

Chair Prozanski, vice-chair Thatcher and members of the committee:

I'm writing to you today on behalf of the Oregon Legislative Correspondents Association, the group of credentialed statehouse reporters you interact with every day who cover the Legislature and state government. It's unusual — and, frankly, deeply uncomfortable — to weigh in on a bill, as our jobs entail researching and writing about legislation and letting readers, listeners and viewers reach their own conclusions.

But House Bill 3564 could have a chilling effect on reporters' ability to do their jobs, especially as newsroom budgets shrink. This bill would double the amount of time subjects of articles have to demand corrections or retractions from 20 days to 40 days, while leaving just 14 days — two weeks — for publishers to investigate those demands. As journalists, we want to learn about mistakes as soon as possible and quickly correct inaccuracies, and waiting 40 days for someone to hire a lawyer and draft a threatening legal letter doesn't serve the public's interest in receiving accurate information.

Two members of this committee also serve on the Senate Rules Committee and have heard a lot about the dire financial state of journalism in Oregon as it relates to a proposal to require big tech to compensate newsrooms. All of you have experienced the effects of reduced funding, with fewer journalists at the Capitol or covering your hometowns. Unlike the elected officials, companies and agencies that could take advantage of HB 3564, most Oregon news outlets don't have in-house legal counsel or lawyers on retainer — and every dollar spent on an attorney's fee for responding to frivolous demands is a dollar that can't be used for journalists' salaries, public records fees or travel for on-the-ground reporting.

A great risk of this bill is that publishers and editors try to censor or pull back on public service journalism for fear of legal threats and expenses. We're seeing a similar trend at the national level, where behemoths that own news companies are settling lawsuits with the president and signaling to reporters that their employers won't speak truth to power but rather yield to it. Oregon can and should do better.

Please shelve this bill for this session. If lawmakers wish to move ahead with technical updates to state law governing defamation cases and demands for retractions, such as adapting existing law to account for news websites, the better avenue is an interim workgroup with stakeholders who are well-versed in media law.

Best,

Julia Shumway, president, Oregon Legislative Correspondents Association