



# OCVLC NEWSLETTER



## From the Executive Director

**BY ROSEMARY BREWER**

The last few months have been busy for OCVLC as we continue our work ensuring victims' voices are heard. October is Domestic Violence Awareness Month, and the reality is that most of us know someone affected by domestic violence, as more than 1 million Americans report violence from a partner each year. At OCVLC we regularly represent victims of domestic violence in restraining order proceedings, helping victims as they try to attain some measure of safety. We also represent domestic violence victims in criminal proceedings to make sure their rights are protected, and OCVLC has a solid history in this area – we have successfully taken two cases to the Oregon Supreme Court to ensure domestic violence victims are able to be heard at sentencing.

OCVLC attorneys and our advocate have handled a variety of cases over the summer, including representing victims before the Oregon Board of Parole, assisting victims in reporting crimes to the police, representing victims who are asserting their right to restitution, and working with victims to make sure their private records remain private in criminal proceedings. We've also added a new attorney – Jack Staunton, who you can read more about on page 2.

Finally, please join us on October 20th at Kells in Portland, or online, at our CLE presentation, Access to Justice – Representing Victims Who Speak Out. Information on registration can be found on page 4. We are thankful to our experts for sharing their knowledge so we can all better support crime victims!

# Staff Spotlight: Welcoming Our New Team Member

## **Jack Staunton, JD, Staff Attorney:**

Mr. Staunton is a staff attorney representing clients in contested restraining order hearings and victims' rights cases. He has a Bachelor of Arts from the University of Minnesota and a Juris Doctor from The University of Oregon School of Law. Prior to joining OCVLC, Jack worked on civil litigation as an intern with the Western Environmental Law Center and Legal Services of Northern California. He is excited to start his legal career with OCVLC and to work to help assert victims' legal rights.



# Domestic Violence Awareness Month

## Domestic Violence & Housing Instability: A Public Health Priority



*BY MICKEY KARNAS,  
OCVLC VICTIM ADVOCATE*

In 2012, a study titled *Housing Instability Is as Strong a Predictor of Poor Health Outcomes as Level of Danger in an Abusive Relationship* was conducted using research from Multnomah County DHS, Kaiser Center for Health Research, and Volunteers of America - Home Free. The study focused on 278 participants who had been the victims of intimate partner violence and the conclusions were clear: When the abused women showed a great number of housing instability indicators, such as eviction notices, problems with landlords, and multiple moves, they were much more likely to show severe symptoms of related health conditions like PTSD, and increased hospital/emergency department use. Most noteworthy about this study's findings is that both housing instability and danger level had stronger associations with negative health outcomes than factors such as age or alcohol and drug use.

Oregon's housing crisis, coupled with a rise in domestic violence cases, is likely to have severe long-term effects in our community. In the United States an average of 20 people are physically abused by intimate partners every minute. This equates to more than 10 million abuse victims annually. 1 in 3 women and 1 in 4 men have been physically abused by an intimate partner, and 1 in 5 women and 1 in 7 men have been severely physically abused by an intimate partner. Additionally, half of all Oregonians spend at least 30% of their income on rent. This is well below the federal standard for affordability and as a result, Oregon now faces record high eviction rates. In July 2021, among the 752 eviction filings brought to court, 48% of the filings were due to nonpayment. In contrast, in June 2022, eviction filings increased to 1,470 with 68% of filings due to nonpayment.

Connecting domestic violence victims to resources which will assist in meeting their basic need for stable housing conditions not only increases their access to safety and provides the necessary stability needed to engage in the criminal justice process, but also improves their health and quality of life. At OCLVC, our attorneys and advocates are dedicated to serving survivors within the criminal justice process and outside of it by partnering with domestic violence agencies statewide to assist victims with their unique and ongoing needs, including housing. We recognize that domestic violence and housing needs are a national public health issue that deserves our attention and support.

