



OREGON HOUSE REPUBLICAN OFFICE

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Oregon House Unanimously Passes Legislation To Protect Oregonians From Invasion Of Personal Privacy Crimes

HB 2356 Creates Crime Of Invasion Of Personal Privacy In First Degree; Classifies Crime As Class C Felony

Salem, OR – The Oregon House of Representatives today unanimously passed House Bill 2356, a bill to protect Oregonians from invasion of personal privacy crimes by modifying current statutes to include two degrees of invasion of privacy offenses while also increasing penalties for recidivists and individuals who photograph or record others without their consent. HB 2356 is the final proposal of a concept first introduced in December 2014 by former House District 19 Representative Denyc Boles after she met with victims of invasion of privacy crimes.

“Today’s unanimous, bipartisan passage of House Bill 2356 is a win for the many Oregonians affected by invasion of personal privacy crimes,” said former State Representative Boles. “I celebrate this important day for Oregon with the courageous families that brought about these changes.”

HB 2356 creates a crime of invasion of personal privacy in the first degree to be prosecuted as a Class C felony if:

- The person knowingly makes or records a photograph, motion picture, videotape or other visual recording of another person in a state of nudity without the consent of the other person; and
- At the time the visual recording is made or recorded, the person being recorded is in a place and circumstances where the person has a reasonable expectation of personal privacy; **OR**
- The person violates ORS 163.700 and, at the time of the offense, has a prior conviction for invasion of personal privacy in any degree, public indecency, private indecency or a sex crime as defined in ORS 181.805 or the statutory counterpart of the described offense in another jurisdiction

Under current Oregon law, invasion of personal privacy in the second degree is a Class A misdemeanor. As part of the modifications brought about by HB 2356, a person would be committing the crime of invasion of personal privacy in the second degree if:

- For the purpose of arousing or gratifying the sexual desire of the person, the person is in a location to observe another person in a state of nudity without the consent of the other person; and

- The other person is in a place and circumstances where the person has a reasonable expectation of personal privacy; **OR**
- The person knowingly makes or records a photograph, motion picture, videotape or other visual recording of another person's intimate area without the consent of the other person; and
- The person being recorded has a reasonable expectation of privacy concerning the intimate area

Additionally, HB 2356 punishes a crime of personal privacy in the first degree by a maximum of five years' imprisonment, \$125,000 fine, or both, and also provides that a court may designate invasion of personal privacy in the first degree as a sex crime if the circumstances of the offense require the defendant to register as a sex offender.

"This legislation passed today is a result of the brave testimony and hard work of victims and their families, who courageously shared their stories on behalf of the many Oregonians who have been targets of invasion of privacy crimes," said Representative Bill Post (R-Keizer), who carried the bill on the House Floor. "These crimes can leave innocent victims and their families feeling unsafe, harassed and vulnerable long after the crime is committed. Today, the Legislature sent a message to show criminals that Oregon has a zero-tolerance policy for these types of crimes."

[HB 2356](#) passed the House 60-0 and now goes to the Senate for consideration.

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