



Simple Possession of a Billy Club is Not Enforceable Under Cal. Penal Code § 22210

Case Law Update:

As of February 23, 2024, an injunction is in effect prohibiting the enforcement of possessing “billy clubs.” The case is *Fouts v. Bonta*. The Court ruled that California’s ban on “billy clubs” violates the Second Amendment and denies the state’s residents the right of self-defense.

“A billy is a less-lethal weapon that may be used for self-defense. It is a simple weapon that most anybody between the ages of eight and eighty can fashion from a wooden stick, or a clothes pole, or a dowel rod. One can easily imagine countless citizens carrying these weapons on daily walks and hikes to defend themselves against attacks by humans or animals. To give full life to the core right of self-defense, every law-abiding responsible individual citizen has a constitutionally protected right to keep and bear arms like the billy for lawful purposes.”

Although Cal. Penal Code § 22210 does not specifically define a “billy,” it is often described as baton-like weapon, which is short in length and made of wood. This ruling also includes modern “billy clubs.” Modern “billy clubs” can be made of synthetic materials and or metal. An example of this would include expandable type batons such as the ASP baton.

The California Attorney General has appealed the decision to the U.S. Court of Appeals, but the injunction is still in place. The Training Division will update Department Members in another Bulletin if the injunction is lifted.



What You Need to Know:

Effective immediately, Cal. Penal Code § 22210 shall not be enforced as it relates to any item that is or could be considered a “billy.” The Court’s ruling only addresses the “billy” and all other instruments or weapons listed in the statute (i.e., blackjack, sandbag, sandclub, sap, or slungshot) are legally enforceable.

