

Date of Hearing: March 3, 2026

Counsel: Dustin Weber

ASSEMBLY COMMITTEE ON PUBLIC SAFETY

Nick Schultz, Chair

AB 1589 (Chen) – As Introduced January 15, 2026

SUMMARY: Provides that the prohibition on the possess of silencers does not apply to level I reserve peace officers, as defined, who are deputized or appointed by a listed agency, when on duty and when the use of silencers is authorized by the agency and is within the course and scope of their duties.

EXISTING LAW:

- 1) States that any person, firm, or corporation who possesses a silencer is guilty of a felony punishable by imprisonment for 16 months, 2 years, or 3 years, or by a fine not to exceed \$10,000, or by both that fine and imprisonment. (Pen. Code, § 33410.)
- 2) States that the penalty for possessing a silencer does not apply to:
 - a) The sale to, purchase by, or possession of silencers by defined agencies, or the military or naval forces of this state or of the United States, for use in the discharge of their official duties.
 - b) The possession of silencers by regular, salaried, full-time peace officers who are employed by defined agencies, or by the military or naval forces of this state or of the United States, when on duty and when the use of silencers is authorized by the agency and is within the course and scope of their duties.
 - c) The manufacture, possession, transportation, or sale or other transfer of silencers to a defined entity by registered dealers or manufacturers. (Pen. Code, § 33415.)
- 3) Provides that any person who comes within the provisions of this chapter and who otherwise meets all standards imposed by law on a peace officer is a peace officer. (Pen. Code, § 830.)
- 4) States that a level I reserve officer has the powers of a peace officer when a level I reserve officer deputized or appointed, as specified, and assigned to the prevention and detection of crime and the general enforcement of the laws of this state, whether or not working alone, and the person has completed the basic training course for deputy sheriffs and police officers prescribed by the Commission on Peace Officer Standards and Training. Reserve officers appointed pursuant to this paragraph shall satisfy the continuing professional training requirement prescribed by the commission. (Pen. Code, § 832.6, subd. (a)(1).)
- 5) States that whenever any qualified person is deputized or appointed by the proper authority as a reserve or auxiliary sheriff or city police officer, and is assigned to the prevention and detection of crime and the general enforcement of the laws of this state by that authority, the

person is a peace officer, if the person qualifies, as specified. The authority of a person designated as a peace officer pursuant to this paragraph includes the full powers and duties of a peace officer, as defined. (Pen. Code, § 830.6, subd. (a)(2).)

- 6) Requires that every person specified as a peace officer shall satisfactorily complete an introductory training course prescribed by the Commission on Peace Officer Standards and Training. (Pen. Code, § 832, subd. (a).)
- 7) Requires that every peace officer, prior to the exercise of the powers of a peace officer, shall have satisfactorily completed the training course. (Pen. Code, § 832, subd. (b)(1).)
- 8) Defines as a peace officer a sheriff, undersheriff, or deputy sheriff, employed in that capacity, of a county, a chief of police of a city or chief, director, or chief executive officer of a consolidated municipal public safety agency that performs police functions, a police officer, employed in that capacity and appointed by the chief of police or chief, director, or chief executive of a public safety agency, of a city, a chief of police, or police officer of a district, including police officers of the San Diego Unified Port District Harbor Police, authorized by statute to maintain a police department, a marshal or deputy marshal of a superior court or county, a port warden or port police officer of the Harbor Department of the City of Los Angeles, or an inspector or investigator employed in that capacity in the office of a district attorney. (Pen. Code, § 830.1.)
- 9) Defines “silencer” as any device or attachment of any kind designed, used, or intended for use in silencing, diminishing, or muffling the report 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. (Pen. Code, § 17210.)

FISCAL EFFECT: Unknown

COMMENTS:

- 1) **Author's Statement:** According to the author, “AB 1589 will end the ban on suppressors for level I reserve Peace Officers, creating parity with other peace officers with the exact same training and qualifications. Authorization should be based on training, certification, and safety – not job title.”
- 2) **Effect of the Bill:** This bill will allow level I reserve officers to use firearms suppressors only if their employing agency permits use of suppressors and only while on duty.

