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We believe that everyone deserves to live a life free from violence.

Re: Support for HB 4146A

Dear Chair Prozanski, Vice-Chair Thatcher, and members of the Senate Judiciary Committee,

My name is Emmy Ritter. I am Executive Director of Raphael House of Portland and I am submitting this testimony to urge your support of HB 4146A, the 2024 Victim Rights Policy Package. Raphael House of Portland is a domestic violence organization which provides safety and support services for survivors of domestic violence and has done so since 1977. Besides providing a confidential emergency shelter we have many wrap around services intended to help survivors establish safety and stability in the wake of violence and abuse. Our high school based prevention education program works upstream in order to prevent abuse from happening in the first place by teaching students and school communities about equitable relationships, consent, prevention and safety when faced with dating and domestic violence.

This bill proposes to increase safety and protections for survivors in two ways:

1. Close a loophole in the statute that prohibits the unlawful dissemination of sexually explicit images
2. Close a gap in venue filing options for certain restraining orders

I particularly want to focus on the importance of closing the loophole in what has been known as the “revenge porn” statute. Under current law, Oregon statute requires that victims of revenge porn be “identifiable” in the explicit photos shared of them, using the photos alone. This has led to instances where courts cannot convict perpetrators because the victims were not obviously identifiable in the photos, even when contextual facts would establish that the photos were of the victim.

The advocates working in our local high schools have supported many students who have been victim to an abusive dating partner who has used explicit photos of them as means of control and isolation. School communities are small and students do not need an ‘identifiable’ photo to know who is the subject in these victimizing photos.

HB 4146A closes this loophole in the current law, removing the requirement that the photo be identifiable as the victim without any context, and ensuring that contextual facts can be used to establish that the photo is of the victim. The bill does not alter any other evidentiary requirements of the current law.

The harms from unlawful dissemination of sexually explicit images are unique to each victim and can be severe. The isolation, both self-imposed and externally imposed (bullying, rejection etc.) can be devastating to young people. In addition to affecting a positive academic trajectory can affect a young person's mental health and can lead to self-harm and suicide.

Closing the loophole in the current law is a simple and common sense solution to a serious problem that is causing significant harm to survivors of revenge porn. This solution is in keeping with the spirit of the original law's intent, and I urge your support.

We also support the bill's addition of the option for survivors of domestic violence and elder abuse to file for a restraining order in the county where the abuse took place. While current law allows for the filing of a petition in the county where the petitioner or the respondent reside, adding the option of filing where the abuse took place could increase access to safety for some survivors. This change does not alter any current provisions or requirements of the statute, but merely adds this filing venue option. This will impact a very few cases, but in those cases, the impact could be significant.

Thank you for your time and consideration of this important bill protecting survivors and our community as a whole.

Sincerely,



Emmy Ritter, LCSW  
Executive Director  
Raphael House of Portland