

**CHIEF OF DETECTIVES**

**NOTICE**

June 1, 2021

1.8

**TO:** All Concerned Personnel

**FROM:** Chief of Detectives

**SUBJECT:** POSSESSION OF SILENCERS BY DEPARTMENT PERSONNEL

**PURPOSE**

The purpose of this Notice is to remind Department personnel that being in possession of a firearm silencer is prohibited and is a violation of both California and Federal law. Unlawful possession of a silencer is a federal violation under Title 26 USC 5861 (d) "firearm silencers" as defined under 18 USC § 921(a)(24). Only the Chief of Police can authorize personnel to be in possession of a silencer for an official capacity.

**CALIFORNIA PENAL CODE, SECTION 33410:** Any person, firm, or corporation who, within the state of California, possesses a silencer is guilty of a felony and upon conviction thereof shall be punished by imprisonment pursuant to subdivision (h) of Section 1170 or by a fine not to exceed ten thousand dollars (\$10,000), or by both fine and imprisonment.

**DEFINITION:** Penal Code Section 17210 defines "silencer" as any device or attachment of any kind designed, used, or intended for use in silencing, diminishing, or muffling the report (reducing the sound of an explosion) of a firearm. The term "silencer" also includes any combination of parts, designed or redesigned, and intended for use in assembling a silencer or fabricating a silencer and any part intended only for use in assembly or fabrication of a silencer.

**Note:** Several manufacturers have produced and offer for sale improvised firearm silencers advertised as "motorcycle mufflers," "oil filters," "fuel filters," "percolators" and other names. Out of state residents who legally possess silencers in those states cannot possess them in the State of California.

Should you have any questions concerning this Notice, please contact Gang and Narcotics Division, Gun Unit, at (213) 486-5360.

APPROVED:



DANIEL RANDOLPH, Commander  
Chief of Staff  
Office of the Chief of Police



KRIS E. PITCHER, Deputy Chief  
Chief of Detectives

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