

**TESTIMONY ON HB 2719 A
BEFORE THE SENATE COMMITTEE ON JUDICIARY
APRIL 26, 2023**

**PRESENTED BY: KAITI FERGUSON, SENIOR STAFF COUNSEL
OREGON JUDICIAL DEPARTMENT**

Chair Prozanski, Vice-Chair Thatcher, and Members of the Committee:

My name is Kaiti Ferguson, Senior Staff Counsel at the Oregon Judicial Department (OJD). While OJD is neutral on House Bill (HB) 2719 A, we submit this testimony today to express our appreciation and thanks to the Oregon Law Center and other proponents of the bill, as well as committee staff, for including and working with OJD to discuss and address OJD's operational and procedural concerns with the time requirements in HB 2719 with the -1 amendment. We are pleased to see that those concerns were addressed in the -2 amendment to the bill, which was adopted by the House Committee on Judiciary and became the A-Engrossed version of the bill.

HB 2719 A addresses OJD's previous implementation concerns. The bill amends Oregon law regarding HIV and communicable disease testing in certain criminal cases to state that, if testing is requested by the victim and the defendant does not consent to testing, the district attorney shall petition the court for an order requiring testing. If a petition for testing is filed at or before a defendant's arraignment and the court orders testing, the testing must occur within 48 hours of the defendant's arraignment. The results of the test must be provided to the victim as soon as practicable, and any necessary follow-up testing must be provided as medically appropriate.

Finally, OJD would also like to acknowledge the laudable goals of this bill, which include keeping Oregon in compliance with federal grant requirements that support important crime victims' services throughout the state.

Thank you for your time and the opportunity to provide testimony today.