

1 The purpose of my testimony is to strongly support HB 3467. Mug shots posted indefinitely on the internet  
2 amount to a modern day Scarlet Letter - a never ending perp walk only ending when ransoms are paid, which  
3 can easily run well over \$700 to remove even one mug shot from the internet: mugshots.com charges \$399,  
4 Busted charges \$99, Justmugshots charges 138.97, and Pdxmugshots is currently running a \$99 special!<sup>1,2,3,4,5</sup>  
5

6 The public and media outlets will still have access to mug shots with HB 3467. Before the internet, mug shots  
7 were only available by going to the local police station and thumbing through physical photos of arrested  
8 individuals or making individual requests for a particular person as contemplated by HB 3467. In contrast, the  
9 internet allows mug shots to be widely publicized, resulting in the justification for spending tax dollars for  
10 rehabilitating offenders being essentially nullified. Widely publishing mug shots is not in the best interest of  
11 the public when the rehabilitated lack opportunities to move on with their life because they are branded with  
12 a Scarlett Letter.<sup>6</sup>  
13

14 Mugshots.com makes several misinformed claims intended to support their dubious business model.<sup>7</sup> First,  
15 they claim that if they are not allowed to post mug shots (and charge for their removal) that the public will be  
16 less safe since people will not have the ability to identify the riff raff living in their neighborhoods. In reality,  
17 the vast majority of people only look at websites like mugshots.com to derive pleasure at the misfortune of  
18 others. Mugshots.com also suggests that posting mug shots online helps law enforcement keep people safe.  
19 Truth is, the police have many effective tools at their disposal (including their very own mug shot database)  
20 so it is highly unlikely that law enforcement would ever need to engage in research at mugshots.com to solve  
21 a crime.  
22

23 Ironically, mugshots.com cited the fact that the U.S. Marshals Service has on occasion published mug shots  
24 for apprehending dangerous criminals. What they failed to mention was that the agency's policy is to not  
25 release mug shots. In fact, the US Marshalls Service states that mug shots are exempt from FOIA under  
26 Exemption 7(c)'s protections against the invasion of personal privacy.<sup>8</sup> To be clear, publishing mug shots to  
27 apprehend dangerous criminals who are on the loose and doing very bad things is in the interest of public  
28 safety. Posting all mug shots on the internet and leaving them there indefinitely<sup>9</sup>, especially for those who  
29 have completed all of their court ordered requirements and pose no further risk to society, is a huge injustice  
30 which destroys lives and families for years to come.  
31

32 Mugshots.com expressed concern for maintaining public access by suggesting that the interests of society are  
33 best served when the greatest number of people have the opportunity to view mug shots. It would also  
34 appear that the interests of society would be served if updates are made once new information becomes  
35 available. At the very least, mug shots should be removed from the internet for free upon completion of court  
36 ordered requirements. This would incentivize offenders to complete mandated requirements which would  
37 certainly be in the best interests of society.  
38

39 Thank you for considering my testimony.

40 *"God forgives and forgets, but the web never does" - unknown*

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<sup>1</sup> <http://unpublisharrest.com/>

<sup>2</sup> <https://www.bustedmugshots.com/removal/96593771>

<sup>3</sup> <https://www.justmugshots.com/remove-mugshot>

<sup>4</sup> <http://www.removeyourmug.com/remove-mug/>

<sup>5</sup> Reduced from an original price of \$139 to remove one mugshot. Hurry before this amazing offer ends!

<sup>6</sup> That is, until they pay the money to have the mugshot removed

<sup>7</sup> Profiting from photos without permission or compensation is an infringement on publicity rights and can make it difficult for people to find jobs and rent apartments. <http://www.npr.org/blogs/thetwo-way/2012/12/23/167916738/mug-shot-websites-charge-when-youre-charged-for-now>

<sup>8</sup> Exemption 7(C) provides protection for personal information in law enforcement records.

<http://www.justice.gov/oip/exemption7c.htm>

<sup>9</sup> Again, money has to be paid to have the mug shot removed