



FAIRFIELD POLICE DEPARTMENT ROLL CALL TRAINING

June 2024

22210 PC as it applies to “Billys”

In 2019 Russell Fouts sued California State Attorney General Rob Bonta regarding the possession of a “Billy” as defined in CA Penal Code 22210. The law does not define a “Billy” but historically was a short wooden stick that police officer carried. The term remains vague today and may encompass a metal baton, a little league bat, a wooden table leg, or a broken golf club shaft.

Part of the plaintiff’s argument was that Americans have the right to keep and bear arms, whether firearms or less lethal arms.

On February 23, 2024, the Honorable Roger Benitez ordered a permanent injunction regarding “Billys”. Judge Benitez stated, **“The following permanent injunction is effective immediately:**

- 1. Defendant Attorney General Rob Bonta, and his officers, agents, servants, employees, and attorneys, and those persons in active concert or participation with him, and those duly sworn state peace officers and federal law enforcement officers who gain knowledge of this injunction order or know of the existence of this injunction order are enjoined from implementing or enforcing California Penal Code § 22210 as it applies to a billy”**

This case is being appealed to the Ninth Circuit Court of Appeals; however, they have not rendered a ruling. There is no indication of a temporary stay on the injunction pending the appeal.

As of now 22210 PC as it applies to “Billys” is not an enforceable section.

Author: Training Unit

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