

<p>California Department of Justice DIVISION OF LAW ENFORCEMENT Stephen Woolery, Chief</p> 	<h1>INFORMATION BULLETIN</h1>	
<p><i>Subject:</i></p> <p><b>New Mandates and Resources Related to Gun Violence Restraining Orders (GVROs) &amp; Other Firearm-Prohibiting Court Orders</b></p>	<p><i>No.</i></p> <p>2026-DLE-06</p>	<p><i>Contact for information:</i></p> <p>Office of Gun Violence Prevention <a href="mailto:OGVP@doj.ca.gov">OGVP@doj.ca.gov</a></p>
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**TO: ALL CALIFORNIA LAW ENFORCEMENT AGENCIES, CITY ATTORNEYS, AND COUNTY COUNSEL**

This bulletin advises law enforcement agencies of two new California laws that require municipal police departments, county sheriffs' departments, the Department of the California Highway Patrol, and the University of California and California State University Police Departments (collectively, "Covered LEAs"), to update agency policies, standards, and procedures related to Gun Violence Restraining Orders (hereinafter referred to as "GVRO Policies"), and to adopt new agency policies to promote enforcement of all court protection and restraining orders that include firearm prohibitions:

1. **Assembly Bill 2621 (2024, Gabriel)** amended Penal Code section 18108 to require law enforcement agencies to update their existing GVRO Policies to reflect numerous changes to laws governing the GVRO process, address common implementation barriers, and provide more comprehensive guidance about specified topics, including about the types of circumstances in which officers should consider requesting GVROs or other safety interventions; the types of evidence courts may consider in GVRO cases; and the process required to obtain a longer-term GVRO After a Hearing or Consent that lasts for up to five years instead of expiring within 21 days.
2. **Assembly Bill 451 (2025, Petrie-Norris)** enacted a new Penal Code section 13667, which requires law enforcement agencies by January 1, 2027, to develop and implement new agency policies and procedures to promote agency compliance with laws governing service, implementation, and enforcement of all court protection and restraining orders that include firearm prohibitions, including, but not limited to, GVROs.

These laws are summarized in more detail below. This bulletin is for informational purposes only. Because it is a summary, it does not cover every aspect of the laws described below. The full text of these newly enacted laws can be accessed at [leginfo.legislature.ca.gov](http://leginfo.legislature.ca.gov). To assist Covered LEAs in complying with AB 2621 and AB 451, DOJ has prepared a Model GVRO Policy, available here: <https://oag.ca.gov/system/files/media/model-gvro-policy.pdf>.

## I. AB 2621 Requires Law Enforcement Agencies to Update Their GVRO Policies

In 2019, California enacted Penal Code section 18108 to require all Covered LEAs to “develop, adopt, and implement written policies and standards relating to Gun Violence Restraining Orders” by January 1, 2021.<sup>1</sup> This law required that agencies’ GVRO Policies provide comprehensive guidance for law enforcement officers on numerous aspects of the GVRO process, including “standards and procedures for requesting and serving” all three types of GVROs<sup>2</sup> and for verifying the removal or seizure of firearms from individuals who become subject to GVROs.<sup>3</sup> This law also required agencies’ GVRO Policies to provide some limited instruction to officers to consider requesting a GVRO in certain circumstances, including during a response to a domestic disturbance at a residence where firearms may be present or during a contact with a person who owns or possess firearms and is experiencing “mental health issues,” including suicidal thoughts, statements, or actions.

Effective January 1, 2025, Assembly Bill 2621 (Gabriel) amended Penal Code section 18108 to require Covered LEAs to amend their GVRO Policies to reflect numerous changes to section 18108 itself, and also “as necessary,” to incorporate other relevant changes in the law governing GVROs.<sup>4</sup> California has amended laws governing the GVRO process at least 10 times since Penal Code section 18108 was enacted in 2019, so it is imperative that law enforcement agencies ensure their GVRO Policies reflect current law, best practices, and AB 2621’s recent amendments to section 18108.<sup>5</sup>

AB 2621 requires Covered LEAs to update their GVRO Policies to include information about the following:

### 1. Circumstances in which officers should consider requesting GVROs or pursuing other safety interventions:

- AB 2621 now requires GVRO Policies to include instruction for officers about the “appropriate situations” or circumstances in which officers should consider petitioning for a GVRO or pursuing additional or alternative safety interventions, including examples of when GVROs or other firearm-prohibiting protection order options may be most appropriate.
- AB 2621 also repealed and replaced language that previously required agencies to instruct officers to consider requesting GVROs when responding to domestic disturbances specifically. In domestic violence incidents, other more comprehensive firearm-prohibiting court protection and restraining orders may be available to address dangerous firearm access and protect victims in danger. AB 2621’s updated language now requires agencies to instruct officers to consider whether a GVRO may be necessary to address dangerousness during a response to any incident in which a person may own, possess, or control firearms or has expressed intent to acquire a firearm. AB 2621 also added language requiring GVRO Policies to provide information about EPO-001 Emergency

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<sup>1</sup> See Assembly Bill 339 (2019, Irwin) (enacting section 18108 of the Penal Code).

