



OREGON DEPARTMENT OF JUSTICE

TO: House Committee on Judiciary

FROM: Leslie Wu, Policy Advisor to Attorney General Rayfield, Oregon Department of Justice

DATE: 2/26/2025

SUBJECT: Testimony on HB 2299

The Oregon Department of Justice has been pleased to engage in feedback that has led to HB 2299, which updates Oregon’s unlawful dissemination of intimate images laws under ORS 163.472 to include deepfake intimate content.

ORS 163.472, sometimes referred to as Oregon’s “revenge porn” statute, was originally enacted in through SB 188 (2015) and criminalized the non-consensual dissemination, through an internet website, of an intimate image with intent to harass the victim, so long as the dissemination actually harassed or caused injury to the victim. The law was amended in 2019 and 2024. The current definition of an “image” under the law includes only actual photos of the victim, as opposed to deepfake intimate images. HB 2299 would expand the definition of an “image” to include visual reproductions and any “digitally created, manipulated, or altered depiction that is reasonably realistic.” The bill does not disturb the existing law’s focus on the effects of dissemination—namely, to harass, humiliate, or cause injury to a victim, which helps to insulate the law from constitutional challenge under Article I, Section 8.

Deepfake intimate content is especially harmful to children and is increasingly used online in “sextortion” schemes, where a person threatens to distribute a deepfake image unless their victim agrees to demands for actual intimate images, sexual favors, or money. In the last

Leslie Wu, Policy Advisor
Leslie.wu@doj.oregon.gov
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four years, Oregon Department of Justice's Internet Crimes Against Children (ICAC) task force has seen an 857% increase in child solicitation and "sextortion" tips, from nearly 200 tips in 2020 to almost 2000 tips last year. The expanded definition of "image" in HB 2299 will help to address this growing area of concern.

Leslie Wu

Leslie.wu@doj.oregon.gov