

ORDINANCE NO. \_\_\_\_\_

**URGENCY ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA TO PROHIBIT LAW ENFORCEMENT OFFICERS FROM CONCEALING THEIR IDENTITY AND REQUIRING THEM TO PRESENT IDENTIFICATION AND AGENCY-IDENTIFYING INSIGNIA WHEN CONDUCTING OPERATIONS IN THE UNINCORPORATED AREAS OF SONOMA COUNTY**

**URGENCY ORDINANCE: 4/5 VOTE REQUIRED**

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

Section I. Title.

This Ordinance shall be known as the Law Enforcement Transparency and Accountability Urgency Ordinance.

Section II. Emergency Findings.

This urgency ordinance is adopted pursuant to California Government Code sections 25123(d) and 25131 and shall take effect immediately upon approval by at least a four-fifths vote of the Board of Supervisors. The Board of Supervisors finds this Ordinance is necessary for the immediate preservation of the public, peace, health and safety, based upon the following facts:

- (1) The routine use of facial coverings by law enforcement officers has significant implications for public perception, officer-community interactions, and accountability; and
- (2) Whether intentional or not, members of the public experience fear or intimidation when approached by officers whose faces are obscured. This perception can heighten defensive behaviors and unnecessarily escalate situations; and
- (3) Facial coverings limit the visibility of facial expressions, which are essential components of nonverbal communication. In high-stress or emotionally charged interactions, the inability to read an officer's expression may lead to misinterpretation of tone or intent, increasing the risk of conflict escalation; and
- (4) The visibility of an officer's face is vital for promoting transparency, facilitating communication, and building trust between law enforcement agencies and the communities they serve; and
- (5) The use of facial coverings by law enforcement should not obscure officer identity or hinder accountability. Such coverings should not be used in a manner that enables or conceals discriminatory or unlawful conduct; and

- (6) When officers are not readily identifiable, it increases the risk of impersonation by unauthorized individuals, which further undermines public trust, endangers public safety, and hinders legitimate law enforcement operations; and
- (7) Several high-profile and alarming incidents involving individuals impersonating law enforcement officers and federal agents—including the attempted home invasion by two masked, non-police personnel in Houston, Texas; and the sexual assault of a Santa Rosa woman by a local security officer posing as a police officer— demonstrate the danger of masked law enforcement; and
- (8) The abduction of residents by unnamed, masked agents corrodes trust between the community and local government; and
- (9) The current lack of clear visual identification protocols in statutes undermines the integrity of legitimate enforcement operations and decreases public safety.
- (10) Reports of masked federal agents raiding homes and places of business across the United States and abducting residents without warrants have heightened public concern; and
- (11) The recent practice of ICE agents covering their faces and concealing their identities while carrying out official duties poses significant concerns. These methods have eroded public trust and increased impersonations of law enforcement; and
- (12) At the federal level, Representative Daniel S. Goldman (D-NY-10) introduced H.R. 4176 in the United States House of Representatives on June 26, 2025, seeking to amend the Homeland Security Act of 2002 to require law enforcement officers and agents of the Department of Homeland Security engaged in border security or immigration enforcement to display or wear certain insignia and provide identification to protect the safety of all residents; and
- (13) On July 8, 2025, California Senator Alex Padilla introduced S. 2212 seeking to amend section 287 of the Immigration and Nationality Act to require all immigration enforcement officers to display visible identification during public-facing immigration enforcement actions and to promote transparency and accountability; and
- (14) In California, State Senators Wiener, Arreguin, Perez, and Wahab introduced Senate Bill 627 (SB 627) on February 20, 2025, seeking to add Chapter 17.45 to the Government Code and to add Section 185.5 to the Penal Code to make it a crime for a law enforcement officer—including any officer or agent of a federal law enforcement agency, or any person acting on behalf of a federal law enforcement agency—to wear a facial covering that conceals or obscures their facial identity in the performance of their duties, except as expressly authorized by the bill; and
- (15) SB 627 has been passed by the State Senate and State Assembly in differing forms, and awaits final approval. The absence of legislation to address the increased danger created by these tactics and impersonations poses a serious threat to the health, safety, and welfare of all Sonoma County residents.

