

Preventing & Reducing Gun Violence Injuries and Fatalities

A California Toolkit for Communities,
Survivors, and Service Providers



INTRODUCTION

The presence of firearms in dangerous or abusive situations, including domestic violence, harassment, workplace violence and risk of suicide, can increase the likelihood of severe injury or fatality.

Our communities – especially survivors of domestic violence – must be aware of the many options and resources available when seeking safety.

California is a leader in providing legal options to reduce the risks of firearms and increase safety. This toolkit is designed to support survivors of domestic violence in their safety and healing, and provide vital resources to service providers. This toolkit covers legal remedies and provides information on non-legal approaches to increasing safety, as well as the protections provided under both civil and criminal laws designed to remove firearms from abusive people. A protective order is not itself the sole solution, and should be considered as one potential tool within a broader safety plan.

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Understanding the Intersection between Firearms and Domestic Violence Injuries and Fatalities



Domestic gun violence is a devastating problem. From 2001 through 2012, 6410 women were murdered in the United States by an intimate partner using a gun – more than 600 each year.¹ In California there were 1,674 domestic violence fatalities during this same time period, averaging 167 per year.² In 2021, the last year with data available, there were 82 domestic violence homicides in California.³

When firearms are present in a situation where domestic violence is being perpetrated, a survivor is more likely to experience more severe physical abuse, and more likely to end up killed than in situations where firearms are not present. When a woman is being abused by a male partner who has access to firearms, she is five times more likely to be killed by her abusive partner.⁴ In total, a firearm is used in over half of domestic violence homicides nationwide.⁵

We also see significant racial disparities within these devastating statistics. Black women are twice as likely to be shot and killed by an intimate partner in comparison to white women.⁶ Of the 82 people killed in a domestic violence homicide in California during 2021, 60 victims were identified as female and 22 as male. Communities of color were disproportionately impacted, with 35% of those murdered reported as Hispanic, 15% Black, 6% “Other” and 26% white.⁷

This deadly intersection extends to mass shootings too: in more than half of mass shootings, the shooter killed an intimate partner. One study found that nearly one third of mass shooters had a history of domestic violence.⁸

Additionally, nearly 1 million women in the U.S. today reported being shot or shot at by an intimate partner.⁹ About 4.5 million women report that an intimate partner threatened them using a gun.¹⁰

The good news is when laws are implemented that require abusers to turn in their firearms, we see a 16 percent reduction in domestic violence homicides. We can make a difference and save lives by ensuring access to safety planning and key legal remedies where appropriate.

BY THE NUMBERS

IN THE UNITED STATES
FROM 2001-2012:

6,410
women were murdered
by an intimate partner
using a gun, that's

600
women each year

IN CALIFORNIA ALONE
FROM 2001-2012:

1,674
domestic violence
fatalities, that's

167
women each year

IN CALIFORNIA ALONE
FROM JUST 2021:

82
domestic violence
homicides

¹ Federal Bureau of Investigation, Supplemental Homicide Data (U.S. Department of Justice, 2001–2012); U.S. Department of Defense, U.S. Casualty Status Fatalities (2014), available at <http://defense.gov/news/casualty.pdf>

² California Department of Justice Homicide in California data. Available at <https://oag.ca.gov/cjpsc/pubs#homicide>.

³ 2021 Homicide in California. California Department of Justice. Available at <https://data-openjustice.doj.ca.gov/sites/default/files/2022-08/Homicide%20in%20CA%202021.pdf>.

⁴ Campbell JC, Webster D, Koziol-McLain J, Block C, Campbell D, Curry MA, Gary F, Glass N, McFarlane J, Sachs C, Sharps P, Ulrich Y, Wilt SA, Manganello J, Xu X, Schollenberger J, Frye V, Laughon K. Risk factors for femicide in abusive relationships: results from a multisite case control study. *Am J Public Health*. 2003 Jul;93(7):1089–97. doi: 10.2105/ajph.93.7.1089. PMID: 12835191; PMCID: PMC1447915.

⁵ Federal Bureau of Investigation, Uniform Crime Reporting Program: Supplementary Homicide Reports (SHR), 2014–2018. See also, James Alan Fox and Emma E. Fridel, “Gender Differences in Patterns and Trends in US Homicide, 1976–2015,” *Violence and Gender* 4, no. 2 (2017): 37–43.

⁶ Petrosky, E., Blair, J. M., Betz, C. J., Fowler, K. A., Jack, S. P., & Lyons, B. H. (2017). Racial and ethnic differences in homicides of adult women and the role of intimate partner violence—United States, 2003–2014. *Morbidity and Mortality Weekly Report*, 66(28), 741.

⁷ 2021 Homicide in California. California Department of Justice. Available at <https://data-openjustice.doj.ca.gov/sites/default/files/2022-08/Homicide%20in%20CA%202021.pdf>.

⁸ Giffords Law Center. Available at <https://giffords.org/issues/domestic-violence/>.

⁹ Susan B. Sorenson and Rebecca A. Schut, “Nonfatal Gun Use in Intimate Partner Violence: A Systematic Review of the Literature,” *Trauma, Violence, & Abuse* 19, no. 4 (2018): 431–442.

¹⁰ Giffords Law Center. Available at <https://giffords.org/issues/domestic-violence/>.

Resources for Survivors →

All survivors should be treated as unique individuals and empowered to seek the safety measure that best fits their needs. However, it is critical that individuals and service providers understand the significant differences between various legal remedies. In some cases, a variety of legal remedies and perhaps more than one type of civil restraining/protective order may be appropriate. For example, they might use a Domestic Violence Restraining Order (DVRO) to protect themselves and others in their household from abuse by an intimate partner, and a Gun Violence Restraining Order (GVRO) to protect a sibling who they are concerned has firearms and expresses suicidal ideations, but is not abusive. It is entirely possible for a person to request these two separate restraining orders for separate needs.

RESOURCES FOR SURVIVORS

What is the Difference Between DVROs and GVROs?

	Domestic Violence Restraining Order	Gun Violence Restraining Order
Is a victim/survivor of violence protected from the person in the court order when the other person is restrained from having guns/ ammo?	Yes. There is a “restrained party” who will be prohibited from having guns and ammo and a “protected person” (or people) named in the order.	No. GVROs do not include protection for other named parties. The order only prohibits the person named in the order from having firearms and ammunition.
Can the restrained person be ordered to stay away from a certain place or people or to get treatment or turn over certain property?	Yes. DVROs usually prevent the restrained party from going to the protected person’s home or workplace and can include many other orders.	No. GVROs only prohibit the restrained person from having firearms and ammunition.
Is the court required to give the restrained person info on how to sell or store their guns?	Yes. Courts are required to provide local information about how restrained parties can sell or store their firearms through law enforcement or a firearms dealer. Statewide info is available on the DV-800-INFO form.	No. There is statewide information available on the for GV-800-INFO form available, however.



When does the restrained person have to turn in their guns?

When the order is made by a judge, the person is prohibited. If a police officer gives them the order and asks for firearms, the restrained person must comply immediately if they have the firearms with them. If they do not have the firearms with them or they receive the order from someone who is not a police officer, they have 24 hours to transfer all firearms and ammunition to law enforcement or a licensed gun dealer. Within 48 hours of receiving the order, they are required to provide a receipt to the court to show they have complied.

