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Report on the Firearms Relinquishment Grant Program for 2023–24

Report to the Legislature under the Budget Act of 2022 (Assem. Bill 178; Stats. 2022, ch. 45)

Judicial Council *of* California

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Background

As part of the Budget Act of 2022 (Assem. Bill 178; Stats. 2022, ch. 45), the Legislature appropriated $40 million in one-time funding to the Judicial Council to support court-based firearm relinquishment programs. The purpose of the program is to "ensure the consistent and safe removal of firearms from individuals who become prohibited from owning or possessing firearms and ammunition pursuant to court order."[1] In 2024, $9.2 million reverted back to the General Fund to address statewide budget deficits, leaving a total of $30.8 million for this program.

Since September 2022 there have been three cycles of funding. For each cycle, all superior courts were invited to apply. In February 2023, seven courts were awarded funding in Cycle 1. In July 2023, one court was awarded funding in Cycle 2. Applications for Cycle 3 are currently being reviewed and, if funded, would commence in December 2024.

Eligibility

The Budget Act of 2022 provided the following criteria and priority areas for applicant courts:

- Each court must contract with at least one law enforcement agency located within the county for activities that cannot reasonably and safely be conducted by the court.
- At least 30 percent of the funding allocated to each court must be directed to law enforcement through contracts with the court.
- The selection process must consider statewide diversity in geographic location and court size.
- Priority must be given to firearm relinquishment activities related to domestic violence restraining orders, gun violence restraining orders, or any other civil court order.
- Priority must be given to courts with higher numbers of requests for domestic violence restraining orders or gun violence restraining orders filed.[2]

All applicant courts in Cycles 1 and 2 were eligible and awarded funding under this program. A breakdown of how the funding has been allocated to date is provided in this report's appendix.

Program Overview

This funding established the first court-based firearms relinquishment program in California. Under this program, courts, in partnership with law enforcement, work together to ensure that firearms are relinquished by individuals who have been ordered to do so. Firearm relinquishment

[1] Stats. 2022, ch. 45, item 0250-001-0001, provision 11, *https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB178*.

[2] *Id.*, provision 13.

orders can be issued in various situations, including civil restraining orders.[3] For this reporting period, all participating courts focused primarily on relinquishment in civil restraining order cases. In civil restraining orders, the restrained person must surrender any firearms or ammunition they have to a licensed gun dealer or law enforcement. The onus is on the restrained person to prove to the court that they have properly relinquished their firearms and ammunition. This funding has allowed courts to provide restrained persons with better information on how to properly relinquish, and allowed law enforcement to follow-up and investigate when an individual is believed to have a firearm, in violation of the court's orders.

Reporting Requirements

The Judicial Council is required to submit an annual report on the program to the Joint Legislative Budget Committee by October 1 for fiscal years 2022–23, 2023–24, and 2024–25. The report must specifically contain the following:

- How the funding has been allocated;
- How the funding has or will be used by each court;
- The structure of the program at each court;
- The roles and responsibilities of the court and its contractors;
- Any implementation challenges or other challenges faced; and
- Key data outcomes by each court, including the following:
  - Number of filings (cases) addressed, by type of order;
  - Number of firearm-related background checks conducted;
  - Range and average number of days from the firearm and ammunition prohibition by the court to removing or confirming relinquishment;
  - Number of individuals who relinquish firearms voluntarily;
  - Number of firearms relinquished to law enforcement and licensed gun dealers; and
  - Number of firearms removed by law enforcement and their disposition.[4]

This annual report covers the activities of the program for fiscal year 2023–24. Key data outcomes for each court are reported for the 13-month period from February 1, 2023, through March 31, 2024, unless otherwise noted.

Differences in Program Structure and Impact on Data

As this program represents the first court-based firearm relinquishment program funded by the state, most of the programs described below are pilot programs. Different approaches have been taken by the programs, including:

[3] All civil restraining orders issued in California must include a firearm restriction that prohibits the restrained person from owning or having firearms and ammunition.

[4] Programs were able to report on the number of firearms removed by law enforcement; however, the disposition of these firearms is not being reported as courts do not have this information.

- Limiting implementation to a specific jurisdiction within the county;
- Investing in technological solutions;
- Starting a new program versus enhancing an existing program; and
- Focusing on specific case types (e.g., gun violence restraining orders) in which firearms are typically removed at the same time the order is granted.

As such, comparing data between programs may lead to inaccurate conclusions. Additionally, courts could use program funds for various activities, such as conducting firearm background checks. Many cases, after court or law enforcement inquiry, did not involve the prohibited person having firearms. Therefore, the number of cases involving relinquishment may be low when compared to the total number of cases reviewed by the program. Finally, some courts are still developing processes for data collection and therefore information regarding key outcomes for each program will differ.

The eight awarded courts include the following:

1. Superior Court of Los Angeles County;
2. Superior Court of Modoc County;
3. Superior Court of Orange County;
4. Superior Court of San Diego County;
5. Superior Court of San Francisco County;
6. Superior Court of San Mateo County;
7. Superior Court of Santa Clara County; and
8. Superior Court of Ventura County.

Collection of Data and Other Information

With input from programs, the Judicial Council created a data collection tool to collect the information and data described above for all cases funded by this program. Training on the tool was offered as well as ongoing technical assistance. The Judicial Council also surveyed participating courts to report on program successes, challenges, and use of funding.

