



SB 1553 (statute of limitations)

Exonerating evidence that degrades over time

The following is a list of tangible items that have proven a sex assault allegation to be false or non-credible. These cases resulted in non-prosecution of charges, dismissal of charges, or acquittal at trial by court or by jury. These documents are inevitably destroyed, erased, lost, mislaid or degrade with the passage of time.

Text messages; Instagram; Facebook; other social media ~ Statements made by purported victim shortly after a sexual encounter that directly contradicts a later accusation of non-consensual sexual activity.

Cell phone records: Leads to witnesses who heard the alleged victim's report of the sexual encounter shortly after its occurrence.

Security video footage: Bars, hotels, entryways to apartments, ATM withdrawals may show that an encounter was consensual as opposed to hostile.

Hotel business records: Can corroborate claim of consensual sexual encounter; in some instances, the existence of a long-time covert sexual affair.

Credit card receipts: Establishes location, time lines, leads to witnesses who can refute nature of the encounter as being hostile.

Emails: Actual words and exchanges between defendant and alleged victim.

School records/ photographs: Establishes attendance records, activities, time-lines.

Letters, notes, artifacts of affection: Example: Valentine card refuting allegation of hostile encounter.

Diaries: Statements of either or both individuals.

Other tangible items: The number and nature of additional tangible "things" is endless.

In addition to the benefit of these tangible items as evidence of themselves, each item can lead to the discovery of exculpatory witnesses. Example: credit card records can lead to hotel clerk who remembers complainant and accused renting a room together on more than one occasion.

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