



OREGONLIVE

**The Oregonian**

OREGONIAN MEDIA GROUP

May 8, 2025

Sen. Prozanski/Members  
Oregon State Senate Committee on Judiciary  
Salem, Oregon

Chair Prozanski and Members of the committee:

I am the editor of The Oregonian and its website, OregonLive. We publish a print newspaper, an online newspaper and a news website.

I have worked in Oregon journalism for 42 years and for much of that time handled requests for correction and retraction from the public. Our existing retraction statute works very well.

House Bill 3564 as currently written is unworkable. It should be rejected in its current form.

First, Oregon's current retraction statute is considered one of the best in the country. It balances the rights of those who feel they have been defamed against the freedom of the press and gives a clear path to resolution and correction of errors.

Contrary to some written testimony in support, this bill does not establish a path for correction or retraction. That already exists in Oregon and has since the 1950s.

Journalism is a human endeavor, and mistakes will occur. The vast majority of journalists want to – and do -- correct errors of fact quickly and thoroughly.

While the Oregon Newspaper Publishers Association worked to amend the most egregious problems with the proposed bill, many serious problems remain unaddressed, in my view.

Most important, the bill gives internally inconsistent and contradictory instructions to publishers.

HB3564, as before you in the -2 amendment, says: "... (T)he publisher shall publish the correction or retraction in the first issue thereafter made."

However, the text also includes completely contradictory direction that the retraction “must be published in substantially as conspicuous a manner as the defamatory statement.”

The Sunday newspaper is much more conspicuous than the Tuesday newspaper.

A print edition is much more conspicuous than an online edition (The Oregonian publishes in print four days a week and online seven days a week).

So does the publisher obey the “substantially as conspicuous” directive or does the publisher place the retraction in the “first issue thereafter made”?

And if the publisher chooses one over the other, in good faith, does that open the publication up to litigation?

The original language (“substantially as conspicuous”) has served the public and the press very well for many decades. It should stand.

A second point: Doubling the time for retraction demands to be issued does not serve the important principle of serving the truth. Why would anyone want to leave potentially inaccurate information published for double the current amount of time?

Again, the current deadline – 20 days – has served the public and the press well since the 1950s. And we all know information now travels more quickly, not more slowly, than it did decades ago.

This bill is a solution in search of a problem.

Last, the bill establishes rules related to “an electronic newspaper,” but it does not include any definition of that term.

As a longtime journalist with deep experience handling retraction and correction requests, I urge you to reject this deeply flawed and confusing bill.

Therese Bottomly  
Editor/Vice President  
The Oregonian/OregonLive