

**OFFICE OF THE CHIEF OF POLICE**

**NOTICE**  
1.14

September 16, 2024

**TO:** All Department Personnel

**FROM:** Chief of Police


**SUBJECT:** PERMANENT INJUNCTION ON THE ENFORCEMENT OF CALIFORNIA PENAL CODE SECTION 22210 AS IT APPLIES TO A "BILLY"

Effective immediately and until further notice, there is a statewide permanent injunction on the enforcement of California Penal Code section 22210 by all law enforcement agencies and local prosecutors in the State of California. This means that officers shall not arrest individuals for violations of California Penal Code section 22210 as it relates to a "billy."

California Penal Code section 22210 provides that "any person in this state who manufactures or causes to be manufactured, imports into the state, keeps for sale, or offers or exposes for sale, or who gives, lends, or possesses any leaded cane, or any instrument or weapon of the kind commonly known as a billy, blackjack, sandbag, sandclub, sap, or slungshot, is punishable by imprisonment in a county jail not exceeding one year or imprisonment pursuant to subdivision (h) of Section 1170." The permanent injunction applies only to California Penal Code section 22210 as it applies to a billy and does not affect any other provisions in Section 22210, which remain in effect.


Please see the attached Information Bulletin from the California Department of Justice and the injunction from the United States District Court, Southern District of California.

If you have any questions regarding this Notice, please contact the Office of Constitutional Policing and Policy, at (213) 486-8730.

  
DOMINIC H. CHOI  
Chief of Police

DISTRIBUTION "D"

Attachment

<p>California Department of Justice DIVISION OF LAW ENFORCEMENT Stephen Woolery, Chief</p> 	<h1>INFORMATION BULLETIN</h1>	
<p><i>Subject:</i></p> <p><b>Notice Regarding Permanent Injunction Enjoining Enforcement of California Penal Code Section 22210 as to a Billy</b></p>	<p><i>No.</i></p> <p>2024-DLE-08</p>	<p><i>Contact for information:</i></p> <p>John Echeverria Supervising Deputy Attorney General Government Law Section John.Echeverria@doj.ca.gov</p>
	<p><i>Date:</i></p> <p>08/09/2024</p>	

**TO: ALL LAW ENFORCEMENT AGENCIES AND LOCAL PROSECUTORS IN THE STATE OF CALIFORNIA**

On February 23, 2024, the United States District Court for the Southern District of California issued a permanent injunction in the case of *Fouts v. Bonta*, No. 19-cv-01662-BEN-JLB.

The permanent injunction enjoins the enforcement of California Penal Code section 22210 as it applies to a “billy”<sup>1</sup> and binds Attorney General Rob Bonta, in his official capacity, as well as his officers, agents, servants, employees, and attorneys, those persons in active concert or participation with him, and duly sworn state peace officers and federal law enforcement officers who gain knowledge of the injunction.

California Penal Code section 22210 provides that “any person in this state who manufactures or causes to be manufactured, imports into the state, keeps for sale, or offers or exposes for sale, or who gives, lends, or possesses any leaded cane, or any instrument or weapon of the kind commonly known as a billy, blackjack, sandbag, sandclub, sap, or slungshot, is punishable by imprisonment in a county jail not exceeding one year or imprisonment pursuant to subdivision (h) of Section 1170.”

The permanent injunction applies only to California Penal Code section 22210 as it applies to a billy and does not affect any other provisions in Section 22210, which remain in effect.

The permanent injunction is attached hereto as “Attachment 1.”

<sup>1</sup> A “billy” is a “club or heavy stick; truncheon, esp. one carried by a policeman.” (*People v. Mercer* (1995) 42 Cal.App.4th Supp. 1, 5, citation omitted.) A “billy” is also informally referred to as a billy club. (*People v. Davis* (2013) 214 Cal.App.4th 1322, 1326.)