



812 SW Washington St.
Suite 900
Portland, OR 97205

tel. 503-223-5587
fax 503-223-4101
www.oregontriallawyers.org

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House Committee on Judiciary

Chair Kropf and Members of the Committee,

The Oregon Trial Lawyers Association strongly opposes HB 4106. HB 4106 states that a peace officer may not be held criminally or civilly liable for the use of restraints on or physical force against a person during the peace officer's transportation of the person under civil commitment laws.

At a time when the public is rightly demanding accountability from law enforcement, HB 4106 moves in the opposite direction. Time and again, our members have litigated instances where the use of force exceeded the needs of the moment.

When police officers are called upon to transport neighbors facing a civil commitment, they are often engaging with Oregonians who are facing complex mental health situations. It is in these circumstances that we must expect the utmost care and protection. Rather than training officers on the safe and appropriate use of restraints or requiring officers to engage in de-escalation, this bill would incentivize the use of restraints by granting an officer full immunity to do so.

HB 4106 provides unnecessary immunity at a time when we can least afford it.

Please Vote No on HB 4106.