



VIA ONLINE SUBMISSION ONLY

February 7, 2023

Re: Support for House Bill 4146

Dear Chair Kropf, Vice-Chairs Andersen and Wallan, and members of the House Judiciary Committee:

I submit this letter on behalf of the National Crime Victim Law Institute (NCVLI) in support of House Bill 4146. The modest but critical changes proposed will ensure that Oregon's dissemination of intimate images law can fulfill its purpose of protecting victims and improving their access to justice.

NCVLI is a nonprofit legal education and advocacy organization based at Lewis & Clark Law School, where I am also a Clinical Professor of Law. NCVLI works in Oregon and across the country to promote victims' rights and victims' voices in justice systems through crime victim-centered legal advocacy, education, and resource sharing. NCVLI routinely participates in public policy discussions, trains on victims' rights, and joins state, federal and military cases as amicus curiae when critical victims' rights issues are being determined.

HB 4146 contains a critical fix to the law. The proposal would remove the requirement that a victim be "identifiable" within an image, and instead recognize that identification can be achieved through context. This change not only reflects reality (e.g., particularly in small communities one's identity is often readily determinable from context not just clear images), but also allows the law to better fulfill its original vision of increasing protections for victims of these crimes.

In further recognition of the needs of crime victims, HB 4146 would allow survivors of domestic violence and elder abuse to file for a restraining order in the county where the abuse took place rather than just the county where the petitioner or the respondent reside. This simple addition of a venue option may be critical for some survivors, and opening more doors to access our justice system is a net positive.

I thank the Committee for its consideration of HB 4146.

Sincerely,

Meg Garvin, MA, JD, MsT
Executive Director