AB 1598 would create an additional exception for level I reserve officers to use firearm suppressors only under specific circumstances. This bill would not permit use of suppressors by the public and would not allow use of suppressors by law enforcement while off duty.

Exceptions in this area of the law already generally exist for members of the United States armed services and full-time peace officers. This bill would extend those exceptions to include level I reserve officers who have the same powers and responsibilities of full-time peace officers (See Pen. Codes, §§ 830.6, subd. (a) & 832.6, subd. (a)(1)), who are already permitted to use suppressors while on duty.

The exception contained in AB 1589 appears limited both in terms of qualifying personnel and qualifying circumstances under which suppressor use would be permitted. While colorable arguments may be advanced that this exception may create unintentional negative impacts on public safety, the limitations put in the bill should act to largely mitigate these potential impacts.

3) Hearing Loss and Law Enforcement: By authorizing suppressor use for level I reserve officers in limited circumstances, this bill creates additional conditions where hearing loss could be reduced for Level I reserve officers.

Estimates of noise levels for firing rifles understandably vary, both with and without suppressors. Suppressed fire from a rifle can reach 115 decibels (dB).¹ Another estimate shows suppressed fire can hit 130 dB.² This same study estimates unsuppressed fire can achieve 160 db.³ Another report estimates unsuppressed gunshots range from 140-185 db.⁴

Similarly, estimates of noise reductions with use of firearm suppressors fall within a range. One report noted suppressor use resulting in a 30 dB decrease in noise with some models generating more reduction.⁵ Another report found a 20-35 dB reduction affiliated with suppressor use.⁶ A study by the CDC and National Institute of Health (NIH) found a 17-24 dB reduction in noise exposure.⁷

In a 2025 letter responding to an inquiry about the Occupational Safety and Health Administration's (OSHA) enforcement of 140 dB peak sound levels, OSHA noted that even where certain momentary noise exposure levels of 140+ dB may not exceed the Permissible Exposure Limit (PEL) or Action Limit (AL), it is likely that only minutes of such exposure would reach an AL.⁸ OSHA stated in this letter, "it has been OSHA's longstanding policy that occupational noise exposure exceeding 140 dB without protection poses a hazard that places workers at increased risk of being exposed above the PEL in a very short amount of time and consequently leads to extreme danger of suffering irreversible hearing loss."⁹

¹ *Noise Levels Compared*, Los Angeles County Sheriff's Department Weapons Training Unit.

² Wipfer, III. *Sound arguments for the purchase and use of firearm suppressors: A Physician's Perspective and Recommendations* (July 2023) American College of Emergency Physicians <<https://www.acep.org/talem/newsroom/july-2023/Sound-arguments-for-the-purchase-and-use-of-firearm-suppressors>> [as of Feb. 18, 2026].

³ *Ibid.*

⁴ *There's Nothing Silent About Silencers* (2025) American Suppressor Association <https://www.akleg.gov/basis/get_documents.asp?session=32&docid=79422#:~:text=prior%20to%20usage,-Federal%20Regulations,%5BJANUARY%202020%5D> [as of Feb. 18, 2026].

⁵ *Supra*, note 2.

⁶ *Firearm Suppressors* (2022) Congressional Sportsmen's Foundation <<https://congressionalsportsmen.org/policy/firearm-suppressors/>> [as of Feb. 18, 2026].

⁷ Murphy, et al. *The reduction of gunshot noise and auditory risk through the use of firearm suppressors and low-velocity ammunition* (Jan. 2018) <<https://pubmed.ncbi.nlm.nih.gov/29299940/>> [as of Feb. 18, 2026].

⁸ Letters of Interpretation. *140 decibels (dB) impact/impulse policy under the noise standard* (June 25, 2025) Occupational Safety and Health Administration <<https://www.osha.gov/laws-regs/standardinterpretations/2025-07-30#:~:text=Further,%20NIOSH%20recommends%20the%20use,administrative%20controls%20and%20engineering%20controls.>> [as of Feb. 18, 2026].

