

# Firearm Relinquishment Grant Program

## Frequently Asked Questions (Rev. 10/12/2022)

The Budget Act of 2022, [Assembly Bill \(AB\) 178](#) (Stats. 2022, Ch. 45), provides \$40 million in one-time funding through the General Fund to be distributed as grants to the superior courts to support new or expanded firearm relinquishment programs, and for administration and evaluation of the programs. Court programs must be conducted in conjunction with local law enforcement agencies to ensure the consistent and safe removal of firearms from individuals who become prohibited from owning or possessing firearms and ammunition pursuant to court order.

**Q** Because the Firearm Relinquishment Grant Program funding is one-time funding, does it have to be used in a certain timeframe?

**A** *The funding must be spent or encumbered by June 30, 2025.*

**Q** When is the deadline to apply for the grant?

**A** *Friday, October 21, 2022*

**Q** How do I apply?

**A** *Courts may apply by completing an application through Submittable, a web-based submissions management software. For instructions on how to submit your application using Submittable please visit: [How Can I Submit?](#)*

**Q** Are there eligibility requirements?

**A** *All superior courts are eligible to apply but priority will be given to courts with higher numbers of requests per capita for domestic violence restraining orders or gun violence restraining orders. The selection process will consider statewide diversity in geographic location and court size. Funding will be available to courts that establish a collaboration with local law enforcement and allocate at least 30 percent of total funding to law enforcement partners for firearm relinquishment activities.*

**Q** Can firearm relinquishment activities related to criminal protective orders or criminal cases be funded by this grant?

**A** *Yes, grant funds can be used for firearm relinquishment activities for criminal protective orders or criminal cases. However, priority will be given to proposals that focus primarily on firearm relinquishment activities for civil restraining orders. Note that funding must be used for new programs or for the expansion of services in existing programs.*

**Q How many courts will receive funding?**

**A** *There is no set number of awardees. The goal will be to distribute all the funding available. The number of awardees will depend on the number of applications received and the amounts requested.*

**Q When will funding be available?**

**A** *February 1, 2023.*

**Q Is a court allowed to spend funding that is received to contract with local law enforcement agencies?**

**A** *Yes, each court that receives grant funding must contract with at least one law enforcement agency located within the court's county for activities that cannot reasonably and safely be conducted by the court. At least 30 percent of the funding allocated to each court must be directed to law enforcement through contracts with the court.*

**Q Do probation departments qualify as law enforcement agency partners for the grant?**

**A** *"Law enforcement agency" (LEA) is defined as probation departments, sheriff's offices, police departments, or multiagency teams including some or all of these agencies in a jurisdiction. Probation departments qualify as law enforcement partners for purposes of the grant.*

**Q What is the deadline to establish a relationship with local law enforcement?**

**A** *By the time the application is submitted, the court should have established a relationship with any partner law enforcement agency or agencies proposed to be funded. Each partner law enforcement agency must certify the application before submission and collaborate with the applicant court in submitting the required budget form.*

**Q Does the court need to have a MOU with a law enforcement agency by the application deadline?**

**A** *No, you do not need to have a MOU in place before the deadline. Prior to the deadline, you'll just need to work with at least one LEA to put together the application and agree on the activities they would perform, including a separate budget for each LEA partner (at least 30 percent of your total proposed budget); and make sure the LEA designee electronically certifies the application.*

**Q Can grant funds be used for court commissioner (subordinate judicial officer) salary and benefits?**

**A** *Yes, funding may be used to fund salary and benefits for a court commissioner.*

**Q Can grant funds be used to restore self-help services?**

**A** *Yes, if this does not supplant existing funds. The grant may be used to expand your existing self-help program so long as there is a connection to relinquishment efforts (e.g., help with restraining order paperwork or completing paperwork to show the court that firearms have been sold or relinquished).*

**Q** **Can grant funds be used to contract with a tribal LEA under a “multiagency” partnership?**

**A** *Yes, a tribal LEA could play a vital role implementing firearms relinquishment in tribal communities.*

**Q** **Can a district attorney’s office qualify as an LEA?**

**A** *Yes, it is appropriate to include district attorneys as LEAs. For example, a county can fund sworn officers or investigators from the district attorney’s office to retrieve firearms.*

**Q** **If the proposed LEA partner’s activities do not include investigation or activities related to relinquishing firearms, would the partner still qualify as an eligible LEA under AB 178, which requires that the LEA activities “cannot reasonably and safely be conducted by the court”? (For example, if one LEA in a proposal is a multiagency collaborative who would provide data collection and technical assistance for member LEAs.)**

**A** *Yes, but the court should still meet the 30 percent minimum allocation for LEA contracts in the total budget by also funding agencies engaged in direct firearm relinquishment services.*

**Q** **Can grant funds be used by courts to subcontract with non-LEA agencies as part of their program if the 30 percent minimum LEA budget requirement is met? For example, a subcontract with non-profit domestic violence agencies to consult and train staff on safety protocols for protected parties or to help complete restraining order paperwork.**

**A** *Yes, it is appropriate for the court to subcontract for activities it cannot undertake with its own staff, as long as the 30 percent minimum LEA budget requirement is met.*

**Q** **Can a LEA use grant funds to repurpose an existing room into an evidence room to store all evidence, including firearms and ammunition?**

**A** *Yes, funds may be used to create more room for evidence. Under SB 320, restrained persons are required to surrender ammunition and LEAs may not have existing space for storage of ammunition or sufficient space to store firearms.*

**Q Can grant funds be used in the prosecution or investigation of cases related to SB 320?**

**A** *Under AB 178, the purpose of the court-based firearm relinquishment program is to “ensure the consistent and safe removal of firearms from individuals who become prohibited from owning or possessing firearms and ammunition pursuant to court order.” While investigation efforts are permissible, they should be limited to “investigating whether firearms and ammunition have been relinquished.” Activities related to SB 320 would include the court notifying the prosecuting agency and the prosecuting agency establishing processes to review and receive the notification. Activities directly related to building a case for prosecution would be outside the scope of AB 178.*