

CONCURRENCE IN SENATE AMENDMENTS

AB 1896 (Mark González and Rivas)

As Amended August 27, 2026

Majority vote

SUMMARY

Disqualifies, commencing January 1, 2028, persons previously employed as a sworn law enforcement officer or individual contractor and personally engaged in immigration enforcement from being a peace officer, as provided, among other provisions.

Senate Amendments

- 1) Add and clarify statements in the legislative findings and declarations.
- 2) Remove the prescriptive employment period of January 20, 2025, and ending on January 20, 2029, *and instead*, disqualify a person previously employed as a sworn law enforcement officer from being a peace officer or individual contractor if they personally engaged in immigration enforcement, as defined.
- 3) Redefine "immigration enforcement" to, *instead*, include any efforts to investigate or enforce any federal civil immigration law, including investigation or enforcing any federal criminal immigration law that penalizes a person's presence in, entry to, or reentry to, or employment in, the United States, but excludes certain conduct, as provided.
- 4) Remove the definitions of "California law enforcement agency," "local agency," and local law enforcement agency."
- 5) Authorize a hiring agency to include considering news articles, verified social media posts, filings of civil complaints, and other verified sources for relevant background investigation, and the background investigation to include an inquiry into whether the candidate has engaged in immigration enforcement.
- 6) Require, for purposes of an applicant previously employed as a sworn law enforcement officer or individual contractor and personally engaged with immigration enforcement, the hiring agency to complete the background investigation before the candidate participates in a Peace Officer Standards and Training (POST) basic course, and the hiring agency to review the background investigation to determine if the individual is suitable to enter the POST basic course subject to certain suitability standards. The suitability standards include: (i) the Commission on Post (C-POST) adopting a regulation defining that term, and (ii) a workgroup consisting of individuals, as prescribed, to make a determination as to suitability.
- 7) Require every applicant seeking appointment as a peace officer or enrollment in a POST basic course to submit a declaration submitted under penalty of perjury to the hiring agency that states whether the applicant has at any time been employed as a sworn law enforcement officer or individual contractor and personally engaged in immigration enforcement, and establish that a knowingly false declaration submitted must constitute as a false statement made under penalty of perjury which must be considered by the hiring agency as part of its suitability determination. In addition, nothing authorizes the hiring agency to disclose confidential criminal history information, except as otherwise authorized by law.

- 8) Require, for purposes of the aforementioned applicants for the POST basic course, the C-POST to deny suitability for enrollment in the course, unless it receives notice from the hiring agency granting the applicant's suitability.
- 9) Remove other provisions relating to disqualifications for office or employment and make related changes for the above-described purposes.
- 10) Add by requiring state employment forms to also require a person applying for employment to disclose whether they have been employed as a sworn law enforcement officer or individual contractor that personally engaged in immigration enforcement, as defined.
- 11) Delay implementation of the disqualification until January 1, 2028; make technical, clarifying or conforming changes relating to the above-described amendments; and, among other similarly related changes, add contingent enactment provisions, as stipulated, to resolve a conflict with Assembly Bill 1627 (Avila Farias) and Assembly Bill 2337 (Lackey).

COMMENTS

During his second campaign for president in 2023-2024, Donald Trump vowed that if re-elected, he would carry out the largest deportation program in American history. Reporting by the New York Times called Trump's second term plans "an extreme expansion of his first-term crackdown on immigration [...] including preparing to round up undocumented people already in the United States on a vast scale and detain them in sprawling camps while they wait to be expelled."¹ Throughout the campaign, Donald Trump regularly asserted that he would deport between 15 and 20 million people, far beyond the estimated number of undocumented immigrants, and constituting an action that would cost taxpayers roughly \$1 trillion over 10 years.²

On the day of his second inauguration, President Trump issued more than a dozen executive actions aimed at realizing his ambitious mass detention and deportation agenda. Among them was a proclamation titled "Guaranteeing the States Protection Against Invasion," in which he cited the flow of migrants across the southern U.S. border as a justification for invoking constitutional authority to protect each of the states against invasion, and thereby expanded the authority and discretion of the Department of Defense and the Department of Homeland Security (DHS) to carry out immigration-related functions.³ He also signed Executive Order (EO) 14159 with the familiar sounding title "Protecting the American People Against Invasion," which provides that "[i]t is the policy of the United States to faithfully execute the immigration laws against all inadmissible and removable aliens, particularly those aliens who threaten the safety or security of the American people. Further, it is the policy of the United States to achieve the total and efficient enforcement of those laws, including through lawful incentives and detention capabilities."⁴ Notable provisions of EO 14159 include: 1) directing the DHS to set enforcement priorities, emphasizing criminal histories; 2) establishing Homeland Security Task Forces in each

¹ "Sweeping Raids, Giant Camps and Mass Deportations: Inside Trump's 2025 Immigration Plans." New York Times, November 11, 2023. <https://www.nytimes.com/2023/11/11/us/politics/trump-2025-immigration-agenda.html>

² "A Donald Trump mass deportation of immigrants would cost hundreds of billions, report says." Sacramento Bee, October 2, 2024. <https://www.sacbee.com/news/politics-government/capitol-alert/article293359389.html>

³ Proclamation 10888. 20 January 2025. 90 Fed. Register 8333-8336; Section 4, art. IV, U.S. Const.

