

OREGON TRIAL LAWYERS ASSOCIATION

319 SW Washington Street, #607

Portland, OR 97204

www.oregontriallawyers.org

503-799-1017

Testimony of Arthur Towers
Senate Bill 508
Before the
House Committee on Judiciary
May 17, 2017

Thank you for the opportunity to testify today. Our members fight for the rights of survivors of loved ones killed through the negligence of others. This includes victims of car crashes and other tragedies that law enforcement might investigate.

We would recommend one small change to the bill. Specifically, the images of the dead body should be made available upon request to the survivors or their legal representative. The images may be vital in proving liability or negligence, and the family should have the right to the images without having to prove that disclosure would not constitute an invasion of privacy. Our proposed change is a common-sense issue, but inclusion of the language should prevent any misinterpretation in the future.

The language could be along these lines and inserted as a new section (2)(c):

Paragraph (2)(b) shall not prohibit the immediate family of the deceased person, the Personal Representative of the estate of the deceased person, or a legal representative of the estate of the deceased person to receive images of a dead body, or parts of a dead body, of the deceased person.