

UNFINISHED BUSINESS

Bill No: SB 937
Author: Gonzalez (D), et al.
Amended: 8/13/26
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 5-1, 3/24/26
AYES: Arreguín, Caballero, Cortese, Pérez, Wiener
NOES: Seyarto

SENATE APPROPRIATIONS COMMITTEE: 5-2, 5/14/26
AYES: Cervantes, Cabaldon, Grayson, Richardson, Wahab
NOES: Seyarto, Dahle

SENATE FLOOR: 29-9, 5/27/26
AYES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Hurtado, Laird, Limón, McGuire, McNerney, Menjivar, Pérez, Reyes, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener
NOES: Alvarado-Gil, Choi, Grove, Jones, Niello, Ochoa Bogh, Seyarto, Strickland, Valladares
NO VOTE RECORDED: Dahle, Padilla

ASSEMBLY FLOOR: Passed, 8/25/26

SUBJECT: Law enforcement: flash-bang grenades and explosive breaching charges

SOURCE: Author

DIGEST: This bill prohibits law enforcement officers from using flash-bang grenades to disperse an assembly, protest or demonstration, except as specified, and prohibits the use of flash-bang grenades and explosive breaching charges for the purpose of immigration enforcement, except as specified.

Assembly Amendments remove the prohibition against the deployment of flash-bang grenades in specified areas where children are visibly present, and permit the use of flash-bangs and explosive breaching charges for purposes of immigration enforcement if done as art of a joint law enforcement task force, as specified.

ANALYSIS:

Existing law:

- 1) Declares the intent of the Legislature that the authority to use physical force, conferred on peace officers by existing law, is a serious responsibility that shall be exercised judiciously and with respect for human rights and dignity and for the sanctity of every human life, and that every person has a right to be free from excessive use of force by officers acting under color of law. (Penal (Pen.) Code, § 835a, subd. (a)(1).)
- 2) Includes a legislative finding and declaration that the decision by a peace officer to use force shall be evaluated carefully and thoroughly, in a manner that reflects the gravity of that authority and the serious consequences of the use of force by peace officers, in order to ensure that officers use force consistent with law and agency policies. (Pen. Code, § 835a, subd. (a)(3).)
- 3) Authorizes a peace officer who has reasonable cause to believe that a person to be arrested has committed a public offense to use objectively reasonable force to effect the arrest, to prevent escape, or to overcome resistance. (Pen. Code, § 835a, subd. (b).)
- 4) Permits a peace officer who is authorized to make an arrest and who has stated their intention to do so, to use all necessary means to effect the arrest if the person to be arrested either flees or forcibly resists. (Pen. Code, § 843.)
- 5) Requires each law enforcement agency to maintain a policy that provides a minimum standard on the use of force which must include several specified elements. (Government (Gov.) Code, § 7286, subd. (b).)
- 6) Prohibits a law enforcement agency from authorizing the use of a carotid restraint, as defined, by any peace officer employed by that agency. (Gov. Code, § 7286.5, subd. (a).)
- 7) Prohibits a law enforcement agency from authorizing techniques or transport methods that involve a substantial risk of positional asphyxia. (Gov. Code, § 7286.5, subd. (b).)

- 8) Prohibits, generally, law enforcement agencies from using kinetic energy projectiles and chemical agents, as defined, to disperse any assembly, protest or demonstration. (Pen. Code, § 13652, subd. (a).)
- 9) Provides that kinetic energy projectiles and chemical agents shall only be deployed by a peace officer that has received training on their proper use by the Commission on Peace Officer Standards and Training (POST) for crowd control if the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control, and only in accordance with all of the following requirements:
 - a) De-escalation techniques or other alternatives to force have been attempted, when objectively reasonable, and have failed.
 - b) Repeated, audible announcements are made announcing the intent to use kinetic energy projectiles and chemical agents and the type to be used, when objectively reasonable to do so. The announcements shall be made from various locations, if necessary, and delivered in multiple languages, if appropriate.
 - c) Persons are given an objectively reasonable opportunity to disperse and leave the scene.
 - d) An objectively reasonable effort has been made to identify persons engaged in violent acts and those who are not, and kinetic energy projectiles or chemical agents are targeted toward those individuals engaged in violent acts. Projectiles shall not be aimed indiscriminately into a crowd or group of persons.
 - e) Kinetic energy projectiles and chemical agents are used only with the frequency, intensity, and in a manner that is proportional to the threat and objectively reasonable.
 - f) Officers shall minimize the possible incidental impact of their use of kinetic energy projectiles and chemical agents on bystanders, medical personnel, journalists, or other unintended targets.
 - g) An objectively reasonable effort has been made to extract individuals in distress.

