

Welcome!

CARE Community Briefing:
Protection Orders to Prevent Gun Violence

THURSDAY, OCT. 10 | 2-3:30PM



AGENDA

- I. **Welcome**, Sarah Farouq, Community Outreach Manager, and Cat Nou, Director; Office of CARE
- II. **II. “Pathways to Safety: California’s Nine Court Protection Orders to Prevent Gun Violence”**, Ari Freilich, Director, Office of Gun Violence Prevention
- III. **Case Studies: Impact and Implementation**, Julia F. Weber, Esq., MSW, Consultant at GIFFORDS
- IV. **Current Context: Role of the DOJ**, Michael Redding, Special Assistant Attorney General
- V. **Additional Resources**, Ari Freilich, Director, Office of Gun Violence Prevention
- VI. **Questions**
- VII. **Closing**






C A L I F O R N I A

DEPARTMENT OF JUSTICE

Ari Freilich
Director of the Office of Gun Violence
Prevention




CALIFORNIA
DEPARTMENT OF JUSTICE

**OFFICE OF
GUN VIOLENCE PREVENTION**

**DATA REPORT:
THE IMPACT OF GUN VIOLENCE IN CALIFORNIA**

AUGUST 2023




CALIFORNIA
DEPARTMENT OF JUSTICE

**OFFICE OF
GUN VIOLENCE PREVENTION**

**DATA REPORT:
DOMESTIC VIOLENCE INVOLVING
FIREARMS IN CALIFORNIA**

NOVEMBER 2023




CALIFORNIA
DEPARTMENT OF JUSTICE

**OFFICE OF
GUN VIOLENCE PREVENTION**

**PATHWAYS TO SAFETY:
CALIFORNIA'S NINE COURT PROTECTION ORDERS
TO PREVENT GUN VIOLENCE**

JUNE 2024



CALIFORNIA
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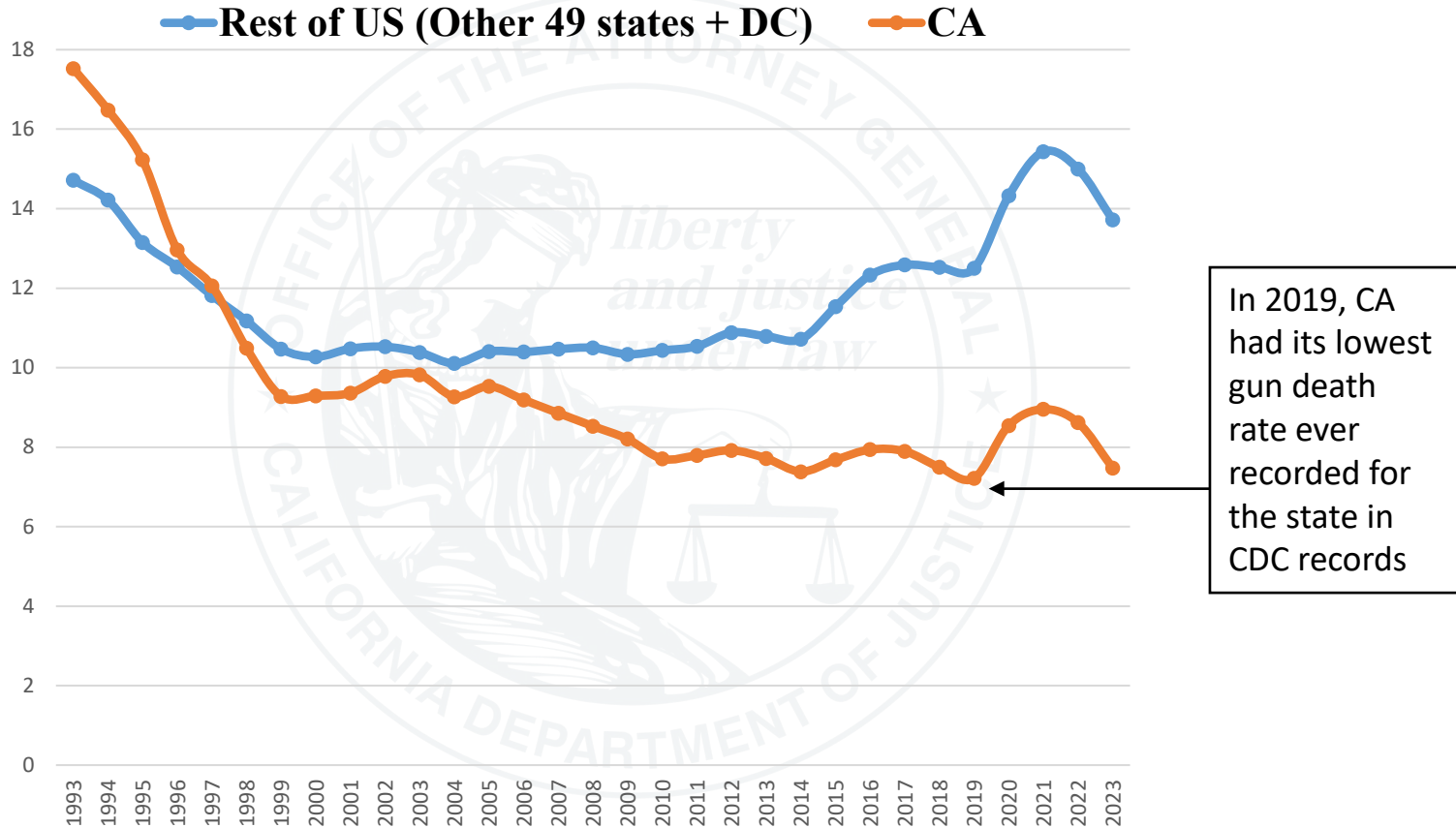
**OFFICE OF
GUN VIOLENCE PREVENTION**

CALIFORNIA'S FIGHT AGAINST THE GHOST GUN CRISIS:
Progress and New Challenges

October 2024



Overall Firearm Death Rates: California vs. Rest of US

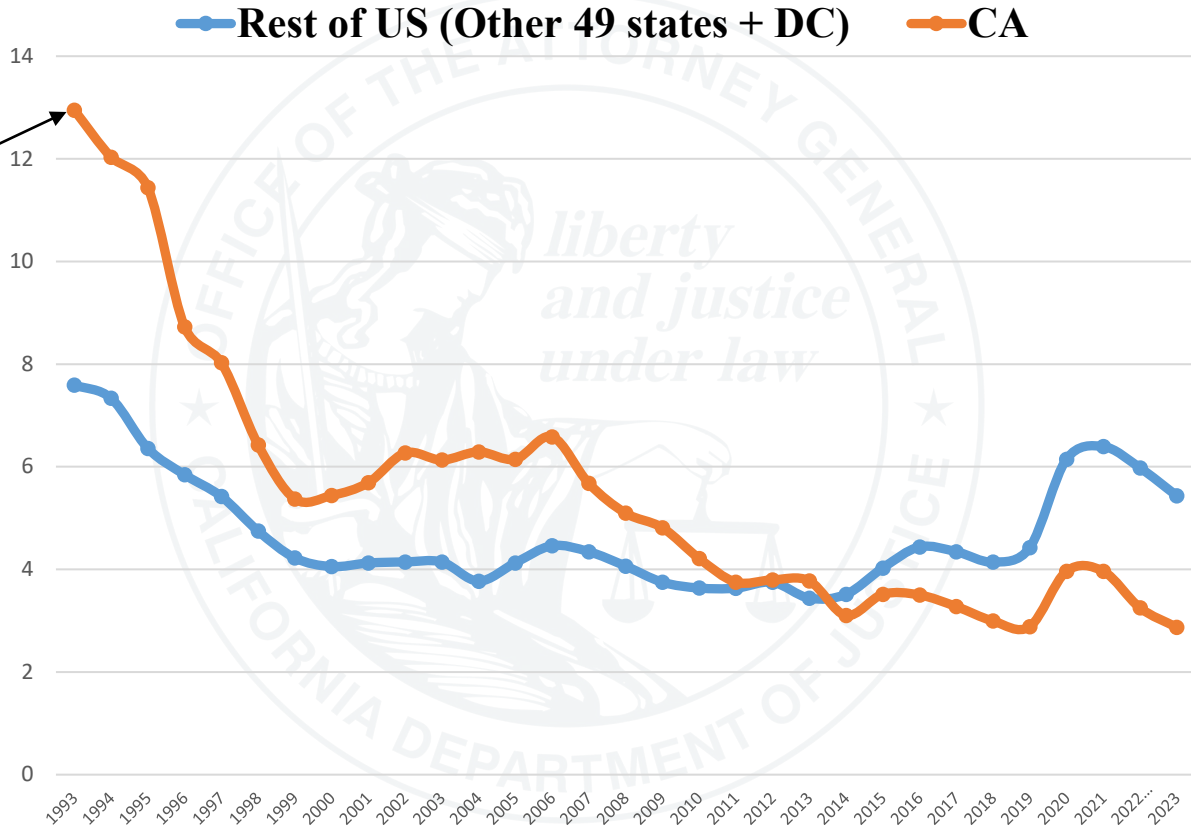


Source: OGVP analysis of age-adjusted firearm mortality data per 100,000 from CDC WONDER for 1993-2023 (2023 data preliminary).



