



The League of Women Voters of Oregon, established in 1920, is a grassroots nonpartisan political organization that encourages informed and active participation in government. We envision informed Oregonians participating in a fully accessible, responsive, and transparent government to achieve the common good. LWVOR Legislative Action is based on advocacy positions formed through studies and member consensus. The League never supports or opposes any candidate or political party.

May 12, 2025

To: [Senator Prozanski](#), Chair, [Senate Committee On Judiciary](#)

Re: [HB 3766 A](#) – Can sue for sending an intimate image to the plaintiff’s device – **Support**

The League supports HB 3766 as amended to allow civil action against an adult who unbidden, digitally sends intimate images, intending to harass, degrade or humiliate. We base this on our privacy position:

Uniform privacy rights need to protect personal privacy and *prevent known harm*.

- Establish uniform information protections for personal and behavioral data that can be linked to an individual or devices.
- Prevent harmful uses of personal information by all information processors who collect, store, analyze, transfer, sell, etc.

Please see our [earlier testimony](#) for the bill as presented.

The proposed civil action can only be taken against an adult. The amendment specifies a definition for an “adult” as someone who was 18 years old or older when they *committed* the offensive action.

The amended bill defines economic damages that can be recovered, amending from “fill in the blank” to a choice of accepting a baseline compensation of \$500, or not more than \$10,000. We understand this is intended to keep the action in small claims court. It does not link to the number of “transmissions/images received”. Generally, bringing to civil court focuses on recompense, having the abuser pay for damages, and a restraining order can be addressed. Criminal court proceedings would focus on punitive action.<sup>1</sup>

Protection from the harm of these violations would benefit from a greater understanding of the nature and prevalence of the offense<sup>2</sup>. Cyber flashing can occur on dating apps or with the recipient getting the image while they’re in a public place, where the offender may be watching nearby. Roughly half of young women have gotten these. There ought to be a law.

We urge your Support for HB 3766 as amended. Thank you for the opportunity to discuss this legislation.

Lisa Bentson  
President LWVOR

Rebecca Gladstone  
Privacy & Cybersecurity

Norman Turrill  
Governance Coordinator

<sup>1</sup> Abuse Using Technology. WomensLaw.Org, updated March 17, 2017. <https://www.womenslaw.org/about-abuse/abuse-using-technology/responding-technology-misuse-civil-and-criminal-options/what-are#:~:text=Tech%20misuse%20can%20often%20be,of%20privacy%20and%20emotional%20distress>.

<sup>2</sup> Criminalising Cyberflashing:Options for Law Reform. The Journal of Criminal Law. November 15, 2020. <https://journals.sagepub.com/doi/10.1177/0022018320972306>