File No. 260044 **Committee Item No.** _____
Board Item No. 31

COMMITTEE/BOARD OF SUPERVISORS

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Board of Supervisors Meeting **Date:** January 27, 2026

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Prepared by: Arthur Khoo **Date:** January 15, 2026
Prepared by: _____ **Date:** _____

[Supporting California State Assembly Bill No. 1537 (Bryan) - Peace Officers and Immigration Enforcement]

Resolution supporting California State Assembly Bill No. 1537, introduced by Assembly Member Isaac Bryan, which seeks to prohibit peace officers from engaging in federal immigration enforcement activities through secondary employment, contracting, or volunteer service, and reaffirming San Francisco's commitment to community trust, public safety, and immigrant protections.

WHEREAS, On January 5, 2026, Assemblymember Isaac Bryan introduced Assembly Bill No. 1537 (AB 1537), which would prohibit peace officers from being employed by, contracting with, or volunteering for the United States Department of Homeland Security or any entity that assists with immigration enforcement; and

WHEREAS, AB 1537 would also require peace officers to report any offer or attempt of secondary employment related to immigration enforcement to their employing law enforcement agency, ensuring transparency and accountability within local departments; and

WHEREAS, The bill further designates records related to peace officers' secondary employment as public records under the California Public Records Act, strengthening public oversight and reinforcing trust in law enforcement institutions; and

WHEREAS, Decades of research and lived experience have demonstrated that entanglement between local law enforcement and federal immigration enforcement undermines public safety by discouraging immigrant communities from reporting crimes, cooperating with investigations, or seeking emergency assistance; and

WHEREAS, At a time when California and the City and County of San Francisco are experiencing ongoing peace officer staffing shortages, it is essential that sworn officers focus

their time and expertise on addressing local public safety needs rather than being diverted to federal immigration enforcement activities; and

WHEREAS, The San Francisco Police Department's mission affirms a commitment to just, transparent, unbiased, and responsive policing, carried out in the spirit of dignity, collaboration with the community, and the protection of constitutional and human rights; and

WHEREAS, Participation by local peace officers in federal immigration enforcement activities undermines these core principles by eroding community trust and associating local policing with actions and directives that conflict with constitutional protections and human rights values; and

WHEREAS, The City and County of San Francisco has long been a leader in maintaining a clear separation between local law enforcement and federal immigration enforcement in order to protect immigrant communities and promote effective, equitable public safety; and

WHEREAS, By clearly prohibiting peace officers from participating in immigration enforcement through secondary employment and establishing meaningful accountability mechanisms, AB 1537 strengthens California's commitment to civil rights, constitutional protections, and community-centered public safety; now, therefore, be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco hereby supports Assembly Bill No. 1537 as a critical measure to uphold constitutional and human rights and protect community trust; and, be it

FURTHER RESOLVED, That the Board of Supervisors urges the California State Legislature and the Governor to enact AB 1537 to ensure that local law enforcement activities remain consistent with California values and the principles of community-based policing; and, be it

FURTHER RESOLVED, That the Clerk of the Board of Supervisors shall transmit a copy of this Resolution to the Governor of California, the President pro Tempore of the California State Senate, the Speaker of the California State Assembly, and Assemblymember Isaac Bryan to express the City and County of San Francisco's strong support for this legislation.

ASSEMBLY BILL No. 1537

Introduced by Assembly Member Bryan

January 5, 2026

An act to amend Section 70 of the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 1537, as introduced, Bryan. Peace officers: secondary employment.

Existing law provides that every executive or ministerial officer, employee, or appointee of the State of California, or any county or city therein, or any political subdivision thereof, who knowingly asks, receives, or agrees to receive any emolument, gratuity, or reward, or any promise thereof excepting such as may be authorized by law for doing an official act, is guilty of a misdemeanor. Existing law exempts from that offense certain employment by a peace officer while off duty, as specified. Existing law also provides that a peace officer shall not be prohibited from engaging in other employment while off duty, as specified.

