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Public Safety

**SB 937 (Gonzalez)
Oppose**

Vote requirement: 21
Version Date: 05/14/2026

Summary

Expands existing statutory restrictions on law enforcement use of chemical gas and kinetic crowd-control tactics (e.g., tear gas, rubber bullets, etc.) to also include flash-bang grenades and similar devices thereby requiring training, warnings, limited use on protests and reporting when authorized. Entirely prohibits the use of flash-bangs, as defined, when within 300ft a school, park, or location where children are present. Additionally prohibits the use of flash-bangs and explosive breaching charges during immigration enforcement. Applies these restrictions to state and federal peace officers.

Vote History

Senate Public Safety: 5-1 (03/24/2026)

(NO: Seyarto)

Senate Appropriations: 5-2 (05/14/2026)

(NO: Seyarto, Dahle;)

Support & Opposition Received

Support: ACLU California Action; California Community Foundation; California Public Defenders Association; Courage California; Felony Murder Elimination Project; Initiate Justice; Lawyers Committee For Civil Rights Of The San Francisco Bay Area; Oakland Privacy; Policing Project At NYU Law School; San Francisco Public Defender; Sister Warriors Freedom Coalition.

Opposition: California Association Of Highway Patrolmen; California Narcotic Officers' Association; California Police Chiefs Association; California State Sheriffs' Association; Peace Officers Research Association Of California; Riverside County Sheriff's Office.

Fiscal Effect

POTENTIALLY SIGNIFICANT STATE COSTS

The California Constitution requires the state to reimburse local agencies for costs mandated by the state. Requiring local law enforcement agencies to report all incidents in which flash-bangs are used to the Department of Justice would result in new local costs that could be subject to reimbursement by the state. The magnitude of reimbursable costs is unknown, but potentially in excess of \$150,000 General Fund per year, statewide.

Arguments in Support

1) According to the author, "Californians across the state have a constitutionally protected right to protest. This right has been consistently under threat in recent years, as the equipment law enforcement uses for crowd control has become increasingly militarized and dangerous. Flash-bang grenades, which emit blinding flashes of light, create overpressure, and produce extremely loud bangs, have grown in popularity as a form of crowd control and immigration enforcement actions. Though supposedly non-lethal, flashbangs can cause temporary blindness, deafness, and fire shrapnel or pellets that can seriously injure both users and the public, especially without proper training. A lack of regulation, transparency, and training also extends to explosive breaching devices, often used by law enforcement to blow open doors and windows, and posing similar safety risks. The Legislature has already taken steps to curtail the use of other dangerous non-lethal devices, such as tear gas and kinetic energy projectiles, like rubber bullets and beanbag rounds. SB 937 builds upon these existing restrictions and training requirements and applies them to flash-bang grenades. The bill also prevents the use of explosive breaching devices for immigration enforcement purposes. This bill is vital to ensuring the safety of both citizens exercising their right to protest and law enforcement."

2) According to the California Public Defenders Association, "California currently restricts the use of some military weaponry that is commonly used for crowd-control, including tear gas and kinetic energy projectiles like rubber bullets and beanbag rounds, and requires proper training for their use. SB 937 adds flash-bang grenades to the existing restrictions on other less-lethal crowd control devices and prohibits their use, alongside explosive breaching devices, for the purposes of immigration enforcement. The bill also requires any user of a flash-bang grenade to receive training beforehand from the Commission on Peace Officer Standards and Training. Some individuals were seriously injured by flash-bang grenades in the recent demonstrations against ICE in Los Angeles. Moreover, law enforcement officers have been injured when the grenades went off prematurely. This measure is vital to maintain both the safety of citizens exercising their right to protest and police officers in the field."

3) The right to peaceful protest is fundamental to American democracy. Law enforcement should facilitate it while protecting public safety, but aggressive tactics, like gas, rubber bullets, and flash-bang grenades, often escalate tensions and cause serious, sometimes permanent, injuries to protesters and officers alike. Limitations on these tactics are essential for encouraging de-escalation during public demonstrations. This bill extends existing California restrictions on gas and kinetic crowd-control tactics (e.g., tear gas, rubber bullets, etc.) to flash-bang grenades thereby requiring training, warnings, reporting, and limits on use. It also prohibits flash-bangs and explosive breaching charges in immigration enforcement, preventing incidents like the June 2025 Huntington Park raid that endangered children. This is a commonsense measure that will enhance public safety and protect individual rights to protest without hindering legitimate law enforcement needs.

