

OFFICE OF THE CHIEF OF POLICE

SPECIAL ORDER NO. 24

September 10, 2020

**SUBJECT: RESTRAINING ORDERS – REVISED; GUN VIOLENCE
RESTRAINING ORDERS – ESTABLISHED; AND, FIREARMS
SAFEKEEPING ADVISEMENT – ACTIVATED**

PURPOSE: The purpose of this Order is to establish comprehensive procedures for Gun Violence Restraining Orders (GVRO), including Gun Violence Emergency Protective Orders, Temporary Gun Violence Restraining Orders and Gun Violence Restraining Orders After Hearing. A GVRO is a civil restraining order prohibiting a named person from owning, purchasing, possessing, receiving or otherwise having under their custody or control any firearms, ammunition or magazines. Previously, Department personnel have been guided by Chief of Detectives Notice, *Firearms Emergency Protective Order and Temporary Firearms Restraining Order – Established*, dated November 18, 2016. Recent changes to the law, specifically Assembly Bill 339, mandated all law enforcement entities in the State of California to enact written policies and standards for the handling of GVROs. Finally, this Order activates the Firearms Safekeeping Advisement, Form 15.40.04.

PROCEDURE:

- I. RESTRAINING ORDERS – REVISED.** Department Manual Section 4/216.03, *Restraining Orders*, has been revised. Attached is the revised Department Manual section with the revisions indicated in italics.
- II. GUN VIOLENCE RESTRAINING ORDERS – ESTABLISHED.** Attached is the established Department Manual Section 4/216.05, Gun Violence Restraining Orders.
- III. FIREARMS SAFEKEEPING ADVISEMENT – ACTIVATED.** The Firearms Safekeeping Advisement, Form 15.40.04, has been activated and is attached.

FORM AVAILABILITY: The Firearms Safekeeping Advisement is available in E-Forms on the Department's Local Area Network (LAN) and is attached for immediate use and duplication.

AMENDMENTS: This Order revises Section 4/216.03 and establishes Section 4/216.05 of the Department Manual.

AUDIT RESPONSIBILITY: The Commanding Officer, Audit Division, shall review this directive and determine whether an audit or inspection shall be conducted in accordance with Department Manual Section 0/080.30.



MICHEL R. MOORE
Chief of Police

Attachments

DISTRIBUTION "D"

DEPARTMENT MANUAL
VOLUME IV
Revised by Special Order No. 24, 2020

216.03 RESTRAINING ORDERS. Restraining Orders (RO) and Temporary Restraining Orders (TRO) include, but are not limited to, Domestic Violence Restraining Orders (DVRO), Emergency Protective Orders (EPO), Orders After Hearing (OAH), Juvenile Orders (JUV), Criminal Protective Orders (CPO), Temporary Workplace Harassment Orders (WHO), *Gun Violence* Emergency Protective Orders (*Gun Violence* EPO), Temporary *Gun Violence* Restraining Orders (Temporary *GVRO*), and *Gun Violence* Restraining Orders *After Hearing*. (*GVRO After Hearing*). Some of these orders are issued by a criminal court (criminal order), while others are issued by a civil court (civil order).

Note: For more information specific to Gun Violence Restraining Orders, refer to Department Manual Section 4/216.05.

Officer's Responsibilities.

Conflicting Orders – Priorities for Enforcement. If more than one restraining order has been issued, the orders must be enforced according to the following priorities:

- **Emergency Protective Order** – If one of the orders is an EPO and it is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
- **No-Contact Order** – If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence in enforcement over any other restraining or protective order.
- **Criminal Order** – If none of the orders includes a no-contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and are enforceable.
- **Family, Juvenile, or Civil Order** – If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.
- ***Gun Violence* EPO, Temporary *GVRO*, or *GVRO After Hearing*** – These orders shall be enforced independent of any other restraining or protective order.

Complainant in Possession of a Restraining Order. When officers are presented with a Restraining Order in the field or at the Area desk, they shall:

- Verify that the order has *an ink stamp signed by the deputy clerk of the court indicating it is a certified copy;*
- *Ensure that the order has not expired; and,*
- *Review the proof of service to ensure it was properly served upon the restrained party/respondent.*

DEPARTMENT MANUAL
VOLUME IV
Revised by Special Order No. 24, 2020

When the Department Does Not Have a Copy of the Restraining Order. When officers discover that *the* Department does not possess an order that was presented in the field, they shall determine whether the complainant has an extra copy of the order. If so, officers will request one and deliver it to the Area front desk.

