SENATE COMMITTEE ON PUBLIC SAFETY

Senator Jesse Arreguín, Chair
2025 - 2026 Regular

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Author:	Pérez		
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Consultant:	AB		

Subject: ***Law enforcement***

HISTORY

Source: ACLU California Action

Prior Legislation: SB 54 (De León), Ch. 495, Stats. of 2017

Support: Alliance for a Better Community; Alliance San Diego; CAIR California; California Black Power Network; California Community Foundation; California Immigrant Policy Center; California Public Defenders Association; Cancel the Contract; Center for Policing Equity; Central American Resource Center of California; Check the Sheriff; Coalition for Humane Immigrant Rights; Courage California; Ella Baker Center for Human Rights; Friends Committee on Legislation of California; Initiate Justice; La Defensa; Latino Community Foundation; League of Women Voters of California; Loyola Law School Anti-racism Center; Oakland Privacy; Santa Barbara Women's Political Committee; Smart Justice California, a Project of Beyond Impact; The W. Haywood Burns Institute; Western Center on Law & Poverty; Women's March Action

Opposition: California Police Chiefs Association; Peace Officers Research Association of California; Riverside County Sheriff's Office

PURPOSE

The purpose of this bill is to remove arrest authority and peace officer status from federal criminal investigators and federal law enforcement currently granted under existing law under specified circumstances, and to prohibit California law enforcement agencies from participating in joint task forces or interagency agreements that engage in specified conduct.

Existing law provides that any person who meets all standards imposed by California law on a peace officer is a peace officer and provides that sworn members of several specified law enforcement agencies and agency types are peace officers whose authority extends to any place in this state. (Pen. Code, §§ 830, 830.2.)

Existing law requires that every peace officer satisfactorily complete an introductory course of training prescribed by the Commission on Peace Officer Standards and Training, as specified, and sets forth minimum standards for each class of employees declared by law to be California peace officers. (Pen. Code, § 832; Gov. Code, § 1031.)

Existing law grants peace officers the authority to arrest a person in obedience to a judicial warrant, or pursuant to their peace officer authority, without a warrant when any of the following circumstances occur:

- The officer has probable cause to believe that the person to be arrested has committed a public offense in the officer's presence.
- The person arrested has committed a felony, although not in the officer's presence.
- The officer has probable cause to believe that the person to be arrested has committed a felony, whether or not a felony, in fact, has been committed. (Pen. Code, § 836, subd. (a).)

Existing law provides that federal criminal investigators and law enforcement officers are not California peace officers, but may exercise the powers of arrest of a peace officer in any of the following circumstances:

- Any circumstances in which a California peace officer may arrest without a warrant and in specified circumstances related to involuntary psychiatric holds that involve violations of state or local laws.
- When these investigators and law enforcement officers are engaged in the enforcement of federal criminal laws and exercise the arrest powers only incidental to the performance of these duties.
- When requested by a California law enforcement agency to be involved in a joint task force or criminal investigation.
- When probable cause exists to believe that a public offense that involves immediate danger to persons or property has just occurred or is being committed. (Pen. Code, § 830.8, subd. (a).)

Existing law requires that federal investigators and law enforcement officers, prior to the exercise of these arrest powers, to have been certified by their agency heads as having satisfied specified training requirements. (*Ibid.*)

Existing law specifies that federal officers of the Bureau of Land Management or the United States Forest Service do not enjoy these arrest powers, and have no authority to enforce California statutes without the written consent of the sheriff or the chief of police in whose jurisdiction they are assigned. (*Ibid.*)

Existing law provides that duly authorized federal employees who comply with specified training requirements are peace officers when they are engaged in enforcing applicable state or local laws on property owned or possessed by the United States government, or on any street, sidewalk, or property adjacent thereto, and with the written consent of the sheriff or the chief of police, respectively, in whose jurisdiction the property is situated. (Pen. Code, § 830.8, subd. (b).)