Arguments in Opposition

1) According to the California Police Chiefs Association, “We appreciate the author’s intent to ensure safe and appropriate use of force and to protect vulnerable populations. However, as currently drafted, SB 937 imposes rigid restrictions that would limit law enforcement’s ability to respond effectively to dangerous and rapidly evolving situations, thereby jeopardizing both officer and public safety.”

“SB 937 establishes an absolute prohibition on the use of flashbang devices near (NOTE: recent amendments now limit this to within 300ft of schools but this argument still holds true) schools, parks, and other areas where children may be present, regardless of the nature or severity of the threat. While we fully support heightened caution in these sensitive locations, an outright ban fails to account for real-world scenarios where violent suspects, armed individuals, or hostage situations may unfold in or near these environments. Flashbang devices are often used as a critical de-escalation and distraction tool designed to prevent the need for lethal force. Removing this option entirely—even in life-threatening situations—limits officers’ ability to resolve incidents safely and may lead to worse outcomes.”

“More broadly, the bill applies sweeping restrictions without sufficient flexibility for officers to exercise professional judgment based on the totality of the circumstances. Law enforcement officers are required to make split-second decisions in high-risk environments, and policies governing use of force must allow for reasonable discretion when lives are at stake. By imposing categorical prohibitions rather than standards based on objective reasonableness, SB 937 undermines the very goal of ensuring safe and effective outcomes.”

2) While it does have a severability clause, this bill attempts to directly regulate equipment used by the federal government by explicitly prohibiting the use of flash-bang grenades "for the purposes of immigration enforcement." Since immigration enforcement can only be conducted by federal agencies or under their auspices, there is little question that those provisions of this bill are unconstitutional. In the recent *US v*

California litigation the court stated:

“Thus, if a state law directly regulates the conduct of the United States, it is void irrespective of whether the regulated activities are essential to federal functions or operations, and irrespective of the degree to which the state law interferes with federal functions or operations.”

More importantly, regardless of the outcome in court regarding federal agencies, state and local law enforcement will be held to the standards which are highly problematic. We have already removed the ability to use chemical agents, kinetic rounds, and related less-lethal solutions in these situations which often evolve quickly and require split second decisions. If we take away every option that doesn't cause death or great bodily injury that is all officers will be left with for response. This is particularly troubling as this bill places an outright ban on these items “within 300ft of schools, parks or other areas where children are present.” So even when it is appropriate and necessary given the situation officers wouldn't be authorized to use these devices in close proximity to these locations. In those cases, what is law enforcement supposed to do? What if there is an actual incident at a school?

Finally, it is of note that law enforcement has generally raised concerns with the definitions in this bill including why a “flash-bang” being considered to be a grenade when it does not explode or emit shrapnel?

3) According to the Riverside County Sheriff, “While we support the principle that specialized tactical equipment should only be deployed by properly trained personnel, this bill imposes operational restrictions that are impractical, ambiguous, and inconsistent with California's existing use-of-force framework.”

“First, the bill repeatedly characterizes Light Sound Diversionary Devices (LSDDs), commonly referred to as ‘flashbangs,’ as grenades. This characterization is inaccurate and conflates distinct types of devices. A standard LSDD does not deploy a projectile or disperse shrapnel. Its purpose is to momentarily disorient a suspect through a controlled burst of light and sound to safely stabilize a dangerous situation. By contrast, other devices such as ‘stingball’ grenades disperse small less-lethal projectiles and serve a different tactical purpose... A related concern is that the bill appears to treat devices commonly used for crowd control and those used for tactical warrant service as if they are deployed in the same operational context. These situations are fundamentally different. Crowd control tools are typically used to disperse large groups, whereas Light Sound Diversionary Devices are most commonly deployed during high-risk warrant services or barricaded suspect incidents to safely disorient a dangerous individual before officers make entry. By regulating these different operational scenarios under the same statutory restrictions, the bill risks limiting tools designed to safely resolve high-risk tactical incidents that have little relation to crowd control.”

“Second, SB 937 would prohibit the use of these devices (within a short distance/ 300ft) of ‘school grounds, parks, or where children are present’... Law enforcement agencies

routinely encounter barricaded suspects, high-risk warrant services, or other critical incidents in residential neighborhoods where schools, parks, or public spaces may be nearby...”

“These concerns are compounded by the bill’s requirement that deployment occur only at the direction of a commanding officer. While supervisory oversight is an important component of incident management, critical incidents often evolve rapidly in their early stages. Officers must be able to rely on their training, experience, and perception of immediate threats when determining the appropriate level of force or tactical equipment to deploy. California law already provides a comprehensive framework governing the use of force by peace officers under Penal Code 5835a, which requires that all uses of force be objectively reasonable based on the totality of the circumstances known to the officer at the time. Adding rigid statutory deployment requirements that limit officer discretion risks undermining this well-established legal standard...”

