

Chair Barker and Members of the Judiciary Committee,

My name is Ryan Anfuso and I am a criminal defense attorney in Portland. I came to be involved in this issue when I was informed by a client of mine that he had paid \$100.00 to remove his mug shot from a website only to find that after he did, his image popped up on several other sites – all charging an additional fee for removal. The issue of mug shots online was one that I have encountered with other clients and one that I find to be particularly frustrating for my clients to deal with. I found myself advising this client that he should write the legislature and ask them for help. He was hesitant to attach his name to the issue for fear it would draw additional attention to a situation he already was embarrassed about. So I wrote a letter to Mitch Greenlick myself, and as a result I am here today.

I drafted the first version of HB 3467 because when local law enforcement agencies publish mug shots on the Internet they, perhaps unwittingly, are supporting this industry that charges individuals a fee to remove their mug shot. It can literally cost a person thousands of dollars to clean up their online reputation after an arrest. This isn't right. It is extortion.

At present, local law enforcement agencies may, at their discretion, post mug shots on their local sheriff or county website along with a list of charges for which the individual was arrested. The practice of posting these images is not uniform across Oregon. For example, Multnomah County automatically posts these images, whereas Washington County makes them available only upon request and for a fee (\$4.00) charged to the public for a copy. Because Washington County doesn't post

mug shots, people in Washington County aren't subject to these predatory businesses.

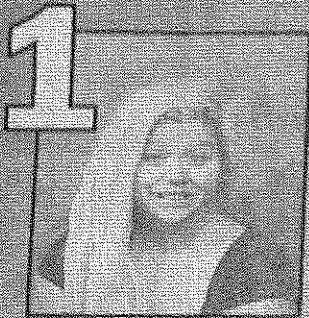
It is important to recognize that often times an individual may be arrested and their case may later be dismissed by means of prosecutor discretion (e.g. no complaint) or by acquittal after trial, etc. Nonetheless, the image of their arrest will exist online. The presence of these online images (records associated with arrest), because of their dissemination on the Internet, can then no longer effectively be sealed as part of the expunction process as laid out in ORS 137.225 et seq.

HB 3467, as written, would eliminate the profit model for these businesses and protect Oregonians from their predatory practice of extorting a fee for removal of these images. This legislation is not aimed at limiting access to information associated with arrested persons, nor is its goal to limit the press' access to images associated with arrest. Rather, this bill represents a necessary measure to protect Oregonians from extortion and to eliminate the current reality that any arrest, regardless of the outcome, remains online forever.

If the practice of posting images associated with arrest online must continue by local law enforcement agencies, HB 3467, as amended would certainly go a long way toward protecting individuals who's charges were dismissed, not charged, or expunged from falling prey to these predatory practices. Nevertheless, I think it would be appropriate for local law enforcement agencies to at least consider the impact that posting images online has on those arrested in their communities.

Ryan Anfuso

WHICH HOT GIRL DUN WHAT?



SARA MANNING



MEGAN GREENWOOD



RACHELLE CARNET



SHAREAINE NAHAUI

CHARGES

- A** MISTREAT ADULT
- B** SELL LIQUOR TO MINOR
- C** BATTERY
- D** ISSUE WORTHLESS CHECK
- E** FRAUD USE OF PERSONAL ID
- F** PETIT THEFT
- G** POSSESS DRUG PARAPHERNALIA
- H** DUI



GINGER DAVIS



JERI LYLE



PAULA LINDSEY



BETHANY YORK

CHECK OUT NEXT WEEK'S
ISSUE FOR ANSWERS



DISCLAIMER
EVERY EFF
WEBSITE
TIMELINES
OTHER INFO
ENFORCE



Wanted

A PRESS
Publish

Mugshots

Blog (118)

Current Events (6.5K)

US Counties (12149K)

FBI Most Wanted (656)

Interpol (858)

Terrorism (76)

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himself last night on charges of child abuse after Clay County deputies said he placed a 13-year-old student in a choke hold. He was ...

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Mugshots.com is a "Google for Mugshots"

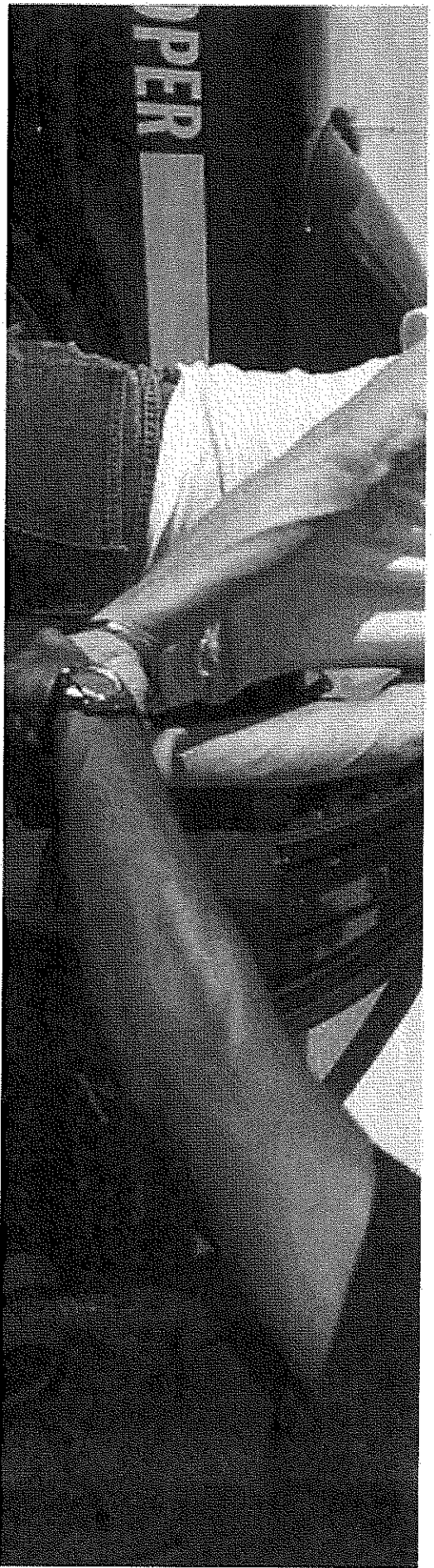
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Unpublish Mugshot

Unpublish (Un-pub-lish): To make a specified and existing published content 'publicly unavailable'

UnpublishArrest.com is an exclusive agent authorized to submit applications to "The Mugshots.com Database" to permanently exclude mugshots/public arrest records from the published Mugshots.com database. Our sole mission is to liaison with The

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