Existing law provides that national park rangers are not California peace officers but may exercise the powers of arrest of a peace officer and the powers of a peace officer specified in existing law related to involuntary psychiatric holds provided these rangers are exercising the arrest powers incidental to the performance of their federal duties or providing or attempting to provide law enforcement services in response to a request initiated by California state park rangers to assist in preserving the peace and protecting state parks and other property for which California state park rangers are responsible. Requires national park rangers to also meet

specified training requirements as certified by their agency heads. (Pen. Code, § 830.8, subd. (c).)

Existing law specifies that during a state of war emergency or a state of emergency, as defined, federal criminal investigators and law enforcement officers who are assisting California law enforcement officers in carrying out emergency operations are not deemed California peace officers, but may exercise the powers of arrest of a peace officer, as specified. (Pen. Code, § 830.8, subd. (d).)

This bill strikes the provisions of existing law granting federal criminal investigators and law enforcement officers the powers of arrest of a California peace officer, requiring specified training as a prerequisite to the exercise of that power, and exception related to the Bureau of Land Management.

This bill strikes the provision of existing law providing that duly authorized federal employees who comply with specified training requirements are peace officers when they are engaged in enforcing applicable state or local laws on property owned or possessed by the United States government, or on any street, sidewalk, or property adjacent thereto, and with the written consent of the sheriff or the chief of police, respectively, in whose jurisdiction the property is situated.

This bill specifies that the existing provision authorizing federal criminal investigators and law enforcement officers to exercise the powers of arrest of a peace officer during declared states of emergency only applies to those federal officials assisting California law enforcement officers in carrying out emergency operations at the request of the Governor.

This bill specifies that any federal officials assisting California law enforcement officers during declared states of emergency at the request of the Governor must comply with existing California law requiring law enforcement officers to display specified identification and refrain from wearing identity-obscuring face masks.

Existing law provides that Congress shall make no law respecting an establishment of religion, prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people to peaceably assemble, and petition the Government for a redress of grievances. (U.S. Const. 1st Amend.; Cal. Const., art. 1, §§ 2, 3, 4.)

Existing federal law provides that a federal, state or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service (INS) information regarding the citizenship or immigration status, lawful or unlawful, of any individual. (8 U.S.C. § 1373.)

Existing federal law provides that no state or local government entity may be prohibited, or in any way restricted, from sending to or receiving from the INS information regarding the immigration status, lawful or unlawful, of an alien in the United States. (8 U.S.C. § 1644.)

Existing law, the Tom Bane Civil Rights Act, creates a civil cause of action against anyone, including police, who interferes with constitutional rights by threat, intimidation or coercion. (Civ. Code, § 52.1.)

Existing law prohibits a peace officer from engaging in racial or identity profiling, as defined, and requires that the course of basic training for peace officers include adequate instruction on racial, identity, and cultural diversity, as specified. (Pen. Code, § 13519.4.)

Existing law generally prohibits law enforcement agencies from using kinetic energy projectiles and chemical agents, as defined, for the purposes of crowd control. (Pen. Code, § 13652.)

Existing law generally requires law enforcement agencies to obtain the approval of their governing body, as specified, prior to acquiring any military equipment, as defined. (Gov. Code, §§ 7070 et. seq.)

Existing law provides that the fact that a person takes a photograph or makes an audio or video recording of a public officer or peace officer, while the officer is in a public place or the person taking the photograph or making the recording is in a place he or she has the right to be, does not constitute, in and of itself, the crime of resisting, delaying, or obstructing a public officer or peace officer in the discharge of their duties, nor does it constitute reasonable suspicion to detain the person or probable cause to arrest the person. (Pen. Code, § 148, subd. (g).)

Existing law, 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. (Gov. Code, § 7284.6, subd. (a).)

Existing law 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 the following conditions are met:

- The primary purpose of the joint law enforcement task force is not immigration enforcement, as defined.
- The enforcement or investigative duties are primarily related to a violation of state or federal law unrelated to immigration enforcement.
- Participation in the task force by a California law enforcement agency does not violate any local law or policy to which it is otherwise subject. (Gov. Code, § 7284.6, subd. (b).)