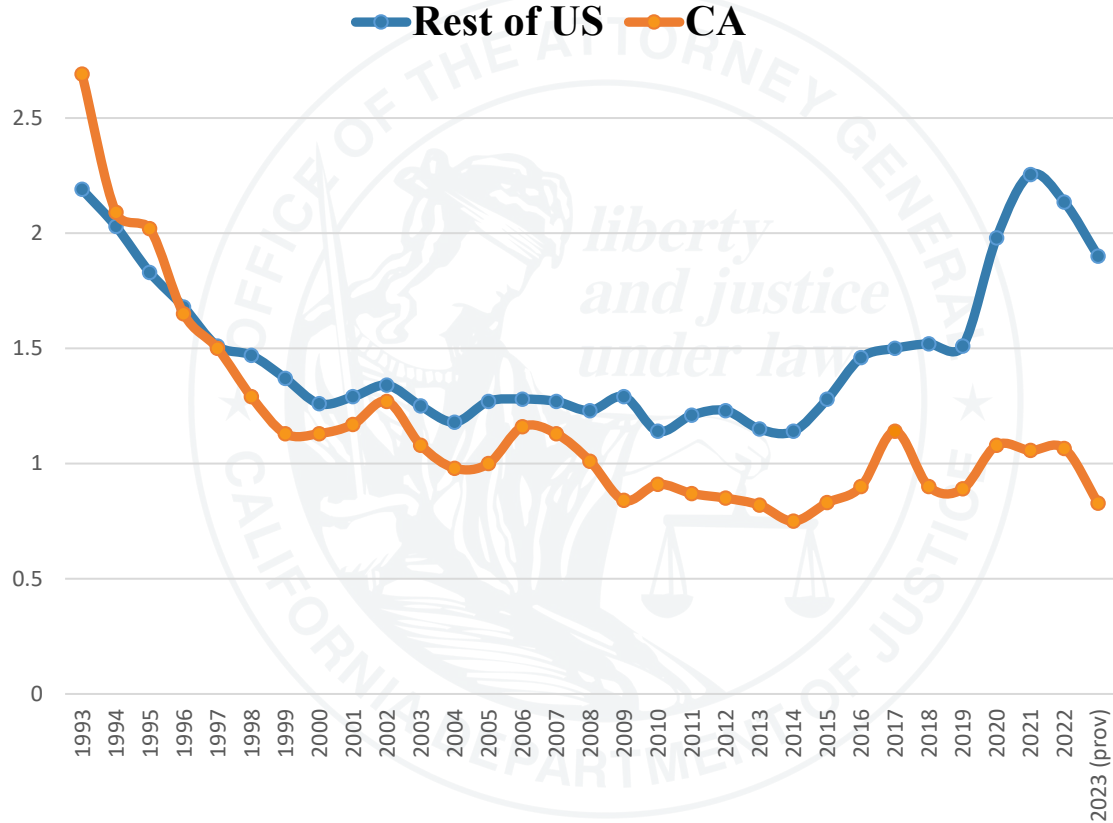
Firearm Homicide Rates for Youth Under 25: California vs. Rest of US

In 1993, CA had the 3rd highest youth gun homicide rate out of all 50 states



Source: OGVP analysis of age-adjusted firearm homicide rates per 100,000 for victims under 25 from CDC WONDER for 1993-2023 (2023 data preliminary).

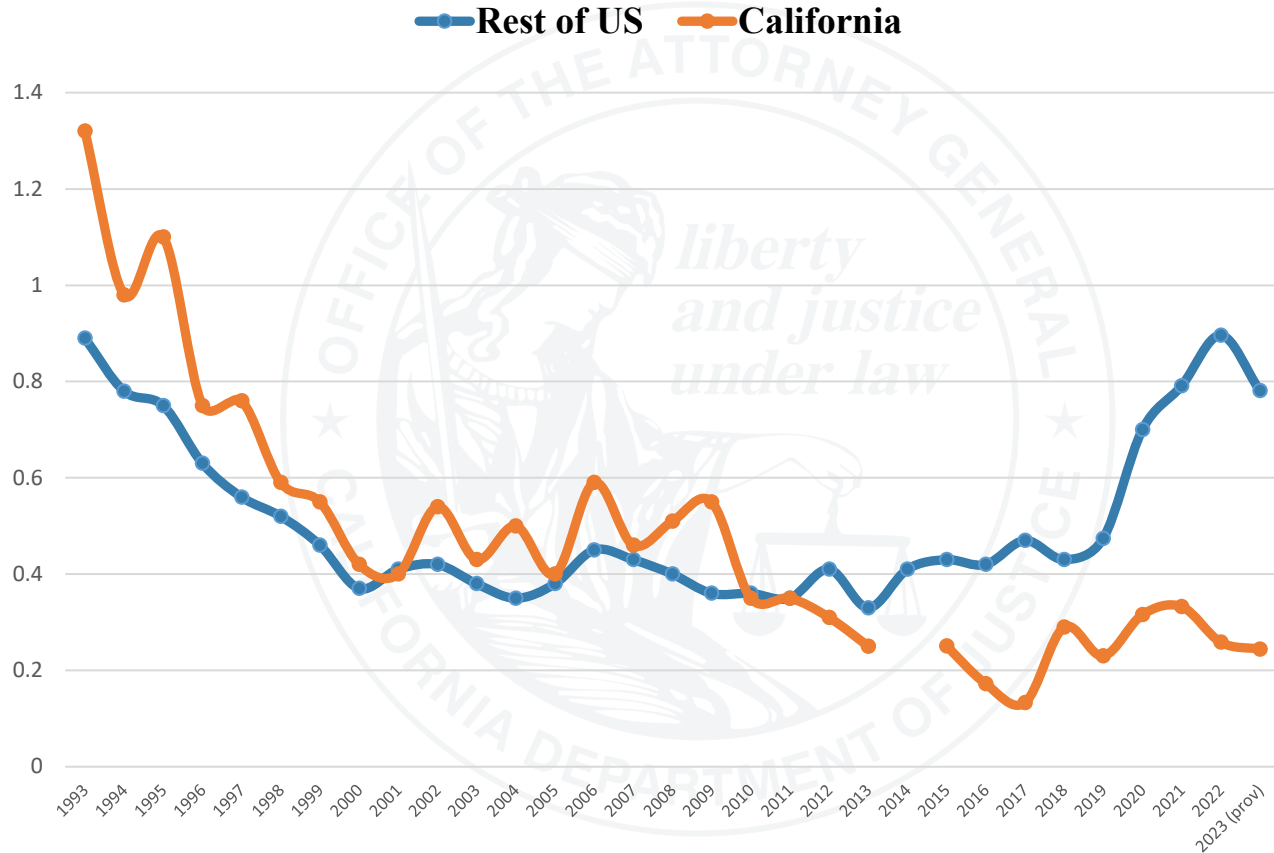
Firearm Homicide Rates for Female Victims: California vs. Rest of US



Source: OGVP analysis of age-adjusted female victim firearm homicide data per 100,000 from CDC WONDER for 1993-2023 (2023 data preliminary).



Firearm Homicide Rates for Children Under 15: California vs. Rest of US



Source: OGVP analysis of crude (non-age adjusted) firearm homicide data per 100,000 from CDC WONDER for 1993-2023 (2023 data preliminary).



