

# 2010

## State Law Report Card



## Oregon

### Access to Protective Orders

In Oregon, minors can obtain Protective Orders (POs),<sup>1</sup> but the law prohibits POs against minor abusers.<sup>2</sup> Oregon also allows people in sexual relationships to seek POs against their abusers.<sup>3</sup>

### Procedure

State law allows minors to petition for a PO on their own behalf;<sup>4</sup> however, the law does not specify the age at which a minor may do so. Oregon law also fails to specify who else may file on the minor's behalf. Oregon law does not specify whether the parent or guardian of the minor will be notified about the PO.

### Definition of Abuse

A judge may issue a PO if the respondent has physically abused, threatened to physically abuse or sexually abused the petitioner.<sup>5</sup> The statute fails to explicitly recognize stalking and harassment as qualifications for relief. The statute may recognize other forms of abuse not specifically listed here.

### Relief Available

The court may order<sup>6</sup> the respondent to:

- stay away from the petitioner;
- vacate the petitioner's residence;
- comply with a custody/visitation schedule;
- pay child support;
- participate in a counseling or batterers' intervention program; and/or
- other relief within the court's discretion.

The statute may allow other forms of relief not specifically listed here and may cover individuals other than the petitioner.

### Minors' Access to Sensitive Services<sup>7,8</sup>

All minors can consent to:

- Contraceptive services
- HIV/STI testing and treatment
- Prenatal care\*

\*Applies only to a minor 15 or older.

Physicians may inform a minor's parents.

### School Response to Dating Violence

Oregon law does not provide for a school response to dating violence.

### Recommendations for Immediate Policy Change

In order to improve Oregon's response to teen dating violence, the following changes are recommended:

- Specify the age at which a minor can petition for POs on their own behalf.
- Allow courts to issue POs against minors.
- Explicitly allow individuals in dating relationships to access POs.
- Allow victims of intimate partner stalking and harassment to access POs.

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A graphic in the top right corner features a blue background. On the left, there is a yellow outline of the state of Oregon. Overlapping the top right corner of the Oregon map is a red circle containing a white letter 'D'. To the right of the Oregon map, the word 'Oregon' is written in a bold, black, sans-serif font.

**Oregon**

### References

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<sup>1</sup> OR. REV. STAT. § 107.726(1) (2009).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.* § 107.705(3)(e). Oregon defines a sexual relationship as “[p]ersons who have been involved in a sexually intimate relationship with each other within two years immediately preceding the filing by one of them of a petition” for a Protective Order.

<sup>4</sup> *Id.* § 107.726.

<sup>5</sup> *Id.* § 107.705(1).

<sup>6</sup> *Id.* § 107.718.

<sup>7</sup> Guttmacher Institute, An overview of minors’ consent law, *State Policies in Brief*, New York: Guttmacher Institute, 2009, [http://www.guttmacher.org/statecenter/spibs/spib\\_OMCL.pdf](http://www.guttmacher.org/statecenter/spibs/spib_OMCL.pdf), accessed December 1, 2009.

<sup>8</sup> Guttmacher Institute, Minors’ Access to STI Services, *State Policies in Brief*, New York: Guttmacher Institute, 2009, [http://www.guttmacher.org/statecenter/spibs/spib\\_MASS.pdf](http://www.guttmacher.org/statecenter/spibs/spib_MASS.pdf), accessed December 1, 2009.

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Empowering Youth to End  
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