- [https://www.researchgate.net/publication/247231876\\_Domestic\\_violence\\_housing\\_instability\\_and\\_homelessness\\_A\\_review\\_of\\_housing\\_policies\\_and\\_program\\_practices\\_for\\_meeting\\_the\\_needs\\_of\\_survivors](https://www.researchgate.net/publication/247231876_Domestic_violence_housing_instability_and_homelessness_A_review_of_housing_policies_and_program_practices_for_meeting_the_needs_of_survivors)
- <https://www.nctsn.org/resources/public-awareness/national-domestic-violence-awareness-month>
- <https://www.streetroots.org/news/2022/08/03/evictions-rise-oregon>

# OCVLC CLE: Access to Justice Representing Victims Who Speak Out



CLE

Oregon Crime Victims Law Center Presents

## Access to Justice - Representing Victims Who Speak Out.

Strategies for handling defendants who go on offense.

### Presenters and Topics

Combatting SLAPP by abusers - Erin Olson, The Law Office of Erin Olson

Fighting back against abusers who misuse protective orders, file false police reports, and subpoena records - Emily La Brecque, Senior Staff Attorney, Oregon Crime Victims Law Center

Winning in the Family Court arena (Emergency Protective Orders, Calling DHS, etc.) - Bernadette Valdellon, Legal Aid Services of Oregon

### Attend In-Person or On-line (ZOOM)

October 20, 2022 3 pm - 5 pm

#### In-Person - \$75

Join us at Kells Irish Pub, 112 SW 2nd Ave., Portland

Admission includes beer, wine and appetizers

Check in will begin at 2:30 pm

CLE will begin promptly at 3 pm

After CLE presentation, stay to socialize and enjoy beverages and appetizers.

#### On-Line (ZOOM) - FREE

ZOOM information will be emailed to ticket holders prior to Oct. 20th.



The staff of the Oregon Crime Victims Law Center was honored to take part in the Parents of Murdered Children (Oregon Chapter) ceremony for National Day of Remembrance on September 23rd at the Mt. View Cemetery in Oregon City. POMC's Memorial Wall, pictured above, is located in the cemetery.

# SAVE THE DATE!

## 2023 Hardy Myers Dinner

OCVLC is excited to announce the date of next year's Hardy Myers Dinner

Please join us:

**Wednesday April 26th 2023**

**SAVE THE DATE**

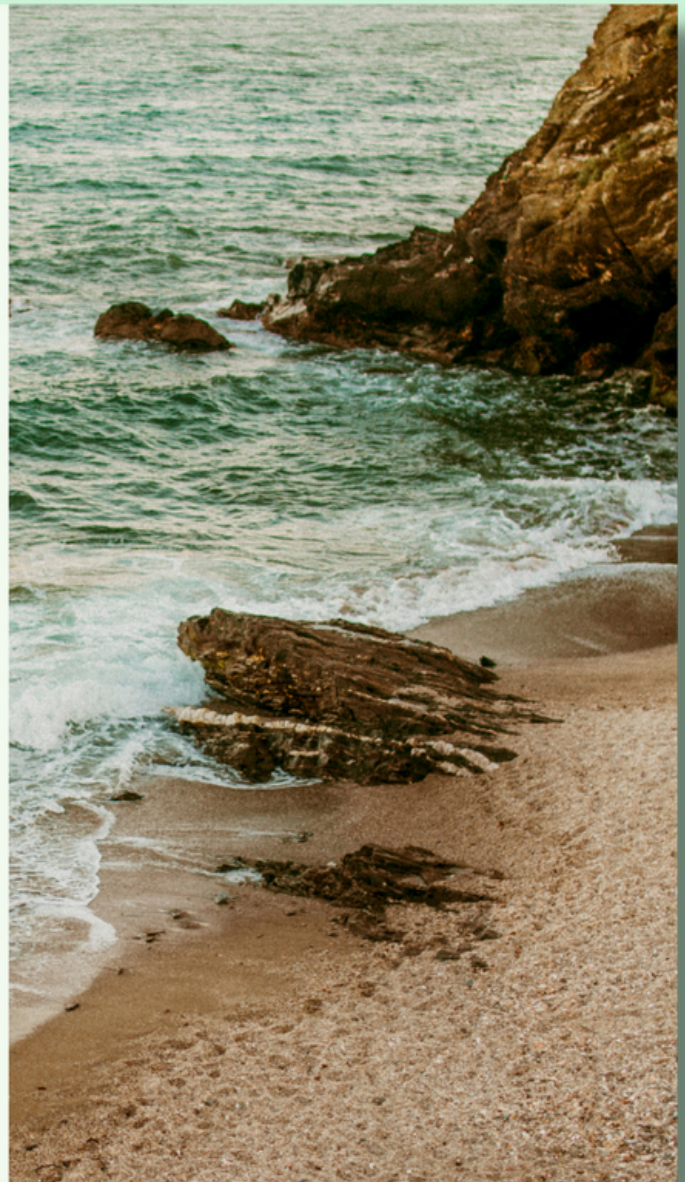
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# **THE FOURTH ANNUAL HARDY MYERS DINNER**

