

# SCORECARD

REPORT CARD OREGON | 2020

Final Score  
**73%**Final Grade  
**B-****13 7 7 7 4 3**

19 10 10 7 4 6

## SCORECARD TOPLINES

Marriage is permitted for minors at 17 years of age with parental consent. Judicial approval is not required for child marriage. Lowest age of consent for sexual contact is 12 years of age. Does not specifically require consent to be freely given or given by affirmative consent. Does not explicitly account for a person's intoxication impacting their ability to consent but it may be considered. Does not criminalize interference with religious worship. Does not have a penalty enhancement for crimes motivated by political affiliation or age. The statute of limitations for the most serious felony sex crime is 11-20 years. The statute of limitations has not been eliminated for all felony sex crimes.

## Child Marriage

The age of consent for marriage is generally 18 years of age. Marriage is permitted for minors at 17 years of age with parental consent. Judicial approval is not required for child marriage. No lower age limit is permitted because a minor is pregnant, has been married previously, or if the individuals are active members of the armed forces. No gender difference exists in the lowest age limit allowed.

## Consent to Sexual Contact

The lowest age of consent for sexual contact is 12 years of age. The law does not account for a difference in age between the individuals engaging in sexual contact. The law does not specifically require consent to be freely given or given by affirmative consent. The law accounts for a person's developmental disability or mental capacity, consciousness, and the relationship between a victim and perpetrator impacting their ability to consent. The law does not explicitly account for a person's intoxication impacting their ability to consent but it may be considered.

## Discrimination & Hate Crimes

The state does have a hate crimes law and requires data collection on hate crimes. The state does not criminalize interference with religious worship. The state does have a penalty enhancement for crimes or an independent crime for crimes motivated by race, religion, or ethnicity. The state does have a penalty enhancement for crimes motivated by sexual orientation, gender, or disability. The

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state does have a penalty enhancement for crimes or an independent crime for crimes motivated by gender identity. The state does not have a penalty enhancement for crimes motivated by political affiliation or age.

## Rape Kit Processing



The state has conducted an inventory of untested rape kits and the inventory is recurring. Testing of the backlog of untested rape kits has occurred through nonlegislative action. Mandatory testing of new rape kits is required to occur. A rape kit tracking system has been implemented through legislative action. A survivor's right to notice does exist. The state has provided funding for rape kit handling reform.

## Spousal Rape



The state does not treat rape of a spouse differently than rape of an individual who is not a spouse of the perpetrator. The state does allow for conviction of a spouse for raping their partner if the partner is unconscious, drugged, or otherwise incapacitated. An exemption for spousal rape does not exist under laws criminalizing statutory rape. An exemption for spousal rape or unwanted sexual contact does not exist under laws criminalizing sexual contact between people with a supervisory relationship.

## Statute of Limitations for Sexual Crimes



The state does not have a reduced statute of limitations for criminal prosecution if a victim chooses not to report or delays reporting the crime. The statute of limitations for the most serious felony sex crime is 11-20 years. The statute of limitations has not been eliminated for all felony sex crimes. Exceptions to the statute of limitations do exist for DNA evidence. If DNA evidence identifies a suspect after the statute of limitations has expired, then the statute of limitations can change. For 3rd degree felonies, 2 years can be added from the date DNA was discovered. For 2nd degree felonies, the statute of limitations becomes 25 years from the date the crime was committed. For 1st degree felonies, the statute of limitations is eliminated.