*California's Array of
9 Court Protection Order Options
To Prevent Gun Violence*

Terminology

- **“Protection Order” or “Restraining Order”**: California law generally uses these terms interchangeably for processes through which people can request that a court order someone to comply with legally mandatory safety rules and requirements in order to prevent violence, abuse, and other harms.
 - **“Petitioner”**: The person who starts the court case by requesting a protection/restraining order (typically by filing standard court forms).
 - **“Respondent”**: The person the protection order case is filed against (Typically, the person from whom protection is sought).
 - **“Protected Person”**: The specific person or people who receive protection from the court protection order.
 - **“Restrained Person”**: A respondent the court has issued a protection order against.
-

Terminology

Emergency Orders: In *some* emergency situations, law enforcement can obtain immediate court protection orders (often at the scene of an incident) by calling a designated judge.

- Very short-term: Up to 7 days for most emergency orders, 21 days for emergency GVRs

Temporary Orders: In some cases, petitioners can obtain short-term protection orders based on sworn statements showing need for urgent protections prior to a full court hearing.

- Courts generally required to grant or deny quickly, by next business day.
- Short-term: Typically lasts up to 21 days
- Petitions for DVROs generally automatically ask for a temporary DVRO; for other types of orders petitioner typically has option to request a temporary order.

Final Orders: Longer-term order issued after court has provided the respondent with notice and opportunity to appear at hearing.

- Longer-term: For most orders, lasts up to 5 years
 - Restrained party can petition to modify or terminate the order before it expires
 - Petitioners can petition to modify or extend/renew the order before it expires
-

CA's 9 court protection orders to prevent gun violence include:

- Gun Violence Restraining Orders (*aka Extreme Risk Protection Orders*)
 - Domestic Violence Orders
 - Civil Harassment Orders
 - Elder or Dependent Adult Abuse Orders
 - Workplace Violence Orders
 - Postsecondary School Violence Orders
 - Emergency Protective Orders
 - Juvenile Court Orders
 - Criminal Court Orders
- In California, **ALL** of these court orders generally prohibit the restrained party from accessing firearms and ammunition while the court order is in effect. **They can all increase survivor safety & help prevent gun violence.**
 - All but the Gun Violence Restraining Order offer **additional safety protections for specific protected people** named in the court's order.
-

Key Differences between Court Protection Orders in CA

1. Who can petition a court for the protection order?
2. Who does the order protect?
3. What types of safety rules and protections can the court include in its protection order?
4. How long can the protection order last?



“Pathways to Safety” Report: CA’s Nine Court Protection Orders to Prevent Gun Violence

Quick Guide to CA’s Protection Orders

	Issued By	Who Can Petition for the Order	Who the Order Can Protect	Safety Provisions Available in the Order	How Long the Order Lasts	% of All Protection Orders with Firearm Provisions Issued in CA in 2023 that were This Type of Order
Gun Violence Restraining Order	Civil Courts	Law enforcement and respondent’s close family members, spouse/ domestic partner/dating partner, or employer. Other people can also petition if they have had substantial and regular interactions with respondent for at least one year, incl. recent roommate/household member, teacher/employees at school respondent attended, co-workers, more distant family members, and people who have a had a child with the respondent.	There is no protected party.	Firearm/ weapon provisions only.	Up to 21 days for emergency and temporary orders. Between 1-5 years for final orders.	0.9% (incl. 0.4% issued as emergency GVRO EPO-002s)
Domestic Violence Restraining Order	Civil Courts	Survivors seeking protection from a close family member (such as a parent, grandparent, child or sibling), household member, or current or former intimate partner who harmed, threatened, stalked, or abused them (incl. current/ former spouse, domestic partner, dating partner, or someone the petitioner has had a child with).	The petitioner-survivor and their family/ household members.	Firearm/ weapon provisions and broadest range of other safety provisions.	Up to 21 days for temporary orders. Up to 5 years for final orders	32.7%
Elder/ Dependent	Civil Courts	Survivors who are aged 65+ or adults with certain physical	The survivor of elder/ dependent adult abuse	Firearm/ weapon	Up to 21 days for temporary	2.6%

Safety Protections Available through Court Protection Orders	GVRO	DVRO	EARO	CHRO	WVRO	SVRO	JVRO	EPO to Protect Survivors (EPO-001)	EPO-GVRO (EPO-002)	CPO
FIREARM/WEAPON ORDERS										
Orders prohibiting respondent from keeping, accessing, or acquiring firearms, ammunition, and body armor	X	X	X	X	X	X	X	X	X	X
PERSONAL CONDUCT ORDERS:										
Orders prohibiting abusive conduct toward protected people including violence, harassment, intimidation, molestation, threats, stalking, and assault.		X	X	X	X	X	X	X		X
Orders prohibiting or limiting contact with protected people		X	X	X	X	X	X	X		X
STAY-AWAY ORDERS:										
Orders to stay a minimum distance away from protected people		X	X	X	X	X	X	X		X
Orders to stay a minimum distance away from specified locations (protected person’s home, vehicle, workplace or school, children’s school or childcare location)		X	X	X	X	X	X	X		X
Orders to not enter protected people’s workplace					X					
Orders to not enter protected people’s school campus or facilities						X				
OTHER ORDERS:										
Orders to not look for protected people		X	X	X	X	X	X	X		X



Key Commonalities

1. **Presumptively, courts must include firearm restrictions in protection orders** issued against individuals found to have engaged in violent, abusive, or dangerous conduct.
2. **Protection orders are accessible** (free to file petition and free service by law enforcement in cases involving violent, abusive, or dangerous conduct).
3. **Restrained party must relinquish to law enforcement or licensed gun dealer any firearms in their possession or subject to their control within 24 hours and provide verification to the court within 48 hours.**
4. **Restrained party blocked from passing background checks** if they attempt to acquire other weapons.



The Unique GVRO (Limitations)

The GVRO is by far the narrowest protection order option available in California.

No protected party: Except for the GVRO, every **other** type of protection order in CA is issued to protect specific named individuals who have been targeted with threats, violence, or abuse.

Limited safety provisions: Except for the GVRO, every **other** type of protection order can include a much broader range of personalized safety rules designed to protect specific people in danger, which may include (e.g.):

- Firearm/weapon restrictions
- Personal Conduct orders (prohibiting abusive conduct, orders prohibiting or limiting any communications or other contact with protected person)
- Stay Away Orders
- Mandatory counseling
- Child custody/visitation
- Move out of protected person's residence
- Pay costs caused by violence, abuse
- Many more



The Unique GVRO (Strengths)

Despite its more limited protections, the GVRO plays a unique and essential role.

It is generally the only protection order process available in CA in cases where an individual demonstrates a significant but generalized danger to themselves or to groups of people/the public at large, instead of to specific identifiable victims.

- FBI study on active shooters:
A majority of active shooters leaked intent to commit violence prior to their attack but that in many cases *“what was communicated was a more **general goal of doing harm to others... without a particular person or group in mind.”***

As a result, GVROs/ERPOs often a particularly important intervention option for cases involving:

- Mass shooting prevention
- Hate-motivated threats to groups
- Threats to locations or to harm people generally
- Cases involving danger of self-harm only
- Cases where targeted survivor does not feel safe/able to pursue other protection orders or interventions themselves
- Temporary stopgap before other firearm restrictions/interventions can be pursued
- Additional layer of protection in addition to other court protection orders or interventions



Gun Violence Restraining Orders (GVROs)

Who Can Petition: Law enforcement (98% of petitioners) and respondent's close family members, spouse or intimate partner, or employer.

Certain other people also eligible to petition *if* they have had substantial and regular interactions with respondent for at least 1 year (including recent roommate/household member, teacher/employees at school respondent attended, co-workers, more distant family members, and people who have a had a child with the respondent).

Who the Order Protects: There is no protected party.