When unable to obtain a copy of the order, officers shall request that the complainant deliver a copy to the Area front desk (or provide one to be photocopied) as soon as possible.

If an officer cannot locate the order and the complainant does not have a copy of the order, no enforcement action may be initiated by officers pursuant to California Penal Code (PC) Section 273.6 (Willful and Knowing Violations of Orders to Domestic Violence), or PC Section 166 (Criminal Contempt).

Complainant Not in Possession of an Order. Officers at the scene of a dispute where a valid order is alleged to exist, but the complaining person does not possess a copy of the order, shall attempt to telephonically verify the existence of the order through the Consolidated Crime Analysis Database (CCAD) and California Restraining and Protective Order System (CARPOS). If an officer cannot locate the order, no enforcement action may be initiated by the officers.

If the officer determines that an order has been issued, but not served, the officer shall immediately notify the respondent of the terms of the order. Verbal notice of the terms of the order is sufficient notice.

The verbal notice shall be documented in the related crime, arrest or Domestic Violence Incident Report. The officer shall also include the name and assignment of the officer notifying the respondent and the case number of the order. If the respondent *inquires* about obtaining a copy of the RO, the officer shall advise the respondent to go to the court to obtain a copy of the complete order.

Proof of Service. *All certified copies of any restraining order must be accepted from the complainant whether or not the proof of service has been completed. The complainant shall be advised that personal service of the order is required before enforcement action *may* be taken against the respondent. No additional proof of service is required for enforcement of the order if the person named in the order received the actual notice of the existence and substance of the order through a personal appearance in court. When proof of service is not attached to an otherwise valid order presented to officers in the field, the officers shall determine whether other officers of this Department accomplished the proof of service. If prior proof of service cannot be established, officers shall advise the restrained party/respondent that a valid order is in effect and state its conditions to the respondent. If the complainant has an extra copy of the order, officers *shall serve it upon the respondent and note such service in their report.**

Officers shall complete the proof of service when:

- The complainant possesses an incomplete proof of service; and,

**DEPARTMENT MANUAL
VOLUME IV
Revised by Special Order No. 24, 2020**

- The officers advised the respondent of the conditions of the order.

The original proof of service shall be returned to the complainant.

If the respondent is present at the scene, officers shall document how the service of the order was accomplished in the narrative of any crime, arrest, or Domestic Violence Incident Report completed, pursuant to PC Section 13730.

Failure to Comply. If officers have probable cause to believe that a violation of the order occurred and proof of service can be established, officers shall:

- Arrest the restrained party; and,
- Book *the restrained party* for a violation of PC Section 273.6 (Willful and Knowing Violation of Orders to Domestic Violence), PC Section 166 (Criminal Contempt), or PC Section 18205 (Willful and Knowing Violation of *Gun Violence* EPO or Temporary *GVRO*, or *GVRO After Hearing*); or,
- If the suspect has left the scene prior to the officer's arrival, complete an Investigative Report, Form 03.01.00.

The narrative section of related crime and arrest reports must contain the following information:

- Court case number assigned to the order;
- Expiration date of the order;
- Manner in which the proof of service was accomplished and by whom; and,
- Verbatim listing of the conditions of the order.

Note: Officers at the scene of a labor dispute shall be guided by the provisions of Department Manual Section 1/460.30, and must contact *the* Labor Relations Unit, Office of Operations, before taking any enforcement action on an order.

Restraining Orders Issued By Jurisdiction.

Within the State of California. If a party alleges an order exists in an outside jurisdiction within California, officers shall contact that law enforcement agency and verify the information before taking enforcement action. Statewide agencies and/or foreign jurisdictions making inquiries to this Department regarding ROs shall be directed to the concerned Area.

Out-of-State/Country Restraining Orders. When a RO that was issued in another state, territory of the United States or Canada is presented to the officer, the officer shall review it for completeness. If the out-of-state *or country*, RO is complete, then it is considered valid in the State of California. If it is incomplete, an EPO should be sought, and the EPO guidelines should be followed.

DEPARTMENT MANUAL
VOLUME IV
Revised by Special Order No. 24, 2020

Seizure of Firearms at Domestic Violence Incidents. When an officer seizes a firearm at the scene of a domestic violence incident involving a threat to human life or a physical assault, the officer shall seize the firearm in accordance with Department Manual Section 4/560.35 and PC Section 18250.

