

Enrolled
Senate Bill 993

Sponsored by COMMITTEE ON JUDICIARY

CHAPTER

AN ACT

Relating to the release of booking photos; amending ORS 133.870; and prescribing an effective date.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 133.870 is amended to read:

133.870. (1) Notwithstanding ORS 192.311 to 192.478, a law enforcement agency may not release a booking photo except as provided in subsection (2) of this section.

(2) A law enforcement agency may release a booking photo described in subsection (1) of this section:

- (a) To the person depicted in the booking photo;
- (b) To another law enforcement agency, or to a law enforcement officer employed by another law enforcement agency, for a law enforcement purpose;
- (c) To the public, if the law enforcement agency determines that there is a law enforcement purpose for the release, including but not limited to assistance with the apprehension of a fugitive or a suspect in a criminal investigation, or the identification of additional criminal activity;
- (d) To a state mental hospital upon the admission to the hospital of the person depicted in the booking photo;
- (e) To a party in a criminal proceeding resulting from the arrest during which the booking photo was obtained;
- (f) To the victim of the offense for which the person depicted in the booking photo was arrested;
- (g) To the court, if the booking photo is part of a pretrial release report or is provided to the court as part of the pretrial release process for the purposes of confirming the identity of a defendant; [or]

(h) To an investigator licensed under ORS 703.430; or

[(h)] (i) Upon the conviction of the person depicted in the booking photo, if the conviction results from the arrest during which the booking photo was obtained.

(3) As used in this section:

(a) "Booking photo" means a photograph of a person taken by a law enforcement agency for identification purposes when the person is booked into custody.

(b) "Law enforcement agency" has the meaning given that term in ORS 131.915.

(c) "Law enforcement officer" means an officer, deputy, member or employee of a law enforcement agency.

SECTION 2. This 2025 Act takes effect on the 91st day after the date on which the 2025 regular session of the Eighty-third Legislative Assembly adjourns sine die.

Passed by Senate March 18, 2025

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Obadiah Rutledge, Secretary of Senate

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Rob Wagner, President of Senate

Passed by House May 5, 2025

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Julie Fahey, Speaker of House

Received by Governor:

.....M,....., 2025

Approved:

.....M,....., 2025

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Tina Kotek, Governor

Filed in Office of Secretary of State:

.....M,....., 2025

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Tobias Read, Secretary of State