When the order is made by a judge, the person is prohibited. If a police officer gives them the order and asks for firearms, the restrained person must comply immediately if they have the firearms with them. They are required to give an officer who requests the firearms those firearms at that time. If they do not have the firearms with them or they receive the order from someone who is not a police officer, they have 24 hours to transfer all firearms and ammunition to law enforcement or a licensed gun dealer, sell or store them as required. Within 48 hours of receiving the order, they are required to provide a receipt to the court to show they have complied.

Do courts review the file or hold hearings to make sure the restrained person has turned in their guns?

Yes. If the court learns a prohibited person may still have firearms or ammunition it must review the case for compliance. This can be by hearing or a review of the file.

No.

If the restrained person doesn't comply or gets firearms in violation of the order, what happens when the court finds out?

The court is required to report non-compliance in DVROs to the prosecuting agency & law enforcement. Law enforcement must take "immediate action." It's a crime to violate the order; civil sanctions are available, too.

There is no process under state law for compliance review. The court is not required to report violations to law enforcement or prosecutors. It is a crime to violate the order.

Who usually seeks these orders?

Intimate partners, family, and household members concerned about abuse, harassment, and violence (other than Emergency Protective Orders, which can only be asked for by law enforcement)

Law enforcement has petitioned in 96% of GVROs. Specific others (family members, for example) can also request them, generally for suicide prevention and general threats where abuse/harassment isn't an issue.

How long do these orders and prohibitions last?

Up to 5 years at the discretion of the judge; renewals can be made permanent.

1-5 years.



<p>Can a search warrant be issued to address non-compliance?</p>	<p>Yes. See Penal Code section 1524, a search warrant may be requested/issued.</p>	<p>Yes. See Penal Code section 1524, a search warrant may be requested/issued.</p>
<p>Are there consequences for child custody when there's a violation?</p>	<p>Yes. The violation must be considered by the court if the restrained person asks for sole or joint legal or physical custody and when considering visitation.</p>	<p>No. There are no consequences currently specified in the law for child custody or visitation.</p>

RESOURCES FOR SURVIVORS

Domestic Violence

If you or a loved one is experiencing domestic violence (abuse or threats by a current or former intimate partner), help is available. Many domestic violence programs offer 24/7 crisis hotlines to provide support whenever it is needed, as well as a range of free, confidential services to support you in finding safety and healing.

Safety planning may include discussions about how legal remedies can reduce risk. One frequently used legal remedy is the Domestic Violence Restraining Order (DVRO). A DVRO is a civil court order that helps protect people from abuse or threats of abuse from someone they have a close relationship with. It names both a protected party (survivor/victim) and a restrained party, and provides other remedies such as child custody and visitation, attorney fees, move-out orders, and prohibitions on being violent or accessing a home, school, or place of employment. DVROs also *automatically* include firearm and ammunition prohibitions in California, meaning a person who has a DVRO issued against them cannot own, purchase, or possess firearms and ammunition. You can find a more detailed description of these restraining orders on the California court system's website [here](#).

In some cases, it may be appropriate for a minor to request a DVRO. A youth must be 12 years old or older to file for a DVRO on their own. This can be a complex and nuanced process. We encourage anyone considering seeking a restraining order to contact their [local domestic violence program](#) or the court's [Self-Help Centers](#).

If you are personally experiencing domestic violence, you can file a request for a restraining order yourself through your county court, but we strongly encourage all survivors to work with a domestic violence advocate or legal services provider to ensure that a restraining order is part of a comprehensive safety plan and for support navigating the process. [Click here](#) to find a domestic violence service provider in your area.

KEY LINKS →

- [List & map of domestic violence service providers in California](#)
- [California Courts' webpage on Domestic Violence Restraining Orders](#)
- For plain-language legal information, visit womenslaw.org
- [National Domestic Violence Hotline](#): Free, confidential, 24/7 hotline. Call 1-800-799-SAFE (7233), text "START" to 89788, or use the chat feature on their website.
- [Stronghearts Native Helpline](#): StrongHearts Native Helpline – 1-844-7NATIVE (762-8483) – is a 24/7 safe, confidential and anonymous domestic and sexual violence helpline for Native Americans and Alaska Natives, offering culturally-appropriate support and advocacy. A chat option is also available through their website.

RESOURCES FOR SURVIVORS

Risk of Self Harm

More than 60 percent of people in the U.S. who die from guns die by suicide.¹¹ Firearms are the most lethal suicide attempt method. Access to a gun in the home increases the risk of suicide more than three-fold.¹² If firearms are not available, the person at risk for suicide is much more likely to survive.¹³ Delaying a suicide attempt can also allow suicidal crises to pass and lead to fewer suicides.¹⁴

If you are considering suicide or concerned that a loved one may consider suicide, please know that help is available and you are not alone. For 24/7 support, you can dial 988 for free and confidential support for people in distress, and prevention and crisis resources for you or your loved ones. The 988 Suicide & Crisis Lifeline is made up of over 200 local and state funded crisis centers across the United States. To find a crisis center near you, [click here](#).

If you're a veteran in a mental health crisis and you're thinking about hurting yourself — or you know a veteran who's considering this — help is available. You can reach a Veterans Crisis Line responder 24/7 by calling 877-267-6030, texting 838255, or [clicking here to start a confidential chat](#). If you have hearing loss, call TTY: 800-799-4889.

If you are worried about a loved one harming themselves and they have access to firearms or may be considering purchasing one, a Gun Violence Restraining Order (GVRO) is one option to consider. A GVRO is a civil court order that prohibits someone from having a gun, ammunition, or magazines (ammunition storage and feeding devices). GVROs are designed to prohibit access to firearms and ammunition, and were established to prevent suicide or mass shootings.

More detailed information about the GVRO and how to request one is available [here](#).

KEY LINKS →

- [988 Suicide and Crisis Lifeline](#): The Lifeline provides 24/7, free and confidential support for people in distress, prevention and crisis resources for you or your loved ones, and best practices for professionals in the United States. A chat feature is also available.
- [988 Suicide and Crisis Lifeline Crisis Center Listing](#)
- [Veteran Suicide Prevention](#): Resources available through the U.S. Department of Veterans Affairs, including the Veterans Crisis Line.
- [California Courts' webpage on Gun Violence Restraining Orders](#)
- [Giffords Law Center to Prevent Gun Violence webpage on Gun Violence Restraining Orders](#): This website provides detailed information about the GVROs, who can request an order, the process, and what a GVRO requires of the restrained person.

RESOURCES FOR SURVIVORS

Risk of Harming Others

According to [Everytown](#), from 2009 to 2021, there have been 289 mass shootings in the United States, resulting in 1,363 people shot and killed and 947 people shot and wounded. Despite these numbers, these events are relatively less common than firearm violence in the context of domestic violence, firearm suicide, or community violence. Nonetheless, it is important that we take steps to prevent these tragedies whenever possible.

¹¹ Based on fatal firearm injury data collected by the Centers for Disease Control and Prevention ("CDC"). WISQARS: Fatal Injury Reports. Retrieved from: <https://webappa.cdc.gov/sasweb/ncipc/mortrate.html>. Accessed April 4, 2018.

¹² Anglemeyer A, Horvath T, & Rutherford G. (2014). The accessibility of firearms and risk for suicide and homicide victimization among household members: A systematic review and meta-analysis. *Annals of Internal Medicine*.