⁹ *Ibid.*

Additionally, a study done by the Centers for Disease Control (CDC) at an outdoor California firing range found peak noise measurements above 160 dB, with some individuals' Time-Weighted Average (TWA) noise exposure exceeding the OSHA AL during gunfire.¹⁰ Therefore, recommended noise controls here were advised to include the use of noise suppressors on firearms, limiting the number of daily gunfire exposures, the use of double hearing protection, and a hearing conservation program that meets the requirements of the OSHA Noise standard.¹¹ Another study found police officers were 1.4 times more likely to suffer from Noise-Induce Hearing Loss (NIHL) compared to a control group that did not experience high occupational noise levels.¹² Previous studies additionally showed safety officers experienced a hearing loss rate of 22-85%.¹³

California law treats certain level I reserve officers as equivalent to full-time peace officers in authority and responsibility. Peace officers experience higher than average levels of occupational noise exposure. Some of this exposure is due to firearms use required as part of the job. The CDC showed unsuppressed fire can reach levels exceeding 160 dB and recommended the use of suppressors, among other controls.¹⁴ 160 dB is a level OSHA has advised that without protection potentially creates “in a very short period of time . . . [an] extreme danger of suffering irreversible hearing loss.”¹⁵

While data varies on the level of noise reduction due to use of suppressors, even reduction on the low end should generate improved outcomes for the long-term hearing protection of Level I reserve officers. Given the large percentage of peace officers who experience hearing loss and the limited expected negative public safety impact, permitting an exception for Level I reserve officers to use suppressors in specific circumstances seems like an empirically valid approach to help preserve the long-term hearing of these officers.

- 4) Use of Suppressors in Crime:** AB 1589 provides a new, particularized exception for firearm suppressor use by Level I reserve officers. Creating a new exception will lead to at least some increased use of suppressors. Increased use of suppressors could have public safety impacts.

Firearm suppressor use has been met with mixed reviews. An article out of Duke University captures significant aspects of the suppressor debate in the context of public safety.¹⁶ The loud sound of a firearm can immediately damage the hearing of people nearby, so using a suppressor to reduce that harmful noise can be beneficial to individual and public health.¹⁷ Individuals engaged in target practice can wear ear protection to mitigate the damage, but

¹⁰ Chen and Brueck. *Noise and Lead Exposures at an Outdoor Firing Range – California* (Sep. 2011) Department of Health and Human Service's Center for Disease Control and Prevention <<https://www.cdc.gov/niosh/hhe/reports/pdfs/2011-0069-3140.pdf>> [as of Feb. 18, 2026].

¹¹ *Ibid.*

¹² Malowski, et al. *Auditory changes following firearm noise exposure, a review* (Mar. 2022) The Journal of the Acoustical Society of America <<https://pubs.aip.org/asa/jasa/article/151/3/1769/2838222/Auditory-changes-following-firearm-noise-exposure>> [as of Feb. 18, 2026].

¹³ *Ibid.*

¹⁴ See *supra*, at note 10.

¹⁵ *Supra*, at note 8.

¹⁶ Chittum, T. *The Firearm That Isn't: Silencers and the “Loud Bang Theory”* (Aug. 2025) Duke Center for Firearms Law <<https://firearmslaw.duke.edu/2025/08/the-firearm-that-isnt-silencers-and-the-loud-bang-theory>> [as of Feb. 19, 2026].

¹⁷ *Ibid.*

this protection can be insufficient and impractical for large groups as anyone around the shooter would also need to engage hearing protection.¹⁸ Compared with suppressors, ear protection can inhibit important communications, including vital safety instructions.¹⁹ The sound of gunfire can be obnoxious to residents living near a gun range who would understandably object to needing to wear ear protection while in their homes.²⁰

While certain firearms realities support suppressor use, the loud noise associated with a gun firing could have benefits.²¹ When a firearm is discharged in public, it is an immediate and largely unmistakable warning of potential danger nearby.²² A fired weapon can trigger a more rapid emergency response, which could result in lives saved.²³ Modern public safety technology often uses gunfire noise to detect firearm discharge and notify law enforcement.²⁴ The sound of gunfire may deter certain criminals, who may be dissuaded from using a firearm in criminal activity due to the noise potentially increasing the likelihood of getting caught.²⁵ As the article notes, “between these pros and cons, lies the ‘silencer.’”²⁶

