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City Attorney Obtains 100th Gun Violence Restraining Order

269 firearms removed from unstable, irresponsible, and dangerous gun owners

A year after launching California's most successful Gun Violence Restraining Order program, City Attorney Mara W. Elliott today announced that her office had obtained its 100th GVRO.

Within the last month, the City Attorney has obtained 20 new GVROs, a number of them involving domestic violence and stalking. Here is an example of a recently granted GVRO:

The respondent, who carries a gun on his person, threatened to kill his ex-girlfriend and her family after she ended their three-month dating relationship. He repeatedly showed up at the victim's home in the early morning hours and rang her doorbell incessantly. The victim believed that the respondent was under the influence of methamphetamines when he made the death threats. The City Attorney's Office obtained a GVRO on January 9, and the court ordered the gun owner to surrender his firearm and ammunition to law enforcement.

The state law that established GVROs as a tool for law enforcement took effect in 2016, but it did not find its champion until Elliott became San Diego's City Attorney in December of that year. Elliott made the program a top priority, enlisted the San Diego Police Department as a partner, and worked with the San Diego Superior Court to develop court procedures. She launched the GVRO program in December 2017 and was asked by the state Legislature to train other law enforcement agencies throughout California.

"It's hard to know how many lives we've saved by removing firearms from unstable, irresponsible, and dangerous gun owners," City Attorney Mara W. Elliott said. **"But San Diego continues to rank among America's safest big cities, in part, because its leaders take seriously our responsibility to recognize red flags and prevent predictable gun violence."**

GVROs prevent violence by removing access to guns by individuals who pose a serious threat of harm themselves or others. The first 100 respondents in San Diego included gun owners who explicitly threatened violence – from suicide to shooting up workplaces or schools – and others who handled firearms irresponsibly because they were impaired by drugs, alcohol, or other underlying medical or psychological impediments.

Here is a breakdown of the first 100 GVROs:

- More than one-third of the cases related to domestic violence or stalking.
- About one-fourth of the cases involved some form of substance abuse.
- About one-fourth of the GVROs resulted in the removal of guns from individuals threatening suicide.

- Eighteen GVROs were obtained against individuals struggling with mental health issues, including dementia and PTSD.
- Fourteen GVROs were obtained against individuals who threatened violence in the workplace or at a school.
- Ten GVROs were obtained against juveniles or individuals who used social media to make threats.

To date, more than 260 firearms, including more than a dozen assault rifles, and thousands of rounds of ammunition have been either confiscated or voluntarily surrendered as a result of these court orders.

The SDPD, under Chief David Nisleit, has been a strong partner in the program from its inception. The SDPD initiates the GVRO process by responding to a specific complaint, investigating and substantiating the complaint, and then, when appropriate, referring the matter to the City Attorney's Office. The SDPD joined the City Attorney's Office in San Francisco on January 24 for the largest ever GVRO training. The next training is scheduled for February 12 in Sacramento.

A GVRO is a civil restraining order that prevents dangerous individuals from controlling, accessing, purchasing, and possessing firearms and ammunition. The City Attorney's Office and the police must provide clear and convincing evidence to the court that an individual poses a serious threat to themselves or others. Courts review these danger factors to make an impartial decision about whether to grant a GVRO. The court balances the public danger posed by irresponsible gun owners with their due process rights.

GVROs are granted in open court hearings at which respondents can be represented by counsel. They are in effect for one year, during which time the gun owner has an opportunity to remedy the circumstances that posed a danger to self or others. GVROs often stem from several overlapping issues such as substance abuse, suicide threats, and domestic violence. Others involve elder abuse, child abuse, gang activity, and unsafe storage practices.

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