<sup>2</sup> Including Emergency GVROs, Temporary GVROs, and GVROs After a Hearing or Consent.

<sup>3</sup> Penal Code § 18108(b), (c).

<sup>4</sup> See Assembly Bill 2621 (2024, Gabriel), § 2 (amending Penal Code, § 18108).

<sup>5</sup> Penal Code section 18108, subd. (a) requires law enforcement agencies to update GVRO policies and standards on an ongoing basis, “as necessary, to incorporate changes in the law governing gun violence restraining orders.” Assembly Bill 2621 made multiple changes to the requirements of section 18108.

Protective Orders and other interventions that may be available to protect victims of domestic violence and other dangerous conduct.

## 2. The types of evidence courts consider in GVRO cases:

- AB 2621 now requires GVRO Policies to include guidance about the types of evidence courts may consider in determining whether there are sufficient grounds to issue a GVRO, pursuant to section 18155 of the Penal Code.
  - Penal Code section 18155 provides a non-exhaustive list of conduct that courts may, or in some cases must, consider as relevant evidence in support of a GVRO petition, including evidence that an individual has engaged in acts of violence, hate-motivated conduct, stalking, or malicious animal cruelty, or has made threats directed at a group or location, in addition to specific individuals.<sup>6</sup>
  - These statutes also emphasize that courts may consider any relevant evidence indicating that the respondent poses an increased risk of violence to themselves or others, including but not limited to the conduct listed in section 18155.<sup>7</sup>
- AB 2621 also requires agency GVRO Policies to instruct officers on the use of GVROs to prevent *future* violence by prohibiting both possession and *acquisition* of firearms. AB 2621 and other statutes make clear that GVROs may be issued against a dangerous individual who does not currently own, possess, or control firearms in order to prevent that individual from passing firearm-related background checks and from purchasing or acquiring firearms.<sup>8</sup>

## 3. Obtaining longer-term GVROs After a Hearing or Consent:

- AB 2621 made multiple amendments to section 18108 to require GVRO policies to include information about how to obtain all three types of GVROs, including shorter-term Emergency GVROs and Temporary GVROs, as well as longer-term GVROs After a Hearing or Consent in circumstances involving persistent danger and necessity.
- Accordingly, GVRO Policies should provide officers with guidance about:
  - How to obtain GVROs in dangerous but non-emergency circumstances by submitting a GV-100 GVRO court petition; and
  - How to obtain longer-term GVROs After a Hearing or Consent, following either an Emergency GVRO or GV-100 court petition, in circumstances involving persistent danger and necessity.

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<sup>6</sup> Penal Code sections 18175 and 18190 incorporate this same language by cross-referencing section 18155.

<sup>7</sup> See Pen. Code, §§ 18155, subd. (b); 18175, subd. (a). See also, Pen. Code, §§ 18145, 18150, subd. (b) and (c).

<sup>8</sup> See Pen. Code, § 18155, subd. (b)(2)(G).

**4. AB 2621 requires GVRO Policies to include standards and procedures about:**

- Officers' responsibility to "attend [GVRO] hearings and diligently participate in the evidence presentation process[;]"
- Storing and returning firearms and other prohibited items relinquished by the person subject to the GVRO;
- Addressing violations of a GVRO;
- Encouraging officers to "provide information about mental health referral services during a contact with a person exhibiting mental health issues[;]" and
- Encouraging "the use of de-escalation practices for officer and civilian safety when responding to incidents involving a firearm."

Penal Code section 18108 requires law enforcement agencies to *implement* these updated policies; requires agencies to make these updated GVRO policies available to their officers; and encourages agencies to train officers on these updated policies. Penal Code Section 18108 also requires law enforcement agencies to make their GVRO policies available to members of the public upon request, and states that law enforcement agencies are encouraged to consult with violence prevention experts, mental health professionals, domestic violence service providers, and community-based organizations on updating these policies.<sup>9</sup>

**II. AB 451 Requires Law Enforcement Agencies to Adopt and Implement New Policies Governing Service, Implementation, and Enforcement of All Firearm-Prohibiting Court Protection and Restraining Orders**

Enacted in 2025, AB 451 established a new Penal Code section 13667, which requires Covered LEAs to develop, adopt, and implement written policies and standards by January 1, 2027, "to promote safe, consistent, and effective service, implementation, and enforcement of court protection and restraining orders that include firearm access restrictions[.]" These orders include:

- Civil Harassment Restraining Orders
- Criminal Protective Orders
- Domestic Violence Restraining Orders
- Elder or Dependent Adult Abuse Restraining Orders (other than orders related only to financial abuse)
- Emergency Protective Orders
- Gun Violence Restraining Orders
- Juvenile Restraining Orders
- Postsecondary School Violence Restraining Orders
- Workplace Violence Restraining Orders

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<sup>9</sup> Assembly Bill 2621 also required Peace Officer Standards and Training (POST) training on hate crime response to include additional information to assist officers in "identifying when a Gun Violence Restraining Order may be an appropriate tool for preventing hate crimes and the procedures for seeking a [GVRO]." See AB 2621 (2024, Gabriel), § 1 (amending Pen. Code, § 13519.6).

