
THIRD READING

Bill No: AB 1627
Author: Ávila Farías (D), et al.
Amended: 8/26/26 in Senate
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 5-1, 6/23/26

AYES: Arreguín, Caballero, Cortese, Pérez, Wiener

NOES: Seyarto

ASSEMBLY FLOOR: 54-17, 5/27/26 - See last page for vote

SUBJECT: Public employment: disqualifications

SOURCE: Author

DIGEST: This bill specifies that existing laws disqualifying a person from being a peace officer if they were previously employed as a law enforcement officer and had their certification revoked, or engaged in serious misconduct that would have resulted in decertification in California, include a law enforcement officer employed by the federal government who engages in immigration enforcement.

Senate Floor Amendments of 8/26/26 resolve chaptering conflict with AB 1896 (Gonzalez)

ANALYSIS:

Existing law:

- 1) Establishes the Commission on Peace Officer Standards and Training (POST) to set minimum standards for the recruitment and training of peace officers, develop training courses and curriculum, and establish a professional certificate program that awards different levels of certification based on training, education, experience, and other relevant prerequisites. (Penal (Pen.) Code, §§ 830-832.10; 13500 et seq.)

- 2) Requires every peace officer in California to satisfactorily complete an introductory training course prescribed by POST, as specified. (Pen. Code, § 832, subd. (a).)
- 3) Requires POST to establish a certification program for peace officers, as defined, and provides that basic, intermediate, advanced, supervisory, management, and executive certificates shall be established for the purpose of fostering professionalization, education, and experience necessary to adequately accomplish the general police service duties performed by peace officers. (Pen. Code § 13510.1, subds. (a)-(b).)
- 4) The California Values Act, generally prohibits California law enforcement agencies from using agency moneys or personnel to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes, as specified, from placing officers under the supervision of federal agencies for the purpose of immigration enforcement, and from cooperating in other specified ways with federal immigration authorities. (Government (Gov.) Code, § 7284.6, subd. (a).)
- 5) Provides that notwithstanding the above limitations, and in accordance with local laws and agency policies, California law enforcement agencies are not prohibited from conducting enforcement or investigative duties associated with a joint law enforcement task force, including the sharing of confidential information with other law enforcement agencies for purposes of task force investigations, so long as specified conditions are met. (Gov. Code, § 7284.6, subd. (b).)
- 6) Authorizes POST to suspend or revoke the certification of a peace officer if the person has been terminated for cause from employment as a peace officer for, or has, while employed as a peace officer, otherwise engaged in, any serious misconduct, as described. (Pen. Code, § 13510.8, subd. (a)(2).)
- 7) Requires POST to adopt by regulation a definition of “serious misconduct” that shall serve as the criteria for consideration for ineligibility for, or revocation of, certification of a peace officer, as specified. (Pen. Code, § 13510.8, subd. (b).)
- 8) Requires a law enforcement agency to conduct a background check on a peace officer or prospective officer, as provided. (Gov. Code, § 1030.)
- 9) Provides that each class of public officers or employees declared by law to be peace officers shall meet specified minimum standards. (Gov. Code, § 1031.)

- 10) Provides that specified persons are disqualified from being a peace officer in California, including any person previously employed in law enforcement in any state or United States territory or by the federal government, whose name is listed in the National Decertification Index of the International Association of Directors of Law Enforcement Standards and Training or any other database designated by the federal government whose certification as a law enforcement officer in that jurisdiction was revoked for misconduct, or who, while employed as a law enforcement officer, engaged in serious misconduct that would have resulted in their certification being revoked by the commission if employed as a peace officer in this state. (Gov. Code, § 1029, subd. (a)(11).)

This bill:

- 1) Specifies that, for the purposes of the disqualification provision in bullet (10) above regarding individuals previously employed in law enforcement in another state, territory or by the federal government, the terms “employed in law enforcement” and “law enforcement officer” include a law enforcement officer employed in any state or United States territory or by the federal government who engages in immigration enforcement.
- 2) Defines “immigration enforcement” as any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law, and also includes any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal criminal immigration law that penalizes a person’s presence in, entry, or reentry to, or employment in, the United States.

