

**PUBLIC COMMENTS AND DEPARTMENT OF JUSTICE RESPONSES**

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963. Eligibility for Access to Data	A3	This section violates the mandate created by Penal Code section 14231.5. To be consistent with that mandate, a revised provision must permit researchers affiliated with the UC Firearm Violence Research Center to obtain personal identifying information along with other information relating to gun violence restraining orders in CARPOS or in any similar database maintained by DOJ (without the requirement that the Center first provide the personal identifying information to DOJ) and should establish a discretionary process, consistent with recognized best practices, for other bona fide researchers to obtain that information.	Accept. The Department revised the regulations to address concerns about making Personal Identifying Information (PII) available to eligible requestors, while still balancing its obligations under the Information Practices Act of 1977 (Civ. Code, § 1798, et seq.) (IPA) and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.) The Department has also deleted the requirement that the requestor provide PII to obtain PII.
	A4, E2	It is our understanding that identifying information for respondents to GVROs is in the public domain. GVRO records that the Center has obtained from the courts contain that information. The utility of CARPOS lies in its compilation of that information.	The Department disagrees with this statement to the extent it interprets the Department's responsibility to protect PII and confidential information under the IPA. No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required.
	A7	The language in subsection (a)(3)(A) demonstrates circular reasoning that creates a logical impossibility: a "Catch-22" situation. As proposed, a requester cannot obtain identified information on GVRO respondents	Accept. The Department has deleted the requirement that the requestor provide PII to obtain PII and revised the regulations regarding the disclosure of data to eligible

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		from CARPOS unless subjects whose information is being requested are already identified by the requester. Current and proposed research relies on CARPOS for identification purposes, and there is no alternative source. The proposal would have the effect of perpetuating the current conditions, under which it has become impossible to obtain statewide identified data on GVRO respondents in order to study the effectiveness of the policy.	requestors and requests. (See sections 963 and 966).
	A8	Here and throughout, DOJ may wish to substitute "research institution" for "educational institution." The data are being provided for research purposes. It is our understanding that at least one issue advocacy group with no research mission has sought access to the data, describing itself as an educational institution in that it educates its members.	The Department did not make any changes in response to this comment. Consistent with AB 173, the Department replaced the term "educational institution" with "Nonprofit Bona Fide Research Institution."
	B2	The limitations presented by § 963(a)(3)(A) on access to individual-level data creates a scenario under which researchers cannot replicate the 2019 study in order to test the effectiveness of the addition to the GVRO law.	Accept. The Department has deleted the requirement that the requestor provide PII to obtain PII and revised the regulations regarding the disclosure of data to eligible requestors and requests. (See sections 963 and 966).
	B3	DOJ states that the limitation on access to identified individual-level data protects privacy interests and clarifies the types of data to which Pen. Code §	Accept. The Department has deleted the requirement that the requestor provide PII to obtain PII and revised the regulations regarding the

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		14231.5 authorizes access. However, § 14231.5 explicitly authorizes the disclosure of such data when used solely for research or statistical purposes – it prohibits only the publication of such information.	disclosure of data to eligible requestors and requests. (See sections 963 and 966).
		This section also contradicts Pen. Code § 14230 et seq., as it withholds data necessary for the Center to conduct its research and stymies research into gun violence interventions.	No change has been made in response to this comment. However, the Department has revised these provisions to make PII available to eligible requestors, while still balancing the obligation to protect PII and confidential information. (See sections 963 and 966).
	B4	Our organizations share concern over § 963(a)(3)(A), as we believe it will make access to necessary data exceedingly difficult for even those entities entitled to the information under law. This subsection provides that identified individual-level data can be obtained only under two conditions – but these two conditions create a logical impossibility. The requester would have to know the name of people in CARPOS with a GVRO in order to request CARPOS information on them, but the only way a requester can know about the population of people with a GVRO is through CARPOS. In effect, then, this provision prevents access to identified individual-level data – data necessary to the 2019	Accept. The Department has deleted the requirement that the requestor provide PII to obtain PII and revised the regulations regarding the disclosure of data to eligible requestors and requests. (See sections 963 and 966).

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		study showing the effectiveness of California’s GVRO policy.	
		Indeed, for several years, identified CARPOS data were provided to researchers under its terms; when the DOJ began providing only anonymous data in 2020, it became impossible for researchers to obtain statewide identified data on GVRO respondents.	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department has revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
	B5	We believe that other provisions in the regulations that require written adherence to confidentiality and prohibit the publication of identifying information are sufficient to protect privacy, and accordingly recommend that DOJ remove the conditions set forth in § 963(a)(3)(A).	Accept in part. The Department has deleted the requirement that the requestor provide PII to obtain PII and revised the regulations regarding the disclosure of data to eligible requestors and requests. (See sections 963 and 966). However, the Department disagrees that the requirement for written adherence to confidentiality and the prohibition against publication of identifying information are sufficient to protect privacy. There are other risks to the private information, such as data security, which is why the Department included other safeguards established in the regulations.

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	D5, P1	First, §963(a)(3)(A) states that identified individual-level data may only be released to bona fide researchers on the condition that the researchers "provide Personal Identifying Information for the Department to match to the Department's CARPOS records". DOJ is the repository of identifying information on GVRO orders. Thus, it is difficult to conceive of how a broad-based study of GVROs could possibly satisfy this condition. As written, the condition looks set to effectively block the release of at least some of the data that would be required for a rigorous study of GVROs. It is also worth noting that the 14-page "Initial Statement of Reasons" document provided by the Department, which is quite detailed in relation to a number of points, does not mention—much less explain or justify—this condition.	Accept. The Department has deleted the requirement that the requestor provide PII to obtain PII and revised the regulations regarding the disclosure of data to eligible requestors and requests. (See sections 963 and 966).
964. Restrictions on Use or Disclosure of CARPOS De-Identified Individual-Level Data or Identified Individual-Level Data	A9, B7	"GVRO data" is not explicitly defined, though use of the term indicates it is taken to mean the data that are requested from and received from DOJ. Revised language should define "GVRO data."	Accept in part. Consistent with AB 173, the Department has replaced the term GVRO with CARPOS. The Department has also clarified whether a reference to CARPOS data relates to "CARPOS Aggregated Data," "CARPOS De-Identified Individual Level Data," or "CARPOS Identified Individual-Level Data."

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	A10, B6	<p>Subdivision (c). Problem #1: personal identifying information obtained from DOJ cannot be given to courts for records searches unless authorized by statute or court order—again, even when this information was provided to DOJ by the courts in the first place / Subdivision (c) prohibits the transfer, disclosure, or dissemination of GVRO data unless approved in writing by DOJ and authorized by statute or court order. This prevents researchers from providing identifiers to courts for records searches unless authorized by statute or court authority, and prevents research datasets from being transferred for use by other eligible researchers upon completion of a project. To facilitate the intended research without compromising individual privacy, we recommend including an exception to the "authorized by statute or court order" requirement for researchers providing GVRO data to courts for the purpose of records searches.</p>	<p>Accept in part. This section was amended to prohibit the transfer, disclosure or dissemination of data to a third party unless such use is authorized by statute (including Penal Code section 14231.5) or court order, and has been approved in the Data Request Standard Application or in writing by the Research Center. Penal Code section 14231.5 authorizes use of the data for research purposes. (See section 964, subd. (c)).</p>
		<p>Subdivision (c). Revised language should permit disclosure to third parties where confidentiality is maintained and where the disclosure is an element of the research for which the data have been provided to the requester.</p>	<p>Accept in part. This section was amended to prohibit the transfer, disclosure or dissemination of data to a third party unless such use is authorized by statute (including Penal Code section 14231.5) or court order, and has been approved in the Data Request Standard Application or in writing by the Research Center. Penal</p>