Penal Code section 13667 requires Covered LEAs to develop new policies and standards that:

1. “Ensure that the agency consistently complies with the requirements of California laws governing service and enforcement of protection and restraining orders and governing relinquishment of firearms by individuals who are armed and subject to those court orders, including new mandates and responsibilities placed on law enforcement agencies” pursuant to Assembly Bill 818 (2023, Petrie-Norris) and Senate Bill 899 (2024, Skinner).
2. “Provide a standard agency process” for serving the protection or restraining order in a timely manner upon the petitioner’s request.
3. Include information to ensure officers who serve protection or restraining orders consistently accomplish specified steps to:
  - Facilitate safe and immediate relinquishment of all firearms, ammunition, body armor, and other prohibited items at the time of service.
  - Ensure information about service of the order and any relinquished items is promptly reported to both the court and into law enforcement record systems, including the California Restraining and Protective Order System (CARPOS) and the Automated Firearms System (AFS).
4. Provide a standard agency process for officers to promote firearm relinquishment compliance in circumstances where a person subject to a firearm-prohibiting court order owns, possesses, or controls firearms but credibly indicates that they cannot immediately relinquish all firearms at the time of service, including because those firearms are at another location.
5. Provide a standard process for the agency, in coordination with court staff and other law enforcement agencies and stakeholders, to proactively identify individuals who unlawfully violate firearm-prohibiting court orders, and take specified actions in response to ensure firearm relinquishment compliance and the safety of any individuals protected by the court order.

Penal Code section 13667 states that in developing and updating these new standards and policies, law enforcement agencies:

- Shall review and update existing protocols, policies, or standards pertaining to protection or restraining orders, and law enforcement responses to domestic violence incidents, to ensure these protocols, policies, and standards are consistent with one another and with current law.
- Are encouraged to consult and collaborate with domestic violence service providers and survivor advocates, gun violence prevention experts, local court staff, and refer to guidance, technical assistance, or recommendations issued by DOJ.

Finally, Penal Code section 13667 also requires law enforcement agencies to post information on their website about how petitioners may request service of protection or restraining orders by that agency, and about how prohibited persons and other community members may relinquish firearms to the custody of the agency.

### **New Written Resources from DOJ's Office of Gun Violence Prevention:**

To assist Covered LEAs in complying with these new mandates and promoting effective use of the GVRO and other interventions to prevent firearm violence, the DOJ Office of Gun Violence Prevention has issued the following new resources:

- A [Model GVRO Policy for California Law Enforcement](#) that agencies may adapt into existing GVRO Policies in accordance with AB 2621 and AB 451. The Model Policy includes guidance about the types of circumstances in which officers should consider requesting GVROs or other safety interventions; the types of evidence courts may consider in GVRO cases; and the process required to obtain all three types of GVROs. LEAs are encouraged to adapt this model to provide more specific guidance tailored to their agencies and communities, including by specifying the responsibilities placed on specific personnel or units and the standards and procedures for officers to contact supervisors, GVRO coordinators, and/or legal counsel responsible for advising or representing the agency in GVRO matters.
- A [GVRO Implementation Guide](#) that provides a more comprehensive desk reference for agency leadership, legal counsel, and GVRO coordinators about the GVRO process. The GVRO Implementation Guide includes explanatory background, GVRO process flow charts, and best practice checklists to help agencies develop subject matter expertise in the GVRO process, identify and develop GVRO cases informed by behavioral threat assessment and management strategies, evaluate additional and alternative safety interventions, and petition for, serve, document, and enforce all three types of GVROs when necessary.
- A [GVRO 10-Year Progress Report: Data and Recommendations for Improved Implementation](#) that analyzes data and research to assess implementation of the GVRO, document increased utilization of this process, and identify three priority recommendations for improving implementation. Among other recommendations, the report recommends that law enforcement agencies designate GVRO coordinators and/or develop streamlined processes for legal counsel to advise and represent the law enforcement agency in GVRO matters, especially for managing the court forms-filing and hearing process for obtaining longer-term GVROs.

### **Additional Resources:**

- For technical assistance or trainings related to GVROs and other protection and restraining orders, please contact **DOJ's Office of Gun Violence Prevention** at [OGVP@doj.ca.gov](mailto:OGVP@doj.ca.gov).
- Any CLETS-subscribing agency requiring assistance or training on entering proof-of-service or other protection and restraining order information into CARPOS, should please contact **DOJ's CARPOS Unit** at [Restraining.Orders@doj.ca.gov](mailto:Restraining.Orders@doj.ca.gov).