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Oppose California Assembly Bill 1333: Protect Self-defense Rights

California Assemblyman Rick Zbur (D-Los Angeles) has introduced legislation that would dismantle the fundamental right to self-defense for law-abiding citizens. Assembly Bill 1333 (AB 1333) seeks to amend Section 197 of the State of California Penal Code to eliminate key circumstances under which homicide is considered justifiable, including the defense of one's home or property.

By limiting the scope of what constitutes justifiable homicide, AB 1333 criminalizes law-abiding citizens and creates state law that would lead to the arrest and prosecution of individuals who act in self-defense. AB 1333 imposes stricter conditions on when self-defense can be legally exercised, effectively prioritizing the rights of criminals over victims. The legislation make the following changes to Section 197 of California's Penal Code:

> (b) Homicide is not justifiable when committed by a person in all of the following cases:
>
> (1) When the person was outside of their ~~residence~~ **habitation or property** and knew that using force likely to cause death or great bodily injury could have been avoided with complete safety by retreating.
>
> (2) When the person used more force ~~than was reasonably necessary to defend against a danger.~~ **to defend against an imminent danger of being killed or suffering great bodily injury than a reasonable person would believe is necessary in the same situation.**
>
> (3) ~~When the person was the assailant, engaged in mutual combat, or knowingly engaged in conduct reasonably likely to provoke a person to commit a felony or do some great bodily injury, except if either of the following circumstances apply:~~ **When the person was the initial aggressor, except if either of the following apply:**
>
> (A) ~~The person reasonably believed that they were in imminent danger of death or great bodily~~

~~injury, and had exhausted every reasonable means to escape such danger other than the use of force likely to cause death or great bodily injury.~~ **The initial aggressor actually and in good faith tried to stop fighting and indicated to the opponent, by word or by conduct and in a way that a reasonable person would understand, that the initial aggressor wanted to stop fighting and had stopped fighting.**

(B) ~~In good faith, the person withdrew from the encounter with the other assailant or assailants and indicated clearly to the other assailant or assailants that the person desired to withdraw and terminated the use of any force, but the other assailant or assailants continued or resumed the use of force.~~ **In cases of mutual combat, the initial aggressor gave the opponent an opportunity to stop fighting.**

The proposed Penal Code amendments remove the legal justification for homicide in defense of habitation or property, stripping homeowners of their right to protect their families and possessions from violent intruders. Additionally, this legislation specifies that homicide is not justifiable if individuals use more force than deemed "reasonably necessary" or fail to retreat from a threat, even when outside their own home, thus placing an unrealistic and unreasonable burden on victims to flee rather than act in self-defense.

Riverside County Sheriff Chad Bianco has fiercely opposed AB 1333, calling it an attack on the rights of law-abiding citizens. Sheriff Bianco argues that the legislation exemplifies California's "pro-criminal" stance, stating:

> This is basically saying if someone approaches you and is going to rob you or steal your stuff or harm you, your only option is to run, and they get whatever they want.… There's no dad that believes that he shouldn't be able to protect his daughter or his wife. There's no woman that believes that she should not be able to defend herself against an attacker.

AB 1333 effectively nullifies the Castle Doctrine, which allows individuals to use force to protect their homes. It also undermines the God-given and constitutionally protected right to self-defense. If enacted, this bill's vague language defining "reasonably necessary" will lead to inconsistent enforcement and unjust prosecutions. By criminalizing self-defense, it threatens to turn victims into felons while empowering criminals to act with impunity.

Contact your state legislators today. Urge them to oppose legislation that prioritizes criminals over law-abiding citizens, and stand for the constitutionally protected right to self-defense.