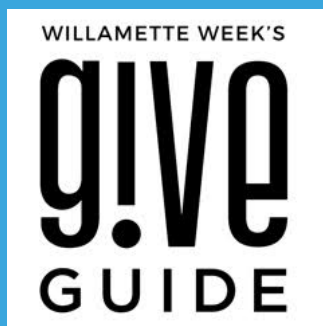


OREGON CRIME VICTIMS LAW CENTER NEWSLETTER

October 2017



LOOK FOR US IN THE
WILLAMETTE WEEK
GIVE!GUIDE THIS YEAR!



For the first time ever, OCVLC is participating in the annual Willamette Week Give!Guide. We're fortunate to have our neighbor Raccoon Lodge and Cascade Brewing as business partners. The applications to participate were judged on a competitive basis and ours was accepted for the campaign, which runs from November 1st through year end. We're excited to reach out to the Willamette Week audience! You can help by donating through Give!Guide and spreading the word that we are a part of Give!Guide for 2017.

Even if you don't donate through the Give!Guide this year, OCVLC accepts tax-deductible donations year-round. Use the link below to donate directly and help fund a critical service for crime victims.

[CLICK HERE TO DONATE
DIRECTLY TO OCVLC](#)

STALKING: ANOTHER TOOL FOR DOMESTIC ABUSERS

By Yazmin Wadia, Staff Attorney

In the United States, an estimated 15.2% of women and 5.7% of men have been a victim of stalking during their lifetimes.[1] In 2009, an estimated 3.4 million people were victims of stalking.[2] Approximately 3 in 4 stalking victims know their offender in some capacity.[3] Stalking is not a crime that occurs solely between strangers or acquaintances. In fact, intimate partners in abusive relationships can experience both domestic violence and stalking, and the stalking can occur before, during, and after the relationship. Stalking is yet another tool for abusers to use to intimidate, threaten, manipulate, and control their partners. It can be especially effective within and after a relationship because of the amount of personal information that is typically shared between partners when they live together or have children together.

Stalking behaviors may vary. Often an offender may send unsolicited messages (both electronic and via mail); show up at a victim's home or place of employment; make unwanted phone calls; and in general, make threats, implied or direct, towards the victim. In addition to attempted in-person contact, in today's increasingly technological society, cyberstalking is a growing concern. Offenders may utilize electronic monitoring, GPS monitoring, create multiple user profiles, blogs and chatrooms all to gain access to their victims. This ongoing unwanted contact has direct consequences on the victim's health and quality of life. Many victims change their usual day to day activities while some move, change jobs, and take additional protective actions to achieve some peace of mind.[4] The emotional impact stalking has on a victim is substantial. A common fear is not knowing what could happen next. A majority of stalking victims fear that their offender would commit some sort of bodily harm either to themselves, a child, or another family member.[5] This fear often causes a victim to experience anxiety, depression, and a general feeling of

helplessness.[6]

There are resources available to help victims of stalking. Safety planning is a crucial tool to help alleviate the anxiety many feel and can cover safety concerns for both domestic violence and stalking behaviors. There are resources available in person at the Gateway Center for Domestic Violence for victims in Multnomah County, other domestic violence resource centers, and online at [the Stalking Resource Center](#).

In Oregon, stalking is classified as a Class A misdemeanor. A person commits the crime of stalking when that person knowingly alarms or coerces another person (or member of that person's immediate family) by engaging in repeated unwanted contact AND it is objectively reasonable for a person in the victim's situation to have been alarmed or coerced by the unwanted contact AND the repeated and unwanted contact causes the victim reasonable apprehension regarding either their personal safety or the personal safety of an immediate family or household member.[7] In addition to filing police reports regarding the unwanted contact by their offender, a victim of stalking may petition the court for a Stalking Protective Order. The elements for an issuance of a stalking protective order are the same as the crime of stalking. However, at the time of petition, the unwanted contacts must have occurred within the past two years.[8] The process for obtaining a stalking protective order is twofold. First, if the court finds based upon the allegations in the petition that the victim qualifies for a stalking protective order, a temporary stalking protective order shall be entered and an additional court date will be made for both the petitioner and respondent to be given the opportunity to be heard on whether the order should be continued for an indefinite period.[9] At the second