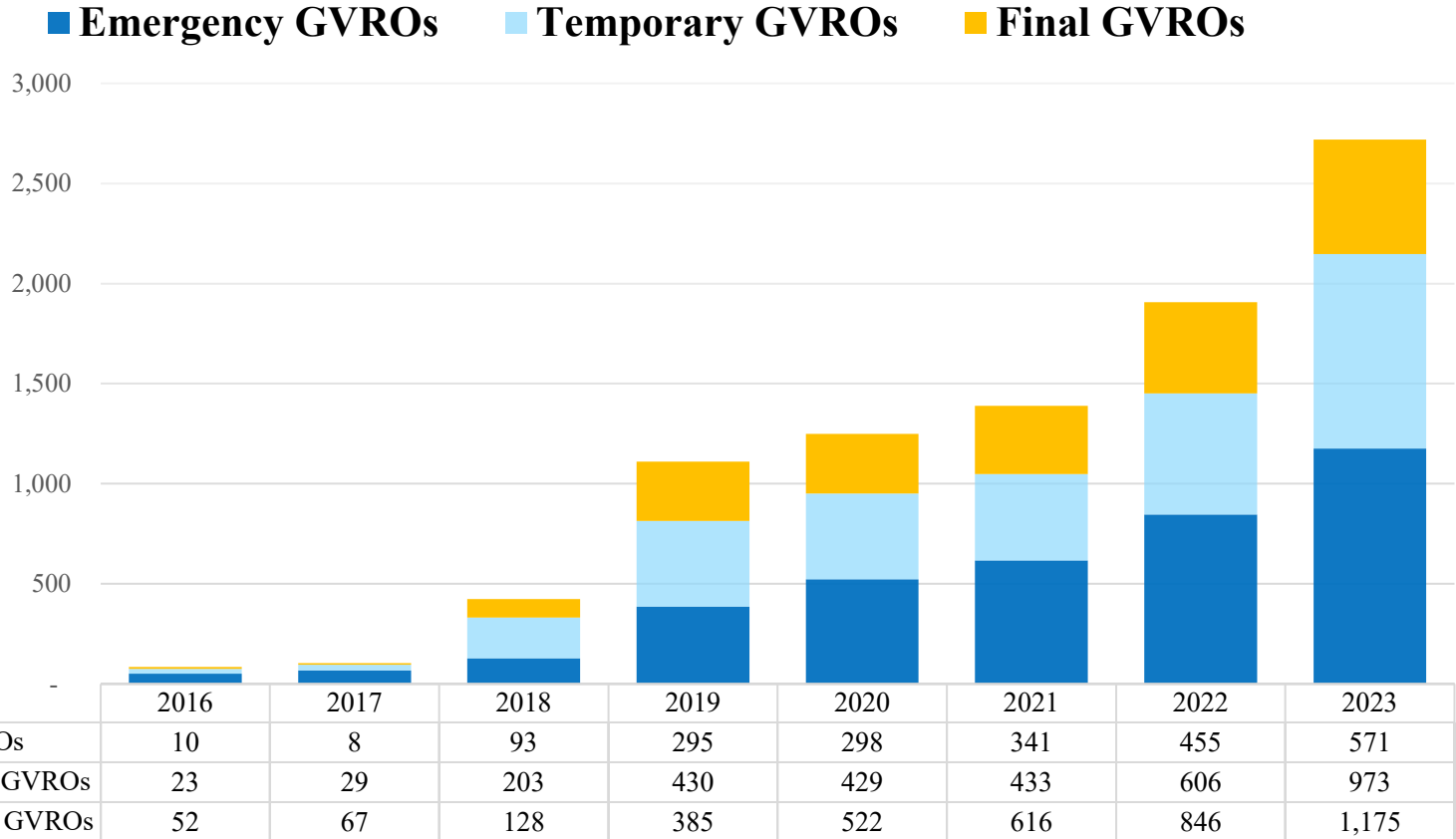
Safety Provisions: **Firearm/weapon provisions only.**

It Lasts: Up to 21 days for emergency or temporary orders. Between 1-5 years for final orders.

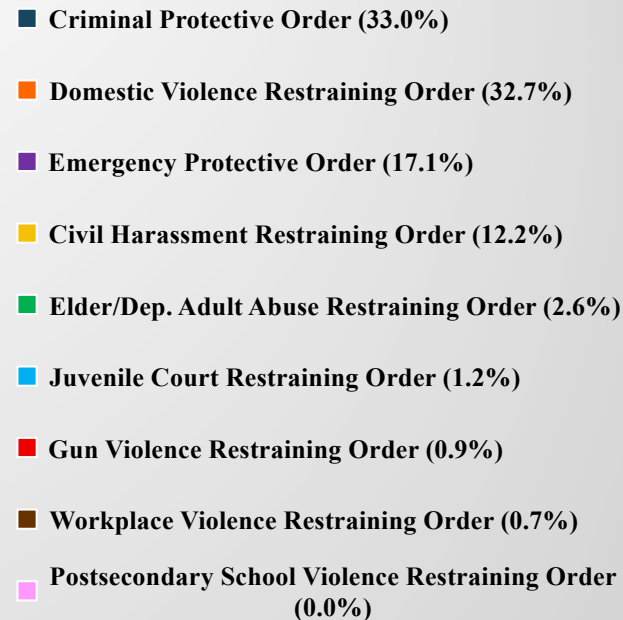
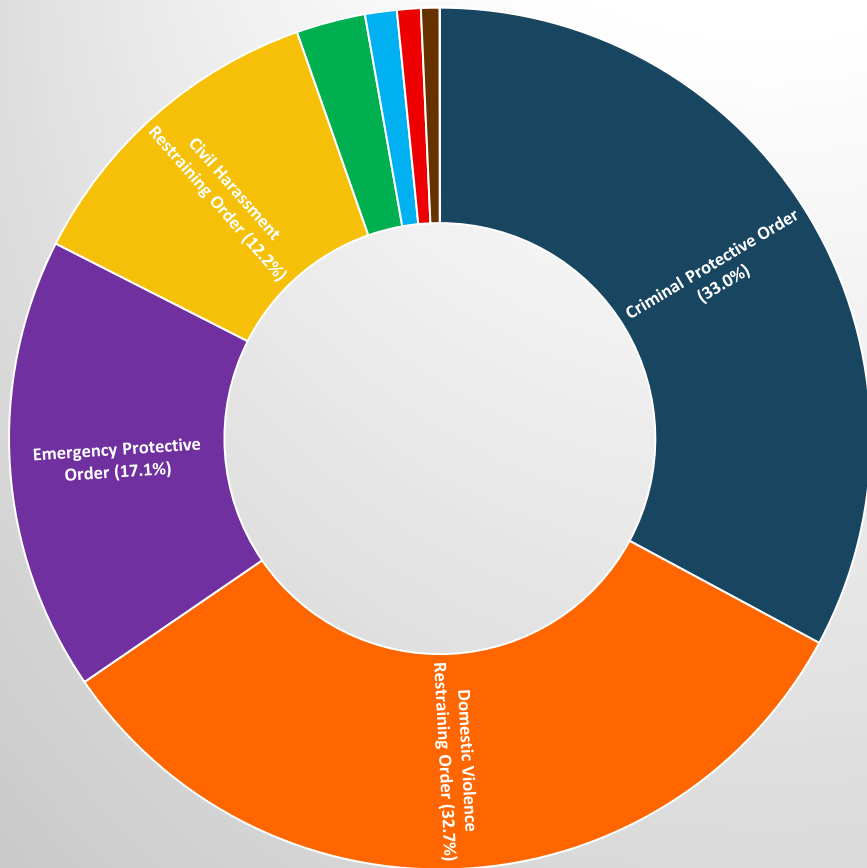
0.9% of Protection Orders Issued in CA with Firearm Provisions in 2023.



GVROs Issued in CA By Year



CA Protection/Restraining Orders with Firearm Provisions in 2023



Domestic Violence Restraining Orders (DVROs)

Who Can Petition: Survivors of violence, threats, and other abusive and harmful conduct who need protections from a current or former intimate partner, close family member, or household member.

Who the Order Protects: The petitioner-survivor and their family/ household members

Safety Provisions: **Firearm/weapon provisions** & broadest range of other safety protections

It Lasts: Up to 21 days for temporary orders. Up to 5 years for final orders.

32.7% of Protection Orders Issued in CA with Firearm Provisions in 2023.



Elder/Dependent Adult Abuse Restraining Orders

Who Can Petition: Survivors of violence, threats, and other abusive and harmful conduct who are at least 65 years old, or have certain mental or physical limitations, and who need protections from someone who harmed or abused them. These orders are also available to certain other people seeking protections on behalf of an abused elder or dependent adult, such as conservators, guardians, or county protective service agencies.

Who the Order Protects: The survivor of elder/dependent adult abuse (who is sometimes the petitioner), and the survivor's family, household members, and/or conservator.

Safety Provisions: **Firearm/weapon provisions** & broad range of other safety protections

It Lasts: Up to 21 days for temporary orders. Up to 5 years for final orders.

2.6% of Protection Orders Issued in CA with Firearm Provisions in 2023.



Civil Harassment Restraining Orders

Who Can Petition: Survivors seeking protections from any other person who harmed, threatened, stalked, or abused them, regardless of relationship (if any), including:

- Current or former coworker, classmate, neighbor, roommate, customer
- More distant family (cousins, aunt/uncle, nephew/niece)
- Acquaintance or stranger

Who the Order Protects: The petitioner-survivor and their family/ household members

Safety Provisions: **Firearm/weapon provisions** & many other safety protections.

