



Oregon Crime Victims Law Center

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Re: Support for HB 4146A

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

On behalf of the Oregon Crime Victims Law Center, I am submitting this testimony in support of House Bill 4146, which refines Oregon's dissemination of intimate images law to increase protections for victims. OCVLC fully supports HB 4146A as an important technical fix, which will allow courts to better implement justice on behalf of victims.

OCVLC is a nonprofit organization that provides free legal representation and advocacy to crime victims throughout Oregon. While we represent victims of all crimes, the majority of our clients are victims of domestic violence and/or sexual assault. We regularly see the impact these crimes have on victims, with long-lasting trauma that effects nearly every aspect of a victim's life. Privacy and protection are two of the greatest areas of concern for these victims as they try to recover from the crimes against them.

There are two important concerns addressed in HB 4146A. First, the bill refines the requirements for prosecuting the crime of illegal dissemination of intimate images, ORS 163.472, removing the requirement that the victim be "identifiable," using photos alone. This language has prohibited prosecutors from charging cases in which the victim is identifiable through context or other factors, denying victims their right to seek justice. It is not uncommon for victim of these crimes to be identifiable in their community through contextual clues in the photos. The requirement of "identifiable" however does not allow for these cases to proceed. Removing "identifiable" from the text of the statute would allow more victims of this crime to seek justice, as well as obtain the privacy and protection they need. Victims of this crime suffer significant harms, including a fear of being in public and not knowing who may have seen these images. Allowing prosecution in cases where the victim is identifiable through context would give victims greater protection and ultimately, justice.

The second issue addressed in HB 4146A would allow 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 this third option 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.

HB 4146A improves access to critical protection for Oregon's victims. Thank you for your consideration.

Sincerely,

Rosemary W. Brewer
Executive Director