

REFERENCE TITLE: immigration; customs officers; body cameras

State of Arizona
House of Representatives
Fifty-seventh Legislature
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2026

HB 4111

Introduced by
Representatives Hernandez L: Aguilar, Blattman, Connolly, Contreras P,
Crews, Garcia, Hernandez A, Luna-Nájera, Márquez, Peshlakai, Tsosie

AN ACT

AMENDING TITLE 38, CHAPTER 8, ARIZONA REVISED STATUTES, BY ADDING ARTICLE
4; RELATING TO PUBLIC SAFETY OFFICERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 38, chapter 8, Arizona Revised Statutes, is
3 amended by adding article 4, to read:

4 ARTICLE 4. UNITED STATES IMMIGRATION AND CUSTOMS
5 ENFORCEMENT OFFICER CAMERAS AND RECORDINGS

6 38-1181. Definitions

7 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

8 1. "CONTACT":

9 (a) MEANS AN INTERACTION THAT IS WITH AN INDIVIDUAL WHO IS EITHER
10 INSIDE OR OUTSIDE OF A MOTOR VEHICLE AND THAT IS INITIATED BY A UNITED
11 STATES IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICER, WHETHER CONSENSUAL OR
12 NONCONSENSUAL, TO ENFORCE A LAW OR TO INVESTIGATE A POSSIBLE VIOLATION OF
13 A LAW.

14 (b) DOES NOT INCLUDE ROUTINE INTERACTIONS WITH THE PUBLIC AT THE
15 POINT OF ENTRY OR EXIT FROM A CONTROLLED AREA.

16 2. "TAMPER" MEANS TO INTENTIONALLY DAMAGE, DISABLE, DISLODGE OR
17 OBSTRUCT THE SIGHT OR SOUND OR OTHERWISE IMPAIR FUNCTIONALITY OF A
18 BODY-WORN CAMERA OR TO INTENTIONALLY DAMAGE, DELETE OR FAIL TO UPLOAD SOME
19 OR ALL PORTIONS OF THE VIDEO AND AUDIO OF A BODY-WORN CAMERA.

20 38-1182. United States immigration and customs enforcement
21 officers; body-worn cameras; incident recording
22 requirements; exceptions; presumptions; privacy
23 interests; filing deadlines; notice

24 A. NOTWITHSTANDING ANY OTHER LAW, EACH UNITED STATES IMMIGRATION
25 AND CUSTOMS ENFORCEMENT OFFICER OPERATING IN THIS STATE WHO HAS CONTACT
26 WITH THE PUBLIC SHALL BE EQUIPPED WITH A BODY-WORN CAMERA.

27 B. EXCEPT AS PROVIDED IN SUBSECTION C OF THIS SECTION, A UNITED
28 STATES IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICER SHALL WEAR AND ACTIVATE
29 A BODY-WORN CAMERA WHEN RESPONDING TO A CALL FOR SERVICE OR DURING ANY
30 CONTACT WITH THE PUBLIC.

31 C. A UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICER MAY
32 TURN OFF A BODY-WORN CAMERA:

33 1. TO AVOID RECORDING PERSONAL INFORMATION THAT IS NOT RELATED TO A
34 CASE.

35 2. WHEN WORKING ON AN UNRELATED ASSIGNMENT.

36 3. WHEN THERE IS A LONG BREAK IN THE INCIDENT OR CONTACT THAT IS
37 NOT RELATED TO THE INITIAL INCIDENT.

38 4. IN AN ADMINISTRATIVE, TACTICAL OR MANAGEMENT DISCUSSION THAT IS
39 NOT RELATED TO THE INITIAL INCIDENT.

40 D. IF A UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICER
41 FAILS TO ACTIVATE A BODY-WORN CAMERA WHEN REQUIRED BY THIS SECTION, OR
42 TAMPERS WITH BODY-WORN CAMERA FOOTAGE OR OPERATION WHEN REQUIRED TO
43 ACTIVATE THE BODY-WORN CAMERA, THERE IS A PERMISSIVE INFERENCE AGAINST THE
44 UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICER IN ANY