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			Code section 14231.5 authorizes use of the data for research purposes. (See section 964, subd. (c)).
	A11	Subdivision (d) conflicts with (c) and suggests that written approval from DOJ would suffice, but there can be no expectation that such approval would be forthcoming, or forthcoming in a timely manner.	Accept. Prior subdivision (d) has been deleted. The Department revised the regulations to set a time limit for the Department to respond to a request. (See section 964, subd. (c)).
	A12, B6	Subdivision (c). Problem #2: the proposed language raises the possibility that research datasets cannot be deposited for use by other investigators, as is required by many governmental and non-governmental research funders, once projects are completed. / To facilitate the intended research without compromising individual privacy, we recommend including an exception to the "authorized by statute or court order" requirement for researchers transferring data directly to other DOJ-approved researchers for ongoing studies.	No change has been made in response to this comment. The Department is unclear why the datasets would be transferred, or who would be determining that the other researchers are eligible to receive the data. Penal Code section 14231.5 limits who can receive the information. However, Bona Fide Researchers may add Team Members on their Data Request Standard Application and Team Members are authorized to access and analyze the data obtained by the Bona Fide Researchers. (See section 962, subd. (t)). In response to other comments, the Department revised the definition of Team Member to no longer require that they be "affiliated" or employed by the research institution. (See section 962, subd. (t)). If the other researcher is eligible to receive the data, the researcher can also submit its own Data Request Standard Application for the dataset

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			to conduct its own research or studies.
	A13, B8	Subdivision (g). The language does not restrict DOJ review to protection of confidentiality but extends to a broad assessment of whether the data are used for "the purposes for which it was requested." No mechanism for challenge is provided should the researcher believe that DOJ's assessment is incorrect.	Accept in part. Subdivision (g)(2) was added to require a new Data Request Standard Application if the Department determines that the data was not used for the purposes for which it was requested. This is because the Department must balance its obligations under the IPA to protect PII and confidential information by ensuring proper safeguards are in place with its obligation to release data to researchers. Therefore, the Department's review of whether the data is used for the purpose for which it was requested is to ensure that data is not used for unauthorized purposes by confirming that the project matches the Data Request Standard Application. Further, subdivision (h) was added to establish an appeal mechanism. (See section 964, subd. (h)).
		Revised language should limit the scope of the review to matters related to protection of confidentiality and provide a mechanism for challenge or appeal.	No change has been made in response to this comment. Subdivision (g)(2) was added to require a new Data Request Standard Application if the Department determines that the data was not used for the purposes for which it was requested. This is because the Department must balance its obligations under the IPA to



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			protect PII and confidential information by ensuring proper safeguards are in place with its obligation to release data to researchers. Therefore, the Department's review of whether the data is used for the purpose for which it was requested is to ensure that data is not used for unauthorized purposes by confirming that the project matches the Data Request Standard Application. Further, subdivision (h) was added to establish an appeal mechanism. (See section 964, subd. (h)).
	A6, A14, F4, G7, O7	Subdivision (g). There is no requirement for timely completion of the review, or timely notification of the results of the review. Publication could effectively be suppressed or delayed indefinitely.	Accept. To the extent this comment requests a timely review, the Department has added that it will review any draft it receives "within 10 business days" and will also notify the researcher within 10 business days of any findings that an individual could be identified. (See section 964, subd. (g)).
	A15	Subdivision (k). This section creates individual liability, including for student assistants, for costs associated with data breaches. Revised language should limit liability to institutions and perhaps principal investigators.	Accept. The Department has revised the regulation to clarify that liability would be limited to the Nonprofit Bona Fide Research Institution and/or Bona Fide Researcher. (See section 964, subd. (k)). Additionally, the Department also revised the definition of "Team Member" to no longer require that they be "affiliated" with or employed by the research

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			institution. (See section 962, subd. (t)).
	A16	Subdivision (k). Determination of liability should not reside solely with DOJ but be made jointly with the institution receiving the data.	No change has been made in response to this comment. The Department has prioritized the drafting of regulations to implement Penal Code section 14231.5, and is focusing on eligible requestors, eligible requests, the process to make a request, and implementing safeguards to ensure the safety and security of the PII and confidential information. The Department will separately consider if a regulation on the determination of liability is necessary.
966. Procedures for Requesting CARPOS De-Identifies Individual-Level Data or Identified Individual-Level Data	A7	Subdivision (b)(12)(A)(v)(2) reinforces the requirement in section 963(a)(3)(A) that an identified cohort must be submitted in order to obtain identified data. Again, this creates a logical impossibility.	Accept. The Department has deleted the requirement that the requestor provide PII to obtain PII and revised the regulations regarding the disclosure of data to eligible requestors and requests. (See sections 963 and 966).
	A17	Subdivision (b)(12)(D)(v) describes a required provision of a "Data Security Requirements" document that must be submitted as part of a data request. Secure cloud storage is now in common use. Revised language should allow for storage by all methods in existence at the time of the research that meet data security standards for research involving sensitive information on individual subject.	Accept in part. The regulations have been revised to allow cloud storage and include security requirements for cloud storage. (See section 966, subd. (b)(12)(D)).

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	A18	This language may contain a drafting error. Is "at least" intended in place of "within?"	No change has been made in response to this comment. The Department has kept the language as "within," rather than "at least," as the renewal process need only be completed before the expiration date of the application. Further, allowing the renewal process to occur within 90 days of the expiration of the application will allow more accurate information to be provided regarding any changes that need to be declared pursuant to section 966, subd. (i)(1)-(6).
967. Procedures for Destruction of CARPOS De-Identified Individual-Level Data or Identified Individual-level Data.	A19	This section seeks to require the destruction of "all electronic files containing GVRO De-Identified Individual-Level Data or Identified Individual-Level Data." It should suffice to de-identify files in the latter case (at which point they no longer contain the data in question). Researchers are required to retain analytic datasets in accord with best practices for the conduct of research. Revised language should allow for this and for creation and use by the research team of a non-informative unique identifier (a project-specific subject identifier) to facilitate linkage across project datasets and analytic files.	Accept in part. The Department has revised this section to allow for retention of data for verification and validation of research, or if the project requires it. Because the Department changed the provision regarding the destruction requirement, the Department has not included revised language specifying the creation and use by a research team of a non-informative unique identifier. (See section 967).
	D6, P1	Second, §967 sets forth procedures for destruction of data upon the completion of a project. Data destruction is an important element of responsible	Accept. The Department agrees that data destructions is an important element of responsible research data use. The Department has revised this

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		<p>research data use; I support the concept wholeheartedly. Another important element of responsible research data use is retention of data for a period of time after completion of published work (scientific norms generally set this period at 5 to 7 years). The purpose is to permit validation or verification of study results should those results be called into question. To be clear, this is not a license to continue a study past its completion date. Nor is it about preserving the raw data (which the custodian usually continues to hold anyway, independent of any single study). Rather, this is about archiving the analytic dataset used to produce the results. There are multiple approaches for achieving this, up to and including the data custodian storing the analytic dataset for re-release to the researchers in the unlikely event this becomes necessary. Modern data governance recognizes data retention as integral to responsible research. The proposed regulations should do the same.</p>	<p>section to allow for retention of data for verification and validation of research, or if the project requires it. (See section 967).</p>
<p>968. Enforcement of Regulations by Department</p>	<p>A20</p>	<p>There is no requirement that audits be conducted for cause or limited in frequency, leaving the process open to misuse. Both should be added, along with a requirement that DOJ provide, in writing and in advance, the specific concerns that have triggered an audit. The limit set to the scope of the audit—"compliance with these regulations"—</p>	<p>Accept in part. The Department revised section 968 to include a written notice and to require that any inspection occur at a mutually-convenient time. The Department must balance its obligations to protect PII and confidential information with its obligation to release data to researchers by ensuring compliance</p>

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		is overly broad. The purpose of the audit should be to detect breaches of confidentiality for non-public information as described elsewhere in the proposed regulations.	with the regulations, before breaches occur, rather than after they occur. The Department also added parameters to the purpose of the audit, which is to ensure compliance with the regulations, especially as they relate to the data security and protection. (See section 968).
	A21	A provision requiring pre-submission review of manuscripts is elsewhere and is redundant here.	No change has been made in response to this comment. The review of a manuscript draft during an audit or inspection, is different than a review of a manuscript submitted before publication. The audit or inspection is to ensure general compliance with the regulations, whereas the review of a manuscript before publication is to ensure no individual can be identified. Both types of review are safeguards implemented by the Department to balance its obligation to provide data to researchers with its obligation to protect PII and confidential information under the IPA.
	A22	Compliance with an audit will be very resource intensive and impede the progress of the research. DOJ should reimburse institutions for the cost of compliance.	No change has been made in response to this comment. The Department disagrees with this comment. The processes necessary to respond to an audit are the same processes necessary to conduct an organized research project. To the extent an audit results in additional minimal costs, audits and inspections are

