



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
SACRAMENTO LEGISLATIVE OFFICE

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May 29, 2024

The Honorable Aisha Wahab
Senate Public Safety Committee, Chair
1020 N Street, Room 545
Sacramento, CA 95814

**ASSEMBLY BILL 3014 (IRWIN)
SUPPORT
Senate Public Safety Committee
Hearing Date: June 4, 2024**

Dear Senator Wahab:

The Los Angeles County District Attorney's Office is pleased to support Assembly Bill 3014 (Irwin).

AB 3014 authorizes a district attorney to file a petition requesting that the court issue an *ex parte* Gun Violence Restraining Order (GVRO).

California's GVRO laws, modeled after domestic violence restraining order laws, went into effect on January 1, 2016. A GVRO will prohibit the restrained person from purchasing or possessing firearms or ammunition and authorizes law enforcement to remove any firearms or ammunition already in the individual's possession.

The statutory scheme establishes three types of GVRO's: a temporary emergency GVRO, an *ex parte* GVRO, and a GVRO issued after notice and hearing. A law enforcement officer may seek a temporary emergency GVRO by submitting a written petition to or calling a judicial officer to request an order at any time of day or night.

In contrast, an immediate family member, an employer, a coworker, an employee or teacher of a secondary or post-secondary school, law enforcement officer, a roommate, an individual who has a dating relationship or a child in common with the subject of the petition can petition for either an *ex parte* GVRO or a GVRO after notice and a hearing.

An *ex parte* GVRO is based on an affidavit filed by the petitioner which sets forth the facts establishing the grounds for the order. The court will determine whether good cause exists to issue the order. If, the court issues the order, it can remain in effect for 21 days. Within that time frame, the court must provide an opportunity for a hearing. At

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the hearing, the court can determine whether the firearms should be returned to the restrained person, or whether it should issue a more permanent order.

The final type of GVRO is one issued after notice and a hearing. If the court issues a GVRO after notice and hearing have been provided to the person to be restrained, this more permanent order can last for up to five years. To balance the due process rights of the individual restrained the person is allowed to request a hearing for termination of the order on an annual basis.

Before a GVRO lapses, existing law allows a request for renewal of a GVRO of between one to five years.

AB 3014 would authorize a district attorney to petition for an *ex parte* GRVO, for a GRVO after notice and a hearing, and for renewals as well.

AB 3014 closes a significant loophole in existing law. Currently GVROs may be sought by law enforcement officers, family members, employers, or coworkers, of the person to be restrained. But district attorneys are not included in this list. This is a significant omission. District attorneys are often in the best position to have knowledge of pending charges against an individual, to spot dangerous and escalating patterns of conduct and to act to protect victims and other community members from gun violence.

AB 3014 is an excellent, common sense, gun control measure that our Office is pleased to support.

If you have any questions or need additional information, please feel free to contact Daniel Felizzatto in my Sacramento Legislative Office at (916) 442-0668.

Very truly yours,



GEORGE GASCÓN
District Attorney

cc: Assembly Member Irwin
Eric Czimar, Senate Republican Policy Unit