

Submitter:

Alison White

On Behalf Of:

Committee:

House Committee On Judiciary

Measure, Appointment or Topic:

HB4114

Oregonians have a fundamental right to know who is exercising the coercive power of law enforcement in their communities. HB 4114 addresses a growing accountability gap by establishing clear standards for officer identification and providing a meaningful civil remedy when those standards are violated.

#### Officer Identification and Anti-Masking Provisions

The practice of unidentified, masked agents conducting operations on Oregon streets undermines public trust in law enforcement at every level. When individuals cannot determine whether the person detaining them is a legitimate officer or someone impersonating one, it creates a serious public safety concern. HB 4114 addresses this by requiring every law enforcement agency operating in the state to maintain a public policy that generally prohibits facial coverings, while reasonably exempting medical necessity and undercover operations. The bill also gives state and local law enforcement a non-criminal investigative tool to verify the identity of masked individuals where there is reasonable suspicion of officer impersonation.

#### Protecting Oregon's Sanctuary Framework

Oregon's sanctuary laws have served as a national model for decades, drawing clear boundaries between state and local law enforcement duties and federal immigration enforcement. HB 4114 strengthens this framework by prohibiting state and local employees — including those at public universities — from cooperating with federal or out-of-state efforts that target protected classes or suppress free speech. These are not new principles; they are the natural extension of Oregon's longstanding commitment to keeping local resources focused on local public safety.

#### Transparency in Joint Task Force Participation

When Oregon officers participate in federal joint task forces or accept cross-deputizations, the public deserves to know the terms of those arrangements. HB 4114 requires that memorandums of understanding between local agencies and federal entities be made publicly available. It also ensures that Oregon officers participating in such arrangements cannot exercise federal authority in ways that would violate state law, nor be shielded from accountability under Oregon law. These provisions protect both community members and the officers themselves by establishing clear operational boundaries.

#### Civil Rights Protections

The bill's prohibition on surveillance or investigation based on First Amendment activities or membership in a protected class reflects core constitutional values. Likewise, the restriction on using confidential informants in investigations targeting protected expression or class membership guards against the kind of overreach that erodes community trust in government.

#### A Meaningful Enforcement Mechanism

Critically, HB 4114 provides a civil cause of action for anyone impacted by a violation of these provisions, including access to injunctive relief, monetary and punitive damages, and attorney's fees. Without an enforcement mechanism, statutory protections are aspirational rather than real. This provision ensures that individuals have standing to hold agencies accountable when the law is not followed.

HB 4114 is a balanced, practical measure that protects civil liberties, strengthens Oregon's existing legal framework, and provides reasonable tools for accountability. I urge the committee to support this bill.