¹³ Daigle MS. (2005). Suicide prevention through means restriction: Assessing the risk of substitution. A critical review and synthesis. *Accident Analysis and Prevention*.

¹⁴ Owens D, Horrocks J, & House A. (2002). Fatal and non-fatal repetition of self-harm. Systematic review. *British Journal of Psychiatry*.

If you are worried that someone you care about may be a danger to others, the Gun Violence Restraining Order (GVRO) is available to prevent them from having access to guns. These orders can be requested by law enforcement or certain qualified individuals, and if granted by a judge, require the restrained person to turn in any guns, ammunition and magazines to the police, or sell them to or store them with a licensed gun dealer. The person will also be prevented from purchasing guns, ammunition, and magazines while the order is in effect. [Click here](#) to learn more about the GVRO and how to request one.

KEY LINKS →

- [California Courts' webpage on Gun Violence Restraining Orders](#)
- [Giffords Law Center to Prevent Gun Violence webpage on Gun Violence Restraining Orders](#): This website provides detailed information about the GVROs, who can request an order, the process, and what a GVRO requires of the restrained person.

RESOURCES FOR SURVIVORS

Harassment & Stalking

If you are experiencing abuse, threats of abuse, stalking, sexual assault, or serious harassment by someone you have not dated and do not have a close relationship with (such as a neighbor, a roommate, a co-worker or a friend), there is help available.

Under California restraining order laws, a Civil Harassment Restraining Order may be available to protect you from this abuse. These orders can prevent the restrained person from contacting or coming near you and will also prevent the restrained person from having access to firearms. [Click here](#) for more information about these orders and how to request one.

KEY LINKS →

- [California Court Civil Harassment Restraining Order webpage](#)
- [List of sexual assault services in California](#)
- [VictimConnect Resource Center](#): Call or text directly at 1-855-4VICTIM (855-484-2846) or chat online. This weekday phone, chat, and text-based referral helpline is operated by the National Center for Victims of Crime where crime victims can learn about their rights and options confidentially and compassionately.

RESOURCES FOR SURVIVORS

Elder and Dependent Adult Abuse

Elder and dependent adult abuse includes behavior that causes physical harm, mental pain, or suffering of an adult 65 years of age or older, or an individual 18 and 64 that has certain mental or physical disabilities that keep him or her from being able to do normal activities or protect himself or herself.

If you are experiencing this type of abuse, or are concerned for a loved one, you can contact [Adult Protective Services](#) in your county. Adult Protective Services agencies investigate reports of abuse of elders and dependent adults who live in private homes, apartments, hotels, or hospitals.

Individuals experiencing elder or dependent adult abuse can request a restraining order from the courts. These orders will prohibit the restrained person from contacting or going near you or others who live with you, and move out of your

house if you live together. The order will also prohibit the person from owning or possessing a gun, firearm parts, or ammunition. [Click here](#) to learn more about the Elder and Dependent Adult Abuse Restraining Order.

Elder and dependent adult abuse can also be closely connected to domestic violence if you are being abused, or you feel afraid or controlled by a family member, or a spouse/partner or former spouse/partner. In these situations, it may be helpful to speak with a domestic violence counselor for support and safety planning. [Click here](#) to find a domestic violence service provider in your area.

It is possible that you may qualify for an elder or dependent adult abuse restraining order and a domestic violence restraining order. If this is your case, talk to a lawyer or legal aid agency to find out what is the best option for you. Contact your local [domestic violence service provider](#) or [local legal services offices](#) for help.

KEY LINKS →

- [California Courts Elder and Dependent Adult Abuse Restraining Orders.](#)
- [Adult Protective Services:](#) Each California County has an Adult Protective Services (APS) agency to help elder adults (60 years and older) and dependent adults (18–59 who are disabled), when these adults are unable to meet their own needs, or are victims of abuse, neglect or exploitation. County APS agencies investigate reports of abuse of elders and dependent adults who live in private homes, apartments, hotels or hospitals.
 - [County Contact List](#)
- [Domestic Violence Service Providers in California](#)
- [National Clearinghouse on Abuse in Later Life \(NCALL\):](#) NCALL is committed to creating a world that respects the dignity of older adults and enhances the safety and quality of life of older victims and survivors of abuse. Their website's resources for survivors include information about the signs of abuse, available resources, and safety planning tools.

RESOURCES FOR SURVIVORS

Workplace Violence

Workplace violence can impact and involve employees, clients, customers, and visitors to the workplace. Workplace homicide is considered the third highest work-related cause of death in the United States, and is the leading cause of death for women at work.¹⁵

Workplace violence is often directly connected to domestic violence. According to Workplaces Respond to Domestic & Sexual Violence, approximately 24% of violent acts committed in the workplace are related to personal relationships, which involve situations where an individual gains access to a workplace and commits a crime targeting an employee or customer who is a current or former intimate partner.¹⁶ According to a 2006 study from the U.S. Bureau of Labor Statistics, nearly one in four large private industry establishments (> 1,000 employees) reported at least one incidence of domestic violence, including threats and assaults, in the 12 months prior to the survey.¹⁷

Stalking is the most prevalent form of abuse at work. In one study, the majority of the women (74.2%) reported that the stalking partner had interfered with their employment. More than one half (58.7%) experienced work disruption or a diminished ability to obtain or maintain employment.¹⁸

If you are experiencing violence or threats of violence in the workplace, your employer can request a Workplace Violence Restraining Order. It's important to know that an individual cannot request this order — **it must be requested by the employer**. As an individual, you can request a Domestic Violence Restraining Order, Civil

¹⁵ Los Angeles County Department of Public Health Office of Violence Prevention. Available at: <http://publichealth.lacounty.gov/ovp/WorkplaceViolencePrevention.htm>. Accessed December 3, 2022.

¹⁶ Workplaces Respond to Domestic & Sexual Violence: A National Resource Center. Available at: <https://www.workplacesrespond.org/resource-library/facts-gender-based-workplace-violence/>. Accessed December 3, 2022.

¹⁷ Bureau of Labor Statistics. "Survey of Workplace Violence Prevention." Washington D.C.: U.S. Department of Labor, October 2006. <https://www.bls.gov/iif/oshwc/osnr0026.pdf>.

¹⁸ Logan, T. K., Lisa Shannon, Jennifer Cole, and Jennifer Swanberg. 2007. "Partner Stalking and Implications for Women's Employment." *Journal of Interpersonal Violence* 22 (3): 268–91.

Harassment Restraining Order, or Elder Abuse Restraining Order, depending on the circumstances of the abuse you are experiencing. It is okay for one of these orders to be in place at the same time as a Workplace Violence Restraining Order. If you have one of these orders you may also be entitled to reasonable accommodations in your workplace to keep you safe, even if your employer does not seek a Workplace Violence Restraining Order on your behalf, but you must tell your employer about the order you obtained.

If granted, a Workplace Violence Restraining Order can prohibit the abusive or threatening person from harassing or threatening the employee, and contacting or going near the employee. The order also prohibits the person from having a gun. [Click here](#) to learn more about the Workplace Violence Restraining Order.

For more resources on addressing workplace violence and your rights in the workplace, [click here](#).

