

Date of Hearing: May 13, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 1806 (Gabriel) – As Amended March 16, 2026

Policy Committee: Public Safety

Vote: 7 - 2

Urgency: No

State Mandated Local Program: No

Reimbursable: No

**SUMMARY:**

This bill requires a state prosecutor to conduct an independent investigation into a federal immigration enforcement officer-involved shooting of a civilian.

Specifically, this bill:

- 1) Requires the prosecutor to prepare and submit a written report, which must include, at a minimum, a statement of the facts and a detailed analysis and conclusion for each investigatory issue, and to post the report on a public website.
- 2) Permits the report to include redacted information as required by law to be kept confidential.
- 3) Requires the state prosecutor to initiate and prosecute a criminal action against the officer, if warranted.

**FISCAL EFFECT:**

- 1) Significant ongoing costs (General Fund) of an unknown amount to the Department of Justice (DOJ) to conduct independent investigations of federal immigration enforcement officer-involved shootings, prepare and publish written reports, and pursue criminal prosecution where warranted. As a point of reference, the comparable state and local peace officer investigation framework established by AB 1506 (McCarty), Chapter 326, Statutes of 2020, received an initial appropriation of \$15.3 million General Fund in fiscal year (FY) 2021-22, increasing to \$15.6 million annually beginning in FY 2022-23, to support four investigative teams as well as legal, victim, and other services. As of May 2026, DOJ has completed and publicly posted 39 investigations under AB 1506. This bill's framework is similar, except unlike AB 1506, which requires investigations of shootings that result in the death of an unarmed civilian, this bill applies to all federal immigration enforcement shootings of civilians, regardless of outcome. The committee is unable to estimate the precise size of the possible universe of qualifying incidents, though press reporting indicates that since July 2025, federal immigration agents have fired at or into civilian vehicles in at least 13 instances nationwide, and California has been the location of multiple federal immigration enforcement officer-involved shootings of civilians during this period. To the extent these incidents reflect a continuing pattern, DOJ would face recurring annual investigative workload of meaningful magnitude. DOJ was unable to provide a fiscal estimate at the time this analysis was written.

- 2) Cost pressures (Trial Court Trust Fund, General Fund) of an unknown but likely minor amount to the trial courts to the extent the AG initiates state criminal prosecution against federal officers and any prosecution proceeds in state court before removal to federal court. Although courts are not funded on the basis of workload, increased pressure on the Trial Court Trust Fund may create a need for increased funding for courts from the General Fund.

The state budget provides annual General Fund backfills to the Trial Court Trust Fund to offset revenue reductions, totaling approximately \$117.3 million in 2025-26. The Legislative Analyst's Office recently warned of General Fund structural deficits of around \$35 billion per year beginning in the 2027-28 fiscal year.

#### COMMENTS:

- 1) **Purpose.** According to the author:

California must take decisive action to ensure accountability when federal immigration agents use deadly force against civilians. AB 1806 would grant the California Attorney General clear authority to investigate any shooting incidents involving federal immigration agents and members of the public. The state has both a moral and legal obligation to protect its residents and uphold the rule of law.

- 2) **Background.** Existing law requires the Attorney General (AG) to investigate incidents of officer-involved shootings resulting in the death of an unarmed civilian. Specifically, the AG is authorized to investigate and gather facts in an incident involving a shooting by a peace officer that results in the death of a civilian if the civilian was unarmed or if there is a reasonable dispute as to whether the civilian was armed, prepare a written report that includes specified information, and prosecute a criminal action against the officer if criminal charges against the involved officer are found to be warranted. This bill establishes substantially similar provisions, specific to shootings by federal immigration officers.

As discussed in the policy committee's analysis, the prosecution requirement of this bill raises Supremacy Clause, intergovernmental immunity, and federal officer immunity concerns, particularly because state criminal prosecutions of federal officers may be removed to federal court and federal-officer immunity may bar prosecution where the officer reasonably believed their conduct was necessary to perform their federal duty. To the extent the bill is challenged in court, any defense costs would be borne by the Department of Justice.

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