(16) This Ordinance is necessary to protect public safety and peace until SB 627, or similar legislation, becomes operative. The Board finds that the restrictions imposed by this Ordinance do not interfere with the lawful actions of law enforcement officers. Rather, it protects public safety and peace by distinguishing between lawful action and unlawful action. If law enforcement officers wear masks and refuse to identify themselves as they remove people from unincorporated property and place them into unmarked vehicles, it is impossible for bystanders or other law enforcement officers to determine whether they are witnessing a lawful arrest or unlawful act. For purposes of public peace, health, and safety in unincorporated areas, bystanders and other law enforcement officers must be able to distinguish between a lawful arrest and a kidnapping.

### Section III. Prohibition on Law Enforcement Officers Concealing Their Identity and Refusing to Present Identification and Display Agency-Identifying Insignia During the Performance of Their Duties.

#### 1. Term.

This Ordinance shall take effect immediately upon adoption and shall remain in effect until SB 627 is passed and becomes effective or until this Ordinance is repealed by the Board of Supervisors, whichever is sooner.

#### 2. Definitions.

For the purposes of this Ordinance, the following words or phrases shall have the following meanings:

**Law Enforcement Officer.** For the purposes of this Ordinance, “law enforcement officer” means a peace officer, as defined in Sections 830 and 830.1 of the Penal Code, employed by a city, county, or other local agency, as well as any officer or agent of a federal law enforcement agency or any law enforcement agency of the State of California or another state, or any person acting on behalf of a federal law enforcement agency or a law enforcement agency of the State or another state.

**Facial Covering.** For purposes of this Ordinance, “facial covering” means any opaque mask, garment, helmet, headgear, or other item that conceals or obscures the facial identity of an individual, including, but not limited to, a balaclava, tactical mask, gator, ski mask, and any similar type of facial covering or face-shielding. “Facial covering” does not include any of the following:

- a. A translucent face shield or clear mask that does not conceal the wearer’s facial identity and is used in compliance with the employing agency’s applicable policies and procedures.
- b. A N95 medical mask or surgical mask to protect against transmission of disease or infection or any other mask helmet, or device, including, but not limited to, air-purifying respirators, full or half masks, or self-contained breathing apparatus necessary to protect against exposure to any toxin, gas, smoke, inclement weather, or any other hazardous or

harmful environmental condition.

- c. A mask, helmet, or device, including, but not limited to, a self-contained breathing apparatus, necessary for underwater use.
- d. A motorcycle helmet when worn by an officer utilizing a motorcycle or other vehicle that requires a helmet for safe operations while in the performance of their duties.
- e. Eyewear necessary to protect from the use of retinal weapons, including, but not limited to, lasers.

### 3. Mandatory Identification.

A law enforcement officer performing their duties shall wear clearly visible identification that includes:

- a. A badge displaying the department or agency name, along with a name tag displaying the officer's name.
- b. A department or agency issued uniform with the officer's name clearly displayed, except as expressly authorized by this Ordinance.

### 4. Prohibition on Masking.

A law enforcement officer performing their duties shall not wear a facial covering that conceals or obscures their facial identity in the performance of their duties, except as expressly authorized by this Ordinance.

### 5. Applicability.

This Ordinance does not apply to the following:

- a. A law enforcement officer authorized by the department or agency to wear plain clothes as their official uniform, such as an officer, performing administrative functions, serving as a detective, or providing testimony in court.
- b. A law enforcement officer performing their duties as an undercover operative during an active undercover operation or as needed to protect their identity following the conclusion of an undercover operation.
- c. A law enforcement officer assigned to a Special Weapons and Tactics (SWAT) team while performing their SWAT responsibilities.

6. Penalties.

Violations of this ordinance shall be punishable as a misdemeanor and may also serve as the basis for a civil cause of action for any resident harmed by the failure to comply with the provisions of this Ordinance.

Section IV. CEQA.

Adoption of this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and Section 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines, because it has no potential for resulting in physical change to the environment, directly or indirectly).

Section V. Severability.

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid, unconstitutional, or otherwise unenforceable.

Section VI. Immediate Effect.

This Ordinance shall be and the same is hereby declared to be in full force and effect immediately upon its passage by a four-fifths (4/5) or greater vote.

SUPERVISORS:

Hermosillo:	Rabbit:	Coursey:	Gore:	Hopkins:
Ayes:				
Noes:				
Absent:				
Abstain:				

WHEREUPON, the Chair declared the above and foregoing Ordinance duly adopted and

SO ORDERED.

\_\_\_\_\_  
Chair, Board of Supervisors County of Sonoma

ATTEST:

\_\_\_\_\_  
Clerk of the Board of Supervisors