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			safeguards implemented by the Department to balance its obligation to provide data to researchers with its obligation to protect PII and confidential information under the IPA.
	A6, A23, B9, F4, G7, O7	Sanctions are imposed at DOJ’s sole discretion, and there is no requirement that DOJ provide any information on the nature of any violation. Revised language should require DOJ to specify the exact violations they believe to exist and provide, in writing, all information on which they base that belief. There must be a mechanism for challenge or appeal that operates in a timely fashion. As described, this process is at risk for misuse and raises the possibility that research will be suppressed when evidence in support of that action is insufficient or absent.	Accept. The Department revised section 968 to require that the Department issue its findings, in a certain amount of time, allow a remedy period, and establish an appeal process. (See section 968).
		Our organizations share a concern that the enforcement mechanisms provided for in § 968(a) will deter life-saving research. This section stipulates that the DOJ may inspect facilities and audit "any and all records" to "determine compliance with these regulations" by entities to whom it releases GVRO data. DOJ deems such measures as "necessary" to discourage requesters from violating individual privacy rights in its statement of reasons. However, we worry that the enumerated measures	Accept in part. The Department revised section 968 to include a written notice and that any inspection occur at a mutually convenient time. The Department also deleted the "any and all records" phrase. The Department also limited inspections to researchers with De-Identified Individual Level Data and Identified Individual-Level Data, not Aggregated Data. Audits and inspections are safeguards implemented by the Department to

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		are exceedingly intrusive, and may have the effect of deterring researchers from requesting GVRO data for fear of granting unrestricted, unconditional government access to their facilities and records. By receipt of GVRO data, the requester has necessarily signed a certification that it will comply with confidentiality requirements, and DOJ has decided to approve the application for data, suggesting that it trusts the entity to do so. However, § 968(a) still subjects the requester to the requirements of the proposed action on a continuing basis without any showing of suspicion or cause. Being subjected to constant inspections could impede the progress of research	balance its obligation to protect PII and confidential information with its obligation to release data to researchers by ensuring compliance with the regulations.
	A23, B9, F4	Our organizations share a concern that the enforcement mechanisms provided for in § 968(a) will deter life-saving research. This section stipulates that the DOJ may inspect facilities and audit "any and all records" to "determine compliance with these regulations" by entities to whom it releases GVRO data. DOJ deems such measures as "necessary" to discourage requesters from violating individual privacy rights in its statement of reasons. However, we worry that the enumerated measures are exceedingly intrusive, and may have the effect of deterring researchers from requesting GVRO data for fear of granting unrestricted, unconditional	Accept in part. The Department revised section 968 to include a written notice and that any inspection occur at a mutually-convenient time. The Department also deleted the "any and all records" phrase. The Department also limited inspections to researchers with De-Identified Individual Level Data and Identified IndividualLevel Data, not Aggregated Data. Audits and inspections are safeguards implemented by the Department to balance its obligation to protect PII and confidential information with its obligation to release data to researchers by

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		<p>government access to their facilities and records. By receipt of GVRO data, the requester has necessarily signed a certification that it will comply with confidentiality requirements, and DOJ has decided to approve the application for data, suggesting that it trusts the entity to do so. However, § 968(a) still subjects the requester to the requirements of the proposed action on a continuing basis without any showing of suspicion or cause. Being subjected to constant inspections could impede the progress of research</p>	<p>ensuring compliance with the regulations.</p>
		<p>Enforcement mechanisms are important to ensure compliance, but we believe that alternative measures exist to ensure compliance without the extreme burden this subsection places on researchers. There is no precedent for the level of continuing scrutiny that § 968(a) grants to DOJ; as far as we are aware, no other regulations governing confidential data disclosure in California have an enforcement provision even remotely similar to this one. For example, the DOJ regulations on Controlled Substance Utilization Review and Evaluation System (CURES) data requires in its application process that the requesting researcher describe the security measures in place to protect privacy and the method by which the requester will ensure the elimination of</p>	<p>No change has been made in response to this comment. In response to other comments, the Department revised section 968 to include a written notice and that any inspection occur at a mutually-convenient time. The Department deleted the "any and all records" phrase. The Department sought to clarify that the inspection would occur only with requests for CARPOS De-Identified Individual Level Data and Identified Individual-Level Data, not Aggregated Data. The proposed revision also seeks to limit any inspection to the records related to the project, not "any and all records." The Department must balance its obligations under the IPA to protect PII and confidential information with its obligation to release data to researchers by</p>



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		<p>individual identifiers. To further protect patient confidentiality, the CURES regulations require that the researcher provide a complete draft of any document intended to go public for Department review pre-publication for researchers that obtain individual-level data (and not for those that obtain aggregated data). Additionally, the California Department of Public Health is permitted to disclose confidential information from the California Cancer Registry (“CCR”) to persons with a valid scientific interest and other entities for the purpose of studying cancer and cancer treatment, so long as the requesting entity agrees to maintain the confidentiality of the information. The Confidentiality Agreement for Disclosure of CCR Data signed by data recipients creates the ongoing obligations on the part of the individual signatory with respect to confidentiality, security, use, access, disclosure, and publication of CCR data, and employees must also sign an employee confidentiality pledge.</p>	<p>implementing safeguards. Including a procedure to ensure compliance with the regulations, before breaches occur, is one such safeguard.</p>
	B10	<p>Nowhere do these regulations permit unfettered access to the recipient’s facilities and records in order to protect individual privacy, suggesting that the safeguards provided are sufficient. Under the proposed GVRO action, the requester is required to sign a certification that they will comply with</p>	<p>No change has been made in response to this comment. In response to other comments, the Department revised section 968 to include a written notice and that any inspection occur at a mutually-convenient time. The Department deleted the "any and all records" phrase. The Department</p>

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		<p>the regulations, including safekeeping of individual data and DOJ review pre-publication; should the recipient not comply, there can be legal consequences. Unless there is a substantive difference among the confidentiality of CURES data, CCR data, and GVRO data, there is no apparent reason for only GVRO data to trigger such intrusive enforcement measures. Because we believe the other existing safeguards provided for in the proposed action – safeguards similar to DOJ regulations governing other types of sensitive data – sufficiently protect individual privacy, we recommend removing § 968(a).</p>	<p>sought to clarify that the inspection would occur only with requests for CARPOS De-Identified Individual Level Data and Identified Individual-Level Data, not Aggregated Data. The revision also seeks to limit any inspection to the records related to the project, not "any and all records." The Department must balance its obligations under the IPA to protect PII and confidential information with its obligation to release data to researchers by implementing safeguards. Including a procedure to ensure compliance with the regulations, before breaches occur, is one such safeguard.</p>
		<p>There is no reimbursement provision for the cost of compliance, making the receipt of GVRO data potentially very costly.</p>	<p>No change has been made in response to this comment. The Department disagrees with this comment. The processes necessary to respond to an audit are the same processes necessary to conduct an organized and secure research project of confidential data. To the extent an audit results in additional minimal costs, audits and inspections are safeguards implemented by the Department to balance its obligation to provide data to researchers with its obligation to protect PII and confidential information under the IPA.</p>

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	B11	Alternatively, should DOJ maintain the necessity of this subsection, we believe that its language should be modified to impose some restraints on DOJ's enforcement power. We recommend that: DOJ be required to show cause that the recipient has violated the regulations prior to invoking its inspection authority; inspections be restricted to only those records necessary to assess compliance based on the facts set forth in the finding of cause; and that there be a mechanism for the recipient to contest the determination.	Accept in part. In response to this comment and other comments, the Department revised section 968 to include a written notice and that any inspection occur at a mutually-convenient time. Section 968 was also revised to require the Department to issue its findings in a certain amount of time, a remedy period, and an appeal process. (See section 968). The Department has not chosen to limit inspections only if there is "cause" because that would mean that a breach or other violation has already occurred and is known. The Department deleted the "any and all records" phrase. The Department sought to clarify that the inspection would occur only with requests for CARPOS De-Identified Individual Level Data and Identified Individual-Level Data, not Aggregated Data. The proposed revision also seeks to limit any inspection to the records related to the project. The Department must balance its obligations to protect PII and confidential information with its obligation to release data to researchers. Including a procedure to ensure compliance with the regulations, before breaches occur, is one such safeguard.
General Comments Explaining Why	A1, G1, G3, J1	Firearm violence is a major social and public health problem. In 2019, 2,908	No change has been made in response to this comment. This comment

