

Submitter: Andrew DeVigal
On Behalf Of:
Committee: Senate Committee On Judiciary
Measure, Appointment or Topic: HB3564
May 8, 2025

Dear Chair Prozanski and members of the Senate Judiciary Committee,

I write today in strong opposition to House Bill 3564. I do so as a journalism professor at the University of Oregon and as a former journalist who has spent my career committed to strengthening public trust in news through accuracy, transparency, and accountability.

While I support efforts to improve journalism and correct errors when they occur, I believe HB 3564, as currently written, risks doing the opposite, undermining local journalism at a time when it is already in crisis.

Oregon's current retraction statute has long provided a practical and fair path for addressing potential defamation. It balances the public's right to seek redress with the realities of journalistic work, particularly for small and under-resourced newsrooms. This bill disrupts that balance in troubling ways:

- Extending the retraction window from 20 to 40 days doubles the timeline for legal exposure without improving accuracy or public trust. It increases the risk that powerful entities use legal threats to chill important reporting, while small outlets lack the legal or financial resources to respond effectively.
- Contradictory language around how and when retractions must be published introduces confusion rather than clarity. The requirement to publish a correction "in the next issue" while also matching the "conspicuousness" of the original article is vague and opens the door to unnecessary litigation over technicalities.
- The bill lacks specificity around terms such as "electronic newspaper" and fails to address how requests should be submitted or who within a newsroom should receive them—critical omissions that could invite more chaos than reform.

These may seem like technical issues, but they have real consequences: more legal costs, threats to public-interest reporting, and more reasons for journalists, especially those covering sensitive civic matters, to self-censor or walk away from stories that matter.

Instead of passing HB 3564 as-is, I join others in recommending that this proposal be paused and redirected to an interim workgroup. That process would allow thoughtful engagement with working journalists, legal experts, and community stakeholders to

modernize Oregon's retraction law in ways that truly serve the public and the press.

Thank you for the opportunity to share my perspective.

Respectfully,

Andrew DeVigal
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