



February 26, 2024

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

My name is Vanessa Timmons, Executive Director of the Oregon Coalition against Domestic and Sexual Violence, and I am submitting this testimony to urge your support of HB 4146A, the 2024 Victim Rights Policy Package. OCADSV was founded in 1978 and its membership is comprised of community-based organizations and tribal nation service providers that support survivors of domestic and sexual violence, stalking and trafficking.

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 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.

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 the individual. The implicit privacy of one’s intimate self is ruptured at the most fundamental level, causing persistent feelings of shame and stress, eroding self-esteem and sense of safety. People of any age or background can be impacted, however minors, women, BIPOC, queer, and disabled people are often targeted. Social repercussions (such as victim blaming, harassment, threats, and further abuse) from the perpetrator, classmates, coworkers, supervisors, spiritual communities, friends and family, and even strangers in some cases- compounds existing trauma and increases the duration and intensity of the traumatizing event, forcing the individual to experience new and recurring humiliation.

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 work on behalf of Oregonians.

Sincerely,

A handwritten signature in blue ink that reads "Vanessa Timmons". The signature is fluid and cursive, written over the printed name.

Vanessa Timmons, Executive Director
Oregon Coalition against Domestic and Sexual Violence