- h) Medical assistance is promptly provided, if properly trained personnel are present, or procured, for injured persons, when it is reasonable and safe to do so.
 - i) Kinetic energy projectiles shall not be aimed at the head, neck, or any other vital organs.
 - j) Kinetic energy projectiles or chemical agents shall not be used by any law enforcement agency solely due to a violation of imposed curfew, a verbal threat, or noncompliance with a law enforcement directive.
 - k) If the chemical agent to be deployed is tear gas, only a commanding officer at the scene of the assembly, protest, or demonstration may authorize the use of tear gas. (Pen. Code, § 13652, subd. (b).)
- 10) Requires each law enforcement agency, within 60 days of each incident, to publish a summary on its internet website of all instances in which a peace officer employed by that agency uses a kinetic energy projectile or chemical agent for crowd control. Provides that an agency may extend that period for 30 days if they demonstrate just cause, but in no case longer than 90 days from the time of the incident. (Pen. Code, § 13652.1, subd. (a).)
 - 11) Specifies the information that must be included in the incident summary published by law enforcement agencies, and requires the Department of Justice (DOJ) to post on its internet website a compiled list linking each law enforcement agency's reports. (Pen. Code, § 13652.1, subd. (b), (c).)
 - 12) Defines "destructive device" as including any bomb, grenade, explosive missile or similar device or any launching device therefor, among other applicable devices, weapons and ammunition types. (Pen. Code, § 16460, subd. (a)(2).)
 - 13) Makes it a crime for any person, firm or corporation from possessing any destructive device within this state, except as specified. (Pen. Code, § 18710.)
 - 14) Establishes other various crimes relating to the possession, use and transfer of destructive devices. (Pen. Code, §§ 18715-18780.)
 - 15) Exempts on-duty peace officers acting within the scope and course of their employment from the above restrictions related to destructive devices. (Pen. Code, § 18800.)

This bill:

- 1) Prohibits the use of flash-bang grenades by any law enforcement agency for the purposes of dispersing any assembly, protest, or demonstration, and requires that flash-bangs only be deployed for crowd control by a peace officer that has received training on their proper use by the Commission on Peace Officer Standards and Training (POST) for crowd control or special weapons and tactics certified by an equivalent entity or training facility, if the use is objectively reasonable to defend against a threat to life or serious bodily injury to any individual, including any peace officer, or to bring an objectively dangerous and unlawful situation safely and effectively under control, and only in accordance with all of the following requirements:
 - a) De-escalation techniques or other alternatives to force have been attempted, when objectively reasonable, and have failed.
 - b) Repeated, audible announcements are made announcing the intent to use kinetic energy projectiles, flash bang grenades, and chemical agents and the type to be used, when objectively reasonable to do so. The announcements shall be made from various locations, if necessary, and delivered in multiple languages, if appropriate.
 - c) Persons are given an objectively reasonable opportunity to disperse and leave the scene.
 - d) An objectively reasonable effort has been made to identify persons engaged in violent acts and those who are not, and flash-bang grenades are targeted toward those individuals engaged in violent acts. Projectiles shall not be aimed indiscriminately into a crowd or group of persons.
 - e) Flash-bang grenades are used only with the frequency, intensity, and in a manner that is proportional to the threat and objectively reasonable.
 - f) Officers shall minimize the possible incidental impact of their use of flash-bang grenades on bystanders, medical personnel, journalists, or other unintended targets.
 - g) An objectively reasonable effort has been made to extract individuals in distress.
 - h) Medical assistance is promptly provided, if properly trained personnel are present, or procured, for injured persons, when it is reasonable and safe to do so.

