Who is responsible for regulating these custody evaluators and parent coordinators? There is currently no meaningful oversight or accountability, allowing misconduct to persist unchecked.
- 6. Vexatious Litigation and Conflict of Interest**
- The opposing counsel engaged in vexatious litigation, filing excessive and unnecessary motions intended to drain my financial resources and prolong legal proceedings rather than resolve the case fairly.
 - There is an inherent conflict of interest in Oregon's legal oversight system. Oregon is the only state that mandates attorneys to carry malpractice insurance

exclusively through the Professional Liability Fund (PLF), which is controlled by the Oregon State Bar (OSB). Idaho also requires malpractice insurance, but attorneys there can purchase it from independent providers.

- This creates a critical issue: How can we expect the OSB to fairly investigate attorney misconduct when it simultaneously provides malpractice insurance, defends attorneys against claims, and negotiates settlements? This structure discourages accountability and ensures that the same entity responsible for reviewing complaints also has a financial interest in shielding attorneys from consequences.

7. Violations of ORS 163.545 - Child Neglect by the Father

- My ex-spouse has endangered our child by allowing an individual with a known history of sexual offenses against minors to reside in his home. This individual was arrested in Colombia on April 17, 2024, for engaging in sexual acts with a minor.
- Despite repeated warnings, my ex-spouse continued to expose our child to an unsafe environment. Reports of these concerns resulted in law enforcement and DHS involvement, leading to a CPS investigation.
- The failure to address these severe safety concerns demonstrates a pattern of neglect and reckless disregard for our child's well-being.

8. Need for Trauma-Informed Judicial Practices

- Survivors of domestic violence should not be retraumatized by a system that dismisses their experiences. Senate Bill 710's emphasis on trauma-informed judicial training and accountability measures is crucial in ensuring that survivors receive fair treatment and protection.
- The failure to recognize coercive control as a form of domestic abuse has led to unjust custody decisions that place children in harm's way. This has forced children into arrangements that minimize protective parents and subject them to ongoing emotional distress.

I urge the committee to pass Senate Bill 710 and take meaningful action to address the injustices faced by countless individuals navigating our family courts. Thank you for your time and consideration.