

**OFFICE OF THE CHIEF OF POLICE
EMPLOYEE RELATIONS ADMINISTRATOR**

NOTICE

2.2.3

January 3, 2025

TO: All Sworn Personnel

FROM: Employee Relations Administrator

SUBJECT: CALIFORNIA ASSEMBLY BILL 2759 – DOMESTIC VIOLENCE
PROTECTIVE ORDERS: POSSESSION OF A FIREARM

Existing law prohibits a person subject to a protective order from owning, possessing, purchasing, or receiving a firearm or ammunition while that protective order is in effect. The restrained person must relinquish firearms and ammunition in their immediate possession or control or subject to their immediate possession or control. Additionally, if the restrained person is a peace officer who carries a firearm or ammunition as a condition of employment and the peace officer's personal safety depends on the ability to carry a firearm or ammunition, the court may exempt them from the relinquishment order, on duty or off, if the court finds that the peace officer does not pose a threat of harm. To determine whether the officer poses a threat, existing law requires a mandatory psychological evaluation of the peace officer be completed and authorizes the court to require the peace officer to enter counseling or other remedial treatment programs to deal with any propensity for domestic violence.

On September 2024, Governor Newsom signed California Assembly Bill (AB) 2759 into law. Effective January 1, 2025, AB 2759 revises the peace officer exemption to authorize a court to allow a peace officer to carry a specific firearm and/or ammunition, if the officer is required, as a condition of continued employment, to carry that firearm, and/or ammunition, if they cannot be reassigned, and if the court finds by a preponderance of the evidence, in writing or on the record, that the officer's personal safety depends on the ability to carry that specific firearm and/or ammunition outside of scheduled work hours and they do not pose an additional threat of harm to a protected party or the public. Additionally, AB 2759 requires that the mandatory psychological evaluation be conducted by a mental health professional with domestic violence expertise. The court is required to consider the results of that evaluation and may require the peace officer to enter counseling or another remedial treatment program to deal with a propensity for domestic violence.

This Notice serves to inform Department sworn personnel who may be named on a protective order that to comply with the provisions of AB 2759, the mandatory psychological evaluation shall be completed by psychologists with domestic violence expertise. The psychological evaluation or other remedial treatment shall be pursued solely with the employee's own resources and/or private insurance on the employee's own time.

Employees are reminded that the primary responsibility for compliance with a court order rests with the employee. Therefore, any Department employee who is served with or believes that he/she is about to be the subject of any court order shall immediately notify his/her commanding officer, either directly or through a supervisor. For additional required adherence and guidelines refer to the procedures delineated in Department Manual Sections 3/838, *Employee's Involved in Domestic Violence or Subject to Court Order – Employee Notification*, and 3/838.23, *Department Employees Subject to a Court Order*.

If you have any questions regarding this Notice, you may contact Employee Relations Group, at (213) 486-7600.

APPROVED:



JONATHAN S. PINTO, Commander
Employee Relations Administrator



T. SCOTT HARRELSON, Deputy Chief
Chief of Staff
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