

Date of Hearing: August 20, 2025

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 805 (Pérez) – As Amended July 17, 2025

Policy Committee: Public Safety

Vote: 7 - 0

Urgency: Yes

State Mandated Local Program: Yes

Reimbursable: Yes

**SUMMARY:**

This bill imposes identification requirements on law enforcement agencies and officers operating in California, including federal agencies and officers.

Specifically, among other provisions, this bill:

- 1) Requires a law enforcement agency operating in California to maintain and publicly post a written policy on the visible identification of sworn personnel, including specified minimum components, such as a requirement that all sworn personnel visibly display identification that includes their agency and either a name or badge number (or both) when performing enforcement duties.
- 2) Requires an ununiformed law enforcement officer operating in California, including a federal law enforcement officer, to visibly display identification that includes the officer's agency and either a name or badge number (or both) when performing their enforcement duties, unless subject to an exemption enumerated in the bill. A willful violation of this requirement is punishable as a misdemeanor by up to six months in county jail, a fine of up to \$1,000, or both jail and a fine.
- 3) Specifies the requirement and criminal liability described in item 2, above, do not apply to an agency that maintains a policy as required by item 1, above.
- 4) Expands existing misdemeanors for impersonating a peace officer in various circumstances to include (a) impersonation of a federal law enforcement officer and (b) impersonation "by any other means" not listed in the existing statute.
- 5) Expands other existing misdemeanors for impersonating a member of a fire department or certain other officials to include impersonation "by any other means" not listed in the existing statutes.
- 6) Prohibits a person authorized to apprehend a bail fugitive from using their position for the purposes of immigration enforcement, except pursuant to valid judicial warrant or court order.

**FISCAL EFFECT:**

- 1) Possibly reimbursable costs (local funds) to each law enforcement agency that operates in California and must adopt a conforming identification policy. There are approximately 600 law enforcement agencies in California. These costs are unlikely to be significant for each agency, but in the aggregate statewide may be in the low hundreds of thousands of dollars one-time. The state must reimburse these costs from the General Fund if the Commission on State Mandates determines the duties imposed by this bill constitute a reimbursable state mandate.
- 2) Cost pressures (Trial Court Trust Fund, General Fund, of an unknown but potentially significant amount, to the courts to adjudicate misdemeanor charges for the crimes created and expanded by this bill. A defendant charged with a misdemeanor is entitled to a jury trial and, if the defendant is indigent, legal representation provided by the government. Actual court costs will depend on the number of violations and the amount of court time needed to adjudicate each case. It generally costs approximately \$1,000 to operate a courtroom for one hour. Although courts are not funded on the basis of workload, increased pressure on the Trial Court Trust Fund may create a demand for increased funding for courts from the General Fund. The fiscal year 2025-26 state budget provides \$82 million ongoing General Fund to the Trial Court Trust Fund for court operations.
- 3) Costs (local funds, General Fund) to the counties to incarcerate people convicted of the misdemeanors created and expanded by this bill. Actual incarceration costs will depend on the number of convictions and the length of each sentence. The average annual cost to incarcerate one person in county jail is approximately \$29,000, though costs are higher in larger counties. County incarceration costs are not subject to reimbursement by the state. However, overcrowding in county jails creates cost pressure on the General Fund because the state has historically granted new funding to counties to offset overcrowding resulting from public safety realignment.

#### COMMENTS:

- 1) **Background.** The Penal Code requires a peace officer to wear a badge, nameplate, or other device that clearly bears the identification number or name of the officer. Peace officers include police officers, county sheriffs, certain superior court marshals and California Highway Patrol officers, and other specified officers. Federal law enforcement officers and criminal investigators are not California peace officers, although they may exercise the arrest powers of a peace officer in specified circumstances. As discussed in more detail in the analysis of this bill by the Assembly Committee on Public Safety, this bill's direct regulation of federal officers has significant Constitutional implications and may be vulnerable to a legal challenge.
- 2) **Purpose.** The author intends this bill to address recent federal Immigration and Customs Enforcement (ICE) operations in the state, during which unidentified ICE personnel in plain clothes have forcibly detained Californians. According to the author:

We are facing an extraordinary moment in California. Masked individuals with no name identification, no uniforms, driving unmarked vehicles, and carrying firearms are taking our neighbors – both immigrants and American citizens – in broad daylight. When asked by members of the public to provide badge numbers, they refuse. We assume they are federal agents from Homeland Security or

ICE. However, unless these individuals provide proper identification, we simply do not know.

The author also cites “reports of criminals impersonating ICE officers, using threats and intimidation to target vulnerable communities.”

- 3) **Related Legislation.** SB 627 (Wiener) regulates use of masks and other facial coverings by a law enforcement officer. SB 627 is pending in this committee.

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