

March 07, 2023

**MOTION BY SUPERVISORS JANICE HAHN
AND HILDA L. SOLIS**

Improving Access to Gun Violence Restraining Orders

Gun laws in California are established with the goal of reducing gun violence in all contexts, including mass shootings, domestic violence incidents, and suicides. These laws have undoubtedly saved many lives, with California having among the lowest rates of gun deaths in the United States. However, the recent mass shootings in Monterey Park, Half Moon Bay, and Benedict Canyon have once again brought to the forefront important conversations about community safety and policy measures to regulate gun use. Additionally, more than one third of all suicides in the California in 2019 involved the use of firearms. It is clear that having access to guns increases the chances of someone using them to inflict harm upon themselves and/or others. Alongside getting people the mental health support they need, limiting or restricting certain at-risk people's access to firearms can and does save lives.

A 2016 California law, known more commonly as the "red flag law," does just that. It allows certain eligible people, including police, family members, intimate partners, housemates, employers, co-workers, and school officials, to petition a court for a Gun Violence Restraining Order (GVRO). If granted by the court, the GVRO would mandate that the subject of the petition, who is deemed a threat to themselves or others, have firearms or ammunition removed from their possession for up to five years (with options to petition to the judge to lift the order once a year).

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It also prohibits those subject to a GVRO from purchasing firearms or ammunition, meaning a GVRO can be filed with respect to a person who does not currently possess a gun in order to prevent them from purchasing one in the future to inflict harm on themselves or others.

While this law has great potential to prevent gun violence and save lives, it is drastically underutilized across the State. The exception is the city of San Diego, which has successfully seized nearly 1,600 firearms from 865 people since the end of 2017, when the San Diego City Attorney launched a unit dedicated to processing GVROs. Out of the 1,384 GVROs issued in California in 2021, 435 came out of San Diego County. Only 54 came out of Los Angeles County.

Los Angeles County (County) must put in a greater effort to ensure that law enforcement agencies and members of the public know that GVROs exist, how to petition for one, and what the process looks like once they are filed. It is also important to begin gathering data to track the utilization and efficacy of GVRO petitions. Lastly, the County should learn from other jurisdictions that have successfully implemented California's red flag law, like the city of San Diego, to ensure that the process of petitioning for and filing GVROs in Los Angeles County is as streamlined and efficient as possible.

WE, THEREFORE, MOVE that the Board of Supervisors direct the Department of Public Health - Office of Violence Prevention (OVP), in collaboration with the Chief Executive Office, County Counsel, Office of the District Attorney, Los Angeles County Superior Court, Sheriff's Department, Chief Executive Office - Chief Information Office, and all other relevant

departments, to report back in 90 days with the following:

1. A plan to implement a culturally and linguistically relevant public awareness campaign about Gun Violence Restraining Orders (GVROs) that will, at a minimum, inform and educate the public on California's landmark GVRO law that took effect in 2016 including what GVROs are, how to apply for one, who can apply for one, the application process, and how to access resources that can provide assistance;
2. Options to establish a process to collect data on GVROs that are submitted in Los Angeles County including, but not limited to, the number of GVROs filed annually, the number of emergency GVROs, the number of petitions that result in an order after a court hearing, the number of firearms removed as a result of the GVRO, the relationship of petitioners to the subject, and zip code and demographic data for petitioners and subjects;
3. Options and recommendations for assigning responsibility within Los Angeles County for streamlining the GVRO process, collecting data, providing training to law enforcement and the public, and assisting with both public-initiated and law enforcement-initiated GVRO petitions. These options should consider models implemented in other cities and counties (like San Diego's GVRO unit), look into best practices around California, and include what resources would be required for implementation.

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Recommendation as submitted by Supervisors Hahn and Solis: Direct the Department of Public Health - Office of Violence Prevention (OVP), in collaboration with the Chief Executive Office, County Counsel, Office of the District Attorney, Los Angeles County Superior Court, Sheriff's Department, Chief Executive Office - Chief Information Office, and all other relevant departments, to report back in 90 days with the following: A plan to implement a culturally and linguistically relevant public awareness campaign about Gun Violence Restraining Orders (GVROs) that will, at a minimum, inform and educate the public on California's landmark GVRO law that took effect in 2016 including what GVROs are, how to apply for one, who can apply for one, the application process, and how to access resources that can provide assistance; Options to establish a process to collect data on GVROs that are submitted in Los Angeles County including, but not limited to, the number of GVROs filed annually, the number of emergency GVROs, the number of petitions that result in an order after a court hearing, the number of firearms removed as a result of the GVRO, the relationship of petitioners to the subject, and zip code and demographic data for petitioners and subjects; Options and recommendations for assigning responsibility within Los Angeles County for streamlining the GVRO process, collecting data, providing training to law enforcement and the public, and assisting with both public-initiated and law enforcement-initiated GVRO petitions. These options should consider models implemented in other cities and counties (like San Diego's GVRO unit), look into best practices around California, and include what resources would be required for implementation.

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