
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair
2025 - 2026 Regular Session

AB 1178 (Pacheco) - Peace officers: confidentiality of records

Version: June 11, 2025

Urgency: No

Hearing Date: August 29, 2025

Policy Vote: PUB. S. 5 - 0

Mandate: No

Consultant: Liah Burnley

Bill Summary: Requires, in a court action to compel disclosure, in determining whether a redaction made by an agency is appropriate, a court to consider whether a particular peace officer's duties demand anonymity.

***** ANALYSIS ADDENDUM – SUSPENSE FILE *****

The following information is revised to reflect amendments
adopted by the committee on August 29, 2025

Fiscal Impact:

- Trial Courts: Unknown, potentially significant costs (General Fund, Trial Court Trust Fund) to the state funded trial courts. By requiring the court to consider the appropriateness redactions, this bill could result in significant workload cost pressures to the trial courts. Namely, this bill necessitates expanded evidentiary submissions (e.g., proof undercover assignments). Whenever a dispute arises, courts will be required to make individualized determinations about whether an officer's duties justify anonymity. This could lead to lengthier and more complex court proceedings with attendant workload and resource costs to the court. The fiscal impact of this bill to the courts will depend on many unknowns, including the number of cases filed and the factors unique to each case. An eight-hour court day costs approximately \$10,500 in staff in workload. This is a conservative estimate, based on the hourly rate of court personnel. If court days exceed 10, costs to the trial courts could reach hundreds of thousands of dollars. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources and to increase the amount appropriated to backfill for trial court operations.
- State and Local Law Enforcement Agencies: Unknown, potentially significant costs to state and local law enforcement agencies (local funds, General Fund) to defend agency decisions to redact peace officer records in court. This bill would require courts to consider whether a peace officer is currently operating undercover and whether their duties demand anonymity whenever there is a challenge to a record that was redacted. As a result, law enforcement agencies could face increased administrative and legal costs to meet this bill's additional evidentiary requirements to prove that their redactions, if challenged in court, are appropriate. Overall costs will vary based off the number of redactions made for specified safety reasons, and the frequency of legal challenges to those redactions. The Department of Justice (DOJ) notes that, while the impact of AB 1178 would not pose a significant impact to the DOJ, as numerous bills this

session may result in no significant impact to the DOJ, should an aggregate of these bills chapter, the DOJ would submit a workload BCP for additional resources to process the increase to the DOJ workload.

Author Amendments: Strike provisions of the bill and instead provide that in a court action to compel disclosure, in determining whether a redaction made by an agency is appropriate, a court shall consider whether a particular peace officer's duties demand anonymity.

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