

HOUSE BILL REPORT

HB 2648

As Reported by House Committee On:
Community Safety

Title: An act relating to state and local law enforcement interactions with federal immigration enforcement officials.

Brief Description: Concerning state and local law enforcement interactions with federal immigration enforcement officials.

Sponsors: Representatives Fosse, Ramel and Pollet.

Brief History:

Committee Activity:

Community Safety: 1/29/26, 2/3/26 [DPS].

Brief Summary of Substitute Bill

- Requires on-duty peace officers to activate body worn cameras and dash cameras when encountering federal agents conducting immigration enforcement activities and to report such encounters to their employing agencies.
- Requires the local government entity of which the peace officer is an employee or the state, when the peace officer is a state employee, to indemnify and hold harmless a peace officer for any judgment or fine levied against the peace officer in any proceeding that arises from actions taken by the peace officer in compliance with these requirements.

HOUSE COMMITTEE ON COMMUNITY SAFETY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 6 members: Representatives Goodman, Chair; Simmons, Vice Chair; Davis, Farivar, Fosse and Obras.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Minority Report: Do not pass. Signed by 3 members: Representatives Graham, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Burnett.

Staff: Lena Langer (786-7192).

Background:

General Authority and Limited Authority Washington Peace Officers.

A general authority Washington peace officer is a fully compensated and elected, appointed, or employed officer of a general authority Washington law enforcement agency who is commissioned to enforce state criminal laws generally. A general authority Washington law enforcement agency is any agency, department, or division of a municipal corporation, political subdivision, or other unit of local government of the state, and any agency, department, or division of state government, having as its primary function the detection and apprehension of persons committing infractions or violating traffic or criminal laws in general. The Washington State Patrol and the Department of Fish and Wildlife are both general authority Washington law enforcement agencies.

A limited authority Washington peace officer is a fully compensated officer of a limited authority Washington law enforcement agency empowered by that agency to detect or apprehend violators of the laws in some or all of the limited subject areas for which that agency is responsible. A limited authority Washington peace officer may be a specially commissioned Washington peace officer if otherwise qualified for such status. A limited authority Washington law enforcement agency is any agency, political subdivision, or unit of local government, and any agency, department, or division of state government, having as one of its functions the apprehension or detection of persons committing infractions or violating traffic or criminal laws of limited subject areas. State law provides a nonexhaustive list of limited authority law enforcement agencies, which includes:

- the Department of Natural Resources;
- the Department of Social and Health Services;
- the Gambling Commission;
- the Lottery Commission;
- the Parks and Recreation Commission;
- the Utilities and Transportation Commission;
- the Liquor and Cannabis Board;
- the Office of the Insurance Commissioner;
- the Department of Corrections;
- the Office of Independent Investigations; and
- the Department of Labor and Industries.

Federal Immigration and Customs Enforcement.

The United States (US) Department of Homeland Security (DHS) was established under the Homeland Security Act in 2002. Three DHS component agencies are responsible for immigration and enforcement functions: the US Citizenship and Immigration Services, the

US Immigration and Customs Enforcement, and the US Customs and Border Protection. The US Immigration and Customs Enforcement is a law enforcement agency within the DHS with responsibility primarily for immigration enforcement in the US interior. The US Customs and Border Protection enforces immigration laws at US land, air, and sea borders.

Summary of Substitute Bill:

When an on-duty general authority Washington peace officer or limited authority Washington peace officer encounters an individual the peace officer has reasonable suspicion is a federal agent conducting immigration enforcement activities, the peace officer must:

- activate their body worn camera if equipped with a body worn camera;
- activate their dash camera if they are in their official vehicle and the vehicle is equipped with a dash camera;
- immediately report the encounter to their employing agency so the agency may notify the community in a manner consistent with the agency's policies and procedures; and
- after the encounter, document and report the encounter with their employing agency.

When documenting and reporting such activities, the peace officer must attempt to:

- contact the reporting party, if any;
- confirm the identity of the individual the peace officer suspects is conducting immigration enforcement by requesting official identification, if safe and feasible; and
- refrain from taking actions that may escalate the situation.

The local government entity of which the peace officer is an employee or the state, when the peace officer is a state employee, must indemnify and hold harmless a peace officer for any judgment or fine levied against the peace officer in any civil or criminal proceeding arising from actions taken by the peace officer in compliance with these requirements if the action was taken in good faith while the peace officer was acting within their scope of employment.

Substitute Bill Compared to Original Bill:

The substitute bill, compared to the original bill:

- requires on-duty peace officers to activate body worn cameras and dash cameras when encountering federal agents, rather than United States Immigration and Customs Enforcement employees, conducting immigration enforcement activities and to report such encounters to their employing agencies;
- removes the requirement for the Attorney General's Office to represent a peace officer in any proceeding arising from the peace officer's actions taken in compliance with these requirements; and
- requires the local government entity of which the peace officer is an employee or the

state, when the peace officer is a state employee, to indemnify and hold harmless the peace officer for any judgment or fine levied against the peace officer in a proceeding arising from the officer's actions taken in compliance with the act.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on February 4, 2026.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill is about protection for law enforcement and for the community. State and local law enforcement officers want to protect their communities and build community trust. Constituents deserve safety. This bill aims to protect officers for their actions when they protect the community. Elements of the bill are going to change. There is support for the intent of the bill. Many law enforcement agencies provide officers with body worn cameras and dash cameras, but some smaller jurisdictions may not. People do not want the policy in the bill to become another basis for decertification.

(Opposed) None.

(Other) Some of the requirements in the bill are existing policy for the Washington State Patrol (WSP). The WSP established procedures for documenting calls for service and interaction with other governmental law enforcement agencies. The WSP policy requires the activation and use of body worn cameras and dash cameras when officers have interactions with other law enforcement agencies. The WSP works hard to ensure it follows state law and holds itself to a higher standard. Public trust requires professionalism, transparency, and accountability. There are concerns that the bill adds more reporting and other requirements for law enforcement when law enforcement is already called upon to serve a myriad of roles. There are requests to change the word "shall" in the bill to "empower and encourage" and to not weaken the indemnification language in the bill. Without the provision providing indemnification to officers, there would be strong opposition to the bill.

Persons Testifying: (In support) Representative Mary Fosse, prime sponsor; and Brenda Wiest, Teamsters117.

(Other) Captain Deion Glover, Washington State Patrol; and Steve Strachan, WA Assoc Sheriffs and Police Chiefs.

Persons Signed In To Testify But Not Testifying: Ramona Brandes, Washington

Defender Association and Washington Association of Criminal Defense Lawyers; Lydia Zepeda, League of Women Voters of Washington; paul benz, WA Coalition for Police Accountability; Joe Kunzler, Private Citizen and Fierce Patriot; Demi Chatters; Rafael Padilla, Washington Association of Sheriffs and Police Chiefs; and Sharon Damoff.