1 INVESTIGATION OR LEGAL PROCEEDING, NOT INCLUDING CRIMINAL PROCEEDINGS,
2 THAT THE MISSING FOOTAGE WOULD HAVE REFLECTED MISCONDUCT BY THE UNITED
3 STATES IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICER. IF A UNITED STATES
4 IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICER FAILS TO ACTIVATE OR
5 REACTIVATE THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICER'S
6 BODY-WORN CAMERA WHEN REQUIRED BY THIS SECTION, OR TAMPERS WITH BODY-WORN
7 CAMERA FOOTAGE OR OPERATION WHEN REQUIRED TO ACTIVATE THE BODY-WORN
8 CAMERA, ANY STATEMENT THAT IS SOUGHT TO BE INTRODUCED IN A PROSECUTION
9 THROUGH THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICER THAT
10 IS RELATED TO THE INCIDENT AND THAT WAS NOT RECORDED BECAUSE THE UNITED
11 STATES IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICER FAILED TO ACTIVATE OR
12 REACTIVATE THE BODY-WORN CAMERA AS REQUIRED BY THIS SECTION, OR IF THE
13 STATEMENT WAS NOT RECORDED BY OTHER MEANS, CREATES A REBUTTABLE
14 PRESUMPTION OF INADMISSIBILITY. NOTWITHSTANDING ANY OTHER LAW, THIS
15 SUBSECTION DOES NOT APPLY IF THE BODY-WORN CAMERA WAS NOT ACTIVATED DUE TO
16 A MALFUNCTION OF THE BODY-WORN CAMERA AND THE UNITED STATES IMMIGRATION
17 AND CUSTOMS ENFORCEMENT OFFICER WAS NOT AWARE OF THE MALFUNCTION, OR WAS
18 UNABLE TO RECTIFY IT, BEFORE THE INCIDENT.

19 E. IN ADDITION TO ANY CRIMINAL LIABILITY OR OTHER PENALTY UNDER THE
20 LAW, IF A COURT, ADMINISTRATIVE LAW JUDGE, HEARING OFFICER OR FINAL
21 DECISION IN AN INTERNAL INVESTIGATION FINDS THAT A UNITED STATES
22 IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICER INTENTIONALLY FAILED TO
23 ACTIVATE A BODY-WORN CAMERA OR TAMPERS WITH A BODY-WORN CAMERA, EXCEPT AS
24 ALLOWED IN THIS SECTION, THE UNITED STATES IMMIGRATION AND CUSTOMS
25 ENFORCEMENT OFFICER'S EMPLOYER SHALL IMPOSE DISCIPLINE UP TO AND INCLUDING
26 TERMINATION TO THE EXTENT ALLOWED BY THE APPLICABLE CONSTITUTIONAL AND
27 STATUTORY PERSONNEL LAWS AND CASE LAW.

28 F. IF CRIMINAL CHARGES HAVE BEEN FILED AGAINST A PARTY TO THE
29 INCIDENT AND THAT PARTY WISHES TO FILE A CONSTITUTIONAL OBJECTION TO THE
30 RELEASE OF THE VIDEO RECORDING IN THE PENDING CRIMINAL CASE, THAT PARTY
31 MUST FILE THE OBJECTION BEFORE A TWENTY-ONE-DAY PERIOD EXPIRES. ONLY IN
32 CASES IN WHICH THERE IS A PENDING CRIMINAL INVESTIGATION OR PROSECUTION OF
33 A PARTY TO THE INCIDENT, THE TWENTY-ONE-DAY PERIOD BEGINS FROM THE DATE OF
34 APPOINTMENT OF COUNSEL, THE FILING OF AN ENTRY OF APPEARANCE BY COUNSEL OR
35 THE ELECTION TO PROCEED PRO SE BY THE DEFENDANT IN THE CRIMINAL
36 PROSECUTION MADE ON THE RECORD BEFORE A JUDGE. IF THE DEFENDANT ELECTS TO
37 PROCEED PRO SE IN THE CRIMINAL CASE, THE COURT SHALL ADVISE THE DEFENDANT
38 OF THE TWENTY-ONE-DAY DEADLINE FOR THE DEFENDANT TO FILE ANY
39 CONSTITUTIONAL OBJECTION TO THE RELEASE OF THE VIDEO RECORDING IN THE
40 PENDING CRIMINAL CASE AS PART OF THE COURT'S ADVISEMENT. THE COURT SHALL
41 HOLD A HEARING ON ANY OBJECTION NOT LATER THAN SEVEN DAYS AFTER IT IS
42 FILED AND ISSUE A RULING NOT LATER THAN THREE DAYS AFTER THE HEARING.

1 38-1183. United States immigration and customs enforcement;
2 registration; detention prohibition
3 A. A UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICER
4 OPERATING IN THIS STATE WHO HAS CONTACT WITH THE PUBLIC SHALL REGISTER THE
5 UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT OFFICER'S NAME AND BADGE
6 NUMBER WITH THE DEPARTMENT OF PUBLIC SAFETY.
7 B. NOTWITHSTANDING ANY OTHER LAW, A UNITED STATES IMMIGRATION AND
8 CUSTOMS ENFORCEMENT OFFICER OPERATING IN THIS STATE MAY NOT DETAIN A
9 PERSON SOLELY BASED ON THE PERSON'S ACTUAL OR PERCEIVED RACE, ETHNICITY OR
10 NATIONAL ORIGIN.