Following passage of a federal budget reconciliation bill in 2025 that removed the \$200 National Firearms Act (NFA) Tax Stamp from federal suppressor registration requirements,²⁷ a flood of attention was briefly trained on firearm suppressors. During this time, Everytown for Gun Safety (EGS) released a report on suppressor use in crime that they noted is the most comprehensive to date.²⁸ This report captures data on suppressor use in violent crime over a nearly 110-year period, though there is an approximate 54-year gap in reporting between 1927-1981.²⁹ The report found 113 “violent incidents and planned attacks” involving suppressors.³⁰ They note that law enforcement recovered over 9,000 homemade suppressors in the five-year period from 2017-2021.³¹ Over 400 federal cases were also identified in the previous 20 years where silencers were recovered.³² Some of these incidents became infamous, like the shooting of the UnitedHealthcare CEO and the Virginia Beach mass shooting.³³

¹⁸ *Ibid.*

¹⁹ *Ibid.*

²⁰ *Ibid.*

²¹ *Ibid.*

²² *Ibid.*

²³ *Ibid.*

²⁴ *Ibid.*

²⁵ *Ibid.*

²⁶ *Ibid.*

²⁷ H.R.3228 – Constitutional Hearing Protection Act (May 2025) United States Congress, 119th Congress, 1st Session <<https://www.congress.gov/bill/119th-congress/house-bill/3228/text>> [as of Feb. 19, 2026].

²⁸ *NEW REPORT: Despite Major Public Safety Risks, Gun Industry is Doubling Down on Efforts to Deregulate Silencers* (June 2025) <<https://everytownsupportfund.org/press/new-report-despite-major-public-safety-risks-gun-industry-is-doubling-down-on-efforts-to-deregulate-silencers/>> [as of Feb. 19, 2026].

²⁹ *Quiet Killers* (June 2025) The Smoking Gun <https://smokinggun.org/report/quiet-killers/?_gl=1*_zd9o6e*_ga*NTgwMDY5OTg0LjE3NzE0NTI0NTA.*_ga_68QYBV181T*_czE3NzE0NTI0NTAkBzEkZzEkdDE3NzE0NTI2MTMkajQlJGwwJGgw> [as of Feb. 19, 2026].

³⁰ *Ibid.*

³¹ *Ibid.*

³² *Ibid.*

³³ *Ibid.*

Any incident of firearms violence is tragic and doing something that has the potential to escalate rates of that violence would be unwise. It is not at all clear, however, that creating an exception for level I reserve peace officers to use suppressors while on duty with employing agency approval would have any impact on firearms violence. As an initial matter, suppressor use in crime appears extraordinarily rare. The 113 incidents of firearms violence where the aggressor used a suppressor reflects the overall, identifiable total number of incidents over approximately 54 years.³⁴ That amounts to just over two incidents of firearms violence with a suppressor per year. This total is analogous to those who die annually due to rabies infections from bats.³⁵

Furthermore, the total number of firearms *deaths* in the US since 1915 almost certainly exceeds 2.25 million.³⁶ Let's assume for the sake of comparison that every incident of firearms violence identified in the last 108 years resulted in death. If we were to extrapolate the data from the available 54 years of data and apply the number to the missing 54 years of data, we would get roughly 225 incidents of firearms deaths with a suppressor over 108 years. This suggests that suppressors are used in, at most, approximately 1 out of every 1,000 firearms deaths.

