

Senate Bill 993

Sponsored by COMMITTEE ON JUDICIARY

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**. The statement includes a measure digest written in compliance with applicable readability standards.

Digest: The Act lets police agencies release booking photos to licensed PIs. The Act takes effect on the 91st day after sine die. (Flesch Readability Score: 72.6).

Authorizes law enforcement agencies to release booking photos to licensed private investigators. Takes effect on the 91st day following adjournment sine die.

A BILL FOR AN ACT

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

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

3 **SECTION 1.** ORS 133.870 is amended to read:

4 133.870. (1) Notwithstanding ORS 192.311 to 192.478, a law enforcement agency may not release
5 a booking photo except as provided in subsection (2) of this section.

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

8 (a) To the person depicted in the booking photo;

9 (b) To another law enforcement agency, or to a law enforcement officer employed by another
10 law enforcement agency, for a law enforcement purpose;

11 (c) To the public, if the law enforcement agency determines that there is a law enforcement
12 purpose for the release, including but not limited to assistance with the apprehension of a fugitive
13 or a suspect in a criminal investigation, or the identification of additional criminal activity;

14 (d) To a state mental hospital upon the admission to the hospital of the person depicted in the
15 booking photo;

16 (e) To a party in a criminal proceeding resulting from the arrest during which the booking photo
17 was obtained;

18 (f) To the victim of the offense for which the person depicted in the booking photo was arrested;

19 (g) To the court, if the booking photo is part of a pretrial release report or is provided to the
20 court as part of the pretrial release process for the purposes of confirming the identity of a de-
21 fendant; *[or]*

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

23 *[(h)]* (i) Upon the conviction of the person depicted in the booking photo, if the conviction re-
24 sults from the arrest during which the booking photo was obtained.

25 (3) As used in this section:

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

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

29 (c) "Law enforcement officer" means an officer, deputy, member or employee of a law enforce-
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NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 ment agency.

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

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