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July 14, 2023

BPC #23-133

The Honorable City Council
City of Los Angeles, Room 395
c/o City Clerk's Office
Los Angeles, CA 90012

Dear Honorable Members:

RE: CALIFORNIA RED FLAGS LAW.

At the regular meeting of the Board of Police Commissioners held Tuesday, July 11, 2023, the Board APPROVED the Department's report relative to the above matter.

Respectfully,

BOARD OF POLICE COMMISSIONERS

A handwritten signature in blue ink that reads "Rebecca Munoz".

REBECCA MUNOZ
Commission Executive Assistant

Attachment

c: Chief of Police


INTRADEPARTMENTAL CORRESPONDENCE

RECEIVED

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June 29, 2023
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POLICE COMMISSION


RICHARD M. TEFAK
EXECUTIVE DIRECTOR
DATE 7/5/23

23-133

TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: CALIFORNIA RED FLAG LAWS

RECOMMENDED ACTIONS

1. That the Board of Police Commissioners (Board) REVIEW and APPROVE this report.
2. That the Board TRANSMIT the attached report to the Los Angeles City Council.

DISCUSSION

At the request of the Los Angeles City Council and the Public Safety Committee (Council File No. 23-0194), this is a report identifying the necessary resources to promote and track the use of California Red Flag laws to file Gun Violence Restraining Orders in cases where officers, employers, teachers, or family members are concerned that an individual poses a danger to themselves or others through access to firearms. The report was prepared by the Gun Violence Restraining Order Coordinator, Detective Marie Sadanaga.

Should you have any questions, please contact Deputy Chief Kris Pitcher, Chief of Detectives, Detective Bureau, at (213) 486-7000.

Respectfully,


MICHEL R. MOORE
Chief of Police

Attachment

BOARD OF
POLICE COMMISSIONERS
Approved: July 11, 2023
Secretary Rebecca Munoz

**FACT SHEET
CALIFORNIA RED FLAG LAWS
MAY 25, 2023**

PURPOSE

On April 11, 2023, the Los Angeles City Council, Public Safety Committee, recommended a Motion for Los Angeles City Council (Council) consideration (Council File No. 23-0194). The recommendation was to instruct the Los Angeles Police Department (Department), with assistance from the City Administrative Officer, to report to Council the necessary resources to promote and track the use of California Red Flag laws to file Gun Violence Restraining Orders (GVROs) in cases where officers, employers, teachers, or family members are concerned that an individual poses a danger to themselves or others through access to firearms.

BACKGROUND

On January 1, 2016, Assembly Bill 1014, Gun Violence Restraining Orders became law. The Judicial Council of California created the Firearms Emergency Protective Order (Firearms EPO) and the Temporary Firearms Restraining Order (Temporary Firearms RO) to comply with this law.

A GVRO is a civil order signed by the court, prohibiting a named person from owning, purchasing, possessing, receiving, or otherwise having under their custody or control any firearms or ammunition.

A Firearms EPO is available to law enforcement officers to be used when a person poses an immediate and present risk of personal injury to self or others. It is similar to a Domestic Violence EPO, and officers can call a commissioner (judge) to obtain the Firearms EPO, 24 hours a day, seven days a week.

A Temporary Firearms RO is available to law enforcement officers, employers, teachers, and family members to be used when there is substantial likelihood that there is significant danger in the near future of personal injury to self or others. Parties seeking a Temporary Firearms RO must go to civil court to petition for the order.

FINDINGS

On November 18, 2016, a Chief of Detectives Notice was published establishing procedures for GVROs. Department procedure was further expanded and defined with Special Order No. 24, published on September 10, 2020. This Order created a GVRO Coordinator at each geographic Area.

The Department GVRO Coordinator is assigned to Detective Bureau and works with two Deputy City Attorney's assigned to Public Safety General Counsel. Their sole responsibility is to represent the Department at court hearings and to provide training and advice to Department personnel. Beginning in fall of 2022, the City Attorneys provided several roll call and detective trainings at geographic Areas and connected with the 21 Area GVRO Coordinators.

In November 2022, a Chief of Detectives Notice was published reminding personnel about GVROs. The Notice also introduced several resources including a GVRO flowchart, information sheet with frequently asked questions, and an officer pocket card. Other resources that have been created are a roll call video, a GVRO Resource Binder, and a webpage on the internal Department site to find all GVRO information.

A Department database was established on the internal network to track GVROs obtained by personnel. However, the City Attorneys are unable to access the database and have been tracking GVROs with a Google spreadsheet.

RECOMMENDATIONS

Gun Violence Restraining Orders are a useful tool for Department personnel and specific members of the community when firearms access causes a danger of personal injury to self or others and alternative means for recovering the firearms are unsuccessful.

Recommendations to promote awareness and track GVROs:

- Create a database that can be used by the Department and City Attorneys to accurately track GV EPOs and GV TROs to ensure following up on the mandated hearing within 21 days to consider a longer term (1 to 5 year) GVRO. GVRO denials and inquiries should also be tracked.
- Work with the Los Angeles County's Office on Violence Prevention, Gun Violence Prevention Workgroup, to increase awareness in the community. The Workgroup was created in June 2022, and one of the group's priorities is to improve GVRO awareness and enforcement in partnership with courts, communities, and law enforcement. The awareness campaign is significant because increasing GVROs obtained by family members, teachers, and employers is contingent on educating the public on the topic of GVROs.
- Connect with specific entities and individuals to promote awareness such as: Department senior lead officers, Community Safety Partnership Bureau personnel, City Attorney neighborhood prosecutors, Neighborhood Councils, Los Angeles Unified School District, organizations from community colleges and universities, mental health organizations, Department of Veterans Affairs, medical organizations, social services agencies, domestic violence service providers, and Association of Threat Assessment professionals.

Prepared by:
Detective Marie Sadanaga
Detective Bureau