⁴ Executive Order 14159. 20 January 2025. 90 Fed. Register 8443. <https://www.whitehouse.gov/presidential-actions/2025/01/protecting-the-american-people-against-invasion/>

state; 3) requiring all noncitizens to register with DHS, with civil and criminal penalties for failure to register; 4) directing DHS to collect all civil fines and penalties from undocumented individuals, such as for unlawful entry or attempted unlawful entry; 5) expanding the use of expedited removal; 6) building more detention facilities; 7) encouraging federal/state cooperation, as specified; 8) encouraging voluntary departure, as specified; 9) limiting access to humanitarian parole and Temporary Protected Status; 10) directing the U.S. Attorney General and DHS to ensure that "sanctuary" jurisdictions do not receive access to federal funds; 11) reviewing federal grants to non-profits assisting undocumented persons and denying public benefits to undocumented persons; and 12) hiring more U.S. ICE and Customs and Border Patrol (CBP) officers.⁵

On January 25, 2025, ICE field offices were told that each office must detain at least 75 noncitizens every day, or more than 1,800 per day nationwide.⁶ To hold more detainees, the Trump Administration opened Guantanamo Bay, set detained individuals there in February, and has also started sending detained individuals to a mega-prison in El Salvador, in many cases before their due process rights can be vindicated.⁷ On July 4, 2025, President Trump signed the One Big Beautiful (OBB) Act, a substantial domestic policy bill that, among other provisions, allocated more than \$170 billion for immigration enforcement through 2029. The OBB Act increased the annual budget of ICE from \$8.7 billion to approximately \$27.7 billion, with \$75 billion appropriated to the agency over the next four years. With this unprecedented budget increase, ICE is slated to have a higher annual budget than the militaries of Italy, Brazil, Israel, and nearly 20 other countries in the top 40 of military spenders.⁸ This funding will go almost exclusively toward immigration enforcement, detention and deportation operations.⁹ On June 10, 2026, President Trump signed a bill authorizing another \$70 billion in funding for immigration enforcement.¹⁰

The Trump Administration's ramp-up of immigration enforcement has been accompanied by aggressive recruitment efforts, including attempts by federal immigration agencies to lure state peace officers.¹¹ ICE has taken steps to significantly expand hiring, such as giving out \$50,000 signing bonuses, offering student loan forgiveness, lowering the age limit for recruits from 21 to 18, and waiving the 37-year-old hiring cap, among others.¹² But amid this hiring surge, evidence has surfaced that ICE had misrepresented the rigor of its training for new officers, including legal training over whether they are permitted to use deadly force. According to a recent whistleblower account, training for new officers has been pared down to the point where it is

⁵ *Ibid.*

⁶ "Trump Officials Issue Quotas to ICE Officers to Ramp up Arrests." Washington Post, January 26, 2025.

<https://www.washingtonpost.com/immigration/2025/01/26/ice-arrests-raids-trump-quota>

⁷ "Immigration Officials Defend Authority to Hold Migrants at Guantanamo Bay." Associated Press, March 10, 2025,

<https://apnews.com/article/us-immigration-detention-guantanamo-bay-d4fe8f0d051e0cd7e3f04ce02c8e7564>; M. Aleman, AP News, *Venezuelan Migrants Deported by the US Ended up in a Salvadoran Prison. This is Their Legal Status*, March 25, 2025, <https://apnews.com/article/el-salvador-trump-tren-de-aragua-venezuela-dde4259e5dcd502101b7b8fbd3c03659>

⁸ "ICE Budget Now Bigger Than Most of the World's Militaries." Newsweek. July 2, 2025.

<https://www.newsweek.com/immigration-ice-bill-trump-2093456>

⁹ "Explainer: One Big Beautiful Bill Act: Immigration Provisions." Immigration Forum. July 7, 2025.

<https://forumtogether.org/article/one-big-beautiful-bill-act-immigration-provisions/>

¹⁰ "Trump signs bill giving nearly \$70B to his immigration enforcement agenda through end of his term." Associated Press, June 10, 2026. <https://apnews.com/article/trump-immigration-enforcement-dhs-ice-deportation-9eef2e24fede3e4d593be462cbcf31f2>

¹¹ "ICE offers big bucks – but California police officers prove tough to poach." Los Angeles Times, September 22, 2025.