There are arguments to be made for the continued prohibition of firearm suppressors. Homemade suppressor possession and use are rising rapidly.³⁷ Suppressors may be significantly higher in unsolved violent crimes, at least in part due to the reduction in risk associated with less noise emanating from a discharged firearm. Suppressor possession may be a less commonly charged crime by prosecutors, particularly where they are confident they can plead and prove the facts for a violent crime or other crime with a long confinement term. The ability to use common, everyday objects from the grocery store as a suppressor, like a potato or two-liter soda bottle, could additionally contribute to underreporting. It is also likely that cheaper, more accessible 3D printers and a now \$0 tax stamp for suppressor registration with ATF contributes to a rapid rise³⁸ in suppressor possession and use. While concerns about rising suppressor use are understandable, and law enforcement officers engaging in violent criminal activity with suppressors is not unprecedented,³⁹ the likelihood of a law enforcement officer engaging in violent, criminal firearm suppressor activity appears infinitesimal. There are no reliable studies showing that use of suppressors increases the likelihood or number of law enforcement use of force incidents. Suppressors are not weapons that are used independent of the firearm and therefore, are not dangerous standing alone.

³⁴ *Ibid.*

³⁵ *Rabies in the United States: Protecting Public Health* (Sep. 2025) Centers for Disease Control and Prevention <<https://www.cdc.gov/rabies/php/protecting-public-health/index.html#:~:text=Human%20rabies%20surveillance%20in%20the.help%20avoid%20exposures%20to%20rabies.>> [as of Feb. 2026].

³⁶ See cumulatively, *Annual number of homicides in the United States from 1910 to 1970, by method* (2026) Statista <<https://www.statista.com/statistics/1067001/us-homicides-method-historical/#:~:text=In%20all%20years%20between%201910%20and%201970.,fell%20during%20the%20recovery%20from%20the%20Great>>, *Deaths Resulting from Firearm- and Motor-Vehicle-Related Injuries -- United States, 1968-1991* (Jan. 1994) Centers for Disease Control and Prevention <<https://www.cdc.gov/mmwr/preview/mmwrhtml/00023655.htm>>, and *Injury Center* (2026) Centers for Disease Control and Prevention <<https://www.cdc.gov/injury/index.html>> [all as of Feb. 19, 2026].

³⁷ *Supra*, at note 30.

³⁸ *Ibid.*

³⁹ See *ibid.*

There is also no reliable evidence that suppressor use increases firearm lethality (i.e., the destructive potential of a firearm with and without a suppressor is the same).

California is already one of only eight states that prohibits individuals from owning suppressors.⁴⁰ AB 1589 would not undo that ban for individuals or even for various other public safety officers. It would simply carve out a single additional exception allowing level I reserve officers to use suppressors while on duty and with approval by their employing agency. Given the elevated risk of officers experiencing irreversible hearing loss due in part to firearms use on the job, this bill appears a reasonable attempt at mitigating these long-term health complications.

- 5) **Argument in Support:** According to AB 1589’s sponsor, the *Los Angeles County Sheriff’s Department*, “This bill would allow level 1 Reserve Peace Officers to possess and use a silencer if they are authorized by their agency to do so, while they are on duty, and when it is used within the course and scope of their duties.

“The patrol rifle has been a necessary part of modern policing for decades, and hearing loss has since been recognized as an associated consequence of using it.

“The characteristics and capabilities of the patrol rifle noise suppressor were evaluated by the Weapons Training Unit of our Department over a fourteen-month period between August 2022 and October 2023.

“We found that using a patrol rifle equipped with a suppressor not only mitigated the risk of hearing loss, but it also improved communication, preserved night Vision and reduced the recoil of the rifle which allowed it to be used in a safer and more effective manner.

“We determined that the suppressor was an important piece of safety equipment and began training our personnel to use it.

“It was then that a member of our Department, one of those responsible for training our personnel to use the suppressor, identified that the language contained in current law seemed to have unintentionally excluded reserve peace officers from possessing a suppressor, even when they were on duty.

“In California, there are three classifications of reserve law enforcement officers, which are based on the level of training and certification they receive by their respective departments and the California Commission on Peace Officer Standards and Training (POST).

“The highest classification of reserve officer is known as the ‘Level I Reserve Peace Officer.’ These officers are the only reserve officers who have the same police powers and responsibilities as a ‘regular, salaried, full-time peace officer.’

