
HOUSE BILL 2651

State of Washington

69th Legislature

2026 Regular Session

By Representatives Fosse, Farivar, Salahuddin, Goodman, Thai, Ramel, Simmons, Hill, and Pollet

Read first time 01/23/26. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to gathering and preserving digital data and
2 evidence relating to federal agent misconduct; and adding a new
3 section to chapter 43.43 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 43.43
6 RCW to read as follows:

7 (1) On receipt of a complaint of federal agent misconduct, the
8 office of the attorney general or a county prosecuting attorney may
9 direct the Washington state patrol to gather and securely retain as
10 much identifying digital data as possible about the federal agent or
11 agents who are the subject of the federal agent misconduct complaint.

12 (2) A complainant may obtain access to the identifying digital
13 data relevant to the complaint submitted by the complainant to the
14 attorney general or prosecuting attorney only pursuant to a court
15 order issued in:

16 (a) A civil proceeding alleging a violation of federal
17 constitutional rights by the subject of the federal misconduct
18 complaint; or

19 (b) A criminal proceeding involving the subject of the federal
20 agent misconduct complaint.

21 (3) As used in this section:

1 (a) "Federal agent" means a federal law enforcement officer or a
2 private contractor hired by the department of homeland security to
3 assist in federal law enforcement.

4 (b) "Federal agent misconduct" means:

5 (i) Use of excessive force by a federal agent against a member of
6 the public;

7 (ii) Assault of a member of the public by a federal agent;

8 (iii) Kidnapping or unlawful detention of a member of the public
9 by a federal agent; or

10 (iv) Actions by a federal agent that lead to a credible complaint
11 alleging a violation of federal constitutional rights by the subject
12 of the federal misconduct complaint.

13 (c) "Identifying digital data" means digital information that can
14 help confirm the identity of a federal agent who is the subject of a
15 complaint of federal agent misconduct, including:

16 (i) License plate data;

17 (ii) Cell tower data;

18 (iii) Cell phone data;

19 (iv) Location data;

20 (v) Image search results data;

21 (vi) GPS data;

22 (vii) Stingray data;

23 (viii) Facial recognition data; and

24 (ix) Any other recoverable digital data that may help identify
25 federal agents.

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