



California's Gun Violence Restraining Order:

PUBLIC HEALTH PROFESSIONALS CAN
SPEAK FOR SAFETY

"My department leads efforts to reduce gun violence in our community, which is mostly rural with many households owning guns. Our rate of firearm-related deaths and suicides is higher than most other counties. I've heard about the GVRO but I'd like to know more about how it would help our population."

"An Alzheimer's support coalition in our community wants to know what laws can help them protect families and Alzheimer's patients from harming themselves or others with guns in a crisis situation."

A NEW LAW CAN HELP!

California's Gun Violence Restraining Order (GVRO) is a law that allows teachers, school employees, co-workers, employers, family, household members, and law enforcement to obtain a court order to prevent an at-risk person from accessing guns, ammunition, or magazines and that temporarily prohibits that person from purchasing or obtaining any new guns, ammunition, or magazines*. The firearm removal and purchase restriction can last from 21 days to five years, depending on the type of order, and what the judge thinks is appropriate. A final GVRO, lasting between one and five years, can be renewed before it expires if the danger still exists.

*Magazines are ammunition storage and feeding devices which can often be detached from a firearm.

WHY IS A GVRO AN IMPORTANT TOOL FOR PUBLIC HEALTH?

Educating community members and families about the GVRO can help reduce the potential for danger when a gun is present in the home of someone who is at risk of harming themselves or others. GVROs empower the people who are traditionally aware that a student, co-worker, employee, or loved one is dangerous or in crisis to remove his or her access to guns and prevent a tragedy. The GVRO law gives standing to the individuals who are most likely to notice the warning signs of dangerousness, teachers, school employees, co-workers, employers, family, household members, or law enforcement officers, and allows them to disarm a loved one or individual who poses a threat to the health and safety of themselves or others. A GVRO works as a prevention measure, making it an important tool in the effort to combat the epidemic of gun violence in the United States.

HOW CAN YOU HELP YOUR COMMUNITY LEARN ABOUT GVROS?

Helping to spread the word about the GVRO as a gun violence prevention tool to law enforcement agencies, community organizations, government officials and workers, and other community partners can allow community

members to make use of this life-saving tool. Examples of organizations that could be key partners in raising the awareness of GVROs include:

- First responders and 911 dispatchers
- Law enforcement
- Local policy makers and judicial officers
- Emergency department and other medical staff
- Substance use treatment centers
- Churches and faith-based organizations
- Veterans' care, and health organizations
- Eldercare and home visiting organizations

Raising awareness by sharing materials and resources on the GVRO online or in person, directing community members to www.speakforsafety.org, hosting local meetings or forums in partnership with other organizations like law enforcement, and other tactics can help spread the word about the GVRO and empower people to share the information themselves. Talking directly to local policymakers, law enforcement, and court staff about the GVRO as a tool to prevent gun violence is also an important means of getting this information into the hands of the people who need it the most.

GVROS AND OTHER RESTRAINING ORDERS

GVROs are civil orders specifically designed to ensure safety and allow the person being restrained the opportunity to heal or stabilize away from firearms. There are also other types of restraining orders available in California which prohibit someone from accessing guns. If you are concerned about someone being or becoming violent towards themselves or others, you may want to consider talking with an attorney and a teacher, school employee, co-worker, employer, family, or household member close to the individual about what type of order would be most appropriate for the situation. For more information on the different types of restraining orders available visit the [Judicial Council of California's Self-Help page](#).

A CIVIL ACTION

The GVRO is a civil procedure, not a criminal one. The goal is to ensure safety and allow the respondent of the GVRO the opportunity to heal or stabilize. However, if the order is violated, the respondent may be charged with a misdemeanor crime. Only when the order expires or is terminated may firearms and ammunition be returned to the restrained person.

IMPORTANT FACTS ABOUT CALIFORNIA'S GVRO

- *If you think someone poses an immediate danger to themselves or others, you can contact law enforcement directly. They can request an emergency GVRO over the phone, even if it is not during normal court hours.*
- If a final order is obtained, before it expires, the petitioner may file for the renewal of a GVRO with the court if the respondent of the GVRO is still a risk to themselves or others.
- A GVRO officially starts on the day of the hearing and the duration of the GVRO is determined based on the number of years from that date.

