



**TO: Rep. Jason Kropf, Chair
Rep. Kim Wallan, Vice Chair
Rep. Tom Anderson, Vice Chair
Members of the House Committee on Judiciary**

**FR: Oregon District Attorneys Association
Oregon Association Chiefs of Police
Oregon State Sheriffs' Association**

RE: HB 2306 & HB 3364 – SUPPORT

HB 2306 - SUPPORT

Currently, in impaired driving cases, the Oregon State Police crime lab will only test for the presence of drugs in urine, and if a blood test is required or requested it must be sent out of State. Generally, urine simply shows what drug(s) a person has used at some point in the recent past – this could mean the use was the same day or within several days, which is why a blood sample is generally a better representation of what is psychoactive in the person's body at the time the blood is taken.

Unlike nearly every other state in the country, Oregon's forensic lab does not currently have the ability to test drugs in blood in antemortem cases. This imposes enormous and unnecessary cost and time constraints on the State and impedes its ability to efficiently prosecute DUII cases, because all blood samples must be sent to out-of-state labs for testing, and witnesses from those labs must then be brought in to testify from out of state. As the State investigates and prosecutes DUII cases involving a growing range of substances, Oregon needs blood testing capabilities to keep up with the evolving climate and avoid unnecessary costs.

HB 2306 will allow the Oregon State Police crime lab to do the testing and utilize local scientists as witnesses (not paying out of State cost expenses), in drug DUII trials.

HB 2306 will also result in cost savings and efficiencies for law enforcement and the State. Currently, law enforcement agencies must send blood samples to more costly private laboratories outside of Oregon to test for the presence of drugs. If the case is charged and there is a pre-trial hearing or it goes to trial, the District Attorney's office must fly a witness to Oregon for testimony as the defense routinely objects to the witness appearing remotely. This can result in multiple trips if there is a pre-trial hearing in addition to trial. Currently, Oregon has a contract for testing blood by a lab in Pennsylvania.

HB 3364 - SUPPORT

We also support the goal HB 3364 seeks to accomplish and the Amendment to extend the effective date of the bill to allow for new funding to be appropriated. Testing blood and urine samples within a 90-day period will ensure that criminal prosecutions are initiated sooner which benefits the public, the courts, and defendants. When a person is arrested for DUII, and a sample of their urine or blood is taken for analysis, the current turn around can be many months for a result. A specific time frame for results will benefit all parties.