

1 [Gun Violence Restraining Orders – Public Awareness]
2 **Resolution urging the City and County of San Francisco to improve and expand**
3 **public awareness of Gun Violence Restraining Orders, particularly to middle**
4 **school students, high school students, higher education students, educators,**
5 **school administrators, and other school staff, and to create a dedicated a team**
6 **dedicated to processing and pursuing Gun Violence Restraining Order requests**
7 **from members of the public.**

8 WHEREAS, Gun violence is a national crisis in the United States that
9 disproportionately impacts youth and transitional aged youth; and

10 WHEREAS, Gun violence is the leading cause of death for children and teens in
11 the United States¹; and

12 WHEREAS, Communities of color are disproportionately impacted by gun
13 violence, with Black Americans experiencing 10 times the gun homicides, 18 times the
14 gun assault injuries, and nearly 3 times the fatal police shootings of White Americans²;
15 and

16 WHEREAS, Black youth are four times more likely to be killed from gun violence
17 than White youth³ in the United States; and

18 WHEREAS, Black and Latino men between the ages of 18-35 are
19 disproportionately impacted by and at the highest risk of gun violence in San
20 Francisco⁴; and

¹ *Current Causes of Death in Children and Adolescents in the United States*, New England Journal of Medicine, 5/19/2022
(<https://www.nejm.org/doi/full/10.1056/NEJMc2201761>)

² *Impact of Gun Violence on Black Americans*, Everytown for Gun Safety Research and Policy (<https://everytownresearch.org/issue/gun-violence-black-americans/>)

³ *Gun Violence Prevention*, Children's Defence Fund (<https://www.childrendefense.org/policy/policy-priorities/gun-violence-prevention/>)

⁴ *Understanding Serious Violence in San Francisco (Executive Summary)*, San Francisco Police Department and California Partnership for Safe Communities, 3/4/2021 [Slide 24] (https://sfgov.org/policecommission/sites/default/files/Documents/PoliceCommission/PoliceCommission031021-CPSC%20SFPD_ProbAnalysisExecSummary.pdf)

1 WHEREAS, A Gun Violence Restraining Order (GVRO) is a California court
2 order that prohibits an individual from possessing a firearm(s) and/or ammunition in the
3 case a court finds reasonable cause to believe that an individual poses an immediate
4 and present danger of causing personal injury to themselves or another by having in their
5 possession a firearm(s) and/or ammunition; and

6 WHEREAS, Following the Isla Vista terror killings in 2014 when a college student
7 killed six people and wounded 13 others near the University of California, Santa
8 Barbara campus, California enacted Assembly Bill 1014,⁵ which was the first ~~Gun~~
9 ~~Violence Restraining Order~~ (GVRO) law, or “red flag” law, in the nation; and

10 WHEREAS, Assembly Bill 1014 authorized law enforcement officers to file a
11 petition for and allowed courts to issue a GVRO when a court deems reasonable cause
12 to believe that an individual poses an immediate and present danger of causing
13 personal injury to themselves or another by having in their possession a firearm(s) and/or
14 ammunition; and

15 WHEREAS, Since Assembly Bill 1014 was first enacted it has been amended
16 multiple times to strengthen and expand the program; and

17 WHEREAS, Current California law allows 1) an immediate family member, 2) an
18 employer, 3) A coworker (if they have had substantial and regular interactions with the
19 individual for at least one year and have obtained the approval of the employer), 4) an
20 employee or teacher of a school that the subject has attended in the last six months (if
21 they have obtained the approval of a school administrator or a school administration

⁵ California Assembly Bill 1014, 2013-2014 Legislative Session (https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201320140AB1014)

1 staff member with a supervisory role), and/or 5) a law enforcement officer to petition for
2 a GVRO to be issued⁶; and

3 WHEREAS, Current California law also allows a court to issue Ex Parte GVROs
4 and Emergency GVROs (before a notice and hearing) in the case that the court finds
5 there is a substantial likelihood that the individual poses a significant danger to himself
6 or others in the near future⁷; and

7 WHEREAS, Assembly Bill 1014 has been proven to be effective,⁸ yet public
8 awareness of GVROs and their effectiveness remains low⁹; and

9 WHEREAS, A survey¹⁰ conducted in 2020 by the University of California Firearm
10 Violence Research Center reported that approximately 65% of California respondents
11 were not aware of GVROs nor of “red flag” laws; and

12 WHEREAS, The aforementioned survey also reported that approximately 52% of
13 California firearm owners were not aware of GVROs nor of “red flag” laws; and

14 WHEREAS, The aforementioned survey also reported that approximately 71% of
15 California respondents who lived with a firearm owner(s) were not aware of GVROs nor
16 of “red flag” laws; and

