



TESTIMONY IN OPPOSITION TO SB 389
SENATE JUDICIARY COMMITTEE
FEBRUARY 25, 2025

Chair Prozanski, Co-Chair Thatcher, Members of the Senate Committee on Judiciary:

My name is Mae Lee Browning, Legislative Director of the Oregon Criminal Defense Lawyers Association. **OCDLA OPPOSES SB 389.** This bill would have terrible downstream impacts for youth.

Unlike a Family Abuse Prevention Act (FAPA) Restraining Order or a sex abuse prevention order, this bill does not require that the respondent be 18 years old or over – in other words, it would allow kids (or their parents) to file harassment petitions against other kids. You can imagine how that will go . . . kids insult each other on social media or in the hallway, or knock into each other at school, and then could be hit with a petition for a protective order that could, effectively, force them to change schools because they can't be around the petitioner.

We have already seen an uptick in the use of stalking protective orders by youth against other youth – this lowers the bar and will enable one youth (or their parents) to bully and harass another for normal teenage conduct.

Further, this bill does not require a minimum number of “harassing” contacts, just that the petitioner has been the victim of harassment within the previous 180 days. So, person could say “I received X text or Y post on social media and it was abusive or publicly insulting and I should get a protective order.” Or, “so and so bumped my shoulder as we were passing the hallway, I am afraid of them, and I should get a protective order because we attend the same school.” Under the current language, that would be sufficient.

I urge the Committee to **vote NO on SB 389.**

Mae Lee Browning
Legislative Director
Oregon Criminal Defense Lawyers Association¹

¹ OCDLA's 1,200 members statewide include public defense providers, private bar attorneys, investigators, experts, and law students. Our attorneys represent Oregon's children and parents in juvenile dependency proceedings, youth in juvenile delinquency proceedings, adults in criminal proceedings at the trial and appellate level, as well as civil commitment proceedings throughout the state of Oregon. Our mission is championing justice, promoting individual rights, and supporting the legal defense community through education and advocacy.