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Researchers Need Access to PII.		California residents died from firearm violence (homicide and suicide). California collects and archives a uniquely rich body of data on potential risk factors for and causes, characteristics, and consequences of firearm violence.	offered background information and commentary, so no further response is required.
		The UC Firearm Violence Research Center has made good use of its access to these data, using CARPOS data to obtain state court records and conducting research on the implementation and effectiveness of gun violence restraining orders that will improve the provisions and use of the policy in California and nationwide. The Center’s initial study examined 21 cases in which GVROs were used in efforts to prevent mass shootings. None of those threatened shootings occurred. The study generated significant attention in the press and from policymakers. Detailed evaluations by Center researchers of the GVRO policy’s implementation and its effectiveness in preventing violent crime, homicide, and suicide are in progress. Such evaluations can only be conducted at a high level of scientific rigor if individual cases are identified and tracked.	Accept. The Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.) Additionally, in response to Assembly Bill (AB) 173 (Stats. 2021, Ch. 253) and its changes to Penal Code section 14231.5, the Department revised the regulations to provide access to California Restraining Protective Order System (CARPOS) data, not just GVRO data.
	A2, G5, G6, O2	For more than 30 years, California researchers have worked with DOJ and with these data on important, policy-	No change has been made in response to this comment. This comment offered background information and

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		relevant research that cannot be conducted in any other state. These data include records relating to gun violence restraining orders (GVRs).	commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
		The mandate in Penal Code section 14231.5 functioned alongside existing statutes under which California researchers had obtained access to data for research on firearm violence for nearly 30 years, including Civil Code section 1798.24(t) and Penal Code section 13202.	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)

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	B2	<p>To achieve our similar missions, Brady and CSGV advocate for evidence-based policy solutions that are shown to save lives. Due to the lack of federally government-funded research on gun violence, our organizations rely heavily upon the dedicated researchers slowly building an evidence base on the effects of state gun policies.</p>	<p>No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)</p>
		<p>A key example of California's leading stature in gun violence prevention research is a 2019 study on gun violence restraining orders (GVROs), which demonstrated the effectiveness of such policies. California's GVRO law, Pen. Code §§ 18100 et seq., is a promising way to prevent guns from being used to perpetrate violence toward one's self or others. Eighteen states and DC have passed similar bills, yet there is a dearth of research into their success in preventing gun violence. As the popularity of this type of law grows, it is imperative for both policymakers and advocates to have researchers identify the aspects of these differing bills that will maximize the number of lives saved, which requires extensive data.</p>	<p>No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)</p>

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		<p>Researchers in California were able to conduct meaningful research and published a study in 2019 that identified 21 instances in which GVROs helped prevent mass shootings. This is the only way to know that California's GVRO law is working by saving lives; without this study, policymakers would be flying blind.</p>	<p>No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)</p>
		<p>Importantly, California's GVRO law has since expanded to allow additional categories of individuals to request restraining orders. Identifying whether these additions impact the number of lives saved in California – as intended by the legislature – requires updated research. However, such a study would be impossible should the proposed regulations be implemented in current form, making it impossible to create successful policy outcomes. Our organizations understand the importance of protecting individual privacy, and accordingly ensuring that confidential GVRO information is only available to those entitled to it under Pen. Code § 14231.5. However, the regulations as proposed will impede access to crucial GVRO data to those entitled entities, and will present major obstacles in those entities' attempts to</p>	<p>Accept. In response to this comment and other comments, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)</p>

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		study the effects of the GVRO law and its provisions. It will make impossible the ability of our organizations to advocate for the most effective GVRO policies, and obstruct the mission of policymakers in both California and other states hoping to save lives by passing the most effective laws.	
	B3	California is a national leader of gun violence research: after finding that – in large part due to a lack of research – too little is known about firearm violence and prevention, the California state legislature enacted Pen. Code §§ 14230 et seq. This law, which, among other things, established and funded the California Firearm Violence Research Center ("the Center"), is intended to support research to identify policies that best prevent gun violence – which is, of course, conditioned on access to quality data. Accordingly, the law mandates that DOJ provide "the data necessary for the center to conduct its research." Id. at § 14231(c).	Accept. In response to this comment and other comments, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.) Additionally, in response to AB 173 and changes to Penal Code section 14231.5, the Department revised the regulations to provide access to CARPOS data, not just GVRO data.
		To facilitate research into the efficacy of its GVRO policy, California passed Pen. Code § 14231.5, which mandates that DOJ make information relating to GVROs maintained in the California Restraining and Protective Order System ("CARPOS") available to the center and, at DOJ's discretion, to other	No change has been made in response to this comment. This comment offers a summary of the law, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the



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		entities for academic and policy research purposes.	need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.) Additionally, in response to AB 173 and changes to Penal Code section 14231.5, the Department revised the regulations to provide access to CARPOS data, not just GVRO data.
	C1	As members of the California Legislature, we are aware of the value of high-quality, independent scientific research to the policymaking process. Such research is particularly important where complex social problems demand innovation and an evidence-based approach. To facilitate such research on firearm violence, California in 2016 created the nation’s first publicly-funded firearm violence research center. In 2014, California enacted the nation’s first gun violence restraining order (GVRO) statute. It has been widely replicated. The future structure and implementation of this policy must depend on adequate knowledge of its implementation and, most importantly, its effectiveness.	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.) Additionally, in response to AB 173 and changes to Penal Code section 14231.5, the Department revised the regulations to provide access to CARPOS data, not just GVRO data.

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		<p>The UC Firearm Violence Research Center has used and is using this data to provide valuable scientific evidence that will guide our work in California and that of our colleagues in other states and Washington, DC. We have learned, for example, that when GVROs are used in efforts to prevent mass shootings, those shootings do not occur. Other studies published or under way will shed additional light on the policy’s adoption, implementation, and effects in California. We are particularly interested in the findings of the Center’s updated assessment of GVROs’ effectiveness in preventing violence.</p>	<p>No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.) Additionally, in response to AB 173 and changes to Penal Code section 14231.5, the Department revised the regulations to provide access to CARPOS data, not just GVRO data.</p>
		<p>If the proposed regulations are adopted, it will be impossible for the UC Firearm Violence Research Center to update its work on the effectiveness of GVROs. Had they been in place earlier, they would not have been able to conduct the mass shooting study referred to earlier. That work has had substantial impact even outside California; it was the subject of a press release from Democratic members of the U.S. Senate Committee on the Judiciary.</p>	<p>Accept. In response to this comment and other comments, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)</p>
		<p>We are concerned by this failure to abide by a statutory mandate that serves the public’s interest. We hope</p>	<p>Accept. In response to this comment and other comments, the Department revised the regulations to address</p>

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		the Department will revise the regulations to ensure that the state funded UC Firearm Violence Research Center continues to have access to this critical information. As representatives of the people of California, we rely on the best possible scientific evidence to help us fulfill our duty to serve the public's interest. We view the draft regulations as obstructing the development of that evidence and hope that the Department will reconsider.	concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
	C2, G5	In 2017 California adopted the language of Penal Code Section 14231.5, which states in part that, "[n]otwithstanding any other law, the Department of Justice shall make information relating to gun violence restraining orders that is maintained in the California Restraining and Protective Order System [CARPOS], or any similar database maintained by the department, available to researchers affiliated with the UC Firearm Violence Research Center.	No change has been made in response to this comment. This comment offers a summary of the law, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.) Additionally, in response to AB 173 and changes to Penal Code section 14231.5, the Department revised the regulations to provide access to CARPOS data, not just GVRO data.
	D1, P1	California has long been a jewel of gun violence research. The state's extensive and high-quality compendium of data sources, coupled with the state	No change has been made in response to this comment. This comment offered background information and

