

Oregon Legislature takes on sex in a modern world



Hannah Hoffman, Statesman Journal 10:56 p.m. PDT April 2, 2015



(Photo: AFP/Getty Images)

Let's talk about sex.

Someone must have said that to the Oregon Legislature this year because laws surrounding sexual assault and humiliation are ubiquitous in the Capitol this year. So many have been introduced and discussed, it's hard to keep track of them all.

The bills below reflect changing technology and a changing society.

Smartphones and social media have made sharing photos and videos easier than ever before, even ones meant for intimate consumption only. They have also made it far easier to take photos no matter the

circumstances.

At the same time, people have become more open about sexual assault and rape, and society has struggled to define and understand those issues. Political leaders seem to be becoming more aware of legal questions around those issues that need to be addressed.

Here is a sampling of bills related to sex crimes the legislature has tackled this year.

House Bill 2317 (<https://olis.leg.state.or.us/liz/2015R1/Measures/Overview/HB2317>)

Oregon law currently allows sexual assault survivors six years to report the crime. This bill would extend the statute of limitations, but with three proposals on the table, no one has decided what the new limit will be.

Lawmakers have proposed 12 years, 20 years and indefinitely.

It was inspired partly by a woman named Brenda Tracy, who told the Oregonian last year (http://www.oregonlive.com/sports/oregonian/john_canzano/index.ssf/2014/12/canzano_oregonian_investigatio_1.html#incart_story_package) that she had been raped by four Oregon State University football players in 1998. She reported the crime to the university as well, but the statute of limitations had run out, and they were never prosecuted.

The bill had its first public hearing on Wednesday and is scheduled for another on Tuesday.

Senate Bill 188 (<https://olis.leg.state.or.us/liz/2015R1/Measures/Overview/SB188>)

The practice of posting some naked or otherwise explicit photos and videos on social media is known colloquially as "revenge porn." (</story/news/politics/2015/02/10/revenge-porn-become-illegal-oregon/23199431/>) There is currently no law against it unless the subject is under 18 years old, in which case it is child pornography.

SB 188 would create a law against revenge porn, and it was introduced at the request of Attorney General Ellen Rosenblum.



Ellen Rosenblum (Photo: Thomas Patterson / Statesman Jou)

Her legislative director Aaron Knott told the legislature earlier this year that the images involved are usually obtained during the course of a romantic relationship, but after the breakup, they are uploaded to the Internet without the consent of the person depicted.

They often include the person's name, address, workplace, email and social media contact information, Knott said.

"This has the dual effect of exposing the victim to anonymous criticism and harassment via all forms of digital communication, as well as guaranteeing that an Internet search of that person made by any employer, landlord, family member or friend would likely reveal the explicit images," he said.



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(<http://www.statesmanjournal.com/story/news/politics/2015/02/27/revenge-porn-student-data-raise-legal-questions/24097795/>)

The Oregon Senate passed the bill on Feb. 26, but it has been sitting in the House Committee on Judiciary since March 6 and has not been scheduled for a hearing.

House Bill 3476 (<https://olis.leg.state.or.us/liz/2015R1/Measures/Overview/HB3476>)

Right now, a man or woman who reports a sexual assault to his or her university has no guarantee the report and information contained in it will be kept confidential.

This bill would change the law and require universities to consider those reports privileged information. It would apply to people "seeking services related to domestic violence, sexual assault or stalking," and to victim services programs and advocates.

This idea also came from Rosenblum's office, and the point of it is to make sure sexual assault victims feel comfortable making a report without fearing retaliation from the school or others. If those reports are not confidential, the identity of the victim is not necessarily confidential either.

It has broad bipartisan support and had its first hearing on March 26 and has a work session scheduled for Monday.

House Bill 2596 (<https://olis.leg.state.or.us/liz/2015R1/Measures/Overview/HB2596>)

The practice of taking photos known as "up-skirting" or "down-blousing" seems to have been growing.

This bill would make that behavior a crime, classified under "invasion of personal privacy."

The House of Representatives passed it on Thursday, and it will now head to the Senate. It hasn't been scheduled for a hearing yet.

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