



## **Law Enforcement Accountability & Visibility Act (LEAVA)**

### **HB 4138 Updated January 31, 2026:**

- Requires law enforcement officers operating in Oregon to visibly identify themselves, who they work for, and to unmask.
- Builds a firewall between state/local public employees and the federal government to protect our civil rights and liberties.
- Draws clear lines between state/local and federal law enforcement operations, and provides for transparency when cooperation occurs.

#### **Three-pronged approach:**

#### **I. Establishes standards for officer and agency identification and the use of facial coverings by ALL law enforcement officers – local, state, and federal – operating in Oregon:**

- Prohibits all law enforcement officers operating in Oregon from wearing masks, with limited, specific exceptions for undercover and SWAT operations, health and safety reasons, and other necessary uses.
- Requires all law enforcement officers operating in Oregon to visibly display their name/badge number and agency identification, with limited, specific exceptions for undercover and plain-clothes officers.
- Requires every law enforcement agency operating in the state to have public policies regarding the use of facial coverings and officer identification, including agency affiliation. 180-day timeline for agencies to develop and publish policies.

#### **II. Builds a firewall between public employees and the federal government:**

- Prohibits state/local public employees from intentionally cooperating with federal and other out-of-state attacks on free speech or lawfully-protected groups.
- Creates a firewall in Oregon between state/local public employees and the federal government to protect against discriminatory federal investigations that violate our civil rights and liberties.



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- Limits the federal government's access to our state's resources and data to prevent their use for unconstitutional federal attacks on our civil rights and liberties, including due process rights.
- Includes clear exceptions for court orders and publicly accessible information. And a safe harbor provision for employees to rely on attestations by federal/out-of-state requesters that information or assistance is not being requested for an unlawful purpose under LEAVA.
- Include volunteers in civil defense forces within the sanctuary laws and state Tort Claims Act

**III. Increases public transparency and regulation of state/local and federal joint operations to protect our civil rights and liberties and Oregon laws, including our Sanctuary laws:**

- Makes the terms of federal joint task force or cross-deputization agreements publicly available. Agencies have 120 days to release agreements on their websites. Agencies may redact agreements "if public disclosure would endanger the life or physical safety of any individual."
- Prohibits state/local agencies and officers from participating in task forces or cross-deputization agreements, that are entered into or renewed after the bill's effective date, if there is reason to believe operations will target free expression, lawfully-protected class, immigration status and related crimes, other constitutionally-protected rights and lawful conduct in Oregon, or involve racial profiling.
- Prohibits state/local deputized officers from exercising federal law enforcement authority that would cause the officer to be in violation of Oregon law or immunize the state/local officer for violations of state/local law

**Other Clauses**

- **Cause of Action:** Any person may seek injunctive relief against an agency for violations of LEAVA.
- **Emergency Clause:** LEAVA will take effect upon passage, with specified 180-day implementation period for new agency policies and 120-day period for agencies to release task force/cross-deputization agreements.