“Finally, Light Sound Diversionary Devices are used sparingly and primarily in high-risk situations where officers must safely control dangerous individuals while minimizing the likelihood that lethal force will be required. Limiting the availability of this tool through vague or impractical statutory restrictions may ultimately increase risks for officers, suspects, and bystanders alike.”

Digest

Limitations on "flash-bang grenades":

Adds “flash-bang grenades” to the general prohibition and exceptions on use for dispersal of any assembly, protest, or demonstration.

Prohibits flash-bang grenades from being deployed within 300ft of school grounds, parks, or other areas where children are present at time of use.

Prohibits the use of flash-bang grenades by any law enforcement agency for the purposes of immigration enforcement.

Changes to requirements for all Kinetic energy projectiles, flash-bang grenades, and chemical agents

Clarifies that training for use of these items is "certified" by POST or certified by an equivalent entity or training facility rather than training by POST.

Definitions:

Defines “Flash-bang grenades” to mean any less-than-lethal explosive or pyrotechnic devices that are deployed by hand or as projectiles and that produce a bright flash and loud noise intended to temporarily stun, distract, effect an arrest, or disperse a gathering of people. Flash-bang grenades include, but are not limited to, explosive or pyrotechnic devices that also emit chemical agents, kinetic energy projectiles, or shrapnel, or that are commonly referred to as blast balls, sting balls, stinger grenades, noise flash diversionary devices, concussion grenades, or stun grenades.

Defines “Law enforcement agency” means any of the following:

- (A) Any department or agency of the state or any local government, special district, or other political subdivision thereof, that employs any peace officer, as described in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code.
- (B) Any federal law enforcement agency.

Adds “flash-bang grenades” to the law enforcement kinetic weapons/ chemical use reporting withing 60 days of an incident

Breaching explosives restrictions:

Provides that peace officers shall not utilize explosive breaching charges for the purpose of immigration enforcement.

Definitions:

Defines “Explosive breaching charges” means less lethal explosive charges that are deployed by hand to effectuate the forced opening of closed or locked points of entry often through the destruction of doors, locks, hinges, windows, and frame materials. These charges include, but are not limited to, detonating cords, sheet explosives, shaped charges, blasting caps, and detonators.

Defines “Peace officer” to mean an officer of a local, state, or federal law enforcement agency, or a person acting on behalf of a local, state, or federal law enforcement agency.

Severability:

The provisions of this act are severable. If any provision of this act or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

Background

Existing law related to this measure:

Existing law provides that law enforcement agencies are prohibited from using kinetic energy projectiles (such as rubber bullets, beanbag rounds, or plastic bullets) and chemical agents (including tear gas like CS or CN, pepper spray, or pepper balls) for the sole purpose of dispersing assemblies, protests, or demonstrations. These less-lethal tools may only be deployed by properly trained peace officers when their use is objectively reasonable to defend against an imminent threat to life or serious bodily injury, or to safely control a dangerous and unlawful situation. Deployment must meet strict requirements, including attempting de-escalation first, issuing repeated audible warnings in multiple languages if appropriate, giving people a reasonable chance to disperse, targeting only those actively engaged in violence rather than firing indiscriminately into crowds, using force proportionally, avoiding aim at the head or vital organs, minimizing harm to bystanders, journalists, or medical personnel, attempting to aid those in distress, and providing prompt medical assistance when safe. These weapons cannot be used solely for curfew violations, verbal threats, or noncompliance

with orders. In addition, tear gas specifically requires authorization from a commanding officer at the scene. Agencies may adopt stricter policies. Jails or state correctional facilities are exempted. For this purpose, “Kinetic energy projectiles” are defined as any type of device designed as less lethal, to be launched from any device as a projectile that may cause bodily injury through the transfer of kinetic energy and blunt force trauma. (Penal Code § 13652)

Existing law requires each law enforcement agency to publish a summary on its official website within 60 days of any incident in which its peace officers use kinetic energy projectiles or chemical agents for crowd control. Agencies may extend this deadline by an additional 30 days upon demonstrating just cause, but the report must be posted no later than 90 days after the incident. Each summary, based on information known to the agency at the time of reporting, must include a description of the assembly, protest, demonstration, or incident (including approximate crowd size and number of officers involved), the specific type of projectile or chemical agent used, the number of rounds fired or quantity of agent dispersed, the number of documented injuries resulting from the deployment, and the justification for the use—including any de-escalation tactics, protocols, or other measures attempted to avoid force. The California Department of Justice is required to maintain a compiled list on its website with links to all such reports submitted by individual agencies. (Penal Code § 13652.1)