hearing, the court may enter a permanent stalking protective order if the victim adequately proves all the elements necessary to qualify for a stalking protective order. Though this court process can offer a path to a court order that will hopefully cause the offender to cease their stalking behavior, it can be hard on victims as well. Any person who petitions the court for a stalking order will have to attend at least two court hearings. The offender will be present at one of these hearings, and will be able to cross examine witnesses, including the victim. It is important for victims who are seeking a stalking protective order to get legal advice and possible representation if it is available.

Victims of both domestic violence and stalking often are overwhelmed by fear and uncertainty due to their offender's actions. With the help of domestic violence advocates and attorneys who can help explain the possible legal recourse against their offender, these victims may no longer feel fear, but feel empowered that there are options for dealing with stalking behavior.

References:

[1] Matthew J. Breiding et al., "[Prevalence and Characteristics of Sexual Violence, Stalking, and Intimate Partner Violence Victimization – National Intimate Partner and Sexual Violence Survey, United States, 2011](#)", *Centers for Disease Control and Prevention Morbidity and Mortality Weekly Report*, Vol. 63, No. 8 (2014): 7 [2] Katrina Baum et al., (2009). "Stalking Victimization in the United States," (Washington, DC:BJS, 2009). [3] Id. [4] See Baum et al., (2009). See Also: Eric Blauuw et al. "[The Toll of Stalking](#)," *Journal of Interpersonal Violence* 17, no. 1(2002):50-63. [5] Baum, 6. [6] Id at 7. [7] ORS 163.732. [8] ORS 30.866(1). [9] ORS 30.866

RECENT OCVLC CASE SUMMARIES

OCVLC has been busy the last few months representing victims throughout the state. Here are some brief summaries of some of the cases we've worked on:

OCVLC was contacted by a victim of domestic violence who was seeking protection after her abuser assaulted and strangled her, and then repeatedly violated orders of no contact imposed by the court in his criminal case - including communicating with the victim through a divorce case he filed. The defendant had recently pleaded guilty to the criminal charges but was still contesting the civil restraining order the victim had obtained against him. OCVLC represented the victim at her contested restraining order hearing, at which the order was upheld by the judge, and then assisted the victim in organizing information and court documents so she could also apply for a stalking order. OCVLC's attorney represented the victim at the hearing on her stalking order as well, and a permanent stalking order was imposed by the judge.

An elderly victim of stalking contacted OCVLC after being referred from the Sheriff's office about a situation where a man she had known previously was stalking her and sending her disturbing letters. OCVLC met with the victim and counseled her on her legal options, including the option of citing this person with a stalking citation in order to obtain a permanent stalking order. The victim opted to have the man cited by the Sheriff's office, and OCVLC's attorney prepared her for the court hearing and represented her at that hearing. After hearing testimony from the victim, the judge upheld the permanent stalking order.

OCVLC represented the victim of a sexual assault who was being repeatedly contacted by the defendant's attorney to request an interview. The victim had asserted her constitutional and statutory right to refuse a defense interview request, but was still being contacted by a defense investigator. The OCVLC attorney contacted the defense attorney to let him know that the victim had asserted her right to refuse an interview and did not want to be contacted by the defense attorney or an investigator. The defense attorney agreed to stop the contact. The OCVLC attorney then assisted the victim as the case moved through the criminal justice system, assuring that the victim understood her rights, that she received notification of critical stage hearings from the district attorney's office, and making sure her right to protection was honored in bail release hearings. The defendant eventually pleaded guilty after the victim was consulted by the prosecutor about the plea negotiations.