California Restraining and Protective Order System. The Department of Justice, with the authority of Family Code Section 6380, mandates that law enforcement agencies enter information from the following ROs into the Department of Justice *California Restraining and Protective Order System (CARPOS)*:

- Emergency Protective Order;
- *Gun Violence* Emergency Protective Order;
- Temporary *Gun Violence* Restraining Order;
- *Gun Violence* Restraining Order After Hearing;
- Domestic Violence Temporary Restraining Order;
- Domestic Violence Order After Hearing;
- Register Out-of-State Restraining Order;
- Temporary Civil Harassment Order;
- Civil Harassment Order After Hearing;
- Temporary Elder Dependent Adult Abuse Order;
- Elder Dependent/Adult Abuse Order After Hearing;
- Temporary Workplace Violence Order;
- Workplace Violence Order After Hearing;
- Temporary School Violence Order;
- School Violence Order After Hearing;
- Juvenile Restraining Order;
- Criminal Protective Order-Domestic Violence;
- Criminal Protective Order-Other Than Domestic Violence; and,
- Order to Surrender Firearms in Domestic Violence Case.

Upon receiving a RO from the issuing court clerk, the Warrant Teletype Unit (WTU), Records and Identification Division (R&I), or geographic Area Records *Units* shall input the RO information into CARPOS when the RO is one of the specific types for which such entry is required under Family Code Section 6380. Mandated orders shall be entered into the CARPOS, whether served or unserved.

Area Records Unit's Responsibilities. When an Area receives a RO, whether delivered in person or by fax, the records clerk (or designated person) shall query CARPOS to determine if an entry has previously been made. If the query reflects an existing RO entry, the records clerk shall write the File Control Number (FCN) issued in CARPOS on the RO and related documents. If the RO is not present in CARPOS, the records clerk shall enter the pertinent information into CARPOS and obtain an FCN. The CARPOS-generated FCN shall be documented on the RO and related documents.

**DEPARTMENT MANUAL
VOLUME IV
Revised by Special Order No. 24, 2020**

Note: If the RO is connected to an existing crime report, the associated Division Records number and the FCN shall be written on the RO and related documents.

In all instances, the FCN shall take precedence for tracking purposes. Inputting the RO should be a priority over other tasks due to the victim being placed in a high risk situation, and should be completed no later than 24 hours from receipt of a restraining and/or protective order.

Area Subpoena Control Officer's Responsibilities. Upon receipt of a RO and proof of service, the Area Subpoena Control Officers shall:

- Check that the FCN has been placed in the upper right corner of all pages of the order;
- Maintain a Restraining Order Control Log, Form 15.40.00, of valid orders on file;
- Establish a file of restraining orders in a location accessible to uniformed desk personnel;
and,
- Periodically purge expired restraining orders from the active file.

Peace Officers Named as Respondents. When a Subpoena Control Officer receives a RO that identifies the respondent as a member of a law enforcement agency, the Subpoena Control Officer shall notify his or her commanding officer (CO). The CO shall ensure that a copy of the order is sent to the Chief of Police *or highest ranking official* of the involved agency. If the respondent is a member of the Department, the CO shall forward a copy of the order to the CO, Internal Affairs Group.

**DEPARTMENT MANUAL
VOLUME IV
Revised by Special Order No. 24, 2020**

216.05 GUN VIOLENCE RESTRAINING ORDERS. *Gun Violence Emergency Protective Orders (Gun Violence EPO), Temporary Gun Violence Restraining Orders (Temporary GVRO), and Gun Violence Restraining Orders After Hearing (GVRO After Hearing).*

Types of Gun Violence Restraining Orders include:

- *A Gun Violence EPO [California Penal Code (PC) Section 18125] is available on an ex parte basis, 24-hours a day via telephone to law enforcement only. The duration of a gun violence EPO is 21 calendar days. When a gun violence EPO is issued, a GVRO After Hearing is automatically set.*
- *A Temporary GVRO (18150 PC) is available to immediate family members, employers, co-workers, school employees and law enforcement, on an ex parte basis during court hours. The duration of a GVRO After Hearing is 21 calendar days. When a Temporary GVRO is issued, a GVRO After Hearing is automatically set.*
- *A Gun Violence Restraining Order After Hearing (18170 PC) is available to immediate family members, employers, co-workers, school employees and law enforcement; and is issued after a proper notice and a hearing. The duration is one to five years and may be renewed for an additional one to five years after a subsequent hearing is conducted.*

Officers shall petition the court for a Gun Violence EPO when it is reasonably believed a subject poses an immediate and present danger of causing injury to themselves or others by owning, purchasing, possessing, receiving, or otherwise having in their custody or control any firearms, ammunition, or magazines. As part of the petition, officers shall articulate why less restrictive alternatives are ineffective or found to be inadequate or inappropriate for the circumstances.