It Lasts: Up to 21 days for temporary orders. Up to 5 years for final orders.

12.2% of Protection Orders Issued in CA with Firearm Provisions in 2023.



Workplace Violence Restraining Orders

Who Can Petition: Employers seeking protections for one or more employees from someone who has been violent or made threats of violence connected to the workplace.

Starting in 2025, collective bargaining representatives will also be eligible to petition for these orders to protect employees they represent.

Who the Order Protects: Employees of the petitioner (*including volunteer, independent contractors, board of directors, public officers*) who have experienced violence/ threats of violence, other employees & those employees' family/household members.

Safety Provisions: **Firearm/weapon provisions** & many other safety protections.

It Lasts: Up to 21 days for temporary orders. Up to 3 years for final orders.

0.7% of Protection Orders Issued in CA with Firearm Provisions in 2023.



Postsecondary School Violence Restraining Orders

Who Can Petition: School administrative or safety officials at postsecondary (after high school) institutions of higher education seeking protections for students from someone who has been violent or made credible threats of violence connected to the school campus or facilities.

Who the Order Protects: Adult students at petitioner's educational institution who have experienced credible threats of violence, similarly situated students, and these students' family/household members.

Safety Provisions: **Firearm/weapon provisions** & many other safety protections

It Lasts: Up to 21 days for temporary orders. Up to 3 years for final orders.

0.001% of Protection Orders Issued in CA with Firearm Provisions in 2023.



Emergency Protective Orders to Protect Survivors

Who Can Petition: Law enforcement seeking immediate short-term protections in emergency cases (often virtually/orally from a designated on-call judge while officer is at the scene of an incident) upon showing immediate and present danger and that an emergency order is necessary to prevent harm.

Who the Order Protects: Survivors in immediate and present danger of domestic violence, elder or dependent adult abuse, child abuse or abduction, or threatening conduct defined as stalking.

Safety Provisions: Firearm/weapon provisions & many other safety protections

It Lasts: Up to 5 court days or 7 calendar days, whichever occurs first.

16.7% of Protection Orders Issued in CA with Firearm Provisions in 2023.



Emergency Protective Orders—Gun Violence Restraining Order Type

Who Can Petition: Law enforcement seeking immediate short-term firearm restrictions in emergency cases (often virtually/orally from a designated on-call judge while officer is at the scene of an incident) upon showing immediate and present danger that someone will injure themselves or another person by having the legal ability to access or acquire firearms and that an emergency order is necessary to prevent harm.

Who the Order Protects: Like other GVRO/ERPOs, there is no protected party.

Safety Provisions: Firearm/weapon provisions only.

It Lasts: Up to 21 days.

0.4% of Protection Orders Issued in CA with Firearm Provisions in 2023 (but about half of all GVROs).



Juvenile Court Restraining Orders

Who Can Petition: People seeking protections either **for** or **from** a young person who is under the jurisdiction of a juvenile court in a juvenile dependency proceeding or juvenile justice (delinquency) case.

Who the Order Protects: A juvenile under the jurisdiction of a juvenile court OR anyone who needs protection from a juvenile under the jurisdiction of a juvenile court.

Safety Provisions: **Firearm/weapon provisions** & many other safety protections.

It Lasts: Up to 21 days for temporary orders. Up to 3 years for final orders.

1.2% of Protection Orders Issued in CA with Firearm Provisions in 2023



Criminal Court Protective Orders

Who Can Petition: These orders may be issued by a court hearing a criminal case at the request of prosecuting attorneys, crime victims and witnesses, and by the court acting on its own motion, if the court believes that the victim or witness has been subject to, or is likely to be subject to, harm, intimidation, or dissuasion.

Who the Order Protects: Victims or witnesses to a crime and their family members, often in cases involving domestic violence. In rarer cases, courts can issue CPOs with firearm/weapon provisions only, where there is no protected party.

Safety Provisions: **Firearm/weapon provisions** & many other safety protections.

It Lasts: For duration of criminal trial, for duration of probation, or up to 10 years post-conviction.

33.0% of Protection Orders Issued in CA with Firearm Provisions in 2023 (but about half of GVROs/ERPOs).



Protection Orders: Policy and Implementation Principles

1. **Survivors who need protection from any person should have a protection order process available to protect them from further harm.**
2. **Other individuals should be empowered to seek protection orders on survivors' behalf. And in some cases, courts should be required to issue protection orders on their own motion.**
3. **The narrower GVRO process should be available to disarm people who are a significant danger to self or others when other broader protection orders are not available or appropriate** (especially generalized threats of mass violence, threats to groups of people, or risk of suicide/self-harm).
4. **Presumptively, courts must include firearm restrictions in protection orders** issued against individuals found to have engaged in violent, abusive, or dangerous conduct.
5. **Protection orders must be effectively implemented in practice**, including service, firearm relinquishment requirements, and compliance review. These orders are not self-executing.
6. **Respondents must be effectively blocked from both keeping and acquiring guns, ammunition, and ghost gun products.**





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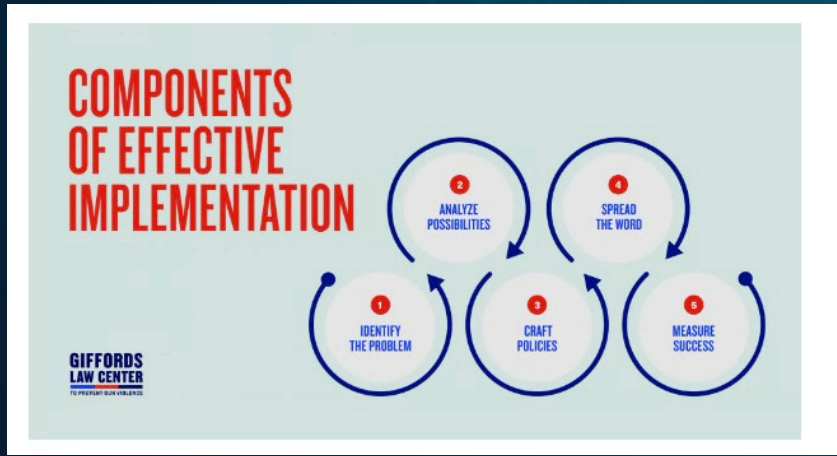
**Julia F. Weber, Esq., MSW
Consultant at GIFFORDS**

Why and How We Do the Work



Implementation Toolkit for Gun Safety Laws

JULIA WEBER | JULY 12, 2021



Key components of effective implementation include:

- Developing equitable and inclusive policies with diverse input
- Clarifying purpose, goals, opportunities, and challenges
- Developing and documenting policies, practices, and procedures
- Spreading the word through education, training, and public information sharing
- Measuring success and avoiding pitfalls

<https://giffords.org/lawcenter/report/implementation-toolkit-for-gun-safety-laws/>



Responding to Community and Individual Needs

Preventing & Reducing Gun Violence Injuries and Fatalities

A California Toolkit for Communities, Survivors, and Service Providers



INTRODUCTION

The presence of firearms in dangerous or abusive situations, including domestic violence, harassment, workplace violence and risk of suicide, can increase the likelihood of severe injury or fatality. Our communities – especially survivors of domestic violence – must be aware of the many options and resources available when seeking safety.

Increasing Safety & Reducing Gun Violence in California



INTRODUCTION

The presence of firearms in dangerous situations can increase the likelihood of severe injury or fatality.

Help is available. Read on to decide which safety option best fits your unique circumstances.

<https://endinggv.org/>





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[← Previous Page](#)

Restraining orders

There are different types of restraining orders. Most restraining orders can order a person to not contact someone and stay away from them. Some restraining orders can include more protection, like order a person to move out, or include protections for your children or other family members.

Types of restraining orders

If you need a restraining order, first find out what type of restraining order you need. Your court's [Self-Help Center](#) can help if you're not sure. Once you know, select that type to find the type of protection it offers, how to ask for one, and how to renew or enforce it.

If someone asked for a restraining order against you, select the type of restraining order to find out more about your options. The forms you were given have the name of the type of restraining order listed on them.

Which type you can ask for

Description of all types of restraining orders.

Domestic violence

If you are or were in a relationship with someone or are closely related to them.

Civil harassment

If you are not in a relationship and not closely related. For example, neighbors or coworkers.

Elder or dependent adult

If the person to be protected is 65 or older, or a dependent adult.

Workplace violence

An employer asks for protection for an employee.

