

Gun Violence Restraining Orders

343.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for petitioning and serving gun violence restraining orders and accounting for the firearms obtained pursuant to those orders (Penal Code § 18108).

343.1.1 DEFINITIONS

Definitions related to this policy include:

Gun violence restraining order - Civil restraining order prohibiting a named person from

CSU Police Department

Policy Manual

Gun Violence Restraining Orders

- (a) Verbally ask the subject of the order if he/she has any firearm, ammunition, or magazine in his/her possession or under his/her custody or

CSU Police Department

Policy Manual

Gun Violence Restraining Orders

- (b) If the location being searched is jointly occupied and the firearm or ammunition is owned by a person other than the restrained person, the firearm or ammunition should not be seized if the following conditions are met:
1. The firearm or ammunition can be stored in a manner that does not allow the restrained person to have control or access.
 2. There is no evidence that the owner unlawfully possesses the firearm or ammunition.

- (c) If a locked gun safe belonging to someone other than the subject is located at the residence of the restrained person, the police may search the safe if the following conditions are met:

CSU Police Department

Policy Manual

Gun Violence Restraining Orders

- (e) Package and submit the firearms and ammunition in accordance with the Property and Evidence Policy.

343.8 RELEASE OF FIREARMS AND AMMUNITION

Firearms and ammunition that were taken into temporary custody or surrendered pursuant to a gun violence restraining order shall be returned to the restrained person upon the expiration of the order and in accordance with Penal Code § 18120 and the Property and Evidence Policy.

343.9 GUN VIOLENCE RESTRAINING ORDER COORDINATOR

The Chief of Police will appoint a gun violence restraining order coordinator. The responsibilities of the coordinator include:

- (a) Developing and maintaining procedures for the filing of a petition for an order or T99P23(f)412. fol

Gun Violence Restraining Orders

2. Forwarding orders to to