

## SENATE THIRD READING

SB 509 (Caballero)

As Amended July 16, 2025

Majority vote

**SUMMARY**

Requires the California Office of Emergency Services (Cal OES) to develop a transnational repression (TNR) recognition and response training.

**Major Provisions**

- 1) Requires Cal OES, through its California Specialized Training Institute, and in consultation with Commission on Peace Officer Standards and Training (POST), to develop a TNR recognition and response training by January 1, 2027.
- 2) Requires the training to include: how to identify tactics of TNR in physical and nonphysical forms; governments known to engage in TNR, including those used most frequently and their specific tactics; best practices for prevention, reporting, and response tactics by law enforcement; information about communities targeted by TNR and misinformation that may be perpetuated by foreign governments, including when foreign governments improperly identify dissidents as terrorists and abuse international law enforcement cooperatives; guidance, best practices, definitions, or identified trends or threats issued by federal authorities on national security and public safety; and culturally competent outreach to impacted diaspora communities and subject matter experts to ensure effective and unbiased responses to transnational repression.
- 3) Defines TNR as "any action taken by a foreign government or an agent of a foreign government, involving the transgression of national borders through physical, digital, or analog means in order to intimidate, silence, coerce, harass, or harm members of diaspora and exile communities or organizations that advocate for individuals in diaspora or exile communities in order to prevent the exercise of their human rights, including gathering information about individuals in diaspora and exile communities or organizations that advocate for individuals in diaspora or exile communities on behalf of a foreign government with the intent to use that information to harass, intimidate, or harm individuals in order to prevent their exercise of their human rights."

**COMMENTS**

*Transnational Repression (TNR):* The FBI defines TNR as when foreign governments reach beyond their borders to intimidate, silence, coerce, harass, or harm either their own citizens visiting or living in the United States or members of their diaspora and exile communities in the United States. Foreign governments engaging in TNR typically target political and human rights activists, dissidents, journalists, political opponents, and religious or ethnic minority groups.

TNR may include stalking, online disinformation campaigns, harassment, intimidation or threats, forcing or coercing the victim to return to their country of origin, threatening or detaining family members or friends in the country of origin, abusive legal practices (e.g., lawsuits, asset freezes, or withholding legal documents such as passports), cyberhacking, assault, attempted kidnapping, and/or attempted murder.

There are a number of TNR cases documented by the FBI. Several examples of TNR from 2024-2025 are described in a prior analysis by the Committee on Emergency Management. These examples include a plot to harass and interfere with an individual who criticized the actions of the People's Republic of China (PRC) a murder for hire plot against a journalists on behalf of Iran's Islamic Revolutionary Guard Corps (IRGC), and an attempted assassination of an Indian citizen, living in the United States, who is an outspoken critic of the Indian government.

Additionally, there are currently six individuals wanted by the FBI for engaging in TNR. These individuals are citizens of China, India, and Iran, respectively.

*Agent of a Foreign Government:* The Foreign Agents Registration Act may provide Cal OES and POST with a framework for who could be considered an agent of a foreign government. According to 22 U.S.C. Section 611(c)(1), an agent of a foreign principal includes an individual or organization who directly or through any other person—

- (i) engages within the United States in political activities for or in the interests of such foreign principal;
- (ii) acts within the United States as a public relations counsel, publicity agent, information-service employee or political consultant for or in the interests of such foreign principal;
- (iii) within the United States solicits, collects, disburses, or dispenses contributions, loans, money, or other things of value for or in the interest of such foreign principal; or
- (iv) within the United States represents the interests of such foreign principal before any agency or official of the Government of the United States.

A foreign government, among other entities, is considered a foreign principal.

*Federal Legislation:* Federal law does not currently define TNR. However, four active bills in Congress, among other primary provisions, each offer a definition for TNR. These bills include:

- 1) H.R. 2116 – 119th Congress (2025-2026), which would direct the Office of Partnership and Engagement of the Department to conduct an educational public service announcement campaign on transnational repression and the resources available to victims, as specified.
- 2) H.R. 2158 – 119th Congress (2025-2026), which would authorize a dedicated transnational repression working group within the Department of Homeland Security to analyze and monitor transnational repression and terrorism threats related to transnational repression, as specified.
- 3) H.R. 2139 – 119th Congress (2025-2026), which would require the Secretary of Homeland Security to prioritize strengthening state and local law enforcement capabilities to combat transnational repression, as specified.
- 4) S.2525 – 119th Congress (2025-2026), which would require the Secretary of State to develop a strategy to combat transnational repression, as specified.

If any of the federal bills are enacted, along with AB 509, California may establish a statutory definition inconsistent with federal law.

*Existing Criminal Law:* This bill would not make any changes to criminal law. If an individual is prosecuted for acts related to TNR, such as hate crimes, criminal threats, assaults, or conspiracy to commit such crimes, they may only be prosecuted based on the existing elements of those crimes – not a definition of TNR used for the purpose of this training program.