Overview of Program Outcomes

A total of over 1,300 cases were reviewed during the first year of implementation. Of the cases reviewed, over 400 cases, or approximately 33%, resulted in relinquishment by the prohibited person. Over 1,600 firearms were relinquished, 62% were relinquished to law enforcement and 38% were relinquished to licensed gun dealers. A summary of relinquishment data is provided in the appendix, tables C and D.

1. Superior Court of Los Angeles County

The Superior Court of Los Angeles County, in partnership with the Los Angeles County Sheriff's Department and Los Angeles Police Department, established a new program to ensure firearms compliance in domestic violence restraining order cases.

Program Structure and Milestones

The primary component of this program is to develop a new portal that allows the court to quickly notify all 88 law enforcement agencies in Los Angeles County of firearm noncompliance in domestic violence restraining order cases. Once notified, law enforcement investigates and enforces the order. The portal is anticipated to launch in January 2025. The program also includes relinquishment efforts by the Los Angeles sheriff's and police departments. Upon receiving notice by the court that a restrained person is noncompliant, officers from these agencies investigate and enforce the restraining order. The sheriff's department has also created a task force to train and oversee relinquishment efforts within the department. The police department has a specially assigned coordinator who serves as the point of contact for the program. The court is also working closely with the Los Angeles County District Attorney's Office, which has designated two people to coordinate on this program.

Milestones include:

- Creating a protocol for judicial officers that identifies noncompliant cases and tracks relinquishment activities;
- Creating a protocol for notifying the appropriate law enforcement agency and prosecuting agency of noncompliant cases;
- Training judicial officers on the relinquishment requirements of Senate Bill 320 (Eggman; Stats. 2021, ch. 685);[5]
- Training 100 sheriff's department personnel on firearm relinquishment procedures;
- Creating a space for storing firearms with the sheriff's department;
- Identifying technical requirements for the portal, in partnership with key stakeholders, including the district attorney's office;
- Developing and testing of the foundational features of the portal;
- Providing demonstrations of the portal for court and external partners;
- Developing a strategy for onboarding all 88 law enforcement agency partners onto the portal;
- Informing the public of the new program (press conference held January 2024);[6] and
- Commencing investigation and enforcement efforts by Los Angeles police and sheriff's departments.

[5] Available at *https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB320*.

[6] Los Angeles Police Dept. Newsroom, "Multi-Agency Firearms Relinquishment Grant Award NR24030ml," January 29, 2024, *www.lapdonline.org/newsroom/multi-agency-firearms-relinquishment-grant-award-nr24030ml/*.

Implementation Considerations

Executing memorandums of understanding took significantly longer than anticipated. This led to a delay in partnering with law enforcement agencies in implementing relinquishment efforts. The Los Angeles Police Department began relinquishment efforts in February 2024 and the Los Angeles County Sheriff's Department began their relinquishment efforts in March 2024. As a result, the data provided below reflects a longer reporting period (16 months from February 2023 through June 2024) as the vast majority of relinquishment activity occurred between March and June of 2024.

Budget

Los Angeles was awarded a total of $4,271,000. An overview of their budget is provided below.

	Personnel	Operations	Total	% of Total Award
Court	$140,217	$513,783	$654,000	15%
Law Enforcement	$3,389,159	$227,840	$3,617,000	85%
Total Award			**$4,271,000**	100%

Key Outcomes

A total of 108 firearms were relinquished by 41 individuals during the first sixteen months of the program. Most program-funded cases were civil domestic violence (84 percent), and all received a firearm background check by either law enforcement (62 percent) or jointly by the court and law enforcement (38 percent). Most individuals relinquished voluntarily (88 percent). Firearms were relinquished more often to a licensed gun dealer (69 percent) than to law enforcement (31 percent) and were relinquished between 0 and 268 days after the court order, with an average of 49.5 days.

All key outcomes are provided below.

Cases Reviewed by Program		
Case Type	**Number of Cases**	**% of Total Cases**
Domestic Violence (Civil)	109	84%
Civil Harassment	11	9%
Criminal	4	3%
Elder Abuse	2	2%
Gun Violence	1	<1%
Juvenile	1	<1%
Workplace Violence	1	<1%
Total	**129**	**100%**

Cases Reviewed by Program that Involved Relinquishment		
Case Type	**Number of Cases**	**% of Total Cases**
Domestic Violence (Civil)	33	81%
Civil Harassment	5	12%
Criminal	1	2%
Elder abuse	1	2%
Other	1	2%
Total	**41***	**100%†**

* This total is a subset of the total 129 program-funded cases. One case was omitted from analysis because the date of relinquishment was unknown.

† Percentages do not total 100% due to rounding.

Firearm Background Check		
Source of Background Check	**Number Conducted**	**% of Total Checks**
Court Only	0	0%
Law Enforcement Agency Only	80	62%
Both Court and Law Enforcement Agency	49	38%
Total Firearm Background Checks	**129**	**100%**

Number of Days Between Court Order and Relinquishment				
	Number of Cases	**Range in Days**	**Mean Days**	**Median Days**
Relinquishments	41	0–268	49.5	14

Relinquishment Agency		
	Number of Firearms	**% of Firearms**
Relinquished to Law Enforcement	33	31%
Relinquished to Licensed Gun Dealer	75	69%
Total Number of Firearms Relinquished	**108**	**100%**

Voluntary vs. Involuntary Relinquishment		
	Number of Individuals	**% of Individuals**
Individuals Who Relinquished Voluntarily	36	88%
Individuals Who Relinquished Involuntarily	5	12%
Total Number of Individuals	**41**	**100%**

2. Superior Court of Modoc County

The Superior Court of Modoc County, in partnership with the Modoc County Sheriff's Office, established a new program to ensure firearms compliance in civil and criminal cases.

