



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE

SACRAMENTO LEGISLATIVE OFFICE

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July 14, 2022

The Honorable Anthony Portantino
Senate Appropriations Committee, Chair
State Capitol, Room 412
Sacramento, CA 95814

ASSEMBLY BILL 2870 (SANTIAGO) SUPPORT Senate Appropriations Committee

Dear Senator Portantino:

The Los Angeles District Attorney's Office is pleased to support Assembly Bill 2870 (Santiago).

Existing law allows any of the following individuals to file a petition requesting that the court issue an ex parte Gun Violence Restraining Order (GVRO) enjoining a person from having in his or her custody or control, owning, purchasing, or receiving a firearm or ammunition: an immediate family member of the subject of the petition; an employer of the subject of the petition; a coworker, if they have had substantial and regular interactions with the subject for at least one year and have obtained the approval of the employer; an employee or teacher of a school that the subject has attended in the past 6 months, if the employee or teacher has obtained the approval of a school administrator or a school administration staff member with a supervisory role; or a law enforcement officer.

AB 2870 expands the family members who can file a petition to include any person related by consanguinity or affinity within the 4th degree who has had substantial and regular interactions with the subject for at least one year. AB 2870 would also authorize the following person to file a petition for a GVRO:

- A roommate of the subject of the petition.
- A classmate of the subject of the petition.
- A dating partner of the subject of the petition.
- An individual who has a child in common with the subject of the petition.

A person related by consanguinity or affinity within the 4th degree includes:

- Great Great Grandparent
- Great Aunt/Uncle
- First Cousin
- Grand Nephew/Niece
- Great Grandparent-in-Law
- Aunt/Uncle-in-Law
- First Cousin-in-Law
- Niece/Nephew-in-Law
- Great Grandchild-in-Law

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July 14, 2022
Page Two

Nineteen other states and the District of Columbia have an extreme risk protection order law which operates similarly to California's GVRO law. All of these jurisdictions authorize law enforcement to petition for an ERPO, and most authorize family members and intimate partners to also petition. A few authorize clinicians and school administrators to petition.

Studies have shown that California's GVRO laws have prevented over 58 mass shootings. Unfortunately, California experienced an average of 44 mass shootings per year between 2013 and 2021. That translates to one mass shooting every 8.3 days. As of June 9th there have been at least 243 mass shootings in the United States this year. This does not include the mass shootings in Highland Park, Illinois or Sacramento that left at least 8 people dead and nearly 40 injured by gunfire over the 4th of July weekend.

Strengthening the state's "red flag" laws can prevent more mass shootings. The recently enacted bipartisan federal gun control bill signed by President Biden provides grants to encourage states to create so-called "red flag laws" (like California's GVRO) that would allow law enforcement or other entities to petition a court to remove guns from a person deemed to be a threat to themselves or others. It is time to strengthen laws that get guns out of the hands of individuals who pose a risk to public safety.

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 Santiago