17 WHEREAS, The aforementioned survey also reported that the main reason
18 someone would not pursue a GVRO from a judge was that they did not know enough
19 about GVROs; and

⁶ California Penal Code

⁷ *Extreme Risk Protection Orders in California*, Giffords Law Center, 11/10/2022 (https://giffords.org/lawcenter/state-laws/extreme-risk-protection-orders-in-california/#footnote_0_16192)

⁸ *Red Flag Law in California Kept Guns From 58 Potential Mass Shooters, Research Shows*, Madeleine List, The Sacramento Bee, 6/9/2022 (<https://www.sacbee.com/news/nation-world/national/article262319527.html>)

⁹ *Red Flag Laws Are Saving Lives. They Could Save More.*, Matt Vasilogambros, Pew - Stateline, 10/5/2021 (<https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2021/10/05/red-flag-laws-are-saving-lives-they-could-save-more>)

¹⁰ *Public Awareness of and Personal Willingness to Use California's Extreme Risk Protection Order Law to Prevent Firearm-Related Harm*, Nicole Kravitz-Wirtz, PhD, MPH; Amanda J. Aubel, MPH; Rocco Pallin, MPH; Garen J. Wintemute, MD, MPH, JAMA Health Forum, 6/4/2021 (<https://jamanetwork.com/journals/jama-health-forum/fullarticle/2780806#aoi21001412>)

1 WHEREAS, A 2021 report¹¹ from the San Francisco Chronicle found that San
2 Francisco was consistently behind the Bay Area average for the issuances of GVROs
3 between 2017 and 2020, and that GVROs “went nearly unused in San Francisco in the
4 first three years of the [red flag] law”; and

5 WHEREAS, The San Diego Office of the City Attorney has championed the use
6 of GVROs through the creation of a ~~specific team~~ “gun violence restraining order unit”
7 dedicated to processing and pursuing GVRO requests and working with local police to
8 implement these orders¹²; and

9 WHEREAS, The aforementioned unit processes approximately 30 GVRO
10 request referrals from local police every week; and

11 WHEREAS, The aforementioned unit has successfully filed for a GVRO more
12 than 1,350 times between the end of 2017 and April 2022; and

13 WHEREAS, In July 2022, the San Diego Office of the City Attorney was awarded
14 a \$1,000,000 grant from the California Governor’s Office of Emergency Services to train
15 and educate city attorney offices and law enforcement groups in California on how to
16 utilize GVROs¹³; and

17 WHEREAS, A key component of any effective strategy to keep schools safe from
18 gun violence is schools sharing information on gun violence prevention
19 programs/strategies like GVROs; and therefore be it

20 RESOLVED, That the San Francisco Youth Commission urges the City and
21 County of San Francisco to improve and expand public awareness of Gun Violence

¹¹ Red flag law takes guns from dangerous people. Why aren't more California counties using it?, Alexei Koseff, San Francisco Chronicle, 5/14/2021

(<https://www.sfchronicle.com/projects/2021/california-gun-restraining-orders/#SanFrancisco>)

¹² Inside the Team Pioneering California’s Red Flag Law, Alexei Koseff, CalMatters, 9/19/2022 (<https://calmatters.org/gun-violence/2022/09/red-flag-laws-california/>)

¹³ California Announces New Details on Efforts to Promote Nation-Leading Red Flag Laws, Office of the Governor of California, 7/4/2022
(<https://www.gov.ca.gov/2022/07/14/california-announces-new-details-on-efforts-to-promote-nation-leading-red-flag-laws/>)

1 Restraining Orders, particularly for middle school students, high school students, higher
2 education students, educators, school administrators, and other school staff; and be it

3 FURTHER RESOLVED, That the San Francisco Youth Commission urges the
4 City and County of San Francisco to explore and, if applicable, apply for grant funding to
5 expand training, education, and outreach on utilizing Gun Violence Restraining Orders;
6 and be it

7 FURTHER RESOLVED, That the San Francisco Youth Commission urges both
8 the City and County of San Francisco and the San Francisco Unified School District to
9 ~~work together~~ collaborate to improve and expand public awareness of Gun Violence
10 Restraining Orders for San Francisco Unified School District students, families, and
11 staff; and be it

12 FURTHER RESOLVED, That the San Francisco Youth Commission urges the
13 Office of the City Attorney and Police Department to create a team dedicated to
14 processing and pursuing Gun Violence Restraining Order requests from members of the
15 public; and be it

16 FURTHER RESOLVED, That San Francisco Youth Commission staff are
17 directed to transmit copies of this resolution to the Office of the Mayor, Board of
18 Supervisors, San Francisco Unified School District Board of Education, Office of the
19 City Attorney, and Police Commission.