If applicable, the petition shall also describe the number, types and locations of any firearms and ammunition the petitioning officer believes to be controlled by the subject.

The use of a Gun Violence EPO shall be considered in the following circumstances:

- *When responding to domestic disturbances where the residence is associated with a firearm registration or record;*
- *When responding to a call or incident where a firearm is present, or one of the involved parties owns or possesses a firearm; or,*
- *During contacts with subjects exhibiting mental health issues, including suicidal thoughts, statements or actions, and the subject owns or possesses a firearm.*

Officer's Responsibilities. *When officers have reasonable cause to believe a person poses an immediate and present danger of causing injury to themselves or others by having access to firearms, officers shall:*

- *Once the scene is stable, contact a supervisor, if necessary, to assess the incident;*
- *Contact the Mental Evaluation Unit for the subject's contact history and advice;*
- *Contact a Los Angeles County Judge or Commissioner to request a Gun Violence EPO;*

DEPARTMENT MANUAL
VOLUME IV
Revised by Special Order No. 24, 2020

If an order is granted by the County Judge or Commissioner, Officers shall:

- *Complete the Gun Violence EPO, Judicial Council Form EPO-002 (located on the Department Local Area Network), ensuring that the expiration date is set for 21 calendar days from issuance. Officers shall also ensure the hearing date for the GVRO After Hearing is set prior to expiration of the Gun Violence EPO;*
- *Serve the person to be restrained, if they can be reasonably located, and complete the proof of service. Provide one copy of the Gun Violence EPO to the restrained person;*
- *Inform the restrained person of any scheduled hearings regarding the Gun Violence EPO;*
- *Verbally ask if the restrained person has any firearms, ammunition, or magazines in his or her possession or under their custody or control;*
- *Request the immediate surrender of all firearms, ammunition, or magazines;*

***Note:** It is a violation of PC Sections 18205 and 166(a)(4) for the restrained person to refuse to surrender firearms, ammunition, or magazines upon request. If the restrained person refuses, officers shall detain the person and pursue seizure of all firearms, ammunition, or magazines in a lawful manner [i.e., search warrant;(1524(a)(14) PC authorizes a search warrant where subject refuses to relinquish a firearm)]. (Refer to Department Manual Section 4/742.10 for more information on obtaining and serving search warrants.)*

- *Seize any firearms, ammunition, and/or magazines belonging to the restrained person or other household occupant(s) discovered pursuant to a lawful search;*

***Note:** When a location to be searched is jointly occupied by the restrained person and one or more other persons, the officer shall **not** seize any firearms, ammunition, or magazines owned by a person other than the restrained person, if **both** of the following conditions are satisfied:*

- 1. The firearm or ammunition is removed from the restrained person's custody or control or possession, and stored in a manner that the restrained person does not have access to or control of the firearm or ammunition; and,*
- 2. There is no evidence of unlawful possession of the firearm or ammunition by the owner of the firearm or ammunition.*

If the two above conditions are satisfied, the officer shall:

- *Have the legal owner sign a Firearms Safekeeping Advisement, Form 15.40.04;*
- *Complete the law enforcement section and issue a Proof of Firearms, Ammunition, and Magazines Turned In, Sold, or Stored, Judicial Council Form GV-800;*

**DEPARTMENT MANUAL
VOLUME IV
Revised by Special Order No. 24, 2020**

- *Book any firearms, ammunition, or magazines taken into custody and complete appropriate reports or documentation (i.e., Property Report, Firearms Supplemental Property Report);*
- *Make every effort to confirm that all of the firearms, ammunition, or magazines that necessitate removal have been located and seized (including an inquiry into the Automated Firearm System, witness statements, photographs, or any other items of evidentiary value);*
- *Send a copy of the Gun Violence EPO and all other connected reports to GVRO@lapd.online and att.gvro@lacity.org;*
- *Submit the Gun Violence EPO to the Records Unit for entry into California Restraining and Protective Order System (CARPOS) in accordance with Department Manual Section 4/216.03; and,*
- *Coordinate with the Area/Division Subpoena Control Officer to attend any court proceedings, if requested by the Los Angeles City Attorney's (CA) Office.*