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		<p>government’s longstanding commitment to understanding and addressing gun violence in all its forms, has powered a major body of research over the last 30 years. The 2016 bill establishing the UC Firearm Violence Research Center put it well: "Too little is known about gun violence and its prevention. That is in substantial part because too little research has been done." What that preamble might have added, however, is that a good deal of what we do know comes from California-based research. For example, California studies have provided some of the most robust information available measuring the relationship between firearm ownership and risks of suicide and homicide victimization. The data have shed light on firearm purchasing patterns, particularly among those at high risk of harming themselves or others. Analyses of California data has equipped hospitals with knowledge that enables them to better identify patients at risk of firearm suicide. And recent research out of UC Davis provides some of the first evidence nationally regarding use and effectiveness of GVROs.</p>	<p>commentary, so no further response is required.</p>
	E3	<p>As further context, the types of questions researchers are trying to answer -- do GVROs help prevent homicide, suicide, and mass shootings? What are the sources of California's</p>	<p>Accept to the extent this comment proposes that PII be made available to eligible researchers. In response to this comment and other comments, the Department revised the</p>

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		<p>crime guns? Does purchasing a handgun affect the risk that the purchaser or someone in their household will die by firearm suicide or homicide -- can only be answered with access to names and other PII that allow them to cross-reference court records or purchasing records with, for instance, records of deaths, criminal charges, media reports, etc. In some cases, these DOJ records are the only source of the data the researchers need in order to answer these questions.</p>	<p>regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)</p>
	F4	<p>It seems like the research out of these institutions is rather informative, especially around gun violence restraining orders and whether they prevent violence. Has the DOJ considered how the withholding of data might affect these researchers from completing more of these studies?</p>	<p>Accept to the extent this comment proposes that PII be made available to eligible researchers. In response to this comment and other comments, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)</p>
		<p>Researchers have expressed concern that the regulations are akin to censorship, and that certain mandates outlined in the proposed regulations, like reviewing records or draft studies on a continuing basis, are burdensome and could hamper research. What's the DOJ's response to those criticisms?</p>	<p>No change has been made in response to this comment. The audit or inspection is to ensure general compliance with the regulations, whereas the review of a manuscript before publication is to ensure no individual can be identified. Both types of review are safeguards</p>

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			implemented by the Department to balance its obligation to provide data to researchers with its obligation to protect PII and confidential information under the IPA. However, in response to other comments, the Department revised its regulations to add an appeal process. (See section 964, subdivisions (g) and (h) and section 968.)
	G2, O5	We have adhered closely to best practices for the security of confidential data.	No change has been made in response to this comment. This comment offered background information about the commenter.
	G3, O1	Much of this research could be done nowhere else; it relies on unique data collected by California state agencies and made available for research.	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
		As CADOJ is aware, no alternative statewide source for the information contained in CARPOS records exists.	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address

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			concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
	G4	Past research using PII has helped establish California as democracy's leading laboratory on firearm violence and its prevention.	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
	G6	Detailed evaluations of the GVRO policy's implementation and its effectiveness in preventing violent crime, homicide, and suicide are in progress.	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)

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	I1	<p>The Giffords Law Center was founded in the wake of an assault weapon massacre at a San Francisco law firm in 1993 to address gun safety issues nationwide. We know that research evaluating gun policy is integral to our work. We don't want to waste precious time or resources advocating for policies that don't ultimately reduce gun violence or that end up doing more harm than good. We rely on quality research to help inform our policy priorities and advocacy agenda, to educate legislators and the public about the potential impact of gun laws, and to support efforts to ensure optimal implementation of firearm safety laws. In California specifically, our team has been deeply involved in drafting and implementing the state's Gun Violence Restraining Order (GVRO) law. GVROs are a critical tool to address gun violence, one that many other jurisdictions around the country have adopted because we see that it can decrease risks associated with firearms. That information is largely the result of the critical research Dr. Wintemute and his team have undertaken.</p>	<p>No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)</p>
		<p>The research is important and lifesaving - and I want to emphasize that the key information DOJ maintains - statewide data that cannot be found anywhere else - is absolutely critical here.</p>	<p>Accept. In response to this comment and other comments, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the</p>



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			IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.) Additionally, in response to AB 173 and changes to Penal Code section 14231.5, the Department revised the regulations to provide access to CARPOS data, not just GVRO data.
	I2, O13	With GVROs, courts and law enforcement each have obligations under California law to enter information about the orders into CARPOS. Entering information about these orders is crucial to preventing unlawful purchases of firearms and for enforcement of the orders: if the order doesn't show up there, it is as if these orders do not exist.	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
		Unfortunately, our state court system, the largest in the country, does not have a statewide case management system or database. Courts keep information about these proceedings in their local case management systems which vary county by county. As a result, it is impossible to rely on the courts to provide comprehensive statewide data on GVROs.	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring

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			proper safeguards are in place. (See sections 963 and 966.)
		Penal Code sections 14231 and 14231.5 recognize that access to the data maintained by DOJ is therefore necessary for this important research. While it is also true that many courts share restraining order information with each other through a judicial branch system called CCPOR, the California Courts Protective Order Registry, unlike CARPOS, CCPOR does not include all the restraining orders in the state because not all courts use that system. However, because all 58 superior courts must ensure information about restraining orders, including GVROs, is entered into CARPOS, DOJ maintains the only comprehensive source in California for data critical to firearm violence policy research.	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
		The information in CARPOS naturally includes information that is publicly available elsewhere - again, we are not talking about confidential cases - but we have plenty of evidence that the researchers doing this work have consistently followed best and required practices for handling information provided by DOJ. We are confident that with good policies and appropriate application of those policies, Californians and the nation can benefit	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring

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		from research that is desperately needed - while we simultaneously protect individual privacy.	proper safeguards are in place. (See sections 963 and 966.)
	J2	Research has guided the evolution of our program by continually making the implementation and enforcement of GVROs safer for members of the public and safer for the police in serving these judicial orders to seize firearms from individuals deemed by the courts to represent an immediate and/or significant danger to themselves or others. The research has heavily influenced the enforcement policies of the police department, the legislation, and the way we train officers to safely seize firearms in dangerous situations.	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
		I will now cite a few recent legislative examples to illustrate my point. First, in September 2020, the Legislature added Penal Code subsections under 18108, which mandates that officers now ‘shall’ consider GVROs in call outs involving DV calls in which a firearm is associated, and ‘should’ consider GVROs in suicide and mental health situations involving firearms. These categories were not added by accident nor were they added arbitrarily. The research and statistics established that there was a 30-40 percent increase in GVROs filed on the basis of suicide during the year prior. The research also determined that DV	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)

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		and family violence related to roughly 40 percent of the GVROS obtained overall. Yet prior to September 2020, the words suicide, mental health, and domestic violence were silent in the GVRO-related Penal Codes and were not even mentioned in the exhaustive list of factors enumerated as the basis for obtaining a GVRO under Penal Code section 18155. My point being is that the research closed the breach between the codified statutes and their application in the field. The newly codified mandate on police officers will now wholly and necessarily reinforce the safety of victims in DV calls because it ensures that outstanding firearms in dangerous DV situations will not be overlooked. The same application is applied by analogy though suicide and mental health. This necessary step could not have occurred without the statistical research.	
	J3	Another legislative example includes the research that bore out the underutilization of GVROs across the state. Situations in California where dangerous individuals were allowed to retain their firearms when there was no other recourse for seizing them, continued despite many obvious red flags. This tool was underutilized primarily because law enforcement across the state did not know how to use and apply these relatively new	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring

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		<p>GVRO laws. Even on the heels of one mass shooting after another, law enforcement agencies across the state remained unaware of these laws, and those officers who were aware had no idea how to apply them both from a filing and enforcement standpoint. The implementation of legislative inclusions that mandate that all law enforcement agencies in California have written policies in place by January 2021 has brought both GVRO awareness and the “how to” actually enforce them to agencies across the state. I can attest to this personally as I received dozens of phone calls and email requests for help in aiding agencies across California to draft their own policies. This awareness and implementation would not have occurred but for the gun violence prevention research on utilization.</p>	<p>proper safeguards are in place. (See sections 963 and 966.)</p>
	J4, O15	<p>Finally, the research has also benefitted the safety of police officers and the public from the standpoint of creating and implementing a police enforcement posture. There is arguably nothing more dangerous than attempting to remove firearms from dangerous people who don't want their guns seized. There are already examples across the nation where the attempted enforcement of red flag laws has resulted in barricades, shootings, and fatalities. Enforcement posture can</p>	<p>No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)</p>