Existing law requires California law enforcement agencies participating in a task force, for which the agency has agreed to dedicate personnel or resources on an ongoing basis, to submit a report annually to the Department of Justice, as specified. (Gov. Code, § 7284.6, subd. (c).)

This bill prohibits, except as required by federal or state law, a California law enforcement agency from taking part in a joint law enforcement task force or interagency agreement that assists or includes any of the following:

- Racial or identity profiling, as defined and prohibited in existing law.

- Investigation, arrest, use of force, or imposition of civil or criminal liability or other penalties upon a person or entity based on constitutionally protected expressive conduct, including, but not limited to, either of the following:
    - Requests made by federal authorities or other out-of-state authorities to obtain data or conduct surveillance or investigation in furtherance of the objectives set forth in National Security Presidential Memorandum No. 7, including, pursuant to a joint law enforcement task force request or agreement made in furtherance of the objectives of that memorandum.
    - Deployment of kinetic energy projectiles and chemical agents against an assembly, protest, or demonstration that does not meet requirements set forth in existing law.

- Use, deployment, or acquisition of military equipment that has not been authorized pursuant to existing law.

This bill provides that if a California law enforcement agency enters into an interagency agreement, the agreement shall be in writing and include the limitations set forth in this bill, and shall not exceed two years in duration.

This bill provides that prior to renewal or establishment of a new interagency agreement, a California law enforcement agency shall seek and receive prior written authorization from the Attorney General, and that the Attorney General shall grant written authorization only upon determining that the agreement complies with state law.

This bill requires, for an agreement in existence at the time this law takes effect, a California law enforcement agency that is a party to an interagency agreement to seek and receive written authorization from the Attorney General. Requires the Attorney General to amend or terminate the agreement if the Attorney General determines that the agreement is not compliant with state law.

This bill prohibits, except as required by federal or state law, a California law enforcement agency from using agency or department resources or personnel to assist an operation executed in whole, or in part, by a federal or other out-of-state law enforcement agency that engages in the actions specified above.

This bill defines "California law enforcement agency" to include a police department (including the police department of a transit agency, school district, or any campus of the University of California, the California State University, or the California Community Colleges), a sheriff's department, a district attorney's office, a county probation department, or any other law enforcement agency, department, or other entity of the state or any political subdivision thereof, that employs any peace officer.

This bill defines "joint law enforcement task force" as at least one California law enforcement agency collaborating, engaging, or partnering with at least one federal or other out-of-state law enforcement agency in investigating a violation of federal or state crimes, as specified.

This bill defines "interagency agreement" as an agreement or memorandum of understanding between a California law enforcement agency and a federal law enforcement agency or other

out-of-state law enforcement agency for the purpose of criminal law enforcement, including, but not limited to, a mutual aid agreement.

This bill specifies that the term "assist" or "assists" includes but is not limited to providing personnel for backup or perimeter control.

This bill defines "constitutionally protected expressive conduct" as activities protected by specified provisions of the United States and California Constitutions including, but not limited to, assembly, petitioning, speech, expression of political and religious opinions, recording government officials engaged in their duties in public places, and the publication of opinions or recordings.

This bill specifies that it does not prohibit or restrict any governmental entity or official from sending to, or receiving from, federal immigration authorities, information regarding the citizenship or immigration status, lawful or unlawful, of an individual, or from requesting from federal immigration authorities, immigration status information, lawful or unlawful, of an individual, or maintaining or exchanging that information with any other federal, state, or local governmental entity, pursuant to federal law.

This bill includes a severability clause.

This bill includes various legislative findings and declarations.