Program Structure and Milestones

The court is responsible for creating procedures for reviewing noncompliance in domestic violence restraining order and criminal cases. The Modoc County Sheriff's Office is responsible for serving all domestic violence restraining orders and criminal protective orders, and conducting relinquishment efforts, as needed.

Milestones include:

- Implementing firearm background checks for all relevant case types;
- Creating a local court form, *Declaration of Restrained Person Re: Firearms*,[7] that allows a restrained person to indicate when they do not have any firearms, or that they have firearms and that they understand the relinquishment requirements;
- Creating a procedure for notifying the sheriff's office of firearms noncompliance;
- Outreach to other agencies, including domestic violence agencies, to provide information about the program and identify opportunities to collaborate; and
- Setting hearings to review compliance with firearm restrictions, as needed.

Implementation Considerations

Modoc is a small county that often requires individual staff members to perform multiple roles. Because implementation has involved adding additional responsibilities to existing court and law enforcement personnel, collecting data for this program has been difficult as court and sheriff resources are limited. The program will continue to work with the Judicial Council to identify strategies for collecting data and measuring outcomes.

Budget

Modoc was awarded a total of $529,544. An overview of their budget is provided below.

	Personnel	Operations	Total	% of Total Award
Court	$254,490	$6,800	$261,290	49%
Law Enforcement	$231,672	$36,582	$268,254	51%
Total Award			**$529,544**	100%

[7] Available at *www.modoc.courts.ca.gov/system/files/declaration-restrained-person-regarding-firearms.pdf*.

Key Outcomes

From February 1, 2023, through March 31, 2024, 36 domestic violence restraining orders were filed with the court. For each restraining order filed, the sheriff's office conducted a firearm-related background check, based on the court's request. During this same period, the court set six compliance review hearings. The court has a practice of setting a review hearing when information is provided that the restrained person may have firearms in their possession or control. Additional outcomes will be provided in the next report, as data collection is still under development for this program.

3. Superior Court of Orange County

The Superior Court of Orange County, in partnership with the Anaheim Police Department, established a new program to ensure firearms compliance in civil domestic violence restraining order cases.

Program Structure and Milestones

The court is responsible for creating procedures for reviewing firearms compliance for domestic violence restraining order cases, notifying the appropriate law enforcement agency when a restrained person is noncompliant, and working with law enforcement and community stakeholders on training related to firearms relinquishment. The Anaheim Police Department is responsible for investigating all cases in which the court has found a restrained person noncompliant with the firearm restriction.

Milestones include:

- Developing court procedures to identify noncompliant cases, track their progress, and set review hearings;
- Obtaining software that can be used to determine which law enforcement agency has jurisdiction over a restrained person based on their address;
- Identifying judicial leadership for the program and creating resources for judges;
- Implementing the California Court Protective Order Restraining Order system[8] for use by the court and other law enforcement agencies to use as a tracking tool for compliance, including providing training and establishing over 1,000 user accounts for court and law enforcement staff;
- Hiring consultants to evaluate program structure and provide multiday training for judges and court staff;
- Hosting an all-day law enforcement summit to strengthen the countywide response to firearm relinquishment;
- Strengthening the partnership with the Orange County District Attorney's Office to ensure compliance with SB 320 and other laws;
- Creating a new local court form, *How to Safely Turn in Firearms and Ammunition*;[9]
- Meeting with law enforcement agencies, both locally and statewide, to gain understanding of gun relinquishment protocols; and
- Increasing firearm compliance in domestic violence restraining order cases, with a projection of almost 500 firearms relinquished for the first year of the grant.

[8] This system, also referred to as CCPOR, is a restraining order registry maintained by the Judicial Council. It is a secure system that contains scanned images of restraining orders.

[9] Available at *https://www.occourts.org/system/files/general/l3035.pdf*.

Implementation Considerations

Due to delays in executing a memorandum of understanding with the police department and damage caused by storms that required closure of law enforcement workspace, the Anaheim Police Department began their program activities later than anticipated. Public emergencies in Anaheim also contributed to delays in implementing program activities. Court staff notes that more guidance is needed on how to update a case file and statewide restraining order databases when a restrained person has fully complied with the firearms prohibition. Additionally, the district attorney's office would benefit from remote access to restraining order records.

Budget

Orange was awarded a total of $1,551,777. An overview of their budget is provided below.

	Personnel	Operations	Total	% of Total Award
Court	$776,994	$285,310	$1,062,304	68%
Law Enforcement	$412,373	$77,100	$489,473	32%
Total Award			**$1,551,777**	100%

Key Outcomes

A total of 296 firearms were relinquished by 87 individuals during the first ten months of the program. All program-funded cases were civil domestic violence, and all received a firearms background check by either the court (89 percent) or jointly by the court and law enforcement (11 percent). Nearly all individuals (99 percent) relinquished voluntarily. Firearms were relinquished more often to a licensed gun dealer (67 percent) than law enforcement (33 percent) and relinquished between 0 and 71 days after the court order, with an average of 14.5 days.