Gun violence

If someone has threatened to harm themselves or others with a gun.

School violence

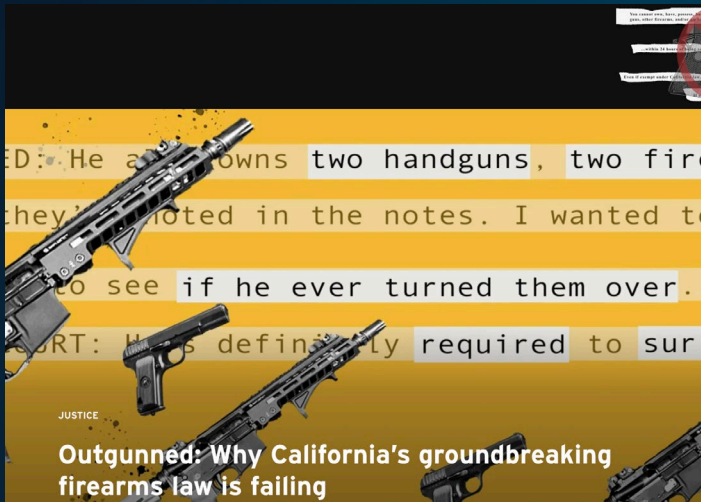
A school administrator or safety officer asks for protection for a student.

Emergency and criminal protective orders

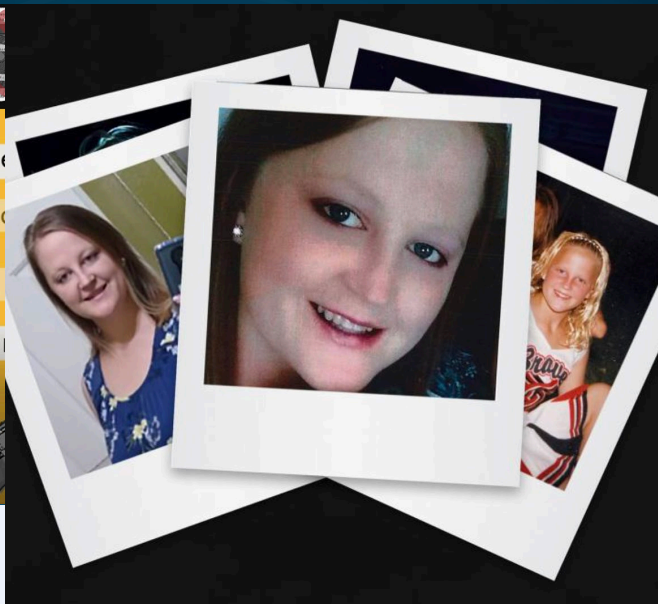
Police can ask for in an emergency and judges can make in a criminal case.



Domestic Violence Restraining Orders



Outgunned: Why California's groundbreaking firearms law is failing



NEXT STEPS

Learn more about your next step

Ask for a Domestic Violence Restraining Order

Get step-by-step instructions for each part of the process

Respond to Restraining Order papers

Get help understanding court papers you received and preparing for your court date.



DVROs address firearms and other issues (child custody and more)

- 9 b. The person in ② must:
- Sell to, or store with, a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms within his or her immediate possession or control. Do so within 24 hours of being served with this order.
 - Within 48 hours of receiving this order, file with the court a receipt that proves guns have been turned in, sold, or stored. (Form DV-800, Proof of Firearms Turned In, Sold, or Stored, may be used for the receipt.) Bring a court filed copy to the hearing.
- c. The court has received information that the person in ② owns or possesses a firearm.
- d. The court has made the necessary findings and applies the firearm relinquishment exemption under Family Code section 6389(h). Under California law, the person in ② is not required to relinquish this firearm (*specify make, model, and serial number of firearm*): _____
The firearm must be in his or her physical possession only during scheduled work hours and during travel to and from his or her place of employment. Even if exempt under California law, the person in ② may be subject to federal prosecution for possessing or controlling a firearm.
- 10 **Record Unlawful Communications**
The person in ① has the right to record communications made by the person in ② that violate the judge's orders.
- 11 **Care of Animals**
The person in ① is given the sole possession, care, and control of the animals listed below. The person in ② must stay at least _____ yards away from and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the following animals: _____
- 12 **Child Custody and Visitation**
Child custody and visitation are ordered on the attached Form DV-140, *Child Custody and Visitation Order* or (*specify other form*): families to call [REDACTED] within 24 hours
- 13 **Child Support** to schedule mediation;



U.S. v. Rahimi & Relinquishment in California's DVROs (SB 320)

- Provide information about how to relinquish
- Hold compliance hearings or review files after 48-hour requirement showing proof of relinquishment
- Report non-compliance to law enforcement and prosecuting agencies

What we went through in poverty. I will make sure for sure this time that when I finish my time being incarcerated to stay the faithful righteous person I am this day, to stay away from all drugs at all times, do probation & parole rightfully, to go to school & have a great career, have a great manufacturing engineering job, to never break any law again, to stay away from the wrong circle, to stay away from all firearms & weapons, & to never be away from my family again. I had firearms for the right reason in our place to be able to protect my family at all times especially for what we've went through in the past but I'll make sure to do whatever it takes to be able to do everything the right pathway & to be able to come home fast as I can to take care of my family at all times.



Civil Harassment

CH-100

Request for Civil Harassment Restraining Orders

Read *Can a Civil Harassment Restraining Order Help Me?* (form CH-100-INFO) before completing this form. Also fill out *Confidential CLETS Information* (form CLETS-001) with as much information as you know.

Clerk stamps date here when form is filed.

1 Person Seeking Protection

a. Your Full Name: _____ Age: _____

Your Lawyer (if you have one for this case)

Name: _____ State Bar No.: _____

Firm Name: _____

b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or email.)

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Email Address: _____

Fill in court name and street address:

Superior Court of California, County of _____

Court fills in case number when form is filed.

Case Number: _____

2 Person From Whom Protection Is Sought

Full Name: _____ Age: _____

Address (if known): _____

City: _____ State: _____ Zip: _____

3 Additional Protected Persons

a. Are you asking for protection for any other family or household members? Yes No If yes, list them:

Full Name	Gender	Age	Lives with you?	How are they related to you?
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____

Check here if there are more persons. Attach a sheet of paper and write "Attachment 3a—Additional Protected

7 a. (3) How did the person in (2) harass you? (Explain below):

Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7a(3)—Describe Harassment" for a title.

(4) Did the person in (2) use or threaten to use a gun or any other weapon?

Yes No (If yes, explain below):

Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7a(4)—Use of Weapons" for a title.

(5) Were you harmed or injured because of the harassment?

Yes No (If yes, explain below):

Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7a(5)—Harm or Injury" for a title.

(6) Did the police come? Yes No

If yes, did they give you or the person in (2) an Emergency Protective Order? Yes No

If yes, the order protects (check all that apply):

Me The person in (2) The persons in (3).

(Attach a copy of the order if you have one.)

b. Has the person in (2) harassed you at other times?

Yes No (If yes, describe prior incidents and provide dates of harassment below):



Workplace Violence

WV-100-INFO How Do I Get an Order to Prohibit Workplace Violence?

These instructions cannot cover all of the questions that may arise in a particular case. If you do not know what to do to protect your rights, you should see a lawyer.

What is a workplace violence protective order?

Under California law (Code Civ. Proc., § 527.8), courts can make orders to protect an employee from suffering unlawful violence or credible threats of violence at the workplace.

The court can order a person not to:

- Harass or threaten the employee;
- Contact or go near the employee; and
- Have any firearms (guns), firearm parts or ammunition. This includes firearm receivers and frames, and any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531).

For more information about the items a restrained person cannot have, please see <https://selfhelp.courts.ca.gov/restraining-orders/prohibited-items>.

These orders will be enforced by law enforcement agencies.

Who can get a workplace violence protective order?

Employers can obtain court orders prohibiting unlawful violence or credible threats of violence against their employees. To get an order under this law, the petitioner must be an employer. An employer is defined as:

The statute differs from other California laws that allow victims of unlawful violence or credible threats of violence to ask the court for these orders **themselves**. If anyone other than the employer wishes to apply to the court for an order prohibiting harassment, see [Can a Civil Harassment Restraining Order Help Me? \(form CH-100-INFO\)](#).

Who can an employer protect under this law?

Under this statute, an employer can obtain a court order that lasts up to three years on behalf of an employee. The order can also protect certain family or household members of the employee and other employees at the employee's workplace or at other workplaces of the employer.