COMMENTS

1. Need for This Bill

According to the author:

> SB 1105, the Protect CA Rights Act, prohibits local and state law enforcement from assisting federal agents in operations that involve racial or identity profiling, the criminalization of protected speech, or the use of unauthorized military-style weapons against Californians. Californians have rights — and it is our duty to protect them. Existing California law already prohibits racial profiling, and our Constitution guarantees the right to peacefully assemble without being met with militarized responses.
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> But the Federal Administration is attempting to erode those rights in real time. Through their words, actions, and executive orders, the Federal Administration has made clear that its enforcement campaign extends beyond undocumented immigrants. Across California, we are increasingly seeing federal agents rely on local law enforcement to facilitate their operations. ICE has called upon local police to block legal observers and rapid responders from documenting enforcement actions, creating barriers that limit public visibility into federal immigration operations.While such actions may not violate existing law, since local officers are not the ones carrying out the immigration arrests, they are still providing operational support to ICE.

> American citizens who speak out against ICE have been targeted, and minority communities are being scrutinized regardless of immigration status. This bill makes one thing clear: California's law enforcement resources cannot be used to undermine California law or constitutional rights.

2. Background on Recent Federal Actions

Since his return to office in 2025, President Trump has taken extraordinary steps toward effectuating his large-scale anti-immigration agenda and retaliating against his political opponents. His administration's "whole-of-government" approach – which involves enlisting nearly every major Cabinet-level agency in enforcement efforts – have redirected vast federal resources toward immigration and away from other priorities, and, according to critics, tested the limits of executive power.[1] To meet its ambitious immigration detention and deportation objectives, the Trump Administration has also employed a range of arcane or little-used legal tools, such as invoking the Alien Enemies Act of 1798 so-called "287(g) agreements," which effectively deputize local police for immigration enforcement.[2] As of February 13, 2026, Immigration and Customs Enforcement (ICE) reported 1,412 active agreements across 40 states and territories, though none in California, which has long prohibited its state and local agencies from entering such agreements.[3]

President Trump has also directed top law enforcement officials in his government to pursue investigations and prosecutions of his political rivals, including pursuant to a presidential memorandum nominally aimed at "countering domestic terrorism and organized political violence."[4] This memorandum (hereinafter "NSPM-7") alleges that the driving force behind such nefarious enterprises is the "anti-fascist" movement, which:

> [P]ortray foundational American principles (e.g., support for law enforcement and border control) as "fascist" to justify and encourage acts of violent revolution. This "anti-fascist" lie has become the organizing rallying cry used by domestic terrorists to wage a violent assault against democratic institutions, constitutional rights, and fundamental American liberties. Common threads animating this violent conduct include anti-Americanism, anti-capitalism, and anti-Christianity; support for the overthrow of the United States Government; extremism on migration, race, and gender; and hostility towards those who hold traditional American views on family, religion, and morality.[5]

The NSPM-7 also directs the National Joint Terrorism Task Force and its local offices to "coordinate and supervise a comprehensive national strategy to investigate, prosecute, and disrupt entities and individuals engaged in acts of political violence and intimidation designed to

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[1] "In the Trump administration, nearly every major department is an immigration agency." *Associated Press.* 20 February 2025. For Trump, nearly every major department is an immigration agency | AP News

[2] "Supreme Court Retains Block on Using Wartime Law to Deport Venezuelans." *New York Times.* 16 May 2025. Supreme Court Retains Temporary Block on Using Alien Enemies Act to Deport Venezuelans - The New York Times; "Little-used ICE agreements with local police have exploded under Trump." *National Public Radio.* 17 February 2026.

[3] "Deputized for Disaster: How President Trump's 287(g) Deportation Force is a Powder Keg for our Communities." American Civil Liberties Union. Published February 2026. See p.33. Deputized-for-Disaster_260227.pdf

[4] "Countering Domestic Terrorism and Organized Political Violence." *National Security Presidential Memorandum 7*. Issued 25 September 2025. Countering Domestic Terrorism and Organized Political Violence – The White House

[5] *Ibid.*

suppress lawful political activity or obstruct the rule of law," as well as "institutional and individual funders, and officers and employees of organizations, that are responsible for, sponsor, or otherwise aid and abet the principal actors" engaged in the conduct described.[6] In response to the memorandum, over 3,000 nonprofit organizations, including the sponsor of this bill, signed an open letter condemning NSPM-7 as a violation of free speech and an unjust attempt to silence political dissent.[7]