“The availability of the reserve peace officer is critical to law enforcement operations across the country. Not only do these officers often fill critical staff shortages and supplement our

⁴⁰ *Suppressor Laws by State 2026* (2026) World Population Review <<https://worldpopulationreview.com/state-rankings/suppressor-laws-by-state>> [as of Feb. 19, 2026].

forces in emergent situations, the voluntary nature of their commitment to public safety is a testament to their character and serves as an inspiration to everyone who works with them.

“It is important we allow our level I reserve peace officers access to the same safety equipment as their full-time partners.”

- 6) **Argument in Opposition:** According to *La Defensa*, “On behalf of La Defensa, I write to oppose AB 1589 (Chen), which would exempt level I Reserve Peace Officers from the prohibition on possessing silencers.

“Under existing law, it is a felony to be in possession of a silencer. Current exemptions to this felony include full-time police officers employed by an agency listed in Penal Code §830.1, or by the military or naval forces of California or of the United States, when on duty and when the use of silencers is authorized by the agency and is within the scope of their duties.

“The California Reserve Peace Officer Program (RPOP) is composed of people who dedicate a portion of their time to community service by working as part-time employees or volunteers with law enforcement agencies. Approximately 600 law enforcement agencies currently employ nearly 6,200 reserve officers around the state. A level I reserve officer must meet specific requirements and be appointed and can be as young as 18 years old.

“We oppose any effort to more heavily arm law enforcement of any kind with dangerous weapons that can jeopardize the safety of our communities, as this can exacerbate the epidemic of unjustifiable police use of force in this nation. Furthermore, we oppose the spending of already scarce public funds on unsafe weapons while we are already facing significant budget deficits.

“If a device is so dangerous that its mere possession by a law-abiding citizen is a felony, it is logically inconsistent to claim that the same device becomes safe or necessary when held by a government employee. If silencers are truly dangerous, then their use by law enforcement contradicts the mandate to protect and serve.

“Expanding this problematic exemption to provide more law enforcement with specialized tactical gear further contributes to this push into militarizing our local law enforcement. This shift can lead to more aggressive policing tactics, endangering more of our community members.”

- 7) **Related Legislation:** AB 1615 (Nguyen) authorize a peace officer employed by a county probation department and using an unsafe handgun as a service weapon to satisfy the above-described training requirement by completion of the firearm portion of a training course prescribed by POST and who qualifies with the handgun, as specified, at least every 3 months. This bill is pending hearing in the Assembly Public Safety Committee.
- 8) **Prior Legislation:**
- a) AB 879 (Rubio), of the 2025-2026 Legislative Session, would have exempted county probation officers from certain restrictions on non-rostered handguns. AB 879 was held

in the Senate Appropriations Committee.

- b) AB 355 (Alanis), Chapter 235, Statutes of 2023, exempts from this prohibition the loaning of an assault weapon to, or the possession of an assault weapon by, a person enrolled in the course of basic training prescribed by the Commission on Peace Officer Standards and Training, while engaged in firearms training and being supervised by a firearms instructor.
- c) AB 2699 (Santiago), Chapter 289, Statutes of 2020, exempted from the prohibition on unsafe handguns the sale of a handgun to, or the purchase of a handgun by, additional specified entities, and provided.

REGISTERED SUPPORT / OPPOSITION:

1) Support

2) Arcadia Police Officers' Association
Brea Police Association
Burbank Police Officers' Association
California Narcotic Officers' Association
California Reserve Peace Officers Association
Claremont Police Officers Association
Corona Police Officers Association
Culver City Police Officers' Association
Fullerton Police Officers' Association
Los Angeles County Sheriff's Department
Murrieta Police Officers' Association
Newport Beach Police Association
Palos Verdes Police Officers Association
Placer County Deputy Sheriffs' Association
Pomona Police Officers' Association
Riverside Police Officers Association
Riverside Sheriffs' Association

3) Oppose

4) Brady California
Brady Campaign
Friends Committee on Legislation of California
Initiate Justice
Justice2jobs Coalition
LA Defensa
Local 148 LA County Public Defenders Union
San Francisco Public Defender

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