



256 Warner Milne Road, Oregon City, OR 97045
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February 26, 2024

Re: Victims' Rights Package (HB 4146- A):

Chair Prozanski, Vice-Chair Thatcher, and Members of the Senate Committee on Judiciary,

On behalf of Clackamas Women's Services (CWS), we are pleased to submit testimony in support of the Victims' Rights Package (HB 4146) protecting victims of unlawful dissemination of intimate images and increasing access to protection orders.

The mission of Clackamas Women's Services (CWS) is to break the isolation of domestic and sexual violence. Incorporated in 1985 as Clackamas County's first domestic violence shelter, CWS is a community-based organization providing comprehensive, culturally responsive, and trauma-informed services to survivors of domestic/dating violence, sexual assault, elder and vulnerable adult abuse, human trafficking, exploitation, and stalking.

Unlawful dissemination of intimate images subjects its victims to significant psychological and physical harm, the impacts of which can be severe. The current Oregon statute requires that victims be "identifiable" in the explicit photos shared of them. This has led to instances where courts cannot convict perpetrators because the victims were not identifiable in the photos, even when perpetrators admit that the shared photos were of the victim. With technological advances and the modern-day influence of social media, closing this loophole is critical to protecting the safety of victims and holding perpetrators accountable.

HB 4146A closes this loophole in the current law, removing the requirement that the photo be identifiable as the victim without any context, and ensuring that contextual facts can be used to establish that the photo is of the victim. The bill does not alter any other evidentiary requirements of the current law.

In March 2021, survey carried out by law firm Slater and Gordon of 2,000 people which discovered that more than 40% of those surveyed knew someone who had been a victim of 'revenge porn'. Slater and Gordon said in the survey report that nearly one in 10 people admitted they had shared or threatened to share an explicit image, more than twice the number in 2019.

Image-based abuse, the non-consensual sharing of intimate images, can lead to the same impacts of other forms of sexual violence, including depression, PTSD, and anxiety. It can lead to social isolation and long-term impacts on a survivor/victim's economic, social, and mental well-being.

We also support the bill's addition of the option for survivors of domestic violence and elder abuse to file for a restraining order in the county where the abuse took place. Currently, domestic violence and sexual assault survivors can only file for restraining orders in the counties where they live, or where their abusers live. Supporting this package will allow survivors the option to also file where the abuse occurred. This expansion will protect more survivors of sexual and domestic violence, including in instances such as abuse taking place while the survivor is attending college.

For the above reasons, we hope you will support the Victims' Rights Package (HB 4146) to close the loophole for unlawful dissemination of intimate images and expand access to protective orders. HB 4146 ensures better protection for victims and increased accountability for perpetrators. Thank you for your consideration and for the opportunity to testify.

Sincerely,

A handwritten signature in blue ink, appearing to read "Melissa Erlbaum".

Melissa Erlbaum
Executive Director