KEY LINKS →

- [California Courts Workplace Violence Restraining Orders](#).
- [Los Angeles County Department of Public Health, Office of Violence Prevention](#): This website has a helpful overview of workplace violence, its impacts, and the warning signs.
- [Workplaces Respond to Domestic & Sexual Violence](#): A National Resource Center. This website provides information for survivors, employers, coworkers and advocates.

RESOURCES FOR SURVIVORS

General Resources

- [Court Self-Help Centers](#): All courts in California have a Self-Help Center that can provide free legal help to people who do not have a lawyer. Self-Help Center staff can tell you about your case, help you with the forms you need, and explain your legal options. They can't give you legal advice or go to court for you. The self-help website is available in both [English](#) and [Spanish](#).
- [California's Victim Compensation Board \(CalVCB\)](#): CalVCB provides financial support for crime survivors by reimbursing for crime-related expenses. A person must be a victim of a qualifying crime involving physical injury, threat of physical injury or death to qualify for compensation. For certain crimes, emotional injury alone is all that needs to be sustained. Certain family members or other loved ones may also qualify. More details about eligibility and how to apply are available on their website.
- [Low-cost Legal Aid](#) and [organizations funded by the State of California to provide free legal services](#).
- [Reducing Risks & Finding Solutions](#): A resource from Giffords Law Center that discusses a range of tools, both government- and community-driven, available for those at risk of becoming a gun violence victim, witness, or participant.
- [Giffords Law Center California Resource Guide – How to Get Help When Someone May Hurt Themselves or Others](#). An easy to read brochure in English, Spanish and Chinese.

For Service Providers: Safety Planning Resources

Importance of Safety Planning

As service providers, we recognize that safety planning is at the core of the work you do every day. This section is designed to support you in that work, with a specific focus on safety planning when firearms are present.

For many people affected by domestic violence, current and long-term safety is an ongoing concern. Safety planning is about brainstorming ways to stay physically and emotionally safe and reduce the risk of future harm. Safety planning can include preparing for a future crisis or emergency, building a network of support, considering options, and making decisions about next steps. Finding ways to stay and feel safer is an important step towards healing for many survivors. Safety looks different for each survivor, but survivors are safe when there is no immediate presence or threat of violence, their basic human needs are met, and they experience social and emotional well-being.

FOR SERVICE PROVIDERS: SAFETY PLANNING RESOURCES

Safety Planning - Firearms Considerations

For those working with people who have experienced domestic violence (or have caused this type of harm), it is important to discuss the extreme risks associated with the presence of firearms in domestic violence situations and share ways of increasing safety and decreasing risks. In these situations, there is a greater risk for injury or death to the survivor as well as others in the family, living in the home, and in the broader community. Those risks can be substantially reduced by removing firearms from the situation, even temporarily, and ensuring that those who do harm do not obtain firearms. Research has shown that homicides are reduced by 16 percent when firearms are relinquished or surrender policies are enforced.¹⁹

Clear communication with survivors about whether the person who harmed them has access to firearms, the risks involved, and tools available can be critical for a survivor to make informed decisions. Safety planning should also include acknowledging that the person causing harm may still find ways to keep or get guns even if a restraining order is issued. Additional critical safety planning elements include: supervised visitation if children are involved, changing work or school routines, evaluating technology that a person who causes harm may use to track the survivor, or even relocating.

Safety planning should also include a discussion of the risks to survivors if they are considering purchasing a firearm for self defense. Regardless of who owns the firearm, its presence makes it five times more likely that homicide will occur in a domestic violence situation.²⁰ A California analysis showed that "purchasing a handgun provides no protection against homicide among women and is associated with an increase in their risk for intimate partner homicide."²¹ Another study reports, women who were murdered were more likely, not less likely, to have purchased a handgun in the three years prior to their deaths, clearly demonstrating that a handgun does not have a protective effect against homicide.²²

¹⁹ M. Zeoli, et al., "Analysis of the Strength of Legal Firearms Restrictions for Perpetrators of Domestic Violence and Their Associations With Intimate Partner Homicide," *American Journal of Epidemiology* 187, no. 11 (2018): 2365–2371. See also, Carolina Díez, et al., "State Intimate Partner Violence-Related Firearm Laws and Intimate Partner Homicide Rates in the United States, 1991 to 2015," *Annals of Internal Medicine* 167, no. 8 (2017): 536–543.

²⁰ J.C. Campbell, et al., "Risk Factors for Femicide in Abusive Relationships: Results from a Multisite Case Control Study," *American Journal of Public Health* 93, no.7 (2003): 1089–1097.

²¹ Garen Wintemute et al., "Increased Risk of Intimate Partner Homicide Among California Women Who Purchased Handguns," *Annals of Emergency Medicine* 41, no. 2 (2003): 282.

²² K.M. Grassel et al., "Association between Handgun Purchase and Mortality from Firearm Injury," *Injury Prevention* 9 (2003): 50.

It can be challenging to prioritize a discussion about firearms with any survivor given the multiple safety considerations involved in developing a tailored safety plan. To support you in doing so, we are providing here a set of standard questions you can incorporate into your work. These questions are intended to help you broach the subject of firearms, gather the information you need, and guide the survivor in making choices that feel the safest and most impactful to them. Please note that discussions about firearms can be uncomfortable and raise concerns about a survivor's access or ownership of firearms. Confidentiality is critical to support safety in these situations.

FOR SERVICE PROVIDERS: SAFETY PLANNING RESOURCES

Safety Planning Questions

- Do you feel comfortable talking with me about whether there are guns in your home or whether the person harming you has access to guns?
- Do you or does the person harming you own, possess, or have easy access to firearms? For how long?
- Are you fearful the other person might harm you, themselves, or others with a firearm?
- Sometimes people don't threaten to harm others with a gun but knowing it is there can make you afraid. Does that happen in your relationship/family/situation?
- Did you or a family member purchase, transfer, or give any of the firearms to your partner?
 - If yes, is the firearm registered in your partner's name? If not, who owns the firearm(s)?
- Where and how are the firearms and ammunition stored (i.e., gun safe, vehicle, closet, hidden, work, car, carries concealed on person)? Who has access to this location?
- Do you know if you or the person harming you is restricted from having firearms?
 - If yes, do you know whether all firearms and ammunition have been turned into law enforcement or properly transferred to a licensed gun dealer?
- Has law enforcement ever removed a firearm from you or the person harming you before? If yes, under what circumstances? How did they react?
- Do you, or does the person harming you, need a firearm to do their job and does that concern you? Has the person harming you ever used a firearm against you or pointed a firearm at you, a family member or friend, or threatened you/someone else with a firearm?
 - If yes, how, when, and where did it happen? Did anything happen as a result?
- Has the person harming you done anything or said anything that leads you to believe/fear that they might use a firearm to harm you?
 - If yes, what was done or said?
- Has the person harming you (or you) ever threatened suicide?
 - If yes, how, when, and where did it happen?
- Has the person harming you ever spoken about imagining using a firearm to kill you or a family member?
 - If yes, what was said?
- Has the person harming you ever been convicted of assault (hitting, slapping, punching, shoving or any other act of violence) against you or another person?
 - If yes, you may want to gather more info on the status of any prohibition or sentence.
- Is the person harming you currently on probation?
 - If yes, does their condition of release prohibit the possession of firearms?