According to the author, the Trump Administration "is trying to commandeer local and state police to implement its agenda […] Through joint task forces, our police have been ordered to support racially discriminatory immigration enforcement activities, to investigate people and civil organizations demonstrating against these actions, and to target Americans who are documenting ICE." Further, "while demanding that local police participate in these programs at odds with California law, the Trump administration is also diverting the federal agencies and taskforces leading these programs away from existing investigations" involving other types of criminal activity. It is against this backdrop that the author proposes this measure prohibiting federal law enforcement officers from exercising the arrest powers of a California peace officer and more tightly regulating interagency agreements and the creation of task forces between California law enforcement agencies and out-of-state law enforcement agencies. This bill's two major components will be discussed in turn in comments 3 and 4 below.

3. The Exercise of State Police Powers by Federal Authorities

The Tenth Amendment to the United States Constitution provides that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people."[8] Among these powers reserved to the states is the "police power," which traditionally has been defined as the authority to define the criminal law and to provide for the public health, safety, morals and welfare.[9] It is well-established that the "states are independent sovereigns possessing inherent police power to criminally punish conduct inimical to the public welfare, even when that same conduct is also prohibited under federal law," and that "foremost among the prerogatives of sovereignty is the power to create and enforce a criminal law."[10] Indeed, "even though federal law may authorize federal agents to act as state peace officers, each state retains the ability to limit the involvement of federal law enforcement in administering that state's criminal laws."[11]

California is one such state that has enacted limits on the extent to which federal criminal law enforcement officers may enforce the state's criminal laws. Existing law, Penal Code section 830.8, specifies that federal criminal investigators and law enforcement officers are not California peace officers, but may exercise the powers of arrest of a peace officer in limited circumstances. These circumstances primarily include when federal officers are engaged in federal law enforcement and exercise arrest powers incidental to federal duties, when requested by a California law enforcement agency to be involved in a joint task force or investigation, when probable cause exists to believe that a public offense that involves immediate danger to persons or property is occurring. In addition, federal officers have the authority to arrest in

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[6] *Ibid.*
[7] "An Open Letter Rejecting Presidential Attacks on Nonprofit Organizations." Civil Society Solidarity Letter & Signatories
[8] U.S. Const., 10th Amend.
[9] *Berman v. Parker* (1954) 348 U.S. 26, 28; *Gonzales v. Raich* (2005) 545 U.S. 1, 29-30.
[10] *In re Jose C.* (2009) 45 Cal.4th 534, 544; *Heath v. Alabama* (1985) 474 U.S. 82, 93.
[11] *United States v. Artis* (2018) 315 F.Supp.3d 1142, 1146.

various situations where they have probable cause to believe a crime has been committed or when a felony has been committed out of their presence.[12] Prior to exercising these powers, federal officers must be certified by their agency heads as having satisfied specified basic training requirements. This provision also authorizes federal officers to enforce state or local laws on or directly adjacent U.S. government property, and separately provides that federal officers of the Bureau of Land Management must obtain the written consent of the sheriff or chief of police in their jurisdiction to enforce state laws.[13] Other relevant Section 830.8 provisions set forth narrower circumstances under which national park rangers may exercise state arrest authority, and provide that federal officers may exercise state arrest authority when they are assisting California law enforcement during declared states of emergency.[14]

This bill strikes the provisions of Section 830.8 granting federal law enforcement officers the powers of arrest of a California peace officer, removing that authority in every instance except with regard to national park rangers and declared states of emergency, but retains existing law plainly stating that "federal criminal investigators and law enforcement officers are not California peace officers." Regarding states of emergency, the bill allows federal officers to exercise state arrest authority only when they are assisting California agencies during emergency operations *at the request of the Governor*, and specifies that they must comply with existing masking and identification requirements.[15]

