



California's Gun Violence Restraining Order:

A PREVENTION TOOL TO SUPPORT VETERANS

"My grandpa has struggled with depression since he was a young man in the military. My grandma is worried because he recently told her that she would be better off without him. I know he has many guns in his home. I'm worried he might try to hurt himself—what can I do?"

"I'm a caseworker for a veteran who has PTSD. He has recently been having violent outbursts. His family is concerned because he has several guns in his home. What advice can I give them to help protect themselves and others?"

A NEW LAW CAN HELP!

California's Gun Violence Restraining Order (GVRO) is a law that allows family or household members and law enforcement officers 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 one year, depending on the type of order, and what the judge thinks is appropriate. A one-year GVRO can be renewed before it expires if a judge finds that danger still exists.

Note: If you or someone you know is in immediate danger, please contact local law enforcement or dial 911. California's veteran crisis line is also available by calling 1-800 273-8255 and pressing 1.

WHO CAN REQUEST A GVRO AND HOW DO YOU GET ONE?

Family and household members* and law enforcement** officers can file a petition¹ to obtain a GVRO with the Superior Court where the subject of the petition resides. If you're a professional working with veterans, you cannot petition directly for a GVRO (unless you live in the same household or have in the last six months). However, if a client is experiencing an emotional crisis or is demonstrating signs of being dangerous such as suicidal ideation, aggression, public threats of violence, or other dangerous behaviors, you can consider contacting your local sheriff or police department, or advising a client's family member about the GVRO. Educating veterans 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.

**Includes spouses, parents, grandparents, siblings, children, stepparents, stepchildren, domestic partners, or roommates and other household members who have lived with the subject of the petition within the last six months.*

***Includes sheriff's departments, police departments, and other law enforcement agencies.*

¹ <http://www.courts.ca.gov/documents/gv100.pdf>

A CIVIL ACTION

The GVRO is a civil procedure, not a criminal one. The goal is to ensure safety and allow the subject of the GVRO the opportunity to heal or stabilize. However, if the order is violated, the subject 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 file an emergency GVRO right away if necessary.
- If a yearlong order is obtained, before it expires, a family member, household member, or law enforcement officer may petition for the renewal of a GVRO with the court if the subject of the GVRO is still a risk to him or herself or others.
- 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-INFO² for more information.
- If the petitioner is under 18, a guardian would need to file on their behalf (i.e., a parent or legal guardian).
- 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).
- Veterans and their loved ones can call 1-800-273-8255 (press 1) for advice or help at any time of day or night, regardless of whether they are in crisis, suicidal, or not.

DID YOU KNOW?

- Each day, an average of 20 veterans die by suicide.
- Nearly half of all veterans own one or more firearms.
- A recent study examined the results of a law in Connecticut similar to California's GVRO and estimated that for every 10 to 20 orders removing firearms issued, at least one suicide was prevented.

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.

² <http://www.courts.ca.gov/documents/dv500info.pdf>