

Preventing Domestic Violence Related Firearms Injuries and Fatalities

The presence of firearms in dangerous or abusive situations can increase the likelihood of severe injury or fatality. Our communities must be aware of the many options and resources available when seeking safety in California, including Domestic Violence Restraining Orders (DVRO) and Gun Violence Restraining Orders (GVRO). These and other civil and criminal legal remedies can prohibit a restrained person from having firearms and ammunition and can help save lives. Understanding the difference can help providers and those in crisis plan for safety.



Domestic Violence Restraining Order (DVRO)

Gun Violence Restraining Order (GVRO)

Is a victim/survivor of violence protected from the person in the court order when the other person is restrained from having guns/ammo?



Yes, a “restrained party” will be prohibited from having guns/ ammo, and the DVRO names a “protected person” (or people).



No, GVROs only prohibit the person named in the order from having guns/ammo.

Can the restrained person be ordered to stay away from a certain place or people, get treatment, or turn over certain property?



Yes, DVROs usually prevent the restrained party from going to the protected person’s home or workplace and can include many other orders.



No, GVROs only prohibit the restrained person from having guns/ammo.

Is the court required to give the restrained person info on how to sell or store their guns?



Yes, Courts must provide local information about how restrained parties can sell or store their firearms through law enforcement or a firearms dealer.



No. Call your local law enforcement agency to ask about their procedures.

When does the restrained person have to turn in their guns?

Immediately, if law enforcement asks you to. Otherwise, within 24 hours of being served, or told by a judge to do so.

Restrained parties can ask their attorney, the court or local law enforcement about procedures.

Do courts review the file or hold hearings to make sure the restrained person has turned in their guns?

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If the restrained person doesn’t comply or gets firearms in violation of the order, what happens when the court finds out?

The court is required to report non-compliance in DVROs to the prosecuting agency & law enforcement. Law enforcement must take “immediate action.”

There is no process under state law for compliance review. The court is not required to report violations to law enforcement or prosecutors.

Who usually seeks these orders?

Intimate partners, family, and household members concerned about abuse, harassment, and violence.

Law enforcement has petitioned in 96% of cases; specific others can request them, generally for suicide prevention and general threats where abuse/harassment isn’t an issue.



<p>How long do these orders and prohibitions last?</p>	<p>Up to 5 years at the discretion of the judge; renewals can be made permanent.</p>	<p>1-5 years.</p>
<p>Can a search warrant be issued to address non-compliance?</p>	<p> Yes, see Penal Code section 1524.</p>	<p> Yes, see Penal Code section 1524.</p>
<p>Are there consequences for child custody when there's a violation?</p>	<p> Yes, the violation must be considered by the court if the restrained person asks for sole or joint legal or physical custody.</p>	<p> No, there are no consequences currently specified in the law for child custody or visitation.</p>

California Toolkit for Communities, Survivors, and Service Providers

Visit EndingGV.org for more resources and information to increase safety and protections designed to remove firearms from abusive people.

California State Resources

- [Gun Violence Restraining Orders](#)
- [GV-800-INFO](#)
- [Domestic Violence Restraining Orders](#)
- [DV-800-INFO](#)
- [Find a domestic violence service provider in your area](#)