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		<p>range from a SWAT team in extreme situations to a consensual peaceful surrender of firearms—and dozens of situations in between. Setting up a proper enforcement posture starts with a case-by-case threat assessment and identification of individuals who exhibit a pathway towards gun violence. GVRO research on filings against people who suffer from bi-polar disorder or PTSD (just to name a few) tremendously aids police officers in attributing training and allocation of the necessary resources to safely seize firearms. Other types of enforcement postures are applied to narcotic influence, alcohol influence, domestic disturbances, and potential mass shooting events. The research that shows the trends in the number of cases filed by ‘type’ guides law enforcement in both training and the dedication of resources necessary to safely address the situations at hand. This practical guidance, which is led by the research data continually shapes the ‘best practices’ of safely seizing guns, provides models for enforcement of the same, and mitigates the risk to law enforcement, victims, and the public at large.</p>	
	K1	<p>The Center was established in California in 2016 in response to the Congressional prohibition against any federal gun violence research that</p>	<p>No change has been made in response to this comment. This comment offered background information and commentary, so no further response</p>

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		<p>began in 1996. The establishment of UC’s Firearm Violence Research Center enjoyed the strong support of Governor Brown, as well as the Legislature, former Attorney General Kamala Harris, and now, Governor Newsom. Its on-going work in the public interest relies upon researchers having access to the wealth of data on gun violence that California possesses and has shared with qualified researchers for over 30 years.</p>	<p>is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)</p>
	K3	<p>The importance of research and therefore good data cannot be overstated. Evidence must inform good policy in this highly politicized arena. In addition to new laws, data driven research provides an opportunity to evaluate existing policy.</p> <p>California’s size and the variety of its laws in the gun violence area provide a wealth of evidence for researchers not only in California but nationally as well. We have already lost valuable time at a moment when California and the country are in the midst of a clear pandemic, not only of disease, but also of gun violence that still claim 40,000 deaths annually. As you draft new policies, be aware that researchers have followed all restrictions, some for over 30 years, with absolutely no problems.</p>	<p>No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)</p>
	L1	<p>I hope DOJ will revise regulations to ensure that the state funded UC</p>	<p>Accept. In response to this comment and other comments, the Department</p>

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		Firearm Violence Research Center continues to have access to critical information so California can craft effective gun policies.	revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
	M1	Eliminate any bureaucratic and administrative barrier that prevents access by scientists to gun-related records and information so our legislators can craft effective gun policies that preserve human life.	Accept. In response to this comment and other comments, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
	O3	Speaker stated that individual cases need to be tracked to maintain a high level of scientific rigor with regard to the research being conducted, and therefore access to raw data with personally identifying information is necessary, or some other option exists to link individuals to a unique record.	Accept in part. In response to this comment and other comments, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.) The Department did not make any proposed changes regarding providing another option to link individuals to a unique record because of the revisions to make PII available to eligible requestors.



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	O4, O25	Speaker stated that lack of access to raw data with personally identifying information makes meaningful research impossible.	Accept. In response to this comment and other comments, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
	O8	Speaker supports access to raw GVRO data with personally identifying information by the UCD Firearms Violence Research Center. Speaker stated researcher access to raw GVRO data with personally identifying information is necessary because gun violence is a public health crisis and policy makers need relevant data to support, enforce and evaluate red flag laws and to address gun violence caused by mental health issues.	Accept. In response to this comment and other comments, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
	O12	Speaker stated quality research is necessary for optimal implementation of firearms safety laws.	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring

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			proper safeguards are in place. (See sections 963 and 966.)
	O14	Speaker stated that GVROs are primarily requested by law enforcement officers as civil orders, and therefore any member of the public can get a copy of an individual restraining order. Thus, public already has legal access to personally identifying information. Speaker stated that information within CARPOS (GVROs) is publicly available through other means	The Department disagrees with this statement to the extent it interprets the Department's responsibility to protect PII and confidential information under the IPA. No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required.
	O16	Speaker stated that GVROs were underutilized and dangerous persons were allowed to retain firearms, but that research has assisted law enforcement's awareness on the use of GVROs as a tool to prevent future violence, and how to use it. Speaker stated that restrictions on research will curb the development of laws and enforcement policies and practices to the detriment of public safety.	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
	O21	The UC Firearm Violence Research Center was created in response to lack of federal funding for gun violence research. The Center's ongoing work relies upon the Center having access to data.	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available

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			to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
	O22	Speaker stated that researchers have had access to PII and no concerns have been raised about that access. Researchers have followed all protocols with no problems.	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
General Comments Objecting to DOJ's Overly-Restrictive Data Policy	A1	The identified records available to the UC Firearm Violence Research Center through the end of 2019 become more out of date with each passing day. New provisions of the GVRO statute have taken effect since then, and under current DOJ practice the Center is unable adequately to assess their effects.	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)

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		<p>No alternative statewide source for the information contained in CARPOS records exists. To state the matter more broadly: This change in practice makes it impossible to conduct up- to-date, rigorous research on the implementation and effectiveness of an important violence prevention policy, first enacted in California and now widely replicated, for which no other detailed evaluations exist.</p>	<p>No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.) Additionally, in response to AB 173 and changes to Penal Code section 14231.5, the Department revised the regulations to provide access to CARPOS data, not just GVRO data.</p>
		<p>Restrictive access policies have important, real-world adverse effects. Without rigorous research and the evidence-based policies and programs that will flow from it, deaths, injuries, and crimes that might have been prevented will not be, and the health and safety of Californians will be adversely affected. Over 30 years, research by investigators now affiliated with the UC Firearm Violence Research Center has adhered closely to best practices for the security of personal identifying information and other confidential data.</p>	<p>No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)</p>

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	A3	<p>In 2016, recognizing the value of scientific research in addressing firearm violence, the State of California established and funded the University of California Firearm Violence Research Center (the Center) at UC Davis. It was the clear intent of the Legislature that the Center have access to Department of Justice (DOJ) data necessary for the conduct of its research; the Legislature mandated such access in Penal Code section 14231(c), which provides as follows: "Subject to the conditions and requirements established elsewhere in statute, state agencies, including, but not limited to, the Department of Justice, the State Department of Public Health, the State Department of Health Care Services, the Office of Statewide Health Planning and Development, and the Department of Motor Vehicles, shall provide to the center, upon proper request, the data necessary for the center to conduct its research."</p>	<p>No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.) Additionally, in response to AB 173 and changes to Penal Code section 14231.5, the Department revised the regulations to provide access to CARPOS data, not just GVRO data.</p>
		<p>In 2017, California enacted an additional data access mandate pertaining specifically to state-maintained records relating to GVROs. Penal Code section 14231.5 provides in part as follows: "Notwithstanding any other law, the Department of Justice shall make information relating to gun violence restraining orders that is maintained in the California</p>	<p>No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and</p>

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		Restraining and Protective Order System [CARPOS], or any similar database maintained by the department, available to researchers affiliated with the University of California Firearm Violence Research Center, or, at the department's discretion, to any other nonprofit educational institution or public agency immediately concerned with the study and prevention of violence, for academic and policy research purposes."	confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.) Additionally, in response to AB 173 and changes to Penal Code section 14231.5, the Department revised the regulations to provide access to CARPOS data, not just GVRO data.
	A5, G8	DOJ is now proposing to codify their practice, which as it pertains to the Center violates the mandate provided by Penal Code section 14231.5.	Accept. In response to this comment and other comments, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.) Additionally, in response to AB 173 and changes to Penal Code section 14231.5, the Department revised the regulations to provide access to CARPOS data, not just GVRO data.
	B1	DOJ should modify the proposed action to reflect legislative intent of Penal Code section 14231.5 by ensuring researcher access to GVRO data and facilitating the ability to conduct meaningful research that is critical to	Accept. In response to this comment and other comments, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and

