



300 S. SPRING ST.
LOS ANGELES, CA 90013
Telephone: (213) 655-3525
Email: Alex.Fisch@doj.ca.gov

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FREE SPEECH FOR PEOPLE

Ben Horton, Counsel
Courtney Hostetler, Legal Director
John Bonifaz, President
Ben Clements, Chairman and Senior Legal Advisor
28 S. Main Street, Suite 200
Sharon, Massachusetts 02067

Dear Directors and Staff of Free Speech for People:

Thank you for your letter urging Attorney General Bonta and various California District Attorneys “to immediately begin a thorough investigation to determine whether charges should be brought against those responsible for . . . unlawful conduct . . .” and expressing your serious concern “that federal officers will continue to violate [California]’s criminal laws in their raids and assaults on immigrant communities, protesters, and other residents in your city and state.” You encouraged Attorney General Bonta “to respond to, investigate, and as appropriate prosecute any crimes committed by federal agents and officials, consistent with the power of your office.”

To protect the integrity of our investigative work, our office does not generally comment on potential or ongoing investigations, even to confirm or deny the possibility of an investigation. That said, on January 27, 2026, Attorney General Bonta issued a [Law Enforcement Guidance Statement](#)¹ reminding California District Attorneys, Chiefs of Police, Sheriffs, and State Law Enforcement Agencies “that violations of California state law may be investigated by any state or local law enforcement agency, even if the potential violations involve federal agents or officers. . . . And where the facts warrant it, state or local prosecutors may file charges against federal agents or officers for violations of state criminal laws.”

¹ LAW ENFORCEMENT GUIDANCE STATEMENT, "Investigations of Potential State Law Violations by Federal Agents or Officers" (Jan. 27, 2026) <<https://oag.ca.gov/system/files/media/2026-dle-07.pdf>>

In connection with the publication of this Law Enforcement Guidance Statement, Attorney General Bonta [stated](#),² in part, as follows:

California stands ready to take all necessary steps to investigate potentially unlawful conduct by federal agents that occurs on our soil, and where the facts warrant, file charges for violations of the California Penal Code. Let there be no question: State and local law enforcement in California have authority to investigate potential violations of state law, even when those violations are committed by federal agents. Federal courts have long recognized that federal agents do not have absolute immunity from state law prosecution. Any assertions to the contrary are untrue — and deeply damaging to public trust and the integrity of our justice system. While federal and state law enforcement have long collaborated on investigations that result in both federal and state criminal charges, unfortunately, as recent events in Minnesota have made clear, cooperation in the conduct of such investigations can no longer be expected from the federal government. This reality does not change our responsibility to conduct a thorough, independent investigation of potential state law crimes, and I promise that my office will do just that.

Also, on December 2, 2025, Attorney General Bonta announced an online portal to assist members of the public in sharing information with the California Department of Justice regarding potentially unlawful activity by federal agents and officers across the state. The portal is available at www.oag.ca.gov/ReportMisconduct. An important goal of the portal, which allows Californians to submit video and photos, is to help the California Department of Justice capture and create a record of potential unlawful conduct by federal agents, such as the use of excessive force, and inform potential actions the Department may take to protect the rights and safety of Californians.

Although submitting information or filing a complaint in the portal does not mean that the Attorney General will necessarily take any particular action on a complaint, and the Attorney General is prohibited by law from representing private individuals or providing legal advice, legal research, or legal analysis to private individuals, we welcome any efforts that Free Speech for People might undertake to promote the portal.

Sincerely,

/s/ ALEX FISCH
Special Assistant Attorney General

For ROB BONTA
Attorney General

² "Attorney General Bonta and Governor Newsom to Law Enforcement: Local and State Police have Authority to Investigate Crimes Committed by Federal Agents" (Jan. 27, 2026) <<https://oag.ca.gov/news/press-releases/attorney-general-bonta-and-governor-newsom-law-enforcement-local-and-state>> (as of Feb. 18, 2026).