- i) Flash-bang grenades shall not be aimed at the head, neck, or any other vital organs.
 - j) Flash-bang grenades shall not be used by any law enforcement agency solely due to any of the following:
 - i. A violation of an imposed curfew.
 - ii. A verbal threat.
 - iii. Noncompliance with a law enforcement directive.
 - k) Only a commanding officer at the scene of the assembly, protest or demonstration may authorize the use of flash-bang grenades.
- 2) Specifies that (1) above does not relieve a peace officer of any required training on the use of kinetic energy projectiles, flash-bang grenades, and chemical agents in any other circumstance outside of crowd control.
- 3) Provides that flash-bang grenades shall not be used by any law enforcement agency for the purposes of immigration enforcement, unless done as part of a joint law enforcement task force pursuant to the California Values Act
- 4) Defines "flash-bang grenades" as 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.
- 5) Defines "law enforcement agency" as 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 defined.
 - b) Any federal law enforcement agency
- 6) Expands existing prohibitions against the use of kinetic energy projectiles and chemical agents to federal law enforcement agencies.

- 7) Requires each law enforcement agency, within 60 days of each incident, to publish a summary on its internet website of all instances in which a peace officer employed by that agency uses a flash-bang grenade for crowd control, and authorizes an agency to extend that period for 30 days if they demonstrate just cause, but in no case longer than 90 days from the time of the incident.
- 8) Specifies that for each incident reported, the summary is limited to that information known to the agency at the time of the report and includes specified details.
- 9) Prohibits any peace officer of a local, state, or federal law enforcement agency, or a person acting on behalf of such an agency, from using explosive breaching charges for the purpose of immigration enforcement unless done as part of a joint law enforcement task force under the California Values Act.
- 10) Defines "explosive breaching charge" as 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. Specifies that these charges include, but are not limited to, detonating cords, sheet explosives, shaped charges, blasting caps, and detonators.
- 11) Defines peace officer, for the purposes of the prohibition against the use of breaching charges for immigration enforcement, as 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.
- 12) Includes a severability clause.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Assembly Appropriations Committee:

Minor and absorbable costs to the Commission on Peace Officer Standards and Training (POST) to update its crowd control guidelines (Peace Officers' Training Fund). POST reports the bill would not require new training, as the tools and tactics at issue are deployed by SWAT officers who already undergo extensive certification, and the relevant material is covered at a basic level in the academy.

Costs of an unknown amount, likely in excess of \$150,000 statewide to state and local law enforcement agencies to publish the incident summaries this bill requires (General Fund, special funds, local funds). Notably, while the reporting obligation is incremental, the obligation

attaches to more than 500 local law enforcement entities, and the aggregate cost may be reimbursable, pursuant to a determination of the Commission on State Mandate.

Minor and absorbable costs to DOJ to add flash-bang grenade reports to the compiled list DOJ already maintains for existing crowd control munitions (General Fund).

SUPPORT: (Verified 8/25/26)

ACLU California Action
All of US or None (HQ)
American Friends Service Committee
Berkeley Friends Meeting
California Community Foundation
California Public Defenders Association
Courage California
Ella Baker Center for Human Rights
Felony Murder Elimination Project
Initiate Justice
Lawyers Committee for Civil Rights of the San Francisco Bay Area
League of Women Voters of California
Legal Services for Prisoners with Children
Oakland Privacy
Policing Project at NYU Law School
Rubicon Programs
San Francisco Public Defender
Sister Warriors Freedom Coalition

OPPOSITION: (Verified 8/25/26)

Association for Los Angeles Deputy Sheriffs
California Association of Highway Patrolmen
California Narcotic Officers' Association
California State Sheriffs' Association
Los Angeles County Professional Peace Officers Association
Los Angeles Police Protective League
Riverside County Sheriff's Office

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