This bill's proposed removal of state arrest authority for federal officers in a wide range of situations may have significant consequences that the author and Committee may wish to consider. For instance, when federal agencies participate in task forces with state and local agencies, federal officers often assist with the execution of warrants and subsequent arrests based on state law. This bill removes state arrest authority for federal officers when requested by a California agency to be involved in a task force or criminal investigation. Federal officers stationed in California may also witness various 'street crimes' (such as assaults, thefts, acts of domestic violence, disturbing the peace, etc.) in the course of their duties, and not always when accompanied by California peace officers. This bill removes state arrest authority for federal officers incidental to their enforcement of federal criminal law and when they have probable cause to believe that a crime involving immediate danger to persons or property has just occurred or is being committed. Because, as mentioned above, the definition and enforcement of most criminal laws is left to the states, federal law does not include criminal statutes covering a range of basic offenses. Thus, the bill's removal of state arrest authority may lead to a situation in which a federal officer observes a crime but is unable to arrest the perpetrator.

4. Restrictions on Collaboration with Federal or Out-of-State Law Enforcement Agencies

Historically, California law has placed few, if any, limitations on the creation of joint law enforcement task forces and other interagency agreements. However, in 2017, California enacted SB 54 (DeLeón), Chapter 134, Statutes of 2017, also known as the California Values Act, which generally prohibited California law enforcement agencies from using agency moneys or personnel to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes, from placing officers under the supervision of federal agencies for the purpose of immigration enforcement, and from cooperating in other specified ways with federal

[12] Pen. Code, § 830.8, subd.(a)(1)-(4); Pen. Code, § 836.
[13] Pen. Code, § 830.8, subds. (a)(b).
[14] *Ibid.* subds. (c), (d).
[15] See Pen. Code, §§ 185.5, 13654.

immigration authorities. The Values Act specified that its provisions did not preclude a California law enforcement agency from conducting enforcement or investigative duties associated with a joint law enforcement task force, provided certain conditions were met, namely, that the primary purpose of the task force is not immigration enforcement and the enforcement or investigative duties are unrelated to immigration enforcement.[16] However, beyond these immigration-related restrictions, California law imposes no requirements on joint law enforcement task forces or other interagency agreements entered into between California law enforcement agencies and federal or out-of-state law enforcement agencies. This bill seeks to change that.

Specifically, this bill prohibits California law enforcement agencies from taking part in a joint law enforcement task force or interagency agreement with a federal or out-of-state law enforcement agency[17] that assists or includes conduct that California agencies are prohibited from engaging in under state law, such as racial or identity profiling, deployment of specified 'less lethal' crowd control munitions, and the use of unauthorized military-style equipment. It also prohibits such agreements that assist or include the investigation, arrest, use of force, imposition of civil or criminal liability or other penalties upon a person or entity based on constitutionally protected expressive conduct generally. A subsection of this prohibition applies to requests made by federal or out-of-state authorities to obtain data or conduct surveillance or investigation in "furtherance of" the objectives of the aforementioned NSPM-7 pursuant to a task force request or agreement made in furtherance of the objectives of that memorandum. These provisions also include a kind of "catch-all," prohibiting a California law enforcement agency from using departmental resources or personnel to assist an operation executed by a federal or out of state law enforcement agency that engages in the aforementioned prohibited conduct. The bill further requires all interagency agreements to be in writing and limited to two years in duration.

This set of restrictions on the creation of interagency agreements and joint law enforcement task forces raises a host of questions that the Author and Committee may wish to consider, as follows:

- The scope of prohibited conduct precluding the formation of a task force or interagency agreement under the bill is likely to hamper, at least to some degree, state-federal and interstate law enforcement cooperation that may be beneficial. For instance, the stated goal of a task force consisting of a local police department and the FBI may be the investigation and dismantling of a Russian mafia organization, but because such a task force identifies the national origin of the target individuals, and investigative operations may rely on this nationality as a factor, participation by the California agencies may be proscribed.[18] Consider also a federal agency that uses a military-style weapon for certain operations, but may or may not use it in the present task force. Are California agencies