Helping Survivors Choose the Best Protective Measure

California's legal systems provide ways for members of the public, attorneys, law enforcement, and others to seek help and obtain protection when someone may be a danger to themselves or others. The civil legal system offers several different types of restraining orders – most of which automatically prohibit the restrained person from having or buying firearms and ammunition. While the availability of different restraining orders that address many situations is beneficial, this can also create confusion about which restraining order may be most appropriate for a specific situation. The chart provided earlier in this toolkit is a helpful resource for understanding key differences between the various types of civil orders. Please note that criminal remedies (for example, arrest and prosecution and criminal protective orders) and admission to a mental health facility under certain circumstances will also result in firearm prohibitions but are not addressed here.

It's essential for victim service providers to understand and clearly communicate to survivors that Gun Violence Restraining Orders (GVROs) are the only civil restraining order that **DOES NOT** include a named, protected party, **CANNOT** order the restrained party to stay away from a location, and does not include any orders other than prohibiting ownership or purchase of firearms and ammunition. These orders are designed to protect only the restrained person from harming themselves (i.e. suicide prevention) or to prevent them from having firearms and ammunition when they have made generalized threats, such as mass shooting threats, but have not abused or harassed specific people.

For those experiencing domestic violence or who are fearful that an intimate partner or family member may hurt them, there is generally a need to not only address access to firearms, but to also reduce other risks such as stalking, harassment, and other forms of physical, emotional, sexual, and psychological abuse, access to other weapons, the need for safe housing, legal fees, child and spousal support, supervised visitation and other child custody orders, and more. Survivors may also be worried about the safety of other household members and pets. A DVRO can address all of these dynamics – and more. **A GVRO cannot address these issues** because those orders are not designed to address abuse or harassment. Both orders prohibit the restrained person from having guns and ammunition BUT only the DVRO can provide these other extensive remedies and protections. Because domestic violence involves not only risks associated with firearms but also many other issues impacting a survivor's safety, a DVRO will provide more protection than a GVRO if a survivor chooses to pursue a legal remedy.

Safety Planning with Gun Owners

Some survivors you work with may be gun owners themselves. Although the presence of a firearm in the home increases their risk of severe violence and lethality, we must recognize that some individuals will continue to own firearms despite these risks. When working with a survivor who owns firearms, it is important to educate them about the risk posed by the presence of firearms, discuss [safe gun storage](#) (this linked resource covers 6 basic gun safety rules), and ensure that their safety plan addresses the issue of firearms present in the home.

Additional Firearms Safety Risks

As part of safety planning with those experiencing violence, it is important to 1) share information about the range of firearms risks to increase awareness; 2) build trust with those in crisis so that you can have critical conversations about whether they or their partner or family member owns or has access to firearms; and 3) be prepared to help plan for safety around firearm access in intimate partner violence cases. It can be reassuring for those experiencing violence to know there are ways to reduce risks. The questions provided earlier in this section can open the door to a conversation about these firearms risks and potential risk reduction strategies.

In some cases a survivor experiences circumstances where a variety of legal remedies and perhaps more than one type of civil restraining/protective order may be appropriate. It is often possible for a person to request these two separate restraining orders for entirely separate needs.

All survivors should be treated as unique individuals and empowered to seek the safety measure that best fits those needs. However, it is critical that individuals needing services and service providers understand the significant differences between each of these legal remedies. Providing space for a survivor for them to share the fullness of their lives during your safety planning can help them access resources and achieve a broader sense of safety. Refer to first section of this toolkit for more information and resources on responding to risk of suicide, risk of harming others, harassment and stalking, elder and dependent adult abuse, and workplace violence.

FOR SERVICE PROVIDERS: SAFETY PLANNING RESOURCES

Community-Based Interventions

Many survivors will not want to engage with the criminal or civil legal systems. This reluctance may be especially prevalent when working with survivors of color, LGBTQ+ survivors, immigrant survivors, or any survivor who is part of a marginalized group. Safety planning should **never require** that the person experiencing harm engage with the legal system — instead, it should provide survivors with options and be responsive to their preferences.

Survivors should be informed about services that are completely separate from the criminal or civil legal systems. Specific to firearms, there are ways to reduce risks, including: 1) voluntary removal of firearms and ammunition; 2) ensuring firearms are stored properly, locked, and unloaded; 3) becoming educated about the risks and data associated with firearms including risks associated with suicide (including increasing rates of youth suicide); unintentional shootings; and serious injury and lethal outcomes within the family and in the broader community; and 4) considerations around contacting workplaces or other locations or people that may be at risk.

At times the survivor may not have complete control over whether they interact with the legal system. It is important to acknowledge this with survivors and incorporate this possibility into larger safety planning.

Service providers should also become familiar with community-based approaches to responding to survivors' needs outside of the legal system responses. The following resources can help you get started:

- A [compiled list of resources and readings](#) by the Washington State Coalition Against Domestic Violence.
- The [Alliance for Boys and Men of Color Healing Together](#) campaign, which engages men, and people of all genders, in the work to build safe and accountable communities by focusing on healing, gender justice, and racial equity— instead of punishment—to end intimate partner violence.
- [Interrupting Intimate Partner Violence: A Guide for Community Responses Without Police](#). This guide co-published by Justice Teams Network and the Anti-Police Terror Project is intended to present organizers, domestic violence service providers, advocates, policymakers, community members, and families with practical, safe considerations and tools to create a community first response for domestic violence that is not based in the punitive U.S. carceral system.

FOR SERVICE PROVIDERS: SAFETY PLANNING RESOURCES

Additional Supports and Services for Survivors

In addition to addressing the firearms risks within safety planning, and available restraining orders, there are other legal remedies and protections to support survivors. These include remedies through the criminal system, civil lawsuits, job protection and rights to take time off of work, housing protections, ways to address coerced debts as the result of economic abuse, and more. The Family Violence Appellate Project provides a [legal resource library](#) with more information about all of these legal protections.

It is also important to note that while DVROs and GVROs may be appropriate and accessible in some cases, there may be situations where the survivor prefers either that: 1) another agency or government body address the issue or 2) that law enforcement pursue the case instead. In those instances, safety planning might include how to contact services that assist with access to mental health facilities, contacting alternatives to law enforcement, or identifying which law enforcement entity to contact and what kind of support the person seeking help needs to take these next steps.

KEY LINKS FOR SERVICE PROVIDERS →

- **Technical assistance for addressing firearms issues:** The [National Resource Center on Domestic Violence and Firearms, BWJP](#) promotes the effective implementation and enforcement of federal, state and Tribal firearms prohibitions in domestic violence, dating violence and stalking cases.
- **Working with culturally-specific and traditionally unserved/underserved communities:** The following websites and national technical service providers are available:
 - The California Partnership to End Domestic Violence's [Cultural Responsiveness tools](#)
 - [National Indigenous Women's Resource Center](#)
 - [Asian Pacific Institute on Gender-Based Violence](#)
 - [Esperanza United](#)
 - [Los Angeles LGBTQ Center](#)
 - [Ujima, Inc.: The National Center on Violence Against Women in the Black Community](#)
- **Addressing risk of suicide:** The [988 Suicide & Crisis Lifeline](#) provides resources for professionals and the [U.S. Department of Veterans Affairs](#) has resources available specific to working to prevent suicide among veterans.
- **Resources for service providers related to mass shootings:** [these resources](#) have been compiled by the National Association of Social Workers, California Chapter.
- **Supporting survivors experiencing stalking:** The [Stalking Prevention, Awareness, & Resource Center \(SPARC\)](#) is a federally funded project providing education and resources about the crime of stalking. SPARC aims to enhance the response to stalking by educating the professionals tasked with keeping stalking survivors safe and creating accountability for those who cause this harm. SPARC ensures that allied professionals have the specialized knowledge to identify and respond to the crime of stalking.
- **Working with survivors experiencing abuse later in life:** The [National Clearinghouse on Abuse in Later Life](#) provides technical assistance, consultation, training, and resources related to abuse in later life and elder abuse. NCALL has also created information sheets, curricula, toolkits, videos, webinars, web graphics, and posters on a variety of topics for various audiences related to abuse in later life and unique issues facing older adults and survivors of abuse.
- **Workplace violence:** The [Workplaces Respond to Domestic & Sexual Violence: A National Resource Center](#) provides information for survivors, employers, coworkers and advocates.