California law defines "employees" as:

- Every person, including aliens and minors, rendering actual service in any business for an employer, whether gratuitously or for wages or pay; whether the wages or pay are measured by the standard of time, piece, task, commission, or other method of calculation; and whether the service is rendered on a commission, concessionaire, or other basis. (Lab. Code, § 350(b).)
- Members of boards of directors and public officers.
- Volunteers or independent contractors who perform services for the employer at the employer's work site.

The "respondent" is the person against whom the employer

8 Stay-Away Orders

a. You **must** stay at least _____ yards away from (*check all that apply*):

- (1) The employee. (7) The employee's children's place of child care.
(2) Each other protected person listed in ④. (8) The employee's vehicle.
(3) The employee's workplace. (9) Other (*specify*): _____
(4) The employee's home. _____
(5) The employee's school. _____
(6) The employee's children's school. _____

b. This stay-away order does not prevent you from going to or from your home or place of employment.

9 No Firearms (Guns), Firearm Parts, or Ammunition

a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get any prohibited items listed below in b.

b. **Prohibited items are:**

- (1) Firearms (guns);
(2) Firearm parts, meaning receivers, frames, or any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531); and
(3) Ammunition.

c. If you have not already done so, you must:

- Within 24 hours of being served with this Order, sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any firearms (guns) and firearm parts in your custody or control or that you possess or own.
- File a receipt with the court within 48 hours of receiving this Order that proves that your firearms (guns) and firearm parts have been turned in, sold, or stored. (You may use *Receipt for Firearms and Firearm Parts* (form WV-800) for the receipt.)

d. The court has received information that you own or possess a firearm (gun), firearm parts, or ammunition.



Gun Violence Restraining Orders

GV-030

Gun Violence Restraining Order After Hearing on EPO-002

The court will complete this form.

1 Requesting Agency or Officer

(A petition may be filed in the name of the law enforcement agency in which the officer is employed.)

Law enforcement agency or officer that applied for the Gun Violence Emergency Protective Order: _____

2 Restrained Person

Full Name: _____

Lawyer (if there is one for this case): _____

Name: _____ State Bar No.: _____

Firm Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Email Address: _____

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of _____

Court fills in case number when form is filed.

Case Number: _____

Description of Restrained Person

Gender: M F Nonbinary Height: _____ Weight: _____ Date of Birth: _____

Hair Color: _____ Eye Color: _____ Age: _____ Race: _____

Home Address: _____

City: _____ State: _____ Zip: _____

3 Expiration Date

This order expires at:

(Time): _____ a.m. p.m. midnight on (date): _____

If no expiration date is written here, this order expires one year from the date of issuance.

4 Hearing

a. There was a hearing on (date): _____ at (time): _____ in Dept.: _____ Room: _____.

(Name of judicial officer): _____ made the orders at the hearing.

b. These people attended the hearing:

(1) The officer or representative of the Requesting Agency _____

(2) The Restrained Person Lawyer for the Restrained Person (name): _____

This is a Court Order.

**Gun Violence Restraining Order
After Hearing on EPO-002
(CLETS-HGV) (Gun Violence Prevention)**

GV-030, Page 1 of 5

Judicial Council of California, www.courtinfo.ca.gov
Rev. January 1, 2024, Mandatory Form
Print Code: 5 18170 04 enq.
Approved by DOJ

GV-100

Petition for Gun Violence Restraining Order

Clerk stamps date here when form is filed.

Read *Can a Gun Violence Restraining Order Help Me?* (form GV-100-INFO) before completing this form.

1 Petitioner

a. Your Full Name or Name of Law Enforcement Agency: _____

I am:

A family member of the Respondent.

An officer of a law enforcement agency (A petition may be filed in the name of the law enforcement agency in which the officer is employed. If you wrote your full name above, write the name of the law enforcement agency that employs you): _____

An employer of the Respondent (your position and name of company): _____

A coworker of the Respondent. I have had substantial and regular interactions with the Respondent for at least one year and I have obtained the approval of my employer to file this petition (name of company): _____

An employee or teacher of a secondary or postsecondary school that the Respondent has attended in the last 6 months. I have obtained the approval of a school administrator to file this petition (name of the school): _____

A roommate of the Respondent. I currently live with the Respondent or lived with the Respondent within the past six months and have had substantial and regular interactions with the Respondent for at least one year.

A person who has a dating relationship with the Respondent.

A person who has a child in common with the Respondent. I have had substantial and regular interactions with the Respondent for at least one year.

b. Your Lawyer (if you have one for this case): Name: _____

Firm Name: _____ State Bar No.: _____

c. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or email. Law enforcement officer, give agency information.)

Address: _____ Telephone: _____

City: _____ State: _____ Zip: _____ Fax: _____

Email Address: _____

2 Respondent

Full Name: _____ Age: _____

Address (if known): _____

City: _____ State: _____ Zip: _____

Fill in court name and street address:

Superior Court of California, County of _____

Court fills in case number when form is filed.

Case Number: _____



800-INFO Sheets Are Critically Important

GV-800-INFO

How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, Ammunition, and Magazines?

5

To Licensed Gun Dealer

(Complete the section below. Keep a copy and give the original to the person in ②.)

Name of Licensed Gun Dealer: _____

License number: _____

Address: _____

Telephone number: _____ Email address: _____

Items Stored or Sold

a. Firearms, firearm parts, and ammunition transferred on:

Date: _____ Time: _____ a.m. p.m.

b. List of items. (List all the items surrendered by the person in ②. You may attach a separate form (e.g., DOJ's Report of Firearm Acquisition), use ⑥, or both.) Check below if you have attached a separate form:

Separate form is attached. (If it does not include all surrendered items, list additional items in ⑥.)

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

▶ Signature of licensed gun dealer _____

6

List of Items Surrendered

a. Firearms and firearm parts

	Make	Model	Serial Number, if there is one	Sold	Stored	To be destroyed
(1)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(5)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(6)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

b. Ammunition

	Brand	Type	Amount	Sold	Stored	To be destroyed
(1)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4)				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

What items do I need to turn in, sell, or store?

You must turn in, sell, or store all of the following prohibited items that you have or control:

- Firearms, including any handgun, rifle, shotgun, and assault weapon;
- Firearm parts, meaning receivers, frames, and any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531) (these may also be called "ghost guns");
- Ammunition, also called ammo, including bullets, shells, cartridges, and clips; and
- Magazines (any ammunition feeding device, whether fixed or removable).

How do I properly turn in, sell, or store the prohibited items?

You must take them to:

- Law enforcement, who will accept all prohibited items and may store them or destroy them;

OR

- A licensed gun dealer, who can buy or store firearms. If you have firearm parts, ammunition, or magazines, call ahead for more information.

When do I have to turn in, sell, or store the prohibited items?

Immediately if law enforcement asks you for the items. Otherwise, within 24 hours.

Who can I turn in, sell, or store the prohibited items with?

Only law enforcement or a licensed gun dealer. You cannot give your prohibited items to a family member, friend, or anyone else.

Where can I sell the prohibited items?

At a licensed gun dealer in your area. You can search the internet for "Gun Dealers" or "Firearms Dealers" to find one. Make sure the dealer is licensed.

Do I have to pay a fee to store prohibited items?

You may have to pay a fee. Contact your local law enforcement agency or a licensed gun dealer about fees and whether they have space to store your items.

How do I turn in the prohibited items to law enforcement?

Call your local law enforcement agency to ask about their procedures. Unload your firearms and take a copy of the court order with you.

Do not bring firearms to court.

If I turn in the prohibited items to law enforcement, how long will they keep them?

It depends. There are procedures for getting your firearms back after the restraining order has expired. Ask the law enforcement agency for more information.

After I turn in the prohibited items to law enforcement, can I change my mind?

Yes. You are allowed to sell firearms, ammunition, and magazines to a licensed gun dealer. To do this, the gun dealer must present a bill of sale to your local law enforcement agency. The law enforcement agency will give the licensed gun dealer the items that you are selling.

Do I have to prove that I have turned in, sold, or stored the prohibited items?

Yes. Within 48 hours you must file a receipt with the court and the law enforcement agency showing that you have surrendered the prohibited items to a law enforcement agency or sold them to or stored them with a licensed gun dealer. You may use [Receipt for Firearms, Firearm Parts, Ammunition, and Magazines \(form GV-800\)](#) for this purpose.

Additional Questions?

Contact an attorney for legal advice. Call your local law enforcement agency, for example, your city police or county sheriff for their procedures.