### **According to the Author**

"SB 509 is a necessary, first-of-its-kind bill that will safeguard the human rights of diaspora communities in California who are at risk of transnational repression and are at risk of political repression, threats, harm, or even death. By requiring the Office of Emergency Services (OES) and the Commission on Peace Officer Standards and Training (POST) to develop specialized training for law enforcement, this bill will equip officers to recognize and respond to the growing threat posed by foreign governments targeting diaspora communities. This measure strengthens our commitment to protecting vulnerable individuals and their families and ensures safety, justice, and freedom of expression for all, regardless of their background or country of origin."

### **Arguments in Support**

The Sikh American Legal Defense and Education Fund write in support, "Serious and credible TNR-related threats have been lodged and in several cases carried out against Sikh Californians... However, as we and our partners have made clear in our past advocacy, this is not a problem that is unique to the Indian diaspora. TNR is a daily assault on the constitutionally protected rights of racial and ethnic minority Californians that, as SB 509 makes clear, is not limited to any one state or even a particular group of states... The practice of TNR must itself be defined and the groundwork laid to combat it by [Cal OES] including standardized definitions and protocols, and appropriate trainings at every level of law enforcement, to recognize TNR and respond effectively. By centralizing responsibility to address transnational repression within Cal OES, SB 509 ensures there will be consistent coordination between federal, state, and local agencies... Perhaps most importantly: SB 509, if enacted, would reaffirm California's commitment to upholding the civil rights, free speech, and human rights of all Californians."

The California Police Chiefs Association writes in support, "CPCA recognizes the critical need for law enforcement agencies to stay ahead of evolving threats, particularly those that impact the safety and rights of individuals within California's diverse communities. Transnational repression represents a grave violation of human rights that can have a significant and far-reaching impact on both individuals and democratic institutions. These tactics, often involving surveillance, intimidation, cyberattacks, and coercion, target individuals in exile, dissidents, and diaspora communities, threatening their safety and freedom of speech. The training outlined in SB 509 will provide invaluable tools to law enforcement agencies across California, equipping officers with the knowledge to identify and respond to transnational repression. This is crucial for protecting the civil liberties of those who may be subjected to these foreign-directed tactics."

### **Arguments in Opposition**

The Hindu American Foundation writes in opposition, "California already offers a robust catalog of existing POST-certified trainings that address related subject matter. Courses such as "Terrorism, Transnational Repression," "Domestic Terrorism," "Policing Violent Extremism," "Implicit Bias and Community Policing," and "Community Engagement/Building Trust" all touch on issues of foreign influence, threat response, and culturally competent engagement.

Rather than creating a new mandate, we believe the existing training suffices as they already have established standards, instructors, and implementation mechanisms. We are also concerned that the scope and language of the bill could expose the agency to pressure from politically motivated actors to frame certain ethnic or religious communities as inherently vulnerable or inherently suspect, without adequate evidentiary standards. While the bill includes language about avoiding bias, its lack of specificity about the outside consultants it prescribes the use of creates a scenario that could lead to bias."

The Coalition of Hindus of North America write in opposition, "The bill does not make clear who will work with the state agency to design and implement the "training" proposed by the law. The serious gaps [will] result in deliberate sidelining of Hindu voices in the process, as we have seen in the lack of action on anti-Hindu violence. This should give everyone pause. In the absence of any data that indicates a serious need for a bill like SB 509, we are concerned that this bill can cause immense harm to immigrant communities of minority faiths in the State, such as Hindu Americans. Repeated attacks on Hindu temples under the guise of anti-India speech, have already threatened our ability to worship freely and the response of the state machinery shows the dynamics at play. And with SB 509, Hindu Americans asking for justice against the actions of self-declared "dissidents" can be dismissed as [acts of TNR for] the Indian government."

## FISCAL COMMENTS

According to the Assembly Committee on Appropriations:

- 1) Cost pressures of an unknown amount, potentially in the millions of dollars, across state agencies to prioritize and execute directives consistent with the declared policy of the state (General Fund or special fund).
- 2) Annual costs of approximately \$572,000 to OES for three additional staff positions to research, develop, implement, and update the training program (General Fund).
- 3) Minor and absorbable costs to POST to consult with OES on the training program.

## VOTES

### SENATE FLOOR: 38-0-2

**YES:** Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

**ABS, ABST OR NV:** Hurtado, Reyes

### ASM EMERGENCY MANAGEMENT: 5-0-2

**YES:** Ransom, Arambula, Bains, Bennett, Calderon

**ABS, ABST OR NV:** Hadwick, DeMaio

### ASM APPROPRIATIONS: 12-0-3

**YES:** Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Ahrens, Pacheco, Pellerin, Solache, Ta

**ABS, ABST OR NV:** Sanchez, Dixon, Tangipa

**UPDATED**

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