

Date of Hearing: April 22, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 2393 (Addis) – As Amended March 16, 2026

Policy Committee: Judiciary

Vote: 10 - 2

Urgency: No

State Mandated Local Program: No

Reimbursable: No

SUMMARY:

This bill authorizes prevailing plaintiffs in civil actions for false imprisonment or false arrest by private individuals to elect statutory damages of \$10,000 per aggravating factor — including concealing identity with a face covering, using restraints, forcibly transporting the victim, or brandishing a weapon — in lieu of proving actual damages. The aggregate award is capped at \$250,000 per incident. The bill does not apply to peace officers, custodial officers, or their employing public entities.

FISCAL EFFECT:

No significant state costs. The bill does not create a new cause of action — it adds an alternative damages measure to existing civil claims for false imprisonment and false arrest. The bill explicitly exempts peace officers, custodial officers, and public entities from its provisions, so there is no state or local government liability exposure. To the extent the statutory damages provision encourages additional civil filings, there would be minor and likely absorbable court workload costs (Trial Court Trust Fund). However, the statutory damages framework may actually reduce litigation costs by eliminating the need to prove emotional distress damages in cases where plaintiffs elect the statutory option.

COMMENTS:

- 1) **Purpose.** According to the author, in the wake of increased immigration enforcement activity, some private individuals have been impersonating law enforcement officers to harass and intimidate civilians, particularly in immigrant communities. While false imprisonment and false arrest are already actionable under California law, quantifying emotional distress damages is difficult and may result in undercompensation. This bill provides a predictable damages floor when aggravating factors are present, promoting accountability and streamlining litigation.
- 2) **Background.** False imprisonment occurs when an individual intentionally confines or restrains another without consent and without lawful justification. False arrest is a subset of false imprisonment involving wrongful arrest. Both are prohibited under California criminal and civil law. Existing law allows victims to recover damages for emotional and psychological harm, but courts have recognized that quantifying emotional distress is one of the most difficult tasks for a fact finder. The California Attorney General and the FBI have both issued warnings about the rise of individuals impersonating immigration officers, in some cases detaining people and threatening deportation. This bill targets those situations by

providing statutory damages when particularly egregious conduct accompanies a false imprisonment or false arrest by a private actor.

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