For Service Providers: Understanding and Supporting Firearm Relinquishment Enforcement Policies

California law provides specific steps that courts and law enforcement must take to remove firearms from a restrained party in the case of a DVRO. This means the procedural pathway of a DVRO case is different from the procedural pathway of a GVRO case. In both situations, the following procedures *should* occur.

There are a number of situations where these procedures may not happen the way they should. These situations are an opportunity for service providers to educate survivors and advocate on behalf of survivors within the court and law enforcement systems in their communities:

- Ideally, emergency, temporary and long-term orders should be served on (i.e. given to) the restrained person by law enforcement because of the high risk of danger when the restrained person has firearms. The local sheriff or marshall in each county is required to serve these orders for free, and other local law enforcement agencies are permitted to serve these orders as well. Emergency protective orders are available for law enforcement to request under DVRO, GVRO, Civil Harassment, and other restraining orders.
- When serving a DVRO or GVRO order, law enforcement is required by law to ask the restrained person to turn over any firearms and ammunition they own or have in their possession or control, and are required to remove any firearms or ammunition in plain sight. The officer who takes the firearm(s) or ammunition is required to provide a receipt to the restrained party when the officer takes the firearm(s).
- If law enforcement does not ask for firearms, or the restrained person does not provide them to law enforcement, the restrained person has 24 hours to sell or store their firearms and ammunition with a licensed firearms dealer or relinquish them to law enforcement. In either case, the restrained person should receive a receipt identifying the specific ammunition and firearms turned in (by type of weapon, serial number if one exists, caliber of bullet, etc.) The restrained person must provide a copy of that receipt to law enforcement and the court within 48 hours after being served.

In DVRO cases, the court has additional specific obligations to determine if the restrained person has properly relinquished any firearms or ammunition they own, possess or control. If the court finds the restrained person has firearms or ammunition and does not receive a receipt showing they have been relinquished after the 48 hour window, the court may hold a review hearing to consider whether the prohibited person has complied or may instead review the file to determine compliance. If the court finds the prohibited person has not complied, the court is required to report the restrained party's failure to comply to the prosecuting agency (usually the District Attorney or sometimes the City Attorney) and to local law enforcement. All courts are required to provide information to the restrained party about local procedures for relinquishing their firearms and ammunition after they have been served with a DVRO.

IF YOU ARE IN A COUNTY OR CITY WHERE THE COURT PROCEDURES TO MEET THE OBLIGATIONS DESCRIBED ABOVE ARE NOT OBVIOUS OR ACCESSIBLE, PLEASE CONSIDER CONTACTING →

- The [Self-Help Center](#) at the court for more information
- The court executive officer to discuss ways to improve the process pursuant to [SB 320 \(Eggman\)](#) requirements

- Your community's Family Violence Council, Domestic Violence Coordinating Council, or other coordinating agency or organization to see if there is a process underway to implement these requirements. Staff at [The National Center on Gun Violence in Relationships](#) may also be able to provide technical assistance with local implementation efforts.

Additional resources are linked below at the end of this section.

FOR SERVICE PROVIDERS: UNDERSTANDING AND SUPPORTING FIREARM RELINQUISHMENT ENFORCEMENT POLICIES

Variations on Required Procedures

We know that in DVRO cases, variations on the ideal procedures occur frequently. Just as it is important for service providers to know how processes are supposed to work, it is vital to know how to support survivors when those processes vary or when a different approach may be better for practical purposes.

One common variation from the ideal procedures is whether law enforcement is involved when serving a copy of any restraining order. Using law enforcement for serving is preferred because of the increased risk that a restrained person will escalate or become violent when they learn that they are subject to a restraining order, and particularly when they learn they must turn over any firearms or ammunition they have. However, we know many survivors do not want to interact with law enforcement for many reasons. We also know that sometimes relying on law enforcement is not practical or timely – for example, some agencies have complicated procedures to request service or are not able to react quickly when a survivor learns where the restrained person might be at a specific time.

These reasons might lead a survivor to rely on another person to serve their orders. Anyone who is over the age of 18 and is not protected by the order can legally serve the orders on the restrained party. However, only law enforcement is in the position to receive the firearms that should be requested to be turned over if they are serving the order. For detailed information on the requirements of service please see Form DV-200-Info. If utilizing law enforcement to serve the DVRO is not viable or the best option, the next preferred alternative is hiring a professional, registered process server. The least desirable option is using a friend, family member, co-worker or other adult. Please remember that law enforcement, unlike private process servers or members of the public, have training and resources to support serving orders and obtaining firearms at the same time.

If the DVRO orders are not served by law enforcement, the person completing service will not ask the restrained person for their firearms or ammunition. Additionally, even if law enforcement serves the DVRO orders, the officer may forget to ask for firearms, or the person may be served in a location where they cannot immediately access their firearms and ammunition. In all of these situations, the restrained person is still required by law to turn their firearms and ammunition into a licensed firearm dealer or law enforcement within 24 hours and to file proof of this with the court within 48 hours. However, the restrained person might not comply, either because they refuse to or because they simply do not know they are required to. Even if law enforcement is not directly involved, the court is still required to review the DVRO case file to confirm whether the restrained party has provided proof they turned in their firearms and ammunition. As a practical matter, survivors may need to proactively ask the court at their hearing whether this occurred.

FOR SERVICE PROVIDERS: UNDERSTANDING AND SUPPORTING FIREARM RELINQUISHMENT ENFORCEMENT POLICIES

Limited Exceptions to Firearm Prohibition

We know that in DVRO cases, variations on the ideal procedures occur frequently. Just as it is important for service providers to know how processes are supposed to work, it is vital to know how to support survivors when those processes vary or when a different approach may be better for practical purposes.

There are two limited exceptions when the court may allow a person restrained by a DVRO to continue to possess, control and sometimes own a firearm and ammunition. Both situations are described in Family Code section 6389(h)

– in both situations there are specific things the restrained party must prove and that the court must consider and include in any exception order. In both situations an exception can only be granted by a specific order the judge makes after a hearing. The exceptions are not automatic and the court is not required to grant them. The restrained person must at least temporarily relinquish all their firearms and ammunition unless and until the order granting them an exception is actually made.

SITUATION 1: THE RESTRAINED PERSON NEEDS TO CARRY A FIREARM FOR THEIR JOB →

The restrained person must show:

1. A particular firearm or ammunition is necessary as a condition of their continued employment, AND
2. Their current employer cannot reassign them to a different position where a firearm or ammunition is not required.