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WEDNESDAY, April 26, 2023

THE LOFT at 8th Ave | 2010 SE 8th Ave,  
Portland



# Recent Case Summaries

An OCVLC attorney represented a victim in a juvenile delinquency case where the victim was denied prompt restitution. The attorney filed a Claim of Victim Rights Violation and successfully argued to the court the victim's constitutional right to receive prompt restitution was violated. The court remedied the violation by ordering a restitution hearing to be held. After the restitution hearing was held, the court awarded the victim restitution in the full amount initially requested by the victim.

An OCVLC attorney recently represented a family in a murder review hearing before the Oregon Board of Parole and Post-Prison Supervision. The family learned of the hearing only a few weeks before and were concerned about their ability to be present and their ability to be heard. The offender was convicted of murder in 1997 but had been resentenced in 2001 after an appeal. The family was very concerned that the offender would be found likely to be rehabilitated within a reasonable period of time, the standard that must be met in a murder review hearing, and they wanted to make sure that they were able fully describe the trauma and sense of loss they have experienced since losing their family member. An OCVLC attorney worked with the family to ensure they understood the process and to help them prepare their statements for the Board. The attorney also filed a memo before the hearing on behalf of the family. At the hearing, a deputy district attorney from the county where the trial took place spoke on behalf of his office, a family member addressed the Board, and the OCVLC attorney also addressed the Board. The offender was represented by an attorney as well. The Board found that the offender had not met his burden of proving he is likely to be rehabilitated in a reasonable period of time and deferred his next hearing for a period of four years.

A survivor reached out to OCVLC seeking guidance on how to report a sexual assault that had occurred several years ago. Our victim advocate took informational support calls with the victim, accompanied her in person to make the initial report with an officer, and connected her to a sex crimes victim advocate with the police department. The survivor expressed feeling a sense of relief and empowerment after the initial report, and said she was grateful that we helped her report. We will continue to provide advocacy through the investigation, and if charges are possible, through the trial process.

An OCVLC attorney represented a victim in a sexual abuse case over the course of more than a year. During that time OCVLC assisted the victim in asserting their rights and moving to quash several improper subpoenas duces tecum for the victim's confidential records. The court repeatedly granted OCVLC's motions to quash, and the defense did not obtain the victim's records. OCVLC supported the victim through a jury trial and then in making their statement at the sentencing hearing after the defendant's conviction.

OCVLC was contacted by a victim of domestic violence seeking representation in a contested restraining order hearing set later in that same week. An OCVLC attorney worked with the victim to prepare for the hearing, gathering photo evidence and speaking with witnesses. The OCVLC attorney represented the victim at the hearing and at the conclusion of the hearing the court found in favor of the victim and upheld the order.