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**OREGON STATE SHERIFFS' ASSOCIATION**  
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**To:** House Committee on Judiciary

**From:** Sheriff Nick Hunter, Marion County Sheriff's Office  
Oregon State Sheriffs' Association

**Kevin Campbell, Executive Director**  
Oregon Association Chiefs of Police

**Date:** February 25, 2025

**Re:** **HB 2640 - Testimony in Opposition (Section 2)**  
**Reduced Penalties for Spitting on a Law Enforcement Officer**

**Chairs Kropf, Co-Chair Wallan and members of the committee,**

For the record, my name is Nick Hunter. I am the Marion County Sheriff and I am here today on behalf of the Oregon State Sheriffs' Association (OSSA) and the Oregon Association Chiefs of Police in strong opposition to section 2 of HB 2640. The change to ORS 166.070 Aggravated Harassment proposed in section 2 would reduce the penalty for spitting on a law enforcement officer.

Law enforcement officers are frequently exposed to individuals who may carry communicable diseases, and being spit on creates serious health risks. Such incidents require officers to undergo a prolonged period of uncertainty and medical intervention, including ongoing testing and treatment, to determine if they have contracted a life-altering illness. This process imposes both physical and emotional distress on the officer and their family.

Additionally, proving whether a person has created a significant risk of transmitting a communicable disease is a complex and costly endeavor. Determining viral load at the time of exposure requires immediate blood draws, with samples frozen within two hours and shipped out of state for testing. If the suspect is administered medication before the blood is drawn, the validity of the test results may be compromised. These medical and forensic requirements place a significant financial and logistical burden on law enforcement agencies and District Attorney's Offices, making successful prosecution exceedingly difficult.

Reducing the penalty for this offense sends a dangerous message that such assaults on our law enforcement officers are not taken seriously. Officers face enough risks in the line of duty; they should not have to endure the additional fear and suffering that come with exposure to serious communicable diseases.

We strongly urge you to oppose Section 2 of HB 2640 and ensure that those who deliberately assault law enforcement officers by exposing them to bodily fluids continue to be held accountable under the law. Thank you for your time and attention to this critical matter.

Thank you for your consideration.