Comments

Becoming a peace officer in California is a relatively rigorous process, requiring candidates to meet a range of minimum standards. Under existing law, prospective peace officers must be legally authorized to work in the United States under federal law, be 18 years of age or older, pass a background check, and be of good moral character, as determined by a thorough background investigation. Additionally, prospective peace officers must found to be free from any physical, emotional, or mental condition, including bias against race or ethnicity, gender, nationality, religion, disability, or sexual orientation, that might adversely affect the exercise of the powers of a peace officer, as evaluated by a licensed physician for the physical fitness aspect and a specified psychiatric specialist or psychologist for the mental and emotional aspects.

A newer feature of California's process for vetting prospective and current peace officers is POST's mandatory certification process, created by SB 2 (Bradford, Chapter 409, Statutes of 2021.) Under SB 2, POST administers an extensive certification program for peace officers, who must receive a proof of eligibility and a basic certificate in order to serve in that capacity. Additionally, SB 2 provides a mechanism by which POST may investigate and review allegations of "serious misconduct" against an officer, where "serious misconduct" is defined to include a host of behaviors unbecoming a peace officer, such as dishonesty, abuse of power, criminal behaviors, demonstration of bias, participation in a law enforcement gang, and others. After a lengthy review and investigation process, POST has the discretion to issue a certificate to a prospective officer, or to suspend or revoke an existing officer's certification. Additionally, law enforcement agencies are required to report a range of personnel actions to POST for their review, including the hiring of any officer.

In addition to the minimum standards and required certification described above, certain factors disqualify a person from becoming a peace officer, including a host of outcomes related to the commission of a felony crime, including a felony conviction or the commission of an offense in another jurisdiction which would be a felony if committed in this state; military discharge for an offense which would be a felony if committed in this state; and conviction for a felony even if the court reduces the offense to a misdemeanor or the offense becomes a misdemeanor by operation of law.

Perhaps most relevant to this bill, existing law disqualifies any person who 1) has received a POST certification and either surrendered the certification or had it revoked, 2) has met the minimum requirements for the issuance of a certification but nonetheless was denied certification by POST, and 3) any person previously employed in law enforcement in any state or by the federal government, whose name is listed in the National Decertification Index or any other database designated by the federal government whose certification as a law enforcement officer in that jurisdiction was revoked for misconduct, or who, while employed as a law enforcement officer, engaged in serious misconduct that would have resulted in decertification by POST if employed as a peace officer in this state. This bill specifies, for the purposes of this latter provision, that "employed in law enforcement" and "law enforcement officer" include a law enforcement officer employed in any state or United States territory or by the federal government who engages in immigration enforcement, where "immigration enforcement" is defined as any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law, and also includes any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any

federal criminal immigration law that penalizes a person's presence in, entry, or reentry to, or employment in, the United States.

FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No

SUPPORT: (Verified 8/26/26)

California Public Defenders Association
California Democratic Party

OPPOSITION: (Verified 8/26/26)

None received

ASSEMBLY FLOOR: 54-17, 5/27/26

AYES: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, McKinnor, Nguyen, Ortega, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ransom, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Ward, Wicks, Zbur, Rivas

NOES: Alanis, Chen, Davies, DeMaio, Dixon, Ellis, Gallagher, Hadwick, Hoover, Johnson, Lackey, Macedo, Patterson, Sanchez, Ta, Tangipa, Wallis

NO VOTE RECORDED: Castillo, Flora, Jeff Gonzalez, Muratsuchi, Pacheco, Ramos, Celeste Rodriguez, Michelle Rodriguez, Wilson

Prepared by: Alex Barnett / PUB. S. /916-651-4118
8/28/26 11:23:32

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