

**REVENUE: No revenue impact**

**FISCAL: Minimal fiscal impact, no statement issued**

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<b>Action:</b>	Do Pass as Amended and Be Printed Engrossed
<b>Vote:</b>	9 - 0 - 0
<b>Yeas:</b>	Barton, Cameron, Garrett, Hicks, Krieger, Olson, Tomei, Williamson, Barker
<b>Nays:</b>	0
<b>Exc.:</b>	0
<b>Prepared By:</b>	Mike Schmidt, Counsel
<b>Meeting Dates:</b>	4/11, 4/18

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**WHAT THE MEASURE DOES:** Mandates that websites that post mug shots must remove them and all accompanying information when they receive a request in writing from a person who has been acquitted or where charges have been dismissed, or if the crime was reduced to a violation without charging the requesting party a fee for the removal. A party failing to remove the photograph and other information related to the arrest after being formally requested to do so commits an unlawful practice under ORS 646.608.

**ISSUES DISCUSSED:**

- A person who has been cleared of any wrongdoing after an arrest can still be negatively impacted from their mug shot and information that is posted on the internet

**EFFECT OF COMMITTEE AMENDMENT:** Replaces the measure.

**BACKGROUND:** The proliferation of “mug shots” on the internet is becoming big business and hard to stop. It happens whether or not the person is eventually acquitted or even where charges are dropped completely. A person who has been arrested at some point can easily be found on these websites with searches when they are applying for jobs, or are having other routine background checks performed. Some of these internet posting companies will allow removal of the mug shot with a filing charge, but the person paying the charge is likely to find that after they’ve paid one website, their photo pops up on multiple more websites. These companies frequently download mug shots from the internet directly off of the law enforcement websites.