



March 9, 2021

The Honorable Xavier Becerra
Attorney General, State of California
1300 I Street
Sacramento, CA 95814
AttorneyGeneral@doj.ca.gov

RE: Proposed adoption of sections 961 through 967 of Title 11, Division 1, Chapter 12 of the California Code of Regulations (CCR) concerning Gun Violence Restraining Orders (GVRO)

Dear Attorney General Becerra:

We would like to express our concern with the Department of Justice's proposed rulemaking that seeks to limit researcher's ability to access data on gun violence restraining orders.

As members of the California Legislature, we are aware of the value of high-quality, independent scientific research to the policymaking process. Such research is particularly important where complex social problems demand innovation and an evidence-based approach. To facilitate such research on firearm violence, California in 2016 created the nation's first publicly-funded firearm violence research center.

In 2014, California enacted the nation's first gun violence restraining order (GVRO) statute. It has been widely replicated. The future structure and implementation of this policy must depend on adequate knowledge of its implementation and, most importantly, its effectiveness.

Recognizing this, in 2017 California adopted the language of Penal Code Section 14231.5, which states in part that, "[n]otwithstanding any other law, the Department of Justice shall make information relating to gun violence restraining orders that is maintained in the California Restraining and Protective Order System [CARPOS], or any similar database maintained by the department, available to researchers affiliated with the University of California Firearm Violence Research Center" (the Center).

The Center has used and is using this data to provide valuable scientific evidence that will guide our work in California and that of our colleagues in other states and Washington, D.C. We have learned, for example, that when GVROs are used in efforts to prevent mass shootings, those shootings do not occur. Other studies published or under way will shed additional light on the

policy's adoption, implementation, and effects in California. We are particularly interested in the findings of the Center's updated assessment of GVROs' effectiveness in preventing violence.

We have learned that, notwithstanding the statutory mandate in Penal Code Section 14231.5, the Department has already stopped providing the individual identifiers from CARPOS that have made possible the Center's research on GVROs thus far. If the proposed regulations are adopted, it will be impossible for the Center to update its work on the effectiveness of GVROs. Had they been in place earlier, they would not have been able to conduct the mass shooting study referred to earlier. That work has had substantial impact even outside California; it was the subject of a press release from Democratic members of the U.S. Senate Committee on the Judiciary.

We are concerned by this failure to abide by a statutory mandate that serves the public's interest. We hope the Department will revise the regulations to ensure that the state funded University of California Firearm Violence Research Center continues to have access to this critical information.

As representatives of the people of California, we rely on the best possible scientific evidence to help us fulfill our duty to serve the public's interest. We view the draft regulations as obstructing the development of that evidence and hope that the Department will reconsider.

Sincerely,



PHILIP Y. TING
Assemblymember, 19th District



MARK STONE
Assemblymember, 29th District



JOSH BECKER
Senator, 13th District



EVAN LOW
Assemblymember, 28th District



JESSE GABRIEL
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