All key outcomes are provided below.[10]

Cases Reviewed by Program		
Case Type	**Number of Cases**	**Total**
Domestic Violence (Civil)	87	100%

Cases Reviewed by Program that Involved Relinquishment		
Case Type	**Number of Cases**	**Total**
Domestic Violence (Civil)	87	100%

[10] The data reported for this program reflects a shorter period (10 months from July 2023 through April 2024) as it was awarded in Cycle 2 of the program.

Firearm Background Checks		
Source of Background Check	**Number Conducted**	**% of Total Checks**
Court Only	77	89%
Law Enforcement Agency Only	0	0%
Both Court and Law Enforcement Agency	10	11%
Total Firearm Background Checks	**87**	**100%**

Number of Days Between Court Order and Relinquishment				
	Number of Cases	**Range in Days**	**Mean Days**	**Median Days**
First Relinquishment	87	0–71	14.5	8
Second Relinquishment*	3	9–47	Too few to calculate	Too few to calculate

* Individual relinquished firearm a second time.

Relinquishment Agency		
	Number of Firearms	**% of Firearms**
Relinquished to Law Enforcement	99	33%
Relinquished to Licensed Gun Dealer	197	67%
Total Number of Firearms Relinquished	**296**	**100%**

Voluntary vs. Involuntary Relinquishment		
	1st Relinquishment	**2nd Relinquishment***
Individuals Who Relinquished Voluntarily	86	2
Individuals Who Relinquished Involuntarily	1	1
Total Number of Individuals Who Relinquished	**87**	**3**

* Individual relinquished firearm a second time.

4. Superior Court of San Diego County

The Superior Court of San Diego County, in partnership with the San Diego Police Department, expanded an existing program to ensure firearms compliance in gun violence restraining order cases.

Program Structure and Milestones

The court's role in the program is to coordinate with law enforcement agencies and fulfill grant requirements. Initially, the court partnered with the San Diego Police Department to perform relinquishment activities. Moving forward, the court seeks to expand the program by also partnering with the San Diego City Attorney's Office, which will work with the San Diego Police Department to coordinate relinquishment activities. The court also seeks to expand relinquishment activities to other cases, including domestic violence restraining order cases.

Milestones include:

- Increasing coordination among the court and key stakeholders, resulting in updated protocols to address gaps in communication;
- Developing protocols to increase firearms compliance for other case types;
- Hosting a countywide gun violence prevention event on June 20, 2024, that shared best practices and experiences. Over 80 participants attended from various agencies;
- Developing plans to implement a new gun violence task force that will be responsible for conducting initial investigation of cases, training, and coordinating responses with other local law enforcement agencies;
- Exploring strategies to increase voluntary compliance, including providing a local form to explain requirements and provide resources; and
- Removing over 400 firearms from prohibited persons.

Implementation Considerations

Initially, communication was not streamlined and led to confusion with how noncompliance was being reported. Additionally, staff turnover and shortages and leadership changes for law enforcement led to delays in establishing the new gun violence task force. Increased communication between the court and partnered agencies has led to improved protocols. Bringing in the city attorney's office as an additional partner to help triage cases for investigation and coordinate relinquishment activities will help the program continue to expand.

Budget

San Diego was awarded a total of $2,346,843. An overview of their budget is provided below.

	Personnel	Operations	Total	% of Total Award
Court	$334,549	$0	$334,550	14%
Law Enforcement	$2,012,293	$0	$2,012,293	86%
Total Award			**$2,346,843**	100%

Key Outcomes

A total of 439 firearms were relinquished by 93 individuals during the first 13 months of the program. All program-funded cases were gun violence restraining orders, and all received a firearm background check by either law enforcement (69 percent) or jointly by the court and law enforcement (31 percent). All individuals involuntarily relinquished to law enforcement. Firearms were relinquished between 0 and 5 days after the court order, with an average of 0.14 days.

All key outcomes are provided below.

Cases Reviewed by Program		
Case Type	**Number of Cases**	**Total**
Gun Violence	93	100%

Cases Reviewed by Program that Involved Relinquishment		
Case Type	**Number of Cases**	**Total**
Gun Violence	93	100%

Firearm Background Checks		
Source of Background Check	**Number Conducted**	**% of Total Checks**
Court Only	0	0.0%
Law Enforcement Agency Only	64	69%
Both Court and Law Enforcement Agency	29	31%
Total Firearm Background Checks	**93**	**100%**

Number of Days Between Court Order and Relinquishment				
	Number of Cases	**Range in Days**	**Mean Days**	**Median Days**
First Relinquishment	93	0–5	0.14	0
Second Relinquishment*	2	0–5	Too few to calculate	Too few to calculate

* Individual relinquished firearm a second time.

Relinquishment Agency		
	Number of Firearms	**% of Firearms**
Relinquished to Law Enforcement	439	100%
Relinquished to Licensed Gun Dealer	0	0%
Total Number of Firearms Relinquished	**439**	**100%**

Voluntary vs. Involuntary Relinquishment		
	1st Relinquishment	**2nd Relinquishment***
Individuals Who Relinquished Voluntarily	0	0
Individuals Who Relinquished Involuntarily	93	2
Total Number of Individuals	**93**	**2**

* Individual relinquished firearm a second time.