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		the development of evidence-based, life-saving policies.	confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.) Additionally, in response to AB 173 and changes to Penal Code section 14231.5, the Department revised the regulations to provide access to CARPOS data, not just GVRO data.
	A2	Under Penal Code section 14231.5, DOJ provided the UC Firearm Violence Research Center with CARPOS records, including PII for GVRO respondents, from January 2016 through December 2019. Note that for several years, identified CARPOS data were provided to Center researchers under the terms of PC 14231.5; provision of anonymized data only began in 2020. Beginning with records for January 2020, DOJ ceased including identifying information for GVRO respondents as part of the CARPOS records they provided to the UC Firearm Violence Research Center. The language in statute regarding the Center’s access to these records (PC 14231.5) remained the same, and DOJ provided no explanation for its change in practice.	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.) Additionally, in response to AB 173 and changes to Penal Code section 14231.5, the Department revised the regulations to provide access to CARPOS data, not just GVRO data.
		DOJ is proposing that they will not disclose any identifying information to a data requester that is not provided to them by the requester—again, knowing	Accept. The Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the

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		full well that they are the only statewide source of such data.	need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
	C3	We have learned that, notwithstanding the statutory mandate in Penal Code Section 14231.5, the Department has already stopped providing the individual identifiers from CARPOS that have made possible the Center’s research on GVROs thus far.	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.) Additionally, in response to AB 173 and changes to Penal Code section 14231.5, the Department revised the regulations to provide access to CARPOS data, not just GVRO data.
	D1, P1	Firearm violence research is hard road to hoe. It lacks "glamor." Its paucity of funding has been well documented. Finding the kind of high-quality data that can answer the most pressing policy questions is notoriously difficult. To add blocked access to some of the country’s richest data sources is to create yet another obstacle, one that takes time and effort away from the research itself.	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See



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			sections 963 and 966.) Additionally, in response to AB 173 and changes to Penal Code section 14231.5, the Department revised the regulations to provide access to CARPOS data, not just GVRO data.
	D2, P1	Unfortunately, in the last three years, many of us in the research community have noticed a drift away from California’s pro-science approach to gun violence research. There are signs that enthusiasm and support for academic research in this area has waned. Ironically, this is happening at a time when the federal government and some other states—inspired in part by the horrors of mass shootings in schools—are showing welcome signs of moving in the other direction. For example, federal funding for firearm violence research, in abeyance for nearly 25 years, is now beginning to sprout signs of life. In sum, throughout the research community and increasingly beyond it, California’s position at the vanguard of tackling one of the great public health challenges now looks uncertain.	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.) Additionally, in response to AB 173 and changes to Penal Code section 14231.5, the Department revised the regulations to provide access to CARPOS data, not just GVRO data.
	D3, P1	My own research program has been adversely affected by an inability to obtain Dealer Record of Sale data from the Department of Justice. Six years ago, these very same data were provided to us promptly, and with	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address

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		<p>strong support and encouragement. My team is feeling the impact of not being able to access these data. We have already had to pass on several studies and grant funding opportunities that would have allowed us to continue our work. We had been particularly excited about the idea of launching a study to measure the effects of pandemic-related shutdowns on patterns of domestic violence in California; this is a study that dovetails well with the work we have done to date; but lack of access to data has forced us to shelve those plans for the time being. In addition, I am aware of several doctoral students and early-career researchers outside my group who have hit dead-ends in their efforts to obtain DOJ data that would have allowed them to pursue promising violence prevention studies. As those early-career researchers turn to their talents to other topics, the field of gun violence research is poorer.</p>	<p>concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.) Additionally, in response to AB 173 and changes to Penal Code section 14231.5, the Department revised the regulations to provide access to CARPOS data, not just GVRO data.</p>
	D4, E1, O20, P1	<p>Reasons for the new access restrictions are unclear. One possible explanation relates to changing perceptions about privacy. Those are real and legitimate concerns. Maintaining the confidentiality of sensitive information, especially personally identifiable data, is critically important. For research involving identifiable human subjects, we work in a fairly highly-regulated space today. Institutional review boards</p>	<p>The Department appreciates this comment as it recognizes the competing interests of accessing data for research and protecting PII and confidential information. No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address</p>

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		<p>approve and monitor our study plans. Data protection plans must be filed and updated. Our institutions and some funders require regular trainings for faculty and staff who work with sensitive data. And data security procedures and systems have advanced considerably; researchers who work with sensitive datasets must analyze and store them in places that meet a detailed set of cybersecurity requirements. It is also worth noting that, as researchers, our interests and incentives to protect data are usually very well aligned with those of data custodians and the public. An unauthorized use or disclosure of sensitive data would be a calamitous, potentially career-ending event for most researchers. My own research group talks about data confidentiality and security at every single team meeting we have. My concern is that aspects of these regulations represent a tightening of access to GVRO data that is not well explained or justified; that some provisions do not reflect a recognition of how research is conducted, at least inside universities, including the highly-regulated and secure environments in which we work; and that the tenor of the proposed regulations continues an emerging pattern in California that is slowing progress on firearm violence research.</p>	<p>concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)</p>

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		<p>Which "other statutes" that "went into effect over the last five years" is the DOJ interpreting as forbidding the disclosure of certain kinds of gun-related data to researchers? In your statement, you cited only one, the language Prop 63 added to PC 28220, which only refers to the treatment of data about people who are found to be *prohibited from purchasing* guns in California, a relatively tiny category of data that would not be relevant to much of the data under discussion as being not accessible to researchers under current statutes: DROS DES data for people who actually passed a background check and bought a firearm, the Armed and Prohibited Persons System (APPS), the Mental Health Reporting System (MHRS), or data in the California Restraining and Protective Order System (CARPOS) related to domestic violence restraining orders. What are the other statutes that might prohibit researchers from accessing this data? I note, for instance, that Civil Code 1798.24, which does limit agencies from disclosing personally identifiable information, includes a specific carveout for scientific research, including for University of California scientific research, as long as it is approved by an institutional review board and meet certain basic standards, which the research that we are discussing has done.</p>	<p>No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. Further any comments regarding access to data other than CARPOS data is not relevant to this rulemaking. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.) Additionally, in response to AB 173 and changes to Penal Code section 14231.5, the Department revised the regulations to provide access to CARPOS data, not just GVRO data.</p>

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		In a letter to Dr. Wintemute, the DOJ explains that Penal Code section 14231.5, which specifically mandates the DOJ to provide GVRO-related data to the UC Firearm Violence Research Center, is the reason that the DOJ cannot provide GVRO-related data to the center. Can you clarify what GVRO-related data the DOJ cannot provide to the center under Penal Code section 14231.5?	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
		DOJ has stopped providing researchers with full data on gun violence prevention orders including the names and other PII, beginning January 2020 data. The DOJ also stopped providing researchers with full access to the states' handgun purchaser data starting in 2017. The researchers have also been told that they need to delete some of the records they had previously received. DOJ has never provided a clear explanation of why it is cutting off researchers' access to this data, which they have used for more than 30 years to produce groundbreaking research on a wide variety of gun violence prevention issues.	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
		Can you explain why DOJ cut off state-funded researchers' access to state data on an issue of pressing public interest, which is the effectiveness of different	No change has been made in response to this comment. This comment offered background information and commentary, so no further response

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		<p>gun violence prevention laws and policies? In some cases, these same researchers have had access to this same data going back to the early 1990s. What changed in 2017, and in 2020, that DOJ decided that researchers should no longer have access to this data? Does this decision represent the Department bowing to the concerns of gun rights activists in California nationally, who historically have made privacy of gun purchasers' identities a central issue, and who have also spent decades publicly criticizing and harassing gun violence researchers? There has been speculation that these data access decisions are being driven not by public interest considerations, but by political considerations. Any comment on this?</p>	<p>is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)</p>
	F1	<p>The Department of Justice is statutorily required via 2016 legislation establishing the UC Firearm Violence Research Center to release gun violence data to these researchers. But researchers at the Center said that over the last three years, the data have become increasingly challenging to obtain, and that's made their research much harder to complete. I understand that the DOJ requested APPS-related data be destroyed at UC and a corresponding study using that information be shut down. At Stanford,</p>	<p>No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. Further any comments regarding access to data other than CARPOS data is not relevant to this rulemaking. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in</p>

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		DOJ has requested data for DROs-related research also be destroyed.	place. (See sections 963 and 966.) Additionally, in response to AB 173 and changes to Penal Code section 14231.5, the Department revised the regulations to provide access to CARPOS data, not just GVRO data.
		What is DOJ's data release process for researchers? What factors go into a decision to deny data to these research organizations?	No change has been made in response to this comment. However, to the extent it is referencing under what circumstances the Department will release CARPOS data, the regulations describe who is eligible to receive the data, what data is available, and what requirements must be met to receive the data.
	F2	What were the DOJ's concerns about releasing the data to these institutions? Was there ever any indication of a data breach that the DOJ can point to as rationale for not releasing the data?	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
		Why has DOJ requested the termination of data?	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department