[16] Gov. Code, § 7284.6, subds. (a), (b).
[17] For the purposes of this comment, whenever "joint task forces" or "interagency agreements" are mentioned, the terms have the meanings set forth in the bill and described on p.5 of this analysis.
[18] The definition of "racial or identity profiling" in Penal Code section 13519.4, subdivision (e), is "the consideration of, or reliance on, to any degree, actual or perceived race, color, ethnicity, national origin, age, religion, gender identity or expression, sexual orientation, or mental or physical disability in deciding which persons to subject to a stop or in deciding upon the scope or substance of law enforcement activities following a stop, except that an officer may consider or rely on characteristics listed in a specific suspect description. The activities include, but are not limited to, traffic or pedestrian stops, or actions during a stop, such as asking questions, frisks,

prohibited from forming task forces with this federal agency? This issue is compounded by the fact that the bill does not require joint task forces to be based on a written agreement, yet relies on the assumption that California agencies will be fully aware of the probability of the task force engaging in the prohibited conduct or not.

- It is unclear what constitutes a task force request or agreement "made in furtherance of the objectives of" NSPM-7 and what requests to "obtain data or conduct surveillance or investigation" may be "in furtherance of" that memo. To be sure, the memo is primarily focused on what it calls "anti-fascist" ideology, but also stresses the need for law enforcement to "disband and uproot networks […] that promote organized violence, violent intimidation, and conspiracy against rights." How expansive a view must California law enforcement agencies take of the objectives of NSPM-7?

- Regarding the "catch-all" provision, if the agency is requested to assist an operation just prior to or while it is being conducted, how will the agency know if the federal or out-of-state agencies are engaging in the proscribed conduct? Is that a determination that needs to be made in real time? Given the demands of high-stakes multi-jurisdictional law enforcement operations, is this appropriate?

- The bill defines "joint law enforcement task force" as "at least one California law enforcement agency collaborating, engaging, or partnering with at least one federal or other out-of-state law enforcement agency in investigating a violation of federal or state crimes," as provided. But since the bill does not require task forces to be established by a written agreement, could this definition encompass minor communications between individual officers of a local law enforcement agency and a federal agency?

Another set of provisions in the bill establish an approval process for interagency agreements administered by the Attorney General. Under this process, prior to the creation or renewal of an interagency agreement, a California law enforcement agency must seek prior written authorization from the Attorney General, who must grant written authorization upon a determining that the agreement complies with state law. For an agreement in existence at the time the bill's provisions go into effect, a California agency that is party to an interagency agreement must seek and receive written authorization from the Attorney General, who must amend or terminate the agreement if it is not compliant with state law. These provisions also raise questions that should be considered by the author and Committee. What is the timeline for approval of interagency agreements? Is it the same for new agreements and renewals? Does the agreement only have to comply with the provisions of the bill, or as the bill states all of "state law"? If the latter, why specify the prohibited conduct with reference to specific California statutes? Can agencies make an emergency application to have agreements approved on a quicker timeline based on exigent circumstances? For agreements in existence when the bill takes effect, under what circumstances is the Attorney General required to terminate an agreement and when must the agreement be amended?

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consensual and nonconsensual searches of a person or any property, seizing any property, removing vehicle occupants during a traffic stop, issuing a citation, and making an arrest."

5. Argument in Support

According to the Ella Baker Center for Human Rights:

> The Trump Administration is blatantly ignoring our laws and threatening our freedoms. As many have seen firsthand, DHS agents have been terrorizing communities through "rovingpatrols" that illegally stop, kidnap, and disappear someone based on their race. When brave Californians have taken to the street to protest ICE's abuses, they have been met with outright violence. Two Californians were recently shot in the face with "less lethal" ammunition, leaving the permanently blind. Others have chosen to protect their communities by serving as legal observers in their neighborhoods, only to find themselves the targets of ICE surveillance operations. With ICE increasing its weapons spending by 360%, the Trump Administration is on track to ramp up its abusive efforts across California.
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> To make matters worse, Trump is augmenting his campaign against our freedoms by trying to commandeer local and state police to implement his agenda – diverting local law enforcement's limited resources to victimize their communities, target political opponents who disagree with the federal administration, and intimidate people into silence. Through joint task forces, state and local police have been ordered to support racially discriminatory immigration enforcement activities, to investigate people and civil organizations demonstrating against these actions, and to target Americans who are documenting ICE's abusive actions. This flagrant attack on First Amendment rights is meant to silence Californians and stop them from exercising their right to hold government accountable. Unfortunately, in California, we've seen a dangerous rise in local law enforcement acting at the federal police force's beck and call to harass protestors and others who are recording ICE activities to hold them accountable.
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> Trump's harmful agenda is directly endangering Californians' public safety. The administration's push to blur the lines between local and federal law enforcement has eroded community trust in their local police departments. When people fear law enforcement, they are less likely to report crimes, seek help, or cooperate with police. Collaboration between local law enforcement and ICE fuels distrust and interferes with helping victims and survivors.

6. Argument in Opposition

According to the Peace Officers Research Association of California:

> California's joint local, state, and federal task forces are among the most effective public safety tools available to law enforcement. These partnerships allow agencies to share intelligence, pool resources, and pursue criminal networks that operate across jurisdictional lines - criminal networks that no single agency could effectively combat alone. SB 1105 would break this cooperative framework in two critical ways:

- Blanket agency blacklisting: The bill would prohibit California law enforcement from participating in joint task forces or interagency operations with any out-of-state or federal agency that has previously engaged in specified conduct, such as racial profiling — regardless of whether the specific individuals or units involved had any role in that prior conduct.

- Mandatory bureaucratic approval: The bill would require written Attorney General approval before any interagency operation and reauthorization every two years — requirements that are fundamentally incompatible with the time-sensitive, fluid, ongoing and fast-moving nature of law enforcement operations.

  Local law enforcement agencies rely heavily on joint operations with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to trace illegal weapons, disrupt gun trafficking pipelines, and solve violent crimes through ballistic databases and coordinated federal investigations. Because ATF falls under the U.S. Department of Justice (DOJ), these interagency operations would likely be banned under SB 1105, leaving more illegal weapons in circulation if the AG deems non-compliant.

  California agencies partner with FBI Safe Streets Task Forces to pursue kidnapping suspects, dismantle criminal enterprises, and apprehend violent fugitives across state lines. In an abduction, the first 24 to 48 hours of are the most critical – after that window the chances of survival decline. SB 1105 would insert a mandatory approval process into exactly that window. Look at the tragic disappearance of Nancy Guthrie — abducted from her home in Arizona in the middle of the night, with the FBI and local officers immediately working side by side. Nancy Guthrie is someone's mother. Someone's grandmother. Local authorities should be unleashed and free to do absolutely everything in their power to locate her without waiting for written consent to the jobs they signed up to do. […]

  Task force participation does not only provide operational coordination — it provides California's local departments with access to resources they cannot replicate on their own. Without this framework, peace officers would lose:

  - Real-time intelligence sharing and national threat information
  - Specialized investigative tools and national databases
  - Federal investigative authorities unavailable to state and local agencies
  - Embedded federal personnel and subject-matter expertise
  - Advanced equipment and analytical capabilities
  - Federal reimbursement that offsets local investigative costs

  SB 1105 demonstrates a profound misunderstanding of how law enforcement works. Criminal investigations do not conform to administrative calendars. Trafficking victims are not recovered on a schedule. Fugitives do not wait for paperwork to be processed. Criminal networks do not operate within single jurisdictions. Yet, SB 1105 aims to fundamentally dismantle California's task force model that delivers measurable results by breaking down jurisdictional silos,

concentrating resources against high-impact criminal networks and insuring intelligence sharing in emergency situations when every second counts.

PORAC also wishes to be unambiguous on one point: **California's local peace officers are already prohibited from assisting federal partners with immigration enforcement. SB 1105 would have zero impact on immigration enforcement in California.** Instead, it would obstruct investigations into terrorism, mass violence, drug trafficking, violent crime, and human trafficking — exactly the opposite of its stated intent.

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