5. Superior Court of San Francisco County

The Superior Court of San Francisco County, in partnership with the San Francisco Sheriff's Department, established a new partnership to ensure firearms compliance in domestic violence and other civil restraining order cases.

Program Structure and Milestones

The court has established internal procedures that includes running firearm background checks for every domestic violence restraining order case, conducting compliance review hearings when information is presented that the restrained person may have firearms, and notifying the Sheriff's Department of noncompliant individuals. The San Francisco Sheriff's Department investigates cases in which the court has found that the restrained person has a firearm, in violation of the court order.

Milestones include:

- Creating a protocol for notifying the sheriff's department of noncompliance;
- Holding monthly meetings with leadership from the sheriff's department to review program outcomes and protocols;
- Conducting firearm background checks on a daily basis for domestic violence and juvenile restraining orders;
- Adopting two new local forms:
  - *Declaration Regarding Restrained Party's Firearm(s), Firearm Parts, Ammunition, and/or Body Armor*[11] (to be completed by the person seeking a restraining order to help the court identify possible firearms that the restrained person may have);
  - *Findings Re Non-compliance With Order to Relinquish Firearm(s), Firearm Parts, Ammunition, and/or Body Armor*[12] (to be completed by the court to provide information on why a compliance review hearing has been set);
- Expanding court's self-help services to include assistance with new local firearm forms;
- Partnering with a nonprofit community organization, the Cooperative Restraining Order Clinic, to provide self-help services in the courtroom, including immediate preparation of restraining order forms following each court hearing and explaining next steps in the process; and
- Establishing a dedicated phone line to answer questions related to the domestic violence restraining order process.

[11] Available at *https://sf.courts.ca.gov/system/files/forms-and-filings/frgpdeclarationform_ufc_civ_optional.pdf*.

[12] Available at *https://sf.courts.ca.gov/system/files/forms-and-filings/frgp-findings_0.pdf*.

Implementation Considerations

The court and the sheriff's department have been unable to fill essential positions for the program. Additional partnerships with other local law enforcement agencies were also explored but did not result in formalized partnerships for this program. The court will continue to work with the sheriff's department to increase coordination and relinquishment efforts. At the time of this report, the program did not have sufficient data to report on law enforcement efforts and other outcomes due to lack of staffing.

Budget

San Francisco was awarded a total of $2,000,000. An overview of their budget is provided below.

	Personnel	Operations	Total	% of Total Award
Court	$1,331,995	$31,112	$1,363,107	68%
Law Enforcement	$563,093	$73,800	$636,893	32%
Total Award			**$2,000,000**	100%

Key Outcomes

From February 1, 2023, through March 31, 2024, 844 domestic violence restraining orders were filed with the court. The court ran a total of 2,436 firearm-related background checks, as checks are done before every hearing on a domestic violence restraining order case and some cases have multiple hearings before issues are resolved. From April through June of 2024, the sheriff's department handled an average of 7 cases per month. Additional outcomes will be provided in the next report.

6. Superior Court of San Mateo County

The Superior Court of San Mateo County, in partnership with the San Mateo County District Attorney's Office, established a new partnership to ensure firearms compliance in domestic violence, gun violence, and other civil restraining order cases.

Program Structure and Milestones

The court is responsible for creating and implementing procedures for reviewing firearms compliance in civil restraining order cases, notifying the appropriate law enforcement agency when a restrained person is noncompliant, providing assistance with restraining orders in the self-help center and courtroom, and informing community stakeholders on the program and its progress. The district attorney's office is responsible for investigating court-referred cases; obtaining search warrants, as needed; and leading relinquishment efforts, in coordination with other law enforcement agencies throughout the county.

Milestones include:

- Running firearm background checks on all restrained persons;
- Expanding self-help services by hiring an attorney to assist with restraining orders in-person and through live chat;
- Informing every party of the firearm prohibitions and relinquishment procedures in court;
- Providing self-help services in the courtroom, including immediate preparation of restraining order forms following each court hearing and explaining the next steps in the process;
- Setting compliance review hearings in all family law departments;
- Providing county-specific information on how to relinquish firearms;
- Assigning two detectives to investigate all court-referred cases;
- Implementing protocols that have led to an increase in the number of proofs of relinquishment filed;
- Creating a task force to coordinate relinquishment efforts in the county; and
- Exploring expansion of a program to cover criminal cases, with the potential of providing additional resources to the probation department.

Implementation Considerations

With over 20 law enforcement agencies in the county and limited city resources, consistent implementation of firearm prohibitions has been a challenge. Sustainability is also a challenge as current funding will expire within the next year or two.

Budget

San Mateo was awarded a total of $4,859,905. An overview of their budget is provided below.

	Personnel	Operations	Total	% of Total Award
Court	$2,158,294	$0	$2,158,294	44%
Law Enforcement	$2,701,611	$0	$2,701,611	56%
Total Award			**$4,859,905**	100%

Key Outcomes

A total of 93 firearms were relinquished by 32 individuals during the first thirteen months of the program. Most program-funded cases were civil domestic violence (68 percent), and all received a firearm background check by either law enforcement (33 percent) or jointly by the court and law enforcement (67 percent). Most individuals (63 percent) relinquished involuntarily to law enforcement. Firearms were relinquished to a licensed gun dealer (49 percent) and law enforcement (51 percent) at nearly the same rate and relinquished between 0 and 129 days after the court order, with an average of 18 days.

