



Office of the San Diego City Attorney

Mara W. Elliott
City Attorney

March 30, 2022

The Hon. Reginald Byron Jones-Sawyer
Chairman, Committee on Public Safety
California State Assembly
Legislative Office Building
1020 N Street, Room 111
Sacramento, CA 95814

Re: Assembly Bill 2137 (Maienschein): Family Justice Centers - Support

Dear Chairman Jones-Sawyer:

The San Diego City Attorney's Office is proud to sponsor and support Assembly Bill (AB) 2137.

Victims of domestic violence frequently rely on California's network of Family Justice Centers when they need to obtain legal advice, counseling, and other services in the wake of a violent incident. When appropriate, FJC staff provide them with information about obtaining a Domestic Violence Restraining Order (DVRO) as a tool to protect themselves and their families from further abuse.

AB 2137 would require that FJCs also provide victims with information about Gun Violence Restraining Orders (GVROs) when their abusers possess firearms or are known to have access to firearms, so that victims are aware of their options under the law and can make informed decisions.

This practice has been implemented at Your Safe Place – A Family Justice Center for nearly half a year. Our clients are free to choose one tool or the other, or to seek both a DVRO (to restrain their abuser from further contact) and a GVRO (to swiftly remove firearms from a volatile situation). This combination affords victims the highest levels of protection the law currently allows.

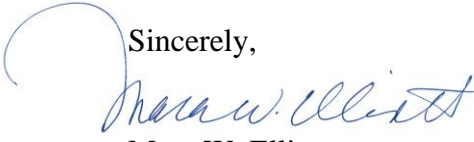
While DVROs prohibit the abuser from possessing firearms, DVROs frequently fail at this task because they contain no built-in statutory mechanism for the immediate enforcement of that prohibition. Instead, DVRO firearms seizure policies are up to each jurisdiction, and seizures often take significant time or never occur.

California's GVRO law, by contrast, has a built-in statutory mechanism for immediate firearm seizure. The statute requires law enforcement, upon service of the GVRO, to immediately and safely ensure the surrender of all firearms, ammunition, and magazines. Our experience in San Diego is that GVRO seizures generally occur within days.

An additional advantage to victims is that law enforcement officers file GVRO petitions, write the declarations in support, and testify in court -- reducing cause for retaliation against victims, who do those things in DVRO proceedings. And unlike victims, law enforcement officers cannot be emotionally blackmailed or otherwise coerced to rescind a restraining order. Only a judge can make that determination.

Finally, GVROs protect future victims. An abuser who is ordered to stay away from one victim pursuant to a DVRO will often move on to another. Switching victims does not free the abuser from a GVRO's prohibitions, or the consequences for its violation.

For these reasons, my Office is proud to have sponsored AB 2137 and to strongly support its passage.

Sincerely,

Mara W. Elliott
San Diego City Attorney