



February 25, 2026
Senate Committee on Rules
Oregon State Legislature
900 Court St. NE
Salem, OR 97301

RE: Testimony in Support of House Bill 4138A

Chair Jama, Vice-Chair Starr, and Members of the Committee,

For the record, my name is Michael Abrams and I serve as Policy Counsel for the ACLU of Oregon. Thank you for the opportunity to testify today. I want to recognize the meaningful collaboration among community members, advocates, law enforcement, and legislators — including Rep. Chaichi and Rep. Chotzen — that brought HB 4138A here. The ACLU of Oregon strongly supports HB 4138A.

Sections 7 through 11 of LEAVA reinforce a simple boundary: Oregon’s public resources should not be used to assist unconstitutional investigations. These provisions do not prohibit any particular agreement or form of cooperation with federal or other state law enforcement agencies, such as joint task forces. Instead, they prohibit public employees from intentionally cooperating with requests for information or assistance from federal or other out-of-state agencies when public employees know those requests are based on protected speech, protected identity, or unconstitutional searches or seizures. Our employees and agencies, including law enforcement, should not be forced into complicity when outside forces attempt to use Oregonian’s private information against them. These legal requirements are necessary because of how aggressively the federal government is seeking to access state and local data or resources nationwide, including sensitive voter data here in Oregon.

HB 4138A preserves compliance with court orders, federal or state legal requirements, and access to information that is available to the public. LEAVA establishes constitutional guardrails for cooperation with federal or other state law enforcement.

Under existing constitutional and state law, public employees may not directly engage in any of the prohibited activities. For example, state or local government employees cannot discriminate against someone seeking a benefit or service on the basis of their race or religion. LEAVA requires employees to apply those same standards to any out-of-state request for cooperation with law enforcement. And it allows public employees to point to binding state law when pressured to cooperate without a court order or other exception. Thus, the prohibition protects public employees and supports them in safeguarding our rights. Together we can strengthen our democracy and keep us safe.

We urge your support for HB 4138A, LEAVA. Thank you.

Respectfully,

Michael Abrams, Policy Counsel

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