All key outcomes are provided below.

Cases Reviewed by Program		
Case Type	**Number of Cases**	**% of Total Cases**
Domestic Violence	318	68%
Gun Violence	22	5%
Civil Harassment	99	21%
Elder Abuse	27	6%
Workplace Violence	3	<1%
Total	**469**	**100%**

Cases Reviewed by Program that Involved Relinquishment		
Case Type	**Number of Cases**	**% of Total Cases**
Domestic Violence	11	34%
Gun Violence	18	56%
Civil Harassment	3	9%
Total	**32**	**100%†**

* This total is a subset of the total 469 program-funded cases.

† Percentages do not total 100% due to rounding.

Firearm Background Checks		
Source of Background Check	**Number Conducted**	**% of Total Checks**
Court Only	0	0%
Law Enforcement Agency Only	156	33%
Both Court and Law Enforcement Agency	313	67%
Total Firearm Background Checks	**469**	**100%**

Number of Days Between Court Order and Relinquishment				
	Number of Cases	**Range in Days**	**Mean Days**	**Median Days**
Relinquishments	32	0–129	18	2

Number of Days Between Date of Notice and Relinquishment*				
	Number of Cases	**Range in Days**	**Mean Days**	**Median Days**
Relinquishments	32	0–129	15.6	1.5

***** The program collected this additional data point because the restrained person is required to relinquish only after they have received proper notice of the court order. Additionally, the restrained person may not be aware of the order at the time it is granted. Therefore, measuring the time it takes the restrained person to relinquish after they have received notice is a better measurement.

Relinquishment Agency		
	Number of Firearms	**% of Firearms**
Relinquished to Law Enforcement	47	51%
Relinquished to Licensed Gun Dealer	46	49%
Total Number of Firearms Relinquished	**93**	**100%**

Voluntary vs. Involuntary Relinquishment	
	Number
Individuals Who Relinquished Voluntarily	12 (37%)
Individuals Who Relinquished Involuntarily	20 (63%)
Total Number of Individuals	**32 (100%)**

7. Superior Court of Santa Clara County

The Superior Court of Santa Clara County, in partnership with the Santa Clara County District Attorney's Office, established a new program to ensure firearms relinquishment in civil and criminal cases.

Program Structure and Milestones

The court is responsible for creating and implementing procedures for reviewing firearms compliance in civil and criminal cases, including setting compliance review hearings, notifying the appropriate law enforcement agency when a prohibited person is noncompliant, and providing assistance with restraining orders in the self-help center. The district attorney's office is responsible for investigating all cases in which a person has been found noncompliant with firearm relinquishment orders; triaging cases to respond to emergent cases first; requesting search warrants, when needed; and participating in countywide efforts to increase compliance and reduce gun violence.

Milestones include:

- Developing a court process for screening cases to identify individuals with firearms;
- Court specialist reviewing approximately 500 domestic violence restraining order petitions per month to flag whether a petitioner has identified firearms that may be in the proposed restrained person's possession;
- Adopting a local court form, *Declaration Regarding Restrained Person's Firearms*[13] (to be completed by the person seeking a restraining order to help the court identify possible firearms that the prohibited person may have);
- Increasing the assistance in the court's self-help center to help individuals seeking a restraining order describe firearms in the possession of the other party;
- Setting an average of 50 compliance review hearings per month by the family law court;
- Developing a process to notify a law enforcement partner of noncompliance;
- Developing protocols for screening of noncompliant cases by investigators with the district attorney's office, including triage of cases to prioritize the response to emergent cases;
- Providing regular training to court staff on firearm relinquishment law and procedures and providing program information to stakeholders, including the local bar association; and
- Participating on the Gun Safety and Violence Prevention Work Group to coordinate on countywide firearm prevention efforts.

[13] Available at *https://santaclara.courts.ca.gov/system/files/forms/cv-5103_fm-1200.pdf*.

Implementation Considerations

Collecting data to capture key program activities has been a challenge. Many cases that are investigated do not result in relinquishment because the prohibited person does not have or no longer has firearms. Partners will work together with Judicial Council staff to identify strategies for capturing this data. Program partners are also working toward increasing activities for criminal cases, including holding compliance review hearings and providing investigative support to other law enforcement agencies. Data collection in criminal cases will be a challenge as details of relinquishment may not be readily available to the court.

Budget

Santa Clara was awarded a total of $3,080,253. An overview of their budget is provided below.

	Personnel	Operations	Total	% of Total Award
Court	$956,982	$162,558	$1,119,540	36%
Law Enforcement	$1,935,713	$25,000	$1,960,713	64%
Total Award			**$3,080,253**	100%

Key Outcomes

A total of 400 firearms were relinquished by 92 individuals during the first 13 months of the program. Most program-funded cases were civil domestic violence (32 percent) and gun violence (59 percent), and all received a firearm background check by law enforcement. Nearly all individuals relinquished voluntarily (98 percent). Firearms were relinquished more often to law enforcement (61 percent) than a licensed gun dealer (39 percent) and were relinquished between 0 and 187 days after the court order, with an average of 29.7 days.