<https://www.latimes.com/california/story/2025-09-22/ice-poaching-cops>

¹² "ICE expansion has outpaced accountability. What are the remedies?" Ray and Sanchez. Brookings, January 26, 2026.

<https://www.brookings.edu/articles/ice-expansion-has-outpaced-accountability-what-are-the-remedies/>

"deficient, defective and broken."¹³ Moreover, a recent review by the Associated Press found that at least two dozen ICE employees and contractors have been charged with crimes since 2020, including nine such instances in 2025 alone.¹⁴ According to the report, while most cases happened before the passage of the OBB Act, "experts say such crimes could accelerate given the volume of new employees and their empowerment to use aggressive tactics to deport people."¹⁵

Please refer to the various policy committee analyses for a full discussion of this bill.

According to the Author

"Immigration enforcement agents, by virtue of their employment, have consistently shown they are unwilling to stand up to unlawful orders, and therefore do not align with the core values of this state's law enforcement or public employee missions. Whistleblower documents and complaints presented to Congress also show alarming changes to ICE training including a shortened training program, the reduction of training exams and the removal of entire courses from their training program including use of force training."

Arguments in Support

Among other things, the Coalition for Humane Immigrant Rights expresses, "... [a]nyone who engages in the terrorizing, kidnapping, shooting, or killing of innocent people has shown they are not interested in serving the public interest but are instead agents of harm, hate, and substantive violence. By disqualifying them from public employment, California will continue to ensure its people are served by those with their best interest at heart."

In part, the California Public Defenders Association states, "[t]his legislation aligns with California's longstanding commitment to equity, accountability, and the protection of civil rights. By demanding higher ethical standards from those entrusted with public authority, [this bill] affirms our collective duty to ensure that public power is never again used to terrorize or marginalize our communities."

Others offer similar statements in support of this bill.

Arguments in Opposition

The Peace Officers Research Association of California states, among other things, that "[at] a time when law enforcement agencies across California are facing significant recruitment and retention challenges, this bill unnecessarily restricts the pool of qualified candidates. This impact is not theoretical and will directly affect staffing levels and service delivery in communities across the state. Policies that exclude individuals based on prior lawful employment do not enhance public safety and instead risk limiting agencies' ability to effectively serve their communities. [This bill] also sets a concerning precedent by introducing a disqualifier unrelated to job performance or professional standards, rather than relying on objective, merit-based criteria to evaluate candidates."

¹³ "ICE whistleblower accuses agency of 'deficient, defective and broken' training amid hiring surge." The Hill, February 23, 2026. <https://thehill.com/homenews/administration/5751455-ice-officer-training-whistleblower/>

¹⁴ "Takeaways from AP's review of recent criminal cases against ICE employees and contractors." Associated Press, February 10, 2026. <https://apnews.com/article/ice-agents-arrested-misconduct-abuse-corruption-charged-d3aeb8c20191fa357f87078fc169cc17>

¹⁵ *Ibid.*

In part, a coalition of peace officer associations express, "[to] become a peace officer in California, a person is subject to an extensive background check and high statutory and departmental qualifications. Violent misconduct against the public, frequently attributed to ICE agents, is currently considered a disqualifying factor for candidates applying to become a peace officer in our state."

Others offer similar statements in opposition to this bill.

FISCAL COMMENTS

According to the Senate Committee on Appropriations, this bill would result in minor costs to state law enforcement agencies (special funds, General Fund), and minor to modest costs to local law enforcement. To the extent this bill would impose additional duties on local law enforcement agencies, this bill would impose a state mandated local program. Costs will depend on whether the duties imposed by this bill constitute a reimbursable state mandate, as determined by the Commission on State Mandates. (General Fund)

VOTES:

ASM PUBLIC EMPLOYMENT AND RETIREMENT: 5-1-1

YES: McKinnor, Boerner, Garcia, Nguyen, Michelle Rodriguez

NO: Lackey

ABS, ABST OR NV: Alanis

ASM PUBLIC SAFETY: 7-2-0

YES: Schultz, Mark González, Haney, Harabedian, Nguyen, Ramos, Sharp-Collins

NO: Alanis, Lackey

ASM APPROPRIATIONS: 11-4-0

YES: Wicks, Aguiar-Curry, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

NO: Hoover, Dixon, Ta, Tangipa

ASSEMBLY FLOOR: 53-21-6

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

NO: Alanis, Bains, Castillo, Chen, Davies, DeMaio, Dixon, Ellis, Flora, Gallagher, Jeff Gonzalez, Hadwick, Hoover, Johnson, Lackey, Macedo, Patterson, Sanchez, Ta, Tangipa, Wallis

ABS, ABST OR NV: Bauer-Kahan, Krell, Patel, Celeste Rodriguez, Schiavo, Wilson

UPDATED

VERSION: August 13, 2026

CONSULTANT: Michael Bolden / P. E. & R. / (916) 319-3957

FN: 0004535