



# WASHINGTON COUNTY SHERIFF'S OFFICE

Conserving the Peace Through Values Driven Service  
Sheriff Pat Garrett

## PRESS RELEASE

### Man First to be Prosecuted Under New Oregon Law

December 1, 2016 – Benjamin J. Barber, 31, was sentenced this morning in Washington County Circuit Court in what is believed to be the state's first prosecution and conviction under Oregon's Unlawful Dissemination of an Intimate Image statute.



Benjamin J. Barber

In June 2016, a criminal complaint was made to the Washington County Sheriff's Office that 31-year-old Benjamin J. Barber had posted pornographic videos of himself and the complainant to multiple adult web sites. The complainant reported that the videos were made with consent while the person was in an intimate relationship with Mr. Barber. However, after they terminated their relationship, Mr. Barber uploaded several of these videos to multiple adult web sites without the complainant's knowledge or consent. This activity is sometimes referred to as "revenge porn."

Washington County Sheriff's deputies investigated the allegations and ultimately arrested Mr. Barber on July 17, 2016, accusing him of violating Oregon's Unlawful Dissemination of an Intimate Image statute (see statute, below). Sheriff's office detectives continued the investigation by executing search warrants on several pornographic web sites.

After a two-day trial in November before Washington County Circuit Court Judge Beth L. Roberts, a jury found Mr. Barber guilty of five counts of Unlawful Dissemination of an Intimate Image.

During a sentencing hearing this morning, Mr. Barber was sentenced to six months in jail, followed by five years of formal probation.

The state of Oregon was represented by Marie Atwood of the Washington County District Attorney's Office. Mr. Barber was represented by Cameron Taylor of the Metropolitan Public Defender's Office.

The victim does not desire any media contact.

**Unlawful Dissemination of an Intimate Image** (Oregon Revised Statutes 163.472)

- (1) A person commits the crime of unlawful dissemination of an intimate image if:
  - (a) The person, with the intent to harass, humiliate or injure another person, knowingly causes to be disclosed through an Internet website an identifiable image of the other person whose intimate parts are visible or who is engaged in sexual conduct;
  - (b) The person knows or reasonably should have known that the other person does not consent to the disclosure;
  - (c) The other person is harassed, humiliated or injured by the disclosure; and
  - (d) A reasonable person would be harassed, humiliated or injured by the disclosure.
- (2)(a) Except as provided in paragraph (b) of this subsection, unlawful dissemination of an intimate image is a Class A misdemeanor.
- (b) Unlawful dissemination of an intimate image is a Class C felony if the person has a prior conviction under this section at the time of the offense.