A 28-year-old man who grabbed a gun case and threatened suicide.

A 60-year-old man who grabbed a .38 revolver and fled his home after his family discovered he was molesting his grandchild. The man was arrested with the gun in his vehicle.

A 28-year-old man who grabbed a gun case and threatened suicide.

A 39-year-old man who, while intoxicated (at three times the legal limit), believed he was shooting at raccoons and rats in his backyard. Terrified neighbors called police as bullets flew into their backyards.

A 23-year-old ex-Marine who had developed a paranoia that all males wanted to harm him. He had walked into an auto parts store with a loaded handgun, but called police before shooting anyone.

A 39-year-old man who, while intoxicated (at three times the legal limit), believed he was shooting at raccoons and rats in his backyard. Terrified neighbors called police as bullets flew into their backyards. A 33-year-old man who locked his wife in a car with him, threatening her with a loaded firearm. When the Police Department arrived on the scene and searched the car, they found a meth pipe along with two loaded firearms that did not belong to him. He later surrendered a Glock 9mm and a .380 handgun.

A 40-year-old man who told his fiancé by text message that he wanted to shoot her in the head, then visited his fiancé's ex-boyfriend and threatened to kill him while holding a knife behind his back. The man surrendered a handgun and an AR-15, the semi-automatic rifle frequently used by mass shooters. A 23-year-old ex-Marine who had developed a paranoia that all males wanted to harm him. He had walked into an auto parts store with a loaded handgun, but called police before shooting anyone.

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A 35-year-old man with a small arsenal and a history of domestic violence, whose wife suffered a serious laceration to her forehead and feared he might kill her. The man owned a 9mm pistol, a Mosquito semi-automatic pistol, a Ruger .22, a Springfield .40 caliber pistol, a Ruger rifle, a Mossberg shotgun, and an unmarked handgun. A 40-year-old man who told his fiancé by text message that he wanted to shoot her in the head, then visited his fiancé's ex-boyfriend and threatened to kill him while holding a knife behind his back. The man surrendered a handgun and an AR-15, the semi-automatic rifle frequently used by mass shooters. A 23-year-old ex-Marine who had developed a paranoia that all males wanted to harm him. He had walked into an auto parts store with a loaded handgun, but called police before shooting anyone.

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Emergency Gun Violence Restraining Order Process

FILE PETITION WITH SUPERIOR COURT JUDGE FOR AN EMERGENCY ORDER
Petitioner requests an emergency GVRO from the judge, and describes why there is reasonable cause to believe the respondent poses an immediate and present danger of causing personal injury to self or others and less restrictive means are unavailable.

SUPERIOR COURT JUDGE ASSESSES EMERGENCY GVRO PETITION
Upon request for an emergency GVRO, Superior Court judge decides whether to issue an emergency GVRO and sets a hearing date within 21 days.

COURT ISSUES EMERGENCY GVRO & ORDER IS SERVED
Upon issuance of the emergency GVRO, law enforcement serves the respondent with a copy of the emergency GVRO at the respondent's location, and explains the terms of the emergency GVRO, including dispossession of firearms and ammunition.

RESPONDENT COMPLIES WITH TEMPORARY GVRO & DISPOSSESSES FIREARMS
Respondent temporarily dispossesses self of any firearms or ammunition while the emergency GVRO is in effect. Dispossession must happen immediately upon service of the GVRO or, if law enforcement does not request immediate surrender or if the respondent was present at the hearing, the respondent must surrender firearms and ammunition to law enforcement or transfer or sell them to a licensed firearms dealer within 24 hours.

GVRO AFTER HEARING IS TERMINATED OR RENEWED
Petitioner may seek renewal at any time within the final three months of the GVRO.
Respondent may submit one written request for a hearing to terminate the order. Termination can happen at any time during the effective period of the order. Upon expiration or termination of GVRO, law enforcement returns firearms and ammunition to the respondent, unless possession is otherwise prohibited by law upon expiration of the GVRO.

UPGRADE BACKGROUND CHECK SYSTEM
The court notifies CA DOJ when a GVRO has been dissolved or terminated.
CA DOJ will update the status of the GVRO within 15 days.

GVRO AFTER HEARING IS NOT ISSUED
If a GVRO After Hearing is not issued, firearms and ammunition removed pursuant to emergency GVRO are returned to the respondent unless possession is otherwise prohibited by law.
The court notifies CA DOJ when a GVRO has been dissolved or terminated.

CALIFORNIA UPDATE BACKGROUND CHECK SYSTEM
No later than one court day after issuing the emergency GVRO, the court notifies the California Department of Justice (CA DOJ) that a GVRO has been issued.
Within one business day of service, law enforcement submits proof of service to the California Restraining and Protective Order System.

GVRO AFTER HEARING IS ISSUED
If the respondent is present at the hearing, the respondent is served with the GVRO at the hearing. If the respondent is not present at the hearing, law enforcement or private server (any person 18 or older and not a party to the action) serves the respondent with a copy of the GVRO at the respondent's location.

PROCEED WITH HEARING FOR GVRO AFTER HEARING
Within 21 days after issuance of the emergency GVRO, petitioner presents the petition in court, where respondent and witnesses are present, and the court determines whether respondent should be prohibited from purchasing and possessing firearms for 1 year.*

Authorized petitioners in California include:
- Law enforcement

*California Assembly Bill 12, effective on September 1, 2020, amends and increases the duration and renewal of a GVRO from one year to a period of time between 1 and 5 years, subject to earlier termination or renewal by the court. The amendment will require a court consider the length of time that the threat of personal injury is likely to continue, and to issue the GVRO based on that determination.

*Information on this website does not constitute legal advice. Every factual situation is unique; if you want legal advice specific to your particular circumstances, please consult knowledgeable counsel.