

To: Justin Butteris, State Forests Policy Analyst
Oregon Department of Forestry
2600 State Street Building D
Salem, OR 97310

From: {your name}
{street address}
{city, state, zip}
{email and/or phone}

Subject: Changes regarding nudity in *Rules for Oregon Forestry Department Recreation and Commercial Use*

Date: January __, 2016

Note: *PLEASE MAKE THIS LETTER PART OF THE OFFICIAL COMMITTEE RECORD.*

Mr. Butteris:

Having examined the many changes to the Department of Forestry Rules, I am greatly concerned about these new additions that ban simple nudity in Designated Recreation Areas:

629-050-0050 - Designated Recreation Areas, Item 9:

A Person may not engage in nudity in a Designated Recreation Area.

629-025-0005 - Definitions, Item 17:

"Nudity" means uncovered, or less than opaquely covered, post-pubertal human genitals, pubic areas, rectal areas, the post-pubertal human female breast below a point immediately above the top of the areola, or the covered human male genitals in a discernibly turgid state. For purposes of this definition, a female breast is considered uncovered if the nipple only or the nipple and areola only are covered.

THESE ADDITIONS SHOULD BE REMOVED because they are unnecessary and inappropriate, as described below.

- Most Oregon jurisdictions and the general public agree that simple nudity, in appropriate settings, is NOT objectionable.
- Bad behavior IS objectionable, and is already addressed in "Offensive Behavior" (Item 8) and "Public Indecency" (ORS 163.465; referenced in 629-025-0040, Item 11g).
- The definition of nudity is a legal "can of worms," as it mixes acts of Public Indecency with simple nudity and does not provide exemptions for expected nudity, such as breastfeeding. Such a broad definition is not likely to fare well in a legal challenge.
- Many responsible folks enjoy nude sunbathing, skinny-dipping, or secluded nude walks in the woods, and certainly are *not* a threat. Indeed, they are part of Oregon's "recreating publics" that your agency serves.

I appreciate your agency's efforts in managing Oregon's Forestry Lands, and encourage the removal of the above language.

Regards,

[your name]

CC: *Suggestions (choose those you feel are appropriate):*

Government: Your state Representative and/or Senator
Public and Forestry Lands contacts

AANR: Bev Price, AANR President; Tim Mullins, AANR GAT Chair;
Karen Lahey, AANR-NW President; Mike Parker, AANR-NW GAT Chair