



## **Support HB 2975A Increasing Safety for Survivors Closing Loophole for Domestic Violence Crimes**

HB 2975A would close the merger loophole for domestic violence crimes that was created by the ruling in *State v. Miles*, 330 Or App 1 (2024). The bill would ensure that survivors of domestic violence have the same protections from crimes committed against them as they would have if the crimes had been committed by a stranger. The bill will increase safety for survivors and accountability for perpetrators.

**Background:** Survivors of domestic violence, particularly those who have also experienced sexual assault, frequently endure multiple forms of abuse, including assault, strangulation, menacing, harassment, and psychological manipulation. Often, these forms of abuse co-occur. Of note, strangulation is a disturbingly common form of violence in sexual assault and domestic violence cases, often used as a tool of power and control by people who cause harm. Studies indicate that between 30% to 68% of women who experience intimate partner violence and sexual assault also report being strangled by their abuser. Survivors who experience strangulation are at a heightened risk of subsequent lethal violence. In short, these myriad forms of co-occurring violence greatly contribute to the danger faced by survivors.

Despite the clear research indicating that domestic violence crimes are in fact more dangerous than crimes against strangers, ever since the ruling in *State v. Miles*, separate criminal acts of violence within a domestic violence relationship can no longer be charged separately as domestic violence crimes, and have to be subsumed into one-another. This leads to less safety for survivors and less accountability for perpetrators. Notably, this is NOT the case for non-domestic violence cases, resulting in the egregious and illogical impact of domestic violence crimes, which have high degrees of lethality and ongoing victim impact, being treated less seriously than other, non-domestic violence cases.

**HB 2975A will fix the dangerous “Miles” loophole by ensuring that separate criminal acts of violence that constitute domestic violence can once again be charged as separate acts, ensuring that survivors have the same protections and that perpetrators receive the same accountability as if the crimes had been committed between strangers.**

## **Support HB 297 Increasing Safety for Survivors Closing Loophole for Domestic Violence Crimes**