- If someone is being threatened directly by a spouse, partner, or someone in their family or household, they may petition for a Domestic Violence Restraining Order (DVRO). See Form [DV-500-INFO](#) for more information.
- If someone is being threatened directly by an employee or co-worker, the employer can file for a Workplace Violence Restraining Order on the behalf of themselves or an employee, under California Code, Code of Civil Procedure - CCP § 527.8. [Visit this website for more information.](#)
- If someone is being stalked, harassed, sexually assaulted, or threatened with violence you can seek a Civil Harassment Restraining Order. See [Form CH-100-INFO \(Can a Civil Harassment Restraining Order Help Me?\)](#)
- As of 2019, all filing fees for petitioning for or responding to a GVRO have been eliminated, as are fees associated with serving GVROs ([see SB-1200](#)).

DID YOU KNOW?

- More than half of all gun deaths in California are suicides according to the [CDC](#).
- [A 2017 study](#) examined the results of a similar law in Connecticut and estimated that for every 10 to 20 orders removing firearms issued, at least one suicide was prevented.
- A [study from the UC Davis School of Medicine](#) identified **21 cases** where researchers believe a GVRO helped prevent a potential mass shooting. The lead author of the study, Dr. Garen J. Wintemute, said “I think the evidence suggests that extreme risk protection orders have a role to play in preventing mass shootings, but also in preventing firearm suicide and homicide.”
- On September 1, 2020, 4 new GVRO bills went into effect. [AB 61](#) expanded the list of eligible GVRO petitioners to include certain teachers, school employees, co-workers, and employers. [AB 1493](#) created an option for the subject of a GVRO to voluntarily surrender their firearms and not contest the GVRO. [AB 339](#) called on law enforcement departments to create official procedures for requesting and enacting a GVRO. [AB 12](#) allows judges to set the duration of a final order between one to five years.
- In a [poll by Aging Life Care Association](#) on the presence of firearms in elders’ homes, over one-third of professionals surveyed said they either frequently or sometimes had guns in their clients’ homes, and several respondents recounted stories of suicides by clients that took place while professional caregivers were in the home.

MORE ABOUT GVROs AS A TOOL TO PREVENT GUN VIOLENCE

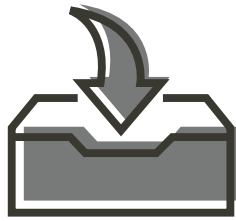
- [Assessment of Extreme Risk Protection Order Use in California From 2016 to 2019](#) – from Journal of American Medical Association.
- [New California Study Shows ‘Red Flag’ Laws May Help Stop Mass Shootings Across the Country](#) – from TIME Magazine, Aug. 19, 2020.
- [Nearly 50 gun violence restraining orders served in San Diego since beginning of March](#) – from CBS8, Aug. 13, 2020.
- [“Red Flag” Law In California Expands To Workplaces And Schools](#) – from the Faculty Executive, Feb. 28, 2020.
- [Using California’s Red Flag Law to combat hate crimes](#) – from San Diego Downtown News, written by City Attorney, Mara W. Elliott.

- [AG Becerra Discusses Gun Violence Restraining Orders as part of Domestic Violence Awareness Month](#) – from California Department of Justice, Oct. 29, 2019.
- [How to get a gun violence restraining order](#) – from , KERO, Aug. 8, 2019.
- [Armed With Knowledge](#) – from Sactown Magazine, June-Jul 2019 Issue.
- [Men & Means: Suicide Prevention SKills Building Webinar](#) - from Each Mind Matters “Know the Signs” campaign, Aug. 8, 2017.

HOW CAN I SPREAD THE WORD ABOUT THE GVRO TO SPEAK FOR SAFETY?



Contact your local Superior Court or VA office and ask if they have heard of the GVRO.



Download our resources
SpeakForSafety.org



Work within your agency or organization to ensure that your colleagues know about the GVRO as a tool to prevent gun violence.

Disclaimer: This document does not provide legal advice and information is intended for general informational purposes only. If you need legal advice, please contact an attorney directly.