All key outcomes are provided below.

Cases Reviewed by Program		
Case Type	**Number of Cases**	**% of Total Cases**
Domestic Violence	109	32%
Gun Violence	203	59%
Civil Harassment	21	6%
Elder Abuse	3	1%
Criminal	9	2%
Total	**345**	**100%**

Cases Reviewed by Program that Involved Relinquishment		
Case Type	**Number of Cases**	**% of Total Cases**
Domestic Violence	62	65%
Gun Violence	11	11%
Civil Harassment	16	17%
Elder Abuse	1	1%
Criminal	6	6%
Total	**96***	**100%**

* This total is a subset of the 345 total program-funded cases.

Firearm Background Checks		
Source of Background Check	**Number Conducted**	**% of Total Checks**
Court Only	0	0%
Law Enforcement Agency Only	345	100%
Both Court and Law Enforcement Agency	0	0%
Total Firearm Background Checks	**345**	**100%**

Number of Days Between Court Order and Relinquishment				
	Number of Cases	**Range in Days**	**Mean Days**	**Median Days**
Cases With Relinquishment	93*	0–187	29.7	19

* A total of 96 cases had data on relinquishment of firearms, however, 3 cases were excluded from the analysis because they had relinquishment dates that were earlier than the date of the order.

Relinquishment Agency		
	Number of Firearms	**% of Firearms**
Relinquished to Law Enforcement	244	61%
Relinquished to Licensed Gun Dealer	156	39%
Total Number of Firearms Relinquished	**400**	**100%**

Voluntary vs. Involuntary Relinquishment	
	Number of Individuals
Individuals Who Relinquished Voluntarily	90 (98%)
Individuals Who Relinquished Involuntarily	2 (2%)
Total Number of Individuals*	**92** (100%)

* A total of 96 individuals relinquished at least one firearm; however, for four cases no information was provided on whether relinquishment occurred voluntarily. Therefore, those cases were excluded from the analysis.

8. Superior Court of Ventura County

The Superior Court of Ventura County, in partnership with the Ventura County District Attorney's Office, established a program to ensure firearms relinquishment in domestic violence, gun violence, and other civil restraining order cases.

Program Structure and Milestones

The court is responsible for creating and implementing procedures for reviewing firearms compliance in civil restraining order cases, including setting compliance review hearings, notifying the appropriate law enforcement agency when a restrained person is noncompliant, and informing restrained persons of relinquishment procedures. The district attorney's office is responsible for investigating cases referred by the court, coordinating relinquishment efforts with other law enforcement agencies, and filing the results of their investigation with the court.

Milestones include:

- Hiring a dedicated administrator to run firearm background checks for all domestic violence and gun violence restraining orders;
- Hiring a specially assigned investigator from the district attorney's office to serve as the lead law enforcement contact for the program;
- Setting compliance review hearings when information has been presented that a restrained person may have firearms;
- Developing a process to notify the investigator and other appropriate law enforcement agencies of noncompliance;
- Standardizing case management systems to collect needed data and outcomes for the program; and
- Implementing protocols that have led to an increase in the number of proofs of relinquishment filed;

Implementation Considerations

Executing the memorandums of understanding took significantly longer than anticipated, causing a delay in commencing relinquishment activities. Communication was also a challenge before a dedicated court administrator was hired for the program. Once the administrator was hired, the investigator from the district attorney's office had one point of contact with the court and could more easily access court records and information. Partners also found that some law enforcement agencies were unfamiliar with the gun violence restraining order process. As a result, resources and training on gun violence restraining orders was provided by the district attorney's office.

Budget

Ventura was awarded a total of $1,428,740. An overview of their budget is provided below.

	Personnel	Operations	Total	% of Total Award
Court	$230,451	$61,090	$291,541	20%
Law Enforcement	$912,782	$224,417	$1,137,199	80%
Total Award			**$1,428,740**	100%

Key Outcomes

A total of 277 firearms were relinquished by 79 individuals during the first thirteen months of the program. Most program-funded cases were civil domestic violence (77 percent), and most received a firearm background check. The vast majority of individuals (89 percent) relinquished voluntarily. Firearms were relinquished to law enforcement (52 percent) and licensed gun dealers (48 percent) at close to the same rate and were relinquished between 0 and 107 days after the court order, with an average of 13 days.

All key outcomes are provided below.

Cases Reviewed by Program		
Case Type	**Number of Cases**	**% of Total Cases**
Domestic Violence	144	77%
Gun Violence	4	2%
Civil Harassment	23	12%
Elder Abuse	8	4%
Workplace Violence	1	<1%
Criminal	7	4%
Other	1	<1%
Total	**188**	**100%**

Cases Reviewed by Program that Involved Relinquishment		
Case Type	**Number of Cases**	**% of Total Cases**
Domestic Violence	63	80%
Civil Harassment	6	8%
Criminal	7	9%
Elder Abuse	2	2%
Other	1	1%
Total	**79***	**100%**

* This total is a subset of the 188 total program-funded cases.

Firearm Background Checks		
Source of Background Check	**Number Conducted**	**% of Total Checks**
Court Only	81	54%
Law Enforcement Agency Only	4	2%
Both Court and Law Enforcement Agency	19	13%
Background Check Conducted But Source Unknown	46	31%
Total Firearm Background Checks*	**150**	**100%**

* Thirty-eight cases did not have a firearm background check.

