



TO: **Rep. Jason Kropf, Chair**
Rep. Kim Wallan, Vice Chair
Rep. Willy Chotzen, Vice Chair
Members of House Judiciary Committee

FR: **Oregon District Attorneys Association**

RE: **Support HB 4045 w/ -2 Amendment**

Thank you for the opportunity to provide testimony from the Oregon District Attorneys Association (ODAA) in support of House Bill 4045, legislation that would require communications providers to respond to search warrants in an expedited fashion when those warrants are authorized in investigations involving stalking, domestic violence, or violations of stalking protective orders.

Timely access to digital evidence can be critical to protect victims from further harm. As in Kristil Klug's tragic case, it is not unusual for offenders in domestic violence and stalking cases to communicate using technology that mask their identities and locations. Further, stalking offenders utilize a variety of software applications to facilitate their stalking of the victim. An offender's use of these applications and certain location information can only be obtained for analysis from the communications provider with a search warrant. Oftentimes probable cause to arrest is dependent on information in communications data confirming or negating alleged facts in a case. Delays in obtaining communications data can hinder efforts to hold offenders accountable and potentially places victims at great personal risk.

Currently, there is no statutory deadline for providers to respond to these warrants. By requiring an expedited response, HB 4045 ensures that when a court issues a valid warrant, communications providers will respond quickly and predictably, helping investigators gather essential evidence while it is still relevant and actionable.

HB 4045 establishes a clear, enforceable timeline that promotes accountability for entities holding evidence crucial to serious crimes and helps ensure that investigative and prosecutorial efforts are not jeopardized by indefinite delays from communication providers.