This bill would, notwithstanding those provisions, prohibit a peace officer from being employed by, or being an independent contractor of or volunteer for, the United States Department of Homeland Security or its contractors or any other entity that assists with or engages in immigration enforcement. The bill would provide that failure to comply with this provision constitutes, for certain purposes, an act of dishonesty and that it is grounds for decertification as a peace officer. The bill would require a peace officer to report to their employing law enforcement agency any secondary employment relating to immigration

enforcement. By imposing additional duties on local law enforcement agencies to accept these reports, this bill would impose a state-mandated local program. The bill would also explicitly state that records related to secondary employment of peace officers are public records for the purposes of the California Public Records Act.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

SECTION 1. Section 70 of the Penal Code is amended to read:

70. (a) Every executive or ministerial officer, employee, or appointee of the State of California, or any county or city therein, or any political subdivision thereof, who knowingly asks, receives, or agrees to receive any emolument, gratuity, or reward, or any promise thereof excepting such as may be authorized by law for doing an official act, is guilty of a misdemeanor.

(b) This section does not prohibit deputy registrars of voters from receiving compensation when authorized by local ordinance from any candidate, political committee, or statewide political organization for securing the registration of voters.

(c) (1) Nothing in this section precludes a peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, from engaging in, or being employed in, casual or part-time employment as a private security guard or patrolman for a public entity while off duty from ~~his or her~~ *their* principal employment and outside ~~his or her~~ *their* regular employment as a peace officer of a state or local agency, and exercising the powers of a peace officer concurrently with that employment, provided that the peace officer is in a police uniform and is subject to reasonable rules and regulations of the agency for which ~~he or she is~~ *they are* a peace officer. Notwithstanding the above provisions, any and all civil and criminal liability arising out of the secondary

employment of any peace officer pursuant to this subdivision shall be borne by the officer's secondary employer.

(2) It is the intent of the Legislature by this subdivision to abrogate the holdings in People v. Corey, 21 Cal.3d 738, and Cervantez v. ~~J.C.~~ *J. C.* Penney Co., 24 Cal.3d 579, to reinstate prior judicial interpretations of this section as they relate to criminal sanctions for battery on peace officers who are employed, on a part-time or casual basis, by a public entity, while wearing a police uniform as private security guards or patrolmen, and to allow the exercise of peace officer powers concurrently with that employment.

(d) (1) Nothing in this section precludes a peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, from engaging in, or being employed in, casual or part-time employment as a private security guard or patrolman by a private employer while off duty from ~~his or her~~ *their* principal employment and outside ~~his or her~~ *their* regular employment as a peace officer, and exercising the powers of a peace officer concurrently with that employment, provided that all of the following are true:

(A) The peace officer is in ~~his or her~~ *their* police uniform.

(B) The casual or part-time employment as a private security guard or patrolman is approved by the county board of supervisors with jurisdiction over the principal employer or by the board's designee or by the city council with jurisdiction over the principal employer or by the council's designee.

(C) The wearing of uniforms and equipment is approved by the principal employer.

(D) The peace officer is subject to reasonable rules and regulations of the agency for which ~~he or she is~~ *they are* a peace officer.

(2) Notwithstanding the above provisions, a peace officer while off duty from ~~his or her~~ *their* principal employment and outside ~~his or her~~ *their* regular employment as a peace officer of a state or local agency shall not exercise the powers of a police officer if employed by a private employer as a security guard during a strike, lockout, picketing, or other physical demonstration of a labor dispute at the site of the strike, lockout, picketing, or other physical demonstration of a labor dispute. The issue of whether or not casual or part-time employment as a private security guard or patrolman

pursuant to this subdivision is to be approved shall not be a subject for collective bargaining. Any and all civil and criminal liability arising out of the secondary employment of any peace officer pursuant to this subdivision shall be borne by the officer's principal employer. The principal employer shall require the secondary employer to enter into an indemnity agreement as a condition of approving casual or part-time employment pursuant to this subdivision.

(3) It is the intent of the Legislature by this subdivision to abrogate the holdings in People v. Corey, 21 ~~Cal. 3d~~ *Cal.3d* 738, and Cervantez v. J. C. Penney Co., 24 ~~Cal. 3d~~ *Cal.3d* 579, to reinstate prior judicial interpretations of this section as they relate to criminal sanctions for battery on peace officers who are employed, on a part-time or casual basis, while wearing a police uniform approved by the principal employer, as private security guards or patrolmen, and to allow the exercise of peace officer powers concurrently with that employment.