A victim contacted OCVLC after she filed a restraining order against her ex-boyfriend, who was stalking her both online and in person by following her in his car, texting her nonstop, and waiting outside her place of work. OCVLC's attorney assisted the victim in preparing for the contested restraining order hearing, including gathering voluminous evidence in the form of texts and emails. The OCVLC attorney also assisted the victim in filing a police report. Ultimately the preparation and discovery motions filed by the OCVLC attorney on the case prompted the respondent to withdraw his objection to the restraining order, which remained in place, protecting the victim without her ever having to testify in front of her abuser in court. OCVLC's attorney also directed the victim to various resources to help her protect her online accounts from further intrusion by the respondent.

OCVLC represented two victims in contested restraining order matters that were directly related to open criminal cases in Washington County. In both cases, OCVLC represented the victims in the restraining order matters as well as helped the victims navigate the ongoing criminal proceedings. OCVLC attended the plea and sentencing hearings with the victims and helped advocate for global resolutions of the criminal and civil proceedings. In one of the cases, the defendant admitted to assaulting the victim, entered into a deferred sentencing program, and withdrew his request to contest the restraining order matter as part of the negotiations in the criminal case.

OCVLC represented a victim filing for a stalking protective order after the offender had violated a Family Abuse Prevention Act restraining order countless times. OCVLC provided advocacy during the stalking order petition phase and later provided legal representation at the permanent stalking protective order hearing. At the hearing, both parties had legal representation. Upon hearing testimony that the offender had remained outside the victim's home late at night, left flowers on the victim's car, and had repeatedly contacted family members, the court ordered that the stalking protective order continue for an unlimited duration.

WHAT OUR CLIENTS ARE SAYING ABOUT OCVLC'S SERVICES:

"I am completely and overwhelmingly happy and satisfied. Thank you so so much. Could not have kept my daughter safe without your help!"

"[Our attorney] was patient with our many questions and concerns and was able to explain the process to us so that we could understand. She really was able to bridge the gap between us and the prosecutor on so many levels. We were able to relax a little knowing she was taking care of us."

"I felt that, due to the excellent representation by [my attorney], the judge really heard my story and therefore took the necessary and appropriate steps to protect myself and my child."

"It was incredibly helpful to feel like a solid team; I would not have had the stamina to see this case through to its conclusion without their steady guidance and support."

"I am very satisfied with how I was treated. The communication was very professional and made me feel that my case was taken seriously."

"I felt that [my attorney] was immediately on the case. I felt safe and secure throughout the process."

"WE FEEL OCVLC WENT ABOVE AND BEYOND."

"I was always treated with respect and dignity. [My attorney] did an incredible job of clearly communicating all of the steps along the way, so I knew what to expect and what the possible outcomes could be."



ADVOCATING FOR VICTIMS OF ABUSE DURING DOMESTIC VIOLENCE AWARENESS MONTH

By Amanda Burnett, Victim Advocate

Domestic violence is one of the most pervasive and enduring issues facing Oregonians. In the United States 1 in 4 women and 1 in 7 men over the age of 18 have been victims of physical violence by an intimate partner. October is Domestic Violence Awareness month and it offers us all an opportunity to make a difference in the lives of victims.

What can you do for victims in your community?

- **Donate.** Shelters are always in need of goods like diapers, canned food and clothing, and organizations like the [Center Against Rape & Domestic Violence](#) take donated cellphones and turn them into 911 phones for victims. Financial donations are welcome at agencies providing domestic violence services throughout the state.
- **Wear purple on Thursday, October 19th.** To show solidarity with victims and survivors.
- **Volunteer.** For a list of organizations providing domestic violence services across the state visit [the Oregon Coalition Against Domestic & Sexual Violence](#).
- **Get active on social media.** Check out the hashtags associated with DV Awareness Month and share what you've learned with your friends and followers. [#DVAM2017](#)
- **Start a conversation.** Talk to the people in your life about domestic violence and healthy relationships.
- **Educate yourself.** Learn the warning signs of domestic violence, research local organizations and services, and familiarize yourself with common myths about domestic violence.
- **Foster a pet.** Survivors are often forced to give up beloved family pets in order to qualify for temporary housing/shelter. Fostering a victim's pet can remove a barrier to the victim leaving.
- **Organize an event.** From a donation drive to a candlelight vigil, there are endless possibilities to make a difference.
- **Interrupt misinformation.** Counter domestic violence myths when you come across them, for example: there is no one type of victim and the solution to domestic violence is not as simple as telling victims to leave.
- **Ask how you can help.** Reach out to local service providers and ask how you can help.