Number of Days Between Court Order and Relinquishment				
	Number of Cases	**Range in Days**	**Mean Days**	**Median Days**
First Relinquishment	72*	0–107	13.0	6
Second Relinquishment†	4‡	8–25	13.2	10

* Although 79 cases involved relinquishment of firearms, 7 cases had relinquishment dates that were earlier than the date of the order and were therefore excluded from the analysis.

† Individual relinquished firearm a second time.

‡ Five cases had firearms relinquished on two separate dates; however, one of the cases had a second relinquishment date earlier than the date of the order and thus was excluded from the analysis.

Relinquishment Agency		
	Number of Firearms	**% of Firearms**
Relinquished to Law Enforcement	145	52%
Relinquished to Licensed Gun Dealer	132	48%
Total Number of Firearms Relinquished	**277**	**100%**

Voluntary vs. Involuntary Relinquishment		
	First Relinquishment	**Second Relinquishment***
Individuals Who Relinquished Voluntarily	70 (89%)	4 (100%)
Individuals Who Relinquished Involuntarily	9 (11%)	0 (0%)
Total Number of Individuals	**79** (100%)	**4** (100%)

* Individual relinquished firearm a second time.

Summary of Successes and Challenges

Although several of the firearm relinquishment programs experienced delays in implementation, in total, the programs were able to successfully recover over 1,600 firearms from 424 prohibited individuals. Data collection was a challenge, as much of the data must be collected manually by the courts and by law enforcement agencies.

Future Activities

Several courts are working to expand their programs to address firearms compliance in additional case types. All programs will continue to coordinate with their law enforcement agency partner to improve firearms compliance. Programs will also need to seek additional funding to sustain or expand their programs. Although Assembly Bill 28 (Gabriel; Stats. 2023, ch. 231), the Gun Violence Prevention and School Safety Act, imposes an excise tax on firearm sales and thus provides possible ongoing funding for court-based firearm relinquishment programs, it is dependent on sufficient revenue from the tax and would provide a maximum of $15 million to the Judicial Council on an annual basis.

The Judicial Council will secure an independent evaluator for the program, as required by the enabling legislation, and will continue to work with each program to identify additional metrics to evaluate outcomes. The council will also review and approve recommendations for a third cycle of funding. Approved courts will be notified in November 2024 and will participate in the program from December 1, 2024 through June 30, 2026.[14]

[14] Under the Budget Act of 2024 (Assem. Bill 107; Stats. 2024, ch. 22), up to $10.8 million of the total program funding is available for encumbrance or expenditure through June 30, 2026.

Appendix: Firearms Relinquishment Grant Program—Allocations and Summary of Data

Table A: Allocations for Cycles 1 and 2

#	Recipient Court	Region/Court Size	Funding Allocation
1	Los Angeles	Southern California/Large	$4,271,000
2	Modoc	Northern California/Small	$529,544
3	Orange	Southern California/Large	$1,551,777
4	San Diego	Southern California/Large	$2,346,843
5	San Francisco	Bay Area/Medium	$2,000,000
6	San Mateo	Bay Area/Medium	$4,859,905
7	Santa Clara	Greater Bay Area/Large	$3,080,253
8	Ventura	Central California/Medium	$1,428,740
			Total $20,068,062

Table B: Allocations to Court and Law Enforcement

#	Recipient Court	Court Allocation	%	Law Enforcement Allocation	%	Total Allocation
1	Los Angeles	$654,000	15%	$3,617,000	85%	$4,271,000
2	Modoc	$261,290	49%	$268,254	51%	$529,544
3	Orange	$1,062,304	68%	$489,473	32%	$1,551,777
4	San Diego	$334,550	14%	$2,012,293	86%	$2,346,843
5	San Francisco	$1,363,107	68%	$636,893	32%	$2,000,000
6	San Mateo	$2,158,294	44%	$2,701,611	56%	$4,859,905
7	Santa Clara	$1,119,540	36%	$1,960,713	64%	$3,080,253
8	Ventura	$291,541	20%	$1,137,199	80%	$1,428,740
	Total	$7,244,626	36%	$12,823,436	64%	$20,680,062

Table C: Total Cases Reviewed by Programs

#	Recipient Court	Cases Reviewed by Program	Cases Reviewed by Program that Involved Relinquishment
1	Los Angeles	129	41
2	Modoc	Data will be included in next report	
3	Orange	87	87
4	San Diego	93	93
5	San Francisco	Data will be included in next report	
6	San Mateo	469	32
7	Santa Clara	345	96
8	Ventura	188	79
Total		1,311	428

Table D: Select Relinquishment Data

#	Recipient Court	Number of Individuals Who Relinquished	Number of Firearms Relinquished	% of Firearms Relinquished to Law Enforcement	% of Firearms Relinquished to Licensed Gun Dealers
1	Los Angeles	41	108	31%	69%
2	Modoc	Data will be included in next report			
3	Orange	87	296	33%	67%
4	San Diego	93	439	100%	0%
5	San Francisco	Data will be included in next report			
6	San Mateo	32	93	51%	49%
7	Santa Clara	92	400	61%	39%
8	Ventura	79	277	52%	48%
Total		424	1,613	62%	38%