



SAN JOSE POLICE DEPARTMENT

TRAINING BULLETIN

TO: ALL DEPARTMENT PERSONNEL

FROM: Anthony Mata
Chief of Police

**SUBJECT: REVISED GUN VIOLENCE
EMERGENCY PROTECTIVE
ORDER (GVRO) FORM EPO-002**

DATE: January 20, 2023

Bulletin# 2023-003

On January 1, 2023, the Judicial Council of California adopted a revised version of the *Gun Violence Emergency Protective Order* (GVRO Form EPO-002). The language of the form has been updated to provide clear instructions on prohibited possession of firearms and parts of firearms by the restrained party.

The following changes were made to the revised form:

- The gender classification of “Nonbinary” was added to section 1.
- The language in section 2 was changed to include the prohibited possession of firearm parts: *“If you have any firearms (guns), firearm parts (any receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531), ammunition, or magazines you MUST IMMEDIATELY SURRENDER (GIVE) THEM if asked by a police officer.”*
- The following language was added to section 4, advising restrained parties that they can attend the court hearing remotely: *“You may attend the hearing remotely (check your court’s website for instructions).”*
- The following language was added to section 8: *“Firearms (including parts).”*

All Department members should discard any previous versions of the GVRO Form EPO-002 and replace them with the new version of GVRO Form EPO-002 (Rev. January 1, 2023). The revised GVRO Form EPO-002 is available at Central Supply.

A handwritten signature in black ink, appearing to read "A. Mata".

Anthony Mata
Chief of Police

AM:SD:GB

Attached: EPO-002 Rev. January 1, 2023

**EPO-002
GUN VIOLENCE EMERGENCY PROTECTIVE ORDER**

LAW ENFORCEMENT CASE NUMBER:

1. **RESTRAINED PERSON** (insert name): _____

Address: _____

Gender: M F Nonbinary Ht.: _____ Wt.: _____ Hair color: _____
Eye color: _____ Race: _____ Age: _____ Date of birth: _____

2. **TO THE RESTRAINED PERSON**

(Also see important Warnings and Information on page 2):

You are required to surrender all firearms, ammunition, and magazines that you own or possess in accordance with Section 18120 of the Penal Code and you may not have in your custody or control, own, purchase, possess, or receive, or attempt to purchase or receive, any firearm, ammunition, or magazine while this order is in effect. However a more permanent gun violence restraining order may be obtained from the court. You may seek the advice of an attorney as to any matter connected with the order. The attorney should be consulted promptly so that the attorney may assist you in any matter connected with the order.

If you have any firearms (guns), firearm parts (any receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531), ammunition, or magazines you MUST IMMEDIATELY SURRENDER (GIVE) THEM if asked by a police officer. If a police officer does not ask you to surrender the items, within 24 hours of getting this order, you must take them to a police station or a licensed gun dealer to sell or store them and must file a receipt with the court proving that this has been done. You have 48 hours to file a receipt with the court shown to the right. **If you do not file a receipt within 48 hours you have violated this order and can go to jail.**

3. This order will last until: _____ Time _____

INSERT DATE OF 21st CALENDAR DAY (DO NOT COUNT DAY THE ORDER IS GRANTED)

4. Court Hearing A court hearing will be set within 21 days.

A court hearing will take place at the court above on Date: _____ Time/Dept: _____

You must attend the court hearing if you do not want this restraining order against you. You may attend the hearing remotely (check your court's website for instructions). At the hearing, the judge can make this order last for up to five years.

5. Reasonable grounds for the issuance of this order exist, and a Gun Violence Emergency Protective Order (1) is necessary because the Restrained Person poses an immediate danger of causing personal injury to himself or to another by having custody or control, owning, purchasing, possessing, or receiving any firearms, firearm parts, ammunition, or magazines; and (2) less restrictive alternatives were ineffective or have been determined to be inadequate or inappropriate under the circumstances.

6. Judicial officer (name): _____ granted this order on (date): _____ at (time): _____

APPLICATION

7. Officer has a reasonable cause to believe that the grounds set forth in item 5, above, exist (state supporting facts and dates; specify weapons—number, type and location):

8. Firearms (including parts) were observed reported physically searched for seized.
 Ammunition (including magazines) was observed reported physically searched for seized.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

By: _____
(PRINT NAME OF LAW ENFORCEMENT OFFICER)

(SIGNATURE OF LAW ENFORCEMENT OFFICER)

Agency: _____ Telephone No: _____ Badge No: _____

Address: _____

PROOF OF SERVICE

9. I personally delivered copies of this Order to the restrained person name in item 1.

Date of service: _____ Time of service: _____ Address: _____

10. At the time of service, I was at least 18 years of age.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: _____
(TYPE OR PRINT NAME OF SERVER/LAW ENFORCEMENT OFFICER) _____
(SIGNATURE OF SERVER)