

## **Preventing Further Abuse by Restricting Firearms and Ammunition**

All protective orders issued by a court in California to prevent domestic violence must prohibit the Restrained Person from having firearms and ammunition, subject to very limited exceptions.

In addition:

- Family Court:
  - Must inform all parties present in court of all orders including firearms and ammunition restrictions (Family Code section 6304).
  - Check firearms registry for any firearm registered to Restrained Person (Family Code section 6306).
  - should make determination of whether restrained party has firearm and set review hearings to ensure compliance with relinquishment order (CA Rule of Court 5.495)
  
- Criminal Court:
  - Upon conviction of a *qualifying offense*, must ensure that all requirements of Penal Code section 29810 are met, which includes providing a new Department of Justice form (*Prohibited Persons Relinquishment Form*) to the defendant.
  
- Juvenile Court:
  - should make determination of whether restrained party has firearm and set review hearings to ensure compliance with relinquishment order (CA Rule of Court 5.495)

## **Provide Resources to Domestic Violence Restraining Order Applicants in Family Court**

- Provide updated resource list to domestic violence restraining order applicant (Family Code section Family Code Section 6343(c))
- Safety Planning: Should be completed/discussed by mediator/Child Custody Recommending Counselor (CCRC) with party alleging domestic violence (CA Rule of Court 5.215(g))