

February 1, 2023

<Senate Committee on Judiciary>

<Re: Support Senate Bill 605>

Chair Prozanski, Vice Chair Thatcher, and Members of the Committee,

My name is Hannah Figueroa Velázquez and I am from Tigard, Oregon. I was a 2022 graduate from Tualatin High School and am now a first-year student at Yale University studying History.

When I was a freshman at Tualatin High School, I had many friends come to me in a difficult yet common situation: they had sent “nudes” to someone they trusted and after a falling out between them and the recipient, the photos were soon spread across social media platforms such as Snapchat and Instagram. Instantly, my response was to encourage them to report what had happened to them to the police, but I was met with the same rhetoric that had been ingrained into our brains in Health Class- Because they sent the nudes as a minor, even though it was consensual, they had broken Oregon law, and more specifically, they had committed a Class B felony. Oftentimes, they regretted ever sending it in the first place. They were young, caught up in the heat of the moment, and weren’t thinking about the consequences. For many teens in Oregon right now, a mistake at 15 or 16 can have a lasting impact on their futures.

Ideally, minors would not send sexually explicit content to other minors. But, as I, and many other students have seen, this is simply not the case. I believe that when these instances of teen sexting do occur, both parties should feel empowered and protected when voicing any concerns they may have without fearing severe punitive backlash. Programs of sexual education are put in place to teach kids about the harm that can come from sending nudes, but investing in prevention is not enough. We must also foster a safe space for teens to ask questions, come to adults for help, and learn from their mistakes rather than be penalized for them.

Now, as a college student, I have taken the time to reflect with some of these same friends and have had important conversations about how much they’ve changed since high school. They look back at some of their past choices and may feel regret or embarrassment, but above all, they wish they would have had more support. They wish they could have gone to a trusted adult without feeling the pressure of a potential criminal record weighing heavy on their minds. Talking about teen sexting can be uncomfortable, but if adults aren’t willing to engage in conversation, this leaves vulnerable adolescents to tackle these mature, complex situations alone. The more we sweep the issue under the rug instead of recognizing teen sexting for the reality that it is, the more harm we are causing to our youth.

Oregon law currently makes no distinction between minor experimental sexting and aggravated sexting. This means that instances of teen sexting that involve abuse or coercion are treated with the same severity as those which occurred consensually. As a result, adolescents like my friends who had their private content distributed against their will could be prosecuted with the same charges as their assailant. This discourages victims of revenge porn from coming forward and asking for help when they need it most. In my eyes, justice means ensuring that victims are cared for and protected under Oregon law, not further retraumatizing and shaming them into silence.

For all these reasons, I support Senate Bill 605. The efforts of this bill are entirely youth-led and therefore reflect the experiences of teens everywhere who feel unseen by current Oregon laws. This is a call to action for all Oregonians who wish to adjust to this new era of technology that complicates the way we define interpersonal relationships, especially among minors. I urge you to pass Senate Bill 605.

Sincerely,

Hannah Figueroa Velázquez