If the exception is granted, the court must order:

3. The specific firearm or ammunition shall be in the restrained person's physical possession only during scheduled work hours and during travel to and from their place of employment.

SITUATION 2: THE RESTRAINED PERSON IS A PEACE OFFICER →

The restrained person must show:

4. They are a peace officer (as defined by California Penal Code section 830 et seq.), AND
5. They must carry a firearm or ammunition as a condition of their employment, AND
6. Their personal safety depends on the ability to carry a firearm or ammunition.

To grant the exception, the court must:

7. Require a mandatory psychological evaluation of the restrained person.
8. Make a finding that it is more likely than not that the restrained person does not pose a threat of harm, based on the results of the psychological evaluation.

If the court grants an exception for a restrained person who is a peace officer, the court may allow the peace officer to carry a firearm or ammunition on or off duty. The court may also require the restrained person to enroll in counseling or other treatment to address any propensity for domestic violence as a condition of granting the exception.

Please note that this is a technical and complicated area of law – if you are working with a survivor whose abusive partner is a peace officer or works in a job that requires them to carry a firearm, you should speak with an attorney in your area about how to best address any requests for an exception made by that person.

FOR SERVICE PROVIDERS: UNDERSTANDING AND SUPPORTING FIREARM RELINQUISHMENT ENFORCEMENT POLICIES

Consequences for Violations

Once a person subject to a GVRO or DVRO has been properly served with the order restraining them, they are given notice of all the things they are prohibited from doing for as long as the order remains in effect. Orders are effective until either the expiration date written on the order or until a judge modifies or terminates them. If the restrained person engages in one or more of the things that are prohibited by the order, including owning, possessing or controlling firearms or ammunition, the restrained person is in violation of the GVRO or DVRO. Violations of either type of order are a criminal offense that can result in the restrained person being arrested and convicted criminally.

Additionally, violations of a DVRO in particular can have other consequences for the restrained person. For example, if the restrained person is seeking custody of their children, the court is specifically required to consider whether the restrained person has firearms or ammunition in violation of the DVRO, or whether they have violated the DVRO in some other way. Violations are also considered by the court if the protected person requests to renew or extend the original DVRO. Additionally, violations can result in the restrained person being ordered to pay money sanctions (penalties), face contempt of court charges, or be charged with a crime and prosecuted under state or federal law. Every superior court in California is required to provide information to restrained parties in DVRO cases about how they can comply locally with the prohibitions in these cases. Please check with your local court for more information.

FOR SERVICE PROVIDERS: UNDERSTANDING AND SUPPORTING FIREARM RELINQUISHMENT ENFORCEMENT POLICIES

Practical Ideas to Improve Enforcement

Service providers can play a meaningful part in improving the local enforcement of firearm relinquishment in a variety of ways.

Giving survivors clear and digestible information about how these processes should work, what the law actually requires, and how processes can fail or be manipulated is critical. Survivors are often the ones who have to interface with law enforcement/the court to advise an officer or judge that the restrained person still has firearms/ammunition and advocate for their removal. Feeling confident in their knowledge about the legal requirements is vital to supporting these steps.

Outside of direct survivor support, service providers can take steps that have larger, systemic impacts on improving enforcement of firearm relinquishment orders. Building strong working relationships with local law enforcement is one way to make progress on a system-level. Law enforcement agencies have thousands of activities that officers must do because they are written into law; serving restraining orders and retrieving firearms are just two examples. Each law enforcement agency typically sets enforcement priorities based on what the agency's leadership perceives are the most pressing needs in the community they serve, what is most desired by the constituents who elected them, or what they perceive is most likely to have the largest impact. Setting priorities does not mean the agency is not required to meet all of their legal obligations, but it may have a practical impact on how much attention and resources are put toward addressing any specific type of issue.

Building working relationships with law enforcement agencies, particularly ones that span from leadership to front line officers, can help raise awareness among the agency's officers and leaders about the intersection between possession of firearms and risk of harm. These relationships can take many forms. For example, maybe the agency and service provider are both part of a task force or other multi-disciplinary team focused on reducing domestic violence or community violence. Service providers can present trainings to officers and leaders or host listening sessions with community members and invite law enforcement to observe or participate. In some cases service providers may work with law enforcement agencies to embed confidential advocates in the agency, creating an efficient pathway to connect survivors to the service provider.

There are many reasons why service providers may not want or be able to work with their local law enforcement agencies, and also some agencies may not be open to such partnerships. There are many other ways service providers can connect with other components of the systems that all impact firearm relinquishment. For example, service providers can join local or regional task forces, multi-disciplinary teams or collaborative groups focused on addressing gun violence in their communities. If one doesn't exist, consider forming one and inviting key organizations to join. Service providers can reach out to other organizations doing similar or complementary work in their area to build knowledge, leverage shared information and resources, and approach problems collectively. Providers can also do outreach with the local prosecutor's office, local court system and attorneys, and child or adult protective services.

Addressing firearm related violence in our communities, including improving firearm relinquishment, involves bringing together many different systems and organizations. Service providers can be powerful facilitators of discussions and working groups that help shift attitudes, cultures, and understandings about firearms and violence, and help these systems work together more efficiently and effectively.

Civil Restraining Orders in California (as of April 1, 2023)

	Domestic Violence, Civil Harassment, or Workplace Violence Emergency Protective Order (EPO-001)	Gun Violence Restraining Order Emergency Protective Order (EPO-002)	Gun Violence Restraining Order (GVRO)
You can get this kind of order if...	You are in danger and contact law enforcement. Only law enforcement can ask the court for this order. It is an order issued by the court immediately.	You are law enforcement and you have information someone is in danger of harming themselves or others. Only law enforcement can ask the court for this order. It is an order issued by the court immediately.	You are worried about a family or household member who is a danger to themselves or others and you want to make sure that person cannot use guns or ammunition they have or might purchase during the time they are in crisis. You and specific others do not need protection from this person. Petitioners now include employers and certain specified co-workers, teachers and employees (with permission). See Penal Code sections 18170 and 18175.
It can order someone to...	Stay away from you, your home, and/or your work. Prevent the restrained person from having guns.	Give up guns and ammunition temporarily during a personal crisis when they may be a danger to themselves or others. Prevents the restrained person from owning or having guns and ammunition. GVROs do not include a protected party or other remedies.	Turn over their guns and ammunition to law enforcement and prevent them from being able to buy or get guns and ammunition. GVROs are the only one of these civil restraining order that do not include a protected party or other remedies.
It lasts...	Up to 7 days.	Up to 21 days.	For 1 to 5 years after a hearing. Can renew or terminate.
It costs...	It's free.	It's free.	It's free.
You can get help from...	Only a law enforcement officer can get an emergency protective order, but anyone else can ask law enforcement to get one. Available 24 hours a day, 7 days a week.	Only a law enforcement officer can get an emergency protective order, but anyone else can ask law enforcement to get one. Available 24 hours a day, 7 days a week.	Contact your local self-help center, an attorney, or law enforcement. Superior Court Self-Help Center: https://www.courts.ca.gov/33961.htm Local lawyer referral services: https://lawhelpca.org/ National Crisis (and suicide prevention) 988: https://988lifeline.org/ .



