



**DEPARTMENT OF JUSTICE**  
OFFICE OF THE ATTORNEY GENERAL

DATE: May 12, 2021

TO: Chair Prozanski and Members of the Senate Judiciary Committee

FROM: Kimberly McCullough, Legislative Director  
Oregon Department of Justice

SUBJECT: HB 3047 – Doxing

HB 3047 is the result of a collaborative work group convened by Representative Bynum to address numerous concerning incidents where individuals have been doxed. Doxing is the act of publicly revealing identifying information about someone, usually online, with the intent to stalk, harass, or injure the person whose information has been revealed.

We appreciate Representative Bynum’s thoughtful approach in developing this legislation, as well as the other work group participants, as we worked hard to craft legislation which would provide a remedy to victims of doxing while also navigating the free speech rights contained in the First Amendment of the federal Constitution and Article I, section 8 of the Oregon Constitution.

Along those lines, we crafted amendments to HB 3047 which removed the word “humiliated”, added the word “stalk” and a cross reference to the crime of stalking and conduct that would give rise to an action for issuance or violation of a stalking protective order, and added definitions of “injure” and “harass.”

These changes clarify the threshold that must be met in order for an individual to make a claim under this bill. That threshold is met when these actions are taken with the intent to cause someone harm: to stalk, harass or injure the person. Further, the threshold is met if a reasonable person would be stalked, harassed or injured by the disclosure.

Note that this is distinguishable from disclosures are made to comply with a legal obligation or which occur in the usual course of business under federal and state law. For example, this legislation is not intended to interfere with normal general business practices of using and transferring data, like the collection of debt or business that are in compliance with Gramm-Leach Blily Act or Health Insurance Portability and Accountability Act.

Again, we thank Representative Bynum and the work group members for working closely with us to craft this legislation, and we support its passage.

**Contact:**

Kimberly McCullough, Legislative Director, 503-931-0418, [kimberly.mccullough@doj.state.or.us](mailto:kimberly.mccullough@doj.state.or.us)