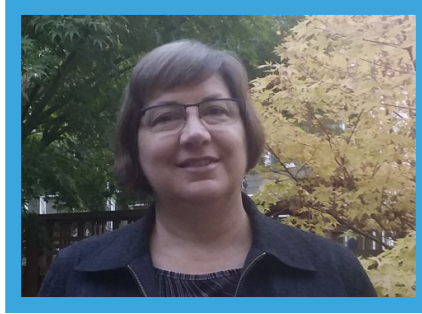
What can you do if someone you know is experiencing abuse in their relationship?

- **Listen without judgment.** Victims need a non-judgmental person to speak with about their experiences and concerns. Listen to the person and make them feel heard. Don't immediately offer solutions or judge their choices.
- **Believe.** Take abuse seriously and believe the victim, there are few words more powerful and healing than "I believe you."
- **Support.** Ask what you can do to help rather than making assumptions, and support their right to make their own choices.
- **Be Patient.** It's very common for victims to make multiple attempts to leave before they are actually able to end the relationship. Continue to support victims after they leave and be understanding if they choose not to leave.
- **Acknowledge.** Remind the victim that they are brave and strong for coming forward with their experience. Make sure they know that they do not deserve abusive treatment and that the abuse is not their fault.
- **Offer, but stay safe.** From opening your home to providing transportation to simply being a reliable friend, it is all appreciated. However, there are safety risks to well-meaning friends and family who seek to help a victim leave an abusive relationship. Contact your local DV shelter or hotline to ask about how to make a safety plan for yourself as well as for the victim.
- **Advocate.** Reach out to local resources and gather useful information so you can be a good resource and advocate for the victim if necessary.
- **Communicate.** Continually reinforce that you are there, you care and you will keep their confidence as long as they need you to do so. 5

NEW STAFF MEMBER

PAM MADAUS – FINANCE DIRECTOR

The staff and Board of OCVLC welcome Pam Madaus as our new Finance Manager. Pam comes to OCVLC with over 10 years experience in non-profit management and accounting, mostly recently she was the Business Manager for the Washington County Museum. Originally from Kansas, Pam, her husband Will, and their daughter Rebekah moved to Portland six years ago. Will is a software engineer with Nike and Rebekah is a high school junior. Pam serves on the Board of Directors of App Camp for Girls and Friends of Lincoln. In addition to volunteering, Pam enjoys camping, reading mystery novels, baking anything chocolate and enjoying Will's excellent BBQ.



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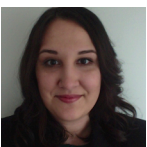
ROSEMARY BREWER
Executive Director



MELANIE KEBLER
Senior Staff Attorney



NELLY WRIGHT
Staff Attorney



YAZMIN WADIA
Staff Attorney



AMANDA BURNETT
Victim Advocate and Administrative Specialist



WE SERVE OREGON

We serve clients across the state and we are looking for more referrals from outside the greater Portland area. Please contact us to refer a crime victim who may benefit from our services, or if you are an attorney interesting in volunteering to provide pro bono legal services to victims.

HOW TO CONTACT OCVLC

Phone: 503-208-8160

Email: info@ocvlc.org

Fax: 1-866-838-4142



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Mt. Hood as seen from Clear Lake.
Photo by Melanie Kebler.

**YOUR
DONATION
HELPS
CRIME
VICTIMS**

OCVLC is a 501(c)(3) non-profit organization funded by grants and private donations. All of our legal services are offered at no cost to the crime victims we serve. By donating to OCVLC, you can make a huge difference in the life of a crime victim.

[Click here to donate](#)