(e) (1) Nothing in this section precludes a peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, from engaging in, or being employed in, other employment while off duty from ~~his or her~~ *their* principal employment and outside ~~his or her~~ *their* regular employment as a peace officer of a state or local agency.

(2) Subject to subdivisions (c) and (d), and except as provided by written regulations or policies adopted by the employing state or local agency, or pursuant to an agreement between the employing state or local agency and a recognized employee organization representing the peace officer, no peace officer shall be prohibited from engaging in, or being employed in, other employment while off duty from ~~his or her~~ *their* principal employment and outside ~~his or her~~ *their* regular employment as a peace officer of a state or local agency.

(3) If an employer withholds consent to allow a peace officer to engage in or be employed in other employment while off duty, the employer shall, at the time of denial, provide the reasons for denial in writing to the peace officer.

(f) (1) Notwithstanding subdivisions (c), (d), and (e), a peace officer shall not engage in casual, part-time, contract-based, or any other form of secondary employment for, and shall not be an independent contractor of or volunteer for, the United States

Department of Homeland Security or its contractors, or any other entity that assists with or engages in immigration enforcement, as defined in Section 7284.4 of the Government Code.

(2) For purposes of Section 832.7, a violation of paragraph (1) is an act of dishonesty and constitutes grounds for decertification pursuant to Article 2 (commencing with Section 13510) of Chapter 1 of Title 4 of Part 4.

(3) A peace officer shall report to their employing law enforcement agency any offer of, request for, or attempt at secondary employment that involves assisting with or engaging in immigration enforcement.

(4) For the purposes of this subdivision, the following terms have the following meanings:

(A) "Law enforcement agency" means any local or state entity that employs a peace officer.

(B) "Peace officer" has the same meaning as in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2.

(g) All records related to secondary employment of peace officers, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, shall be public records for purposes of the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code).

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

O

From:	Logan, Samantha (BOS)
To:	BOS Legislation, (BOS)
Cc:	Gutierrez Garcia, Jessica (BOS); Mahmood, Bilal (BOS); Gaona, Sasha (BOS); Gee, Natalie (BOS); Burch, Percy (BOS); Prager, Jackie (BOS)
Subject:	D5 Intro - Reso - AB 1537 Support
Date:	Tuesday, January 13, 2026 2:19:34 PM
Attachments:	AB 1537 Support Reso.doc AB 1537 Text.pdf D5 Introduction Form - Reso - AB 1537 Support.pdf

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Good afternoon,

Please see attached a support resolution for AB 1537 (Bryan). I have attached the resolution language (word doc), introduction form, and bill text. I'm confirming that this item is routine, not contentious in nature, and of no special interest.

The California State Association of Counties has not taken a position on this bill and the League of California Cities has taken a "watch" position.

I am including staff from Supervisors Fielder, Walton, and Chen's offices to confirm their cosponsorship.

Please let me know if there's anything else you need.

Best,

Sam Logan | *(she/her)* | Legislative Director
Office of Supervisor Bilal Mahmood
San Francisco Board of Supervisors, District 5
City Hall, Room 272
(415) 554-6758
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Introduction Form

(by a Member of the Board of Supervisors or the Mayor)

I hereby submit the following item for introduction (select only one):

☐ 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)

■ 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)

☐ 3. Request for Hearing on a subject matter at Committee

☐ 4. Request for Letter beginning with "Supervisor _____ inquires…"

☐ 5. City Attorney Request

☐ 6. Call File No. _____ from Committee.

☐ 7. Budget and Legislative Analyst Request (attached written Motion)

☐ 8. Substitute Legislation File No. _____

☐ 9. Reactivate File No. _____

☐ 10. Topic submitted for Mayoral Appearance before the Board on _____

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission

☐ Planning Commission ☐ Building Inspection Commission ☐ Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

☐ Yes ☐ No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Mahmood; Fielder, Walton, Chen

Subject:

Supporting California State Assembly Bill No. 1537 (Bryan) – Peace Officers and Immigration Enforcement

Long Title or text listed:

Resolution supporting California State Assembly Bill No. 1537, introduced by Assembly Member Isaac Bryan, which seeks to prohibit peace officers from engaging in federal immigration enforcement activities through secondary employment, contracting, or volunteer service, and reaffirming San Francisco's commitment to community trust, public safety, and immigrant protections.

Signature of Sponsoring Supervisor: /s/ Bilal Mahmood