Note: *If a judge or commissioner does not grant the Gun Violence EPO, officers shall document the Gun Violence EPO request and denial in the appropriate Department reports (e.g., Investigative Report, Arrest Report, Daily Field Activities Report).*

If it is determined there is no immediate and present danger of injury and a Gun Violence EPO is not appropriate for the situation, but officers believe that the subject still poses a significant danger of personal injury to self or others in the near future, officers can petition for a Temporary GVRO. A Temporary GVRO can only be petitioned for in person, during court hours. Officers shall consult the City Attorney Gun Violence Restraining Order Program Coordinator to determine whether a Temporary GVRO is warranted under the circumstances.

Renewal of Gun Violence Restraining Order After Hearing. *Officers may also file a Request to Renew Gun Violence Restraining Order, Judicial Council Form GV-700, within the three-month period prior to the expiration of a GVRO After Hearing. Officers shall establish clear and convincing evidence that the subject still poses a significant danger of causing injury to themselves or others through access to firearms, and that a renewal is necessary because less restrictive means have been tried and found to be ineffective, inappropriate or inadequate for the circumstances. Officers shall consult the City Attorney Gun Violence Restraining Order Program Coordinator to determine whether a renewal is warranted under the circumstances.*

If a renewal is granted after a hearing and the restrained person is not present in court to be served, the petitioning officer is responsible for developing a plan to serve the order.

Service of Temporary Gun Violence Restraining Orders Obtained by a Private Person. *When a non-law enforcement complainant presents a valid (i.e., not expired) Temporary GVRO that has yet to be served, the officer shall first consult a supervisor and assess the totality of the circumstances to determine whether immediate service/police intervention is required. If the supervisor determines the situation to be a non-emergency, the officer shall refer the complainant to the pre-existing service options available outside of the Department.*

DEPARTMENT MANUAL
VOLUME IV
Revised by Special Order No. 24, 2020

***Note:** If the supervisor determines the situation to be exigent, officers shall develop a plan to personally serve the valid Temporary GVRO. If officers are unable to personally serve the restrained person more than five days before the scheduled hearing date, officers shall directly petition for a Gun Violence EPO and develop a plan to serve the restrained person.*

***Supervisor's Responsibilities.** Supervisors shall ensure the circumstances of the incident meets criteria for the respective type of GVRO and that all reports are processed accordingly.*

***Area/Division Records Unit's Responsibilities.** Upon receipt of a GVRO, Records Unit personnel shall:*

- *Process the order in accordance with Department Manual Section 4/216.03; and,*
- *Provide a copy of the Gun Violence EPO, Temporary GVRO, or GVRO After Hearing to the Area Subpoena Control Officer.*

***Area/Division Subpoena Control Officer's Responsibilities.** Upon receipt of a Gun Violence EPO, a Subpoena Control Officer shall forward the original Gun Violence EPO to the Area/Division GVRO Coordinator and process all types of GVROs in accordance with Department Manual Section 4/216.03.*

***Area/Division Gun Violence Restraining Order Coordinator's Responsibilities.** The Area/Division GVRO Coordinator shall be the Area/Division Gun Coordinator or designee (i.e., the Investigating Officer assigned to the respective case). The GVRO Coordinator or designee shall:*

- *As soon as possible, but no later than three court days after issuance, file Gun Violence EPOs received at the appropriate Family Law Courthouse and obtain a Notice of Court Hearing, Judicial Council Form GV-009. The appropriate Family Law Courthouses are listed below for reference:*
 - *Stanley Mosk Courthouse for all Central and West Bureau geographic Areas, as well as Southwest and 77th Street Areas;*
 - *Van Nuys Courthouse East for Van Nuys, West Valley and North Hollywood Areas;*
 - *Chatsworth Courthouse for Foothill, Devonshire, Mission and Topanga Areas;*
 - *Compton Courthouse for Southeast Area; and,*
 - *Governor George Deukmejian Courthouse for Harbor Area.*