	Domestic Violence Restraining Order (DVRO)	Elder or Dependent Abuse Restraining Order	Civil Harassment Restraining Order
You can get this kind of order if...	<p>You want to protect you and your family from someone:</p> <ul style="list-style-type: none"> You are dating (or used to date), You are married to (or were married to), You have a child with, or You are closely related to (like a parent, child, brother or sister, grandparent, or grandchild, including stepparents, stepchildren, stepsiblings, and current in-laws) 	<p>You are 65 or older, or you are between 18 and 64 and have certain disabilities, and you are a victim of:</p> <ul style="list-style-type: none"> physical or financial abuse, neglect, abandonment, or isolation, or treatment that has physically or mentally hurt you. 	<p>You are worried about your safety because you are being:</p> <ul style="list-style-type: none"> stalked, harassed, sexually assaulted, or threatened <p>by someone you do not have a close relationship with, like a neighbor or someone you don't know.</p> <p>This kind of order is not for people who have dated or who are closely related.</p>
It can order someone to...	<p>Not contact you; stay away from you, your home and your work; Move out; Courts can also order child custody/visitation, support, payments of bills, transferring cellphone number, and more.</p> <p>Prohibited from owning, possessing, or purchasing firearms and/or ammunition while the order is in effect. Unless there's an exemption, must sell to or store with a licensed dealer or turn into law enforcement any guns. Federal firearm prohibition.</p>	<p>Not contact you; Stay away from you and your home; Move out of your home; Prohibited from owning, possessing, or purchasing firearms and/or ammunition while the order is in effect. Unless there's an exemption, must sell to or store with a licensed dealer or turn into law enforcement any guns.</p>	<p>Not contact you in any way; Stay away from you, your home (unless you are roommates), and your work; Prohibited from owning, possessing, or purchasing firearms and/or ammunition while the order is in effect. Unless there's an exemption, must sell to or store with a licensed dealer or turn into law enforcement any guns..</p>
It lasts...	Up to 5 years. Can renew.	Up to 5 years. Can renew.	Up to 5 years. Can renew.
It costs...	It's free.	It's free.	It depends on the type of harassment and/or your income.
You can get help from...	<p>National Domestic Violence Hotline: Toll-free 1-800-799-7233; TDD: 1-800-787-3224 www.ndvh.org; 24 hours a day, 7 days a week. Contact a local domestic violence agency https://www.cpedv.org/domestic-violence-organizations-california</p> <p>Or contact an attorney, law enforcement, or your local court: Family Law Facilitator or Self-Help Centers www.courts.ca.gov/selfhelp-courtresources.htm The Family Law Facilitator may also be able to help you with custody, visitation, and child support orders..</p>	<p>Senior Information Line Toll-free: 1-800-510-2020</p> <p>Superior Court Self-Help Center www.courts.ca.gov/selfhelp-courtresources.htm</p> <p>Adult Protective Services in your county: www.cdss.ca.gov/inforesources/County-APS-Offices.</p>	<p>Superior Court Self-Help Center www.courts.ca.gov/selfhelp-courtresources.htm</p> <p>National Sexual Assault Hotline Toll-free: 1-800-656-4673 www.rainn.org 24 hours a day, 7 days a week.</p>



	Workplace Violence Prevention Order	School Violence Prevention Order
You can get this kind of order if...	You are an employer. Courts can make orders to protect an employee from suffering unlawful violence or credible threats of violence at the workplace. You can get help at a court self-help center.	You are the chief administrative officer of a private postsecondary institution or an officer or employee designated by that person to maintain order on the school campus or facility. Must be requested by an officer of the institution the student attends or is applying to. The law differs from other CA laws that allow victims of unlawful violence or credible threats of violence to ask the court for these orders themselves. This order is on behalf of a student and can protect family or household members of the student and others.
It can order someone to...	Not harass, abuse, and to stay-away. Restrained party not allowed to own or buy firearms or ammunition while order in place.	Not harass, abuse, and to stay-away. Restrained party not allowed to own or buy firearms or ammunition while order in place.
It lasts...	3 years.	3 years.
It costs...	Filing fee unless respondent has threatened violence against the employee or stalked the employee or acted or spoken in ways that placed them in reasonable fear of violence.	Filing fee unless respondent has threatened violence against the student or stalked the student or acted or spoken in ways that placed them in reasonable fear of violence..

Notes on Civil Restraining Orders & Firearm and Ammunition Prohibitions in California

In California, firearm and ammunition prohibitions are generally part of all civil restraining orders. Once someone is served with the order in court or after it has been issued by the court, they may not own, possess, control, or purchase firearms, in most situations, while the order is in place. This is not a permanent ban unless the order is permanent (which is unusual). Restrained parties must relinquish, store, or sell their firearms as the order indicates to avoid additional criminal and civil consequences. Each of the civil restraining orders provides a variety of additional other orders such as services the restrained person must access, child custody and visitation, and/or orders to stay away from a person or a group of people that needs to be protected, for example. However, Gun Violence Restraining Orders (GVROs) only restrict the restrained person's access to firearms and ammunition. When a Domestic Violence Restraining Order (DVRO) is issued after a hearing, federal law also generally prohibits access to firearms while the order is in place. In DVRO cases, local courts are required to provide information about how restrained parties can comply with the order to relinquish firearms and ammunition and when there is a violation, courts are required to inform law enforcement and the prosecuting agency.

Information on all these orders and the forms to request or respond to them may be found at <https://www.courts.ca.gov/selfhelp-abuse.htm>

Additional prohibitions exist under California law in the criminal context under several different circumstances and in the civil mental health context when someone is taken into custody, evaluated and assessed by mental health professionals, and admitted to a county mental health facility because that person was found to be a danger to self or others, if the person is admitted under W&I Code sections 5151, 5152 or certified under 5250, 5260, and 5270.15 and is dangerous because of a "mental disorder".

Resources →

- Giffords Law Center [overview of California laws regarding domestic violence & firearms.](#)
- [Domestic Violence and Firearms in California Family and Juvenile Dependency Court Matters.](#) This is a one-page overview of SB 320 (Eggman, 2021) requirements.
- [Implementation Toolkit for Gun Safety Laws.](#) This toolkit offers information and resources to assist communities with the important and often overlooked implementation aspect of gun violence prevention policies.
- [San Mateo County Effort to Reduce Gun Violence.](#) This press release highlights work in San Mateo County to ensure those who become prohibited from having firearms and ammunition comply with that prohibition.
- Webinar on the difference between [GVRO and DVRO.](#)

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- Desert Sanctuary Inc.
- DOVES of Big Bear Valley, Inc.
- Empower Yolo, Inc.
- Family Services of Tulare County
- Family Violence Law Center
- Global Transgender Safety Tasks Force USA Inc.
- House of Ruth, Inc.
- Human Options, Inc.
- Humboldt Domestic Violence Services
- Interface Children & Family Services
- Interval House
- Kings Community Action Organization, Inc.
- Lao Family Community Development, Inc.
- Laura's House
- Lumina Alliance
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- New Star Family Center
- Option House Inc.
- Peace Over Violence
- Positive Results Center
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- SAC Connect
- SAFE Family Justice Centers
- Safequest Solano
- The Black Neighborhood
- The Coalition for Family Harmony
- The Regents of the University of California
- Tolowa DEE-NI' NATION
- WEAVE INC.
- Women's Center–Youth & Family Services
- Women's Resource Center
- Women's Transitional Living Center, Inc.

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