Information about prohibited items and how to obey these orders is also available online.

<https://selfhelp.courts.ca.gov/respond-to-GV-restraining-order/obey-firearms-orders>

For help in your area, contact:

[Local information may be inserted.]



SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN MATEO

HOW TO TURN-IN FIREARMS AND AMMUNITION

From the Daily Journal archives

San Mateo County working on new solutions for gun violence

Officials convene for talks

Curtis Driscoll Daily Journal staff Mar 12, 2022 2

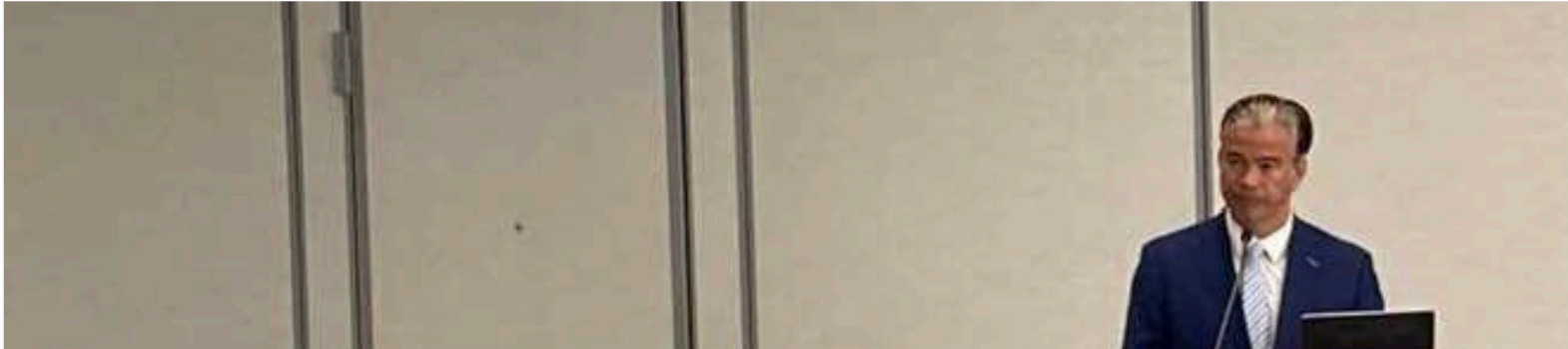


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C A L I F O R N I A

DEPARTMENT OF JUSTICE

Michael Redding
Special Assistant Attorney General

The Roles of the Attorney General

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**Chief Law
Officer**

**Constitutional
Officer**

Protection Orders: The Role of Cal DOJ

**Chief Law
Officer**

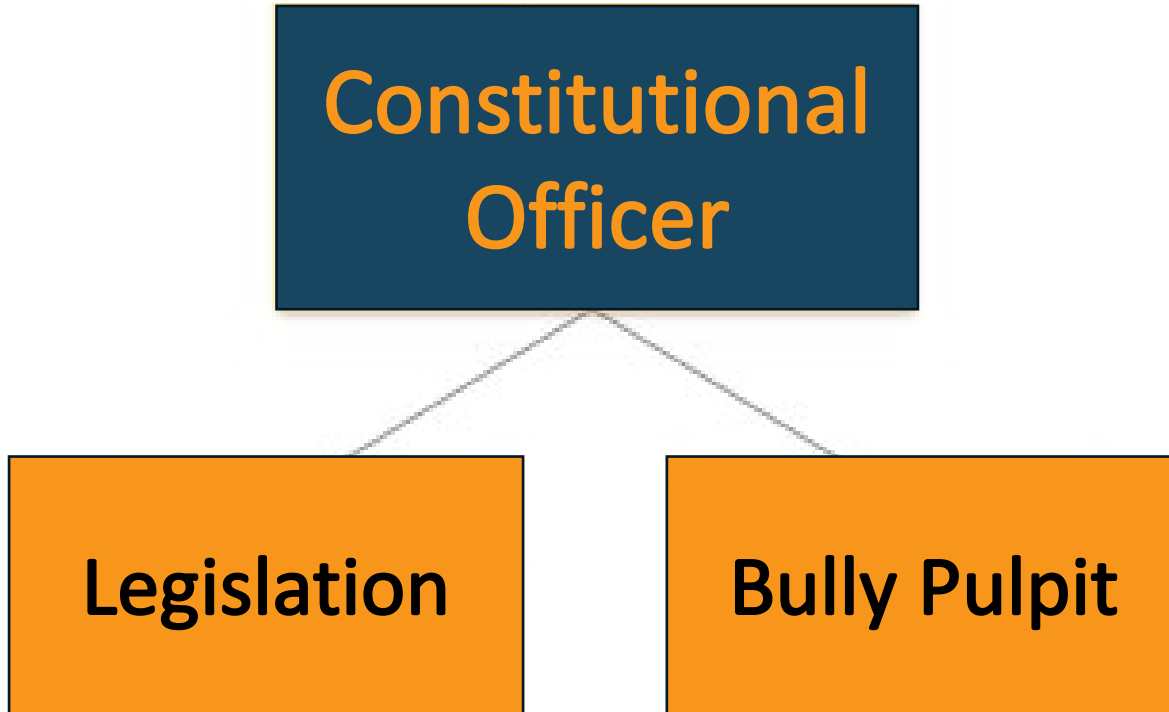


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graph TD; A[Chief Law Officer] --- B[Bureau of Firearms – Armed and Prohibited Persons System (APPS)]; A --- C[Office of Gun Violence Prevention (OGVP)];
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**Bureau of Firearms –
Armed and Prohibited
Persons System (APPS)**

**Office of Gun
Violence Prevention
(OGVP)**

Protection Orders: The Role of Cal DOJ



Protection Orders: Laws – What You Need to Know

Effective January 1, 2022:

SB 320 – Firearm Relinquishment in DVROs



Protection Orders: Laws – What You Need to Know

Effective January 1, 2024:

AB 818 (Petrie-Norris) – Service of Protective Orders

Free and mandatory law enforcement service, when requested, of any domestic violence restraining order (DVRO) or juvenile restraining order (JVRO).

When serving a DVRO, JVRO, or GVRO, law enforcement officers must take into temporary custody any firearms from the Restrained Party that are seen in plain sight or found pursuant to a lawful search.

Protection Orders: Laws – What You Need to Know

Effective January 1, 2026:

SB 899: Service & Relinquishment for Other Orders

Extends to GVROs, Civil Harassment Orders, Workplace Violence and Postsecondary Violence Orders, Elder Abuse Restraining Orders, and Criminal Protective Orders:

- Free and mandatory law enforcement service, when requested
 - Required relinquishment of firearms found in plain sight/search
 - Court notification to prosecutors and LEAs when firearms are not relinquished
-

Protection Orders: New Laws – What You Need to Know

- January 1, 2024

AB 92 – Prohibited Persons may not possess body armor

AB 723 – Relinquishment procedures in criminal cases; mandates LEA reporting to DOJ on APPS efforts

January 1, 2025

AB 2759 – Clarifies procedures for peace officer exemption

AB 2907 – Strengthens firearm relinquishment process in Criminal Protective Orders

AB 2917 – Clarifies risk factors courts consider when issuing GVROs

AB 3083 – Expands requirement that courts check Automated Firearms System in DV cases

Future Funding Opportunities

- **Byrne SCIP (“State Crisis Intervention Program”) Grant**
(Administered by CA’s BSCC).
- **“Firearm Relinquishment Grant Program”**
(Administered by CA’s Judicial Council, in future partnership with DOJ).
- Local opportunities (e.g.: San Mateo County)
- Legislative or Congressional directed spending projects



THANK YOU FOR ATTENDING TODAY'S WEBINAR

Video and Presentation Materials Will Be Available At:

oag.ca.gov/care/community-briefings

Note: Please allow at least 2 weeks for the video to be uploaded.

Upcoming Events:

CARE Community Briefing: Know Your Voting Rights

Wednesday, October 16, 2024

11:00 AM – 12:30 PM

Virtual Presentation

[Register at: oag.ca.gov/care/community-briefings](https://oag.ca.gov/care/community-briefings)

Demystifying the DOJ: Office of Community Awareness, Response and Engagement

Wednesday, December 11, 2024

10:00- 11:00 AM

Virtual Presentation

[Register at: oag.ca.gov/care/demystifying-the-doj](https://oag.ca.gov/care/demystifying-the-doj)

Contact Us: care@doj.ca.gov
