

Senate Judiciary Committee

900 Court Street NE

Salem OR 97301

February 12, 2014

Chair Prozanski, Vice-Chair Close, and Members of the Committee,

I am writing to ask you to adopt the -5 amendment, which would amend ORS 165.540 to enable victims to record evidence of harassment and give that evidence to law enforcement without committing a crime. As a past victim of such harassment, I was deeply concerned to learn that it is currently illegal in the state of Oregon to record an in-person conversation without the consent of both parties of the conversation even during the commission of a harassment crime.

A law abiding citizen should never be criminalized for providing evidence that a crime has been committed against them. A choice-of-evils defense only provides a 50% chance of the desired outcome, and it subjects the victim to a risk of a fine and up to two weeks in jail. The -5 amendment has also been narrowly drafted to avoid unnecessary expansion of police authority.

The current law turns victims into criminals while only benefiting those who would menace, stalk, harass, or coerce. The -5 amendment would protect those who already obey the law and positively contribute to society without placing them in the impossible circumstance of choosing between becoming criminals themselves or providing evidence that a crime has been committed against them. I implore you to weigh the subject heavily and adopt the -5 amendment to protect the law abiding citizens of Oregon.

Sincerely,

Daniel L. Meeks

The Dalles, OR