***Note:** If the Gun Violence EPO was not served on the restrained person on the date of issuance, officers shall serve the Gun Violence EPO as soon as possible. It should be noted that the court will not accept a Gun Violence EPO that is not served within three court days of issuance.*

- *Send a copy of the Notice of Court Hearing to the City Attorney Gun Violence Restraining Order Program Coordinator;*

DEPARTMENT MANUAL
VOLUME IV
Revised by Special Order No. 24, 2020

- *Ensure the firearms, ammunition, and/or magazines are retained for the duration of the most current GVRO and return them to the restrained person when the order expires, terminates, or dissolves; and,*

Note: *A Law Enforcement Gun Release-Firearm(s) Eligibility Clearance must be obtained via the California Department of Justice, Bureau of Firearms, prior to release.*

- *Coordinate with the City Attorney Gun Violence Restraining Order Program Coordinator for any court appearances, the service of any GVROs, and renewal requests.*

Area Detective Commanding Officer's Responsibilities. *Area Detective Commanding Officers shall designate a GVRO Coordinator and ensure compliance with this section.*

Detective Services Group Commanding Officer's Responsibilities. *The Detective Services Group Commanding Officer shall designate a GVRO Liaison to track the number and outcome of all GVROs Department-wide, liaison with the City Attorney Gun Violence Restraining Order Program Coordinator, and assist Area/Division GVRO Coordinators, as needed.*

**LOS ANGELES POLICE DEPARTMENT
FIREARMS SAFEKEEPING ADVISEMENT**

You are hereby notified that:

Name: _____ **DOB:** _____ **is a person prohibited by a Gun Violence Restraining Order from having in his or her custody or control, owning, using, possessing, receiving, purchasing, or attempting to receive or purchase firearms, ammunition or magazines. He or she is a person described in California Penal Code Section 18205.**

California Penal Code

25100(a). Criminal storage of a firearm – First degree

(a) Except as provided in Section 25105, a person commits the crime of "criminal storage of a firearm in the first degree" if all of the following conditions are satisfied:

- (1) The person keeps any firearm within any premises that are under the person's custody or control.
- (2) The person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, or that a person prohibited from possessing a firearm or deadly weapon pursuant to state or federal law is likely to gain access to the firearm.
- (3) The child obtains access to the firearm and thereby causes death or great bodily injury to the child or any other person, or the person prohibited from possessing a firearm or deadly weapon pursuant to state or federal law obtains access to the firearm and thereby causes death or great bodily injury to themselves or any other person.

25100(b). Criminal storage of a firearm – Second degree

(b) Except as provided in Section 25105, a person commits the crime of "criminal storage of a firearm in the second degree" if all of the following conditions are satisfied:

- (1) The person keeps any firearm within any premises that are under the person's custody or control.
- (2) The person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian, or that a person prohibited from possessing a firearm or deadly weapon pursuant to state or federal law is likely to gain access to the firearm.
- (3) The child obtains access to the firearm and thereby causes injury, other than great bodily injury, to the child or any other person, or carries the firearm either to a public place or in violation of Section 417, or the person prohibited from possessing a firearm or deadly weapon pursuant to state or federal law obtains access to the firearm and thereby causes injury, other than great bodily injury, to themselves or any other person, or carries the firearm either to a public place or in violation of Section 417.

25135. Gun security rules for gun owner living with person prohibited from owning a firearm

(a) A person who is 18 years of age or older, and who is the owner, lessee, renter, or other legal occupant of a residence, who owns a firearm and who knows or has reason to know that another person also residing herein is prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm shall not keep in that residence any firearm that he or she owns unless one of the following applies:

- (1) The firearm is maintained within a locked container.
- (2) The firearm is disabled by a firearm safety device.
- (3) The firearm is maintained within a locked gun safe.
- (4) The firearm is maintained within a locked trunk.
- (5) The firearm is locked with a locking device as described in Section 16860, which has rendered the firearm inoperable.
- (6) The firearm is carried on the person or within close enough proximity thereto that the individual can readily retrieve and use the firearm as if carried on the person.

(b) A violation of this section is a misdemeanor.

(c) The provisions of this section are cumulative, and do not restrict the application of any other law. However, an act or omission punishable in different ways by different provisions of law shall not be punished under more than one provision.

By signing this document, you are acknowledging that you reside with the person named above. You understand the prohibitions imposed on the person named above and your responsibilities pursuant to the above codes.

Signature: _____

Date: _____

Print Name: _____