DOJ Reporting on Kinetic Weapons Use:

Pursuant to Penal Code 13652.1(a), law enforcement agencies are required to publish on their websites a summary of all instances in which a peace officer employed by that agency uses a kinetic energy projectile or chemical agent. The CA DOJ provides website links to law enforcement agency reports on use of kinetic energy projectiles or chemical agents for crowd control. These can be found at: openjustice.doj.ca.gov/resources/ab-48-reports.

Example Department (LAPD):

According to the report of the Los Angeles Police Department there were 20 uses of kinetic projectiles or chemical agents in 2025 and 1 in 2026.

Relevant Court Case:

In *Graham v. Connor* (1989) 490 U.S. 386, the U.S. Supreme Court held that claims of excessive force by law enforcement during an arrest, investigatory stop, or other seizure must be analyzed under the Fourth Amendment’s “objective reasonableness” standard, rather than a substantive due process framework. The Court explained that the reasonableness of force must be judged from the perspective of a reasonable officer on the scene, not with hindsight, and must account for the fact that officers often must make split-second decisions in tense, uncertain, and rapidly evolving situations. This analysis requires careful attention to the facts and circumstances of each case, including the severity of the crime, whether the suspect poses an immediate threat to safety, and whether they are actively resisting or attempting to flee.

In *US v State of California*, an order issued by U.S. District Judge Christina A. Snyder,

the court granted a preliminary injunction in favor of the federal government (i.e. the Department of Homeland Security/ICE), blocking the State of California from enforcing one recently enacted state law that required federal immigration enforcement agents to unmask or remove face coverings while performing official duties (i.e. SB 627) and upheld another (SB 805). In regard to SB 627, the court held that the California law violated the Supremacy Clause of the U.S. Constitution by impermissibly interfering with federal operations and discriminated against the federal government by singling it out for unique burdens not imposed on state or local law enforcement. Citing long-standing Supreme Court precedent (including an 1890 case), the ruling emphasized that states cannot prosecute or regulate federal officers for actions taken in the course of their official duties, and the order prevents enforcement of the challenged provision pending further proceedings. Court Decision (gov.uscourts.cacd.995805.63.0_29.pdf.) However upon appeal, a three judge panel of the 9th Circuit granted injunction pending appeal for both California: S.B. 805 (also known as the “No Vigilantes Act”) and S.B. 627 (also known as the “No Secret Police Act” which, as noted above, was already partly enjoined) concluding that the No Vigilantes Act (SB 805) attempts to directly regulate the United States in its performance of governmental functions. The Supremacy Clause forbids the State from enforcing such legislation. Court Decision (cdn.ca9.uscourts.gov/datastore/opinions/2026/04/22/26-926.pdf)

Related Legislation

SB 647 (Wiener)(Chapter 125, Statutes of 2025.) Prohibits a law enforcement officer, including federal law enforcement, from wearing a facial covering in the performance of their duties. Exempts an officer while they are engaged in an undercover or Special Weapons and Tactics (SWAT) assignment. Makes a violation an infraction for a first offense and a misdemeanor for a second or subsequent offense. Requires, with some exceptions, 12 hours' notice to local law enforcement agencies with jurisdiction over the location if facial coverings will be used in a law enforcement operation. It passed the Senate 28-11 (NO: Alvarado-Gil, Choi, Dahle, Grove, Jones, Niello, Ochoa Bogh, Seyarto, Strickland, Valladares)

SB 805 (Perez)(Chapter 126, Statutes of 2025.) Requires every law enforcement agency to maintain and post a policy regarding visible identification of sworn personnel by January 1, 2026. Provides that it is a misdemeanor for sworn personnel of law enforcement agencies, including federal law enforcement, to fail to visibly display identification that includes either a name or badge number to the public when performing their duties. Exempts agencies /officers from the misdemeanor penalties if they adopt specified policies and in unforeseen situations (i.e. exigent circumstances, undercover, protective gear, danger to the officer). Adds the term "by any other means" to the various statutes making it a crime to impersonate various public officials (e.g., peace officers, firefighters, etc.) and expands this crime to include impersonating officers of a federal law enforcement agency. It passed the Senate 30-10 (NO: Alvarado-Gil, Choi, Dahle, Grove, Jones, Niello, Ochoa Bogh, Seyarto, Strickland, Valladares).