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			believes that data destruction is an important element of responsible research data use. The Department has revised the regulations to allow for retention of data for verification and validation of research, or if the project requires it. (See section 967). Further any comments regarding destruction of data other than CARPOS data are not relevant to this rulemaking.
	F3	Does the DOJ agree with the researchers that the denial of data is in violation of legal requirements to release certain information?	Accept to the extent this comment proposes that PII be made available to eligible researchers. In response to this comment and other comments, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.) But any comments regarding access to data other than CARPOS data are not relevant to this rulemaking.
	F5	Finally, the researchers said that this data denial is a break from a decades-long tradition of releasing critical research information to these trusted organizations. What is the DOJ's response to this perspective?	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available



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			to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
	G3	CADOJ is proposing that it will not disclose any identifying information to a data requester that is not first provided to the department by the requester—again, knowing full well that the department is the only statewide source of such data.	Accept. The Department has deleted the requirement that the requestor provide PII to obtain PII and revised the regulations regarding the disclosure of data to eligible requestors and requests. (See sections 963 and 966).
	I2	GVROs are civil restraining orders that are more often than not requested by law enforcement. These are not criminal proceedings but they do involve the courts and there are criminal sanctions for violating these orders. GVRO hearings are open to the public as are the files. Anyone, any member of the public, can legally request individual files that reveal personal identifying information. In some of our counties, you can go on the court website, look at calendars and see the names of individuals who have GVRO hearings coming up. In other words, these are not confidential proceedings.	The Department disagrees with this statement to the extent it interprets the Department's responsibility to protect PII and confidential information under the IPA. No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required.
	K2, O23, O24	Despite the fact that over that 30 year period, no concerns about researcher access to that data had been raised,	No change has been made in response to this comment. This comment offered background information and

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		beginning in 2018, the California Attorney General’s office began to restrict access to gun violence data without explanation. Several key policy areas, like the effectiveness of programs that deny specified individuals access to firearms, as well as the use of Gun Violence Restraining Orders, were dramatically affected. For over two years, all attempts to determine the reasons for concern have been unsuccessful. Even more troubling, research into several key areas has been entirely halted at the Attorney General’s request.	commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
	O6	Speaker states that Penal Code section 14231.5 does not prohibit access to personally identifying information.	Accept. In response to this comment and other comments, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
	O9	Speaker stated that the proposed regulations violate Penal Code section 14231.5. Speaker stated that because the UCD Firearms Violence Research Center is specifically named as a recipient of GVRO data, the Legislature intended for the Center to have access to raw GVRO data with personally identifying information.	Accept. In response to this comment and other comments, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring

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			proper safeguards are in place. (See sections 963 and 966.)
	O10	Speaker stated that current legislation, AB 1237, will likely make the proposed regulations unnecessary.	The Department disagrees that the regulations are unnecessary. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.) Additionally, in response to AB 173 and changes to Penal Code section 14231.5, the Department revised the regulations to provide access to CARPOS data, not just GVRO data.
	O11	Speaker stated that Civil Code section 1798.24(g)(1) and (t) of the Information Practices Act support researcher access to raw GVRO data with personally identifying information. Speaker stated that researcher access to personally identifying information should be allowed within the context of academic research.	Accept in part. The Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.) Additionally, in response to AB 173 and changes to Penal Code section 14231.5, the Department revised the regulations to provide access to CARPOS data, not just GVRO data. AB 173 also permits access to PII under Civil Code section 1798.24(t).

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	O19, P1	Speaker stated California has a long proud history of gun violence research and continues to be a leader in research of gun violence. Other states considering red flag laws pay close attention to California’s research. Obtaining data for research has become more difficult. Research collaborations with DOJ have dried up.	No change has been made in response to this comment. This comment offered background information and commentary, so no further response is required. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
General Comments in Opposition to Proposed Regulations.	H1, O17-18, J1, P1	I do not support the rules as proposed. I support broad disclosure of information to the researcher as required by law.	No change has been made in response to this comment. This comment is general statement of opposition and does not propose any modifications. However, the Department revised the regulations to address concerns about making PII available to eligible requestors, while still balancing its obligations under the IPA and the need to protect PII and confidential information by ensuring proper safeguards are in place. (See sections 963 and 966.)
Unrelated.	N1	As of present we just go to a gun shop and give our license and shops take care of the rest of the process.. But it will be more convenient for the law and the law enforcement if the process is made somewhat similar to getting a driver's license and add an applicational approval from the	No change has been made in response to this comment. This comment is unrelated to the subject matter contemplated by the proposed rulemaking.

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		<p>sheriff's office and then stamped or authorized by a DA or court clerk. It'll help to sweep of 40% of the illegal gun ownership, gun violence and shootings. Gun violence occurs only when you have the access to Gun. The shops having these guns displayed for sale at a drivers license plays major part on the unidentified illegal guns on the streets.. Without Gun, no gun violence but it's violation of our second Amendment. So Make it Harder and sophisticated to access a gun rather than making it inaccessible to people. People will be happy because they can still be able to get guns and law will be happy because they'll have data and control of the names who has it.</p>	
	N2	<p>Secondly about concealed Carry, it's very hard to get the CCW permit specially in my county, the county of Santa Clara.. again I would suggest that please make the process sophisticated and lawfully hard to a point that where the only ones who really need a ccw can get it. Otherwise 20% of the people will not even apply looking at the tiresome process, who are actually in real need will eventually deal with the struggle to get it and if any criminal mentality gets it, the law will have complete details and data of the person.</p>	<p>No change has been made in response to this comment. This comment is unrelated to the subject matter contemplated by the proposed rulemaking.</p>
	N3	<p>When any gun shop is selling any bullets or rounds to an individual, make</p>	<p>No change has been made in response to this comment. This comment is</p>

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		it compulsory that they sell under the name of that person and update in the system the serial numbers of the bullets sold under that buyer individual's name. That way when any shot is fired anywhere and 90% chances are criminals don't stop to clean up the mess. So from the bullet shells the law enforcement can track that individual. Make it compulsory that the gun owners must not sell open bullets and only in a batch of certain number of bullets, e.g pack of 10, 20,30,40.	unrelated to the subject matter contemplated by the proposed rulemaking.
	N4	Establish a certain limit of bullets or rounds that one can own at a time on weapons that bought for personal safety because a common man would never have to fire more than 20 bullets at most in case if he or she is in such a danger that they have no option but to use Gun. I would suggest a person don't need more than 40 bullets or maximum 50 at most. This will provide sense of security and safety to Gun owners and provide a big relief to law enforcement in case someone steps out of the track and try to pose threat to society. At that point and in that situation law enforcement will atleast know about the total number of bullets that person has if he's in system.	No change has been made in response to this comment. This comment is unrelated to the subject matter contemplated by the proposed rulemaking.
	N5	Make it in a way that the law and law enforcement gets every single lawful document of the person interested in	No change has been made in response to this comment. This comment is unrelated to the subject matter

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		buying a gun and getting a CCW.. It will at least help you differentiate between legal and illegal weapons on the streets. And I'm sure with this process in action the kaw enforcement will be able to get few criminals as well..	contemplated by the proposed rulemaking.

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<b>Section/Topic</b>	<b>Comment Number(s)</b>	<b>Summarized Comment</b>	<b>Department of Justice Response</b>
General Comments in Support of Proposed Regulations.	A1	We are agreed that the Department of Justice has made a good faith effort to address each comment and have no further recommendations.	The Department welcomes this comment. No change has been made in response to this comment.
	A2	We appreciate the department's responsiveness in this instance and its recent, repeatedly-demonstrated willingness to assist bona fide researchers in their studies of the causes and prevention of violence.	The Department welcomes this comment. No change has been made in response to this comment.

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<b>THIRD 15-DAY COMMENT PERIOD</b>			
<b>Section/Topic</b>	<b>Comment Number(s)</b>	<b>Summarized Comment</b>	<b>Department of Justice Response</b>
General Comment	A1	Commenters had no recommendations for further changes and appreciated the opportunity to comment.	The Department welcomes this comment. No change has been made in response to this comment.