



Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courts.ca.gov

REPORT TO THE JUDICIAL COUNCIL

Item No.: 24-186

For business meeting on November 15, 2024

Title

Allocations and Reimbursements to Trial Courts: Firearm Relinquishment Grant Program for 2024–25 Through 2025–26

Report Type

Action Required

Effective Date

November 15, 2024

Rules, Forms, Standards, or Statutes Affected

None

Date of Report

October 22, 2024

Recommended by

Family and Juvenile Law Advisory Committee

Hon. Tari L. Cody, Cochair

Hon. Stephanie E. Hulsey, Cochair

Trial Court Budget Advisory Committee

Hon. Jonathan B. Conklin, Chair

Contact

Frances Ho, Attorney

415-865-7662

frances.ho@jud.ca.gov

Executive Summary

The Budget Act of 2022 (Assem. Bill 178; Stats. 2022, ch. 45) appropriated \$40 million in one-time General Fund to the Judicial Council, of which \$36 million was directed for distribution to trial courts to support court-based firearm relinquishment programs. After allocations totaling \$20.1 million were made to the trial courts through fiscal year 2023–24, the Budget Act of 2024 reduced the appropriation remaining for trial courts to \$9.1 million. The Family and Juvenile Law Advisory Committee and the Trial Court Budget Advisory Committee recommend that the Judicial Council approve the allocation and distribution of \$9.1 million to six trial courts for Firearm Relinquishment Grant awards for fiscal years 2024–25 through 2025–26.

Recommendation

The Family and Juvenile Law Advisory Committee and the Trial Court Budget Advisory Committee recommend that the Judicial Council, effective November 15, 2024:

1. Approve the allocation and distribution of \$9.1 million to six trial courts to fund new or expanded firearm relinquishment programs for fiscal years 2024–25 through 2025–26 (Cycle 3); and
2. Delegate authority to the Family and Juvenile Law Advisory Committee to reallocate and distribute any unspent funding allocated to any of the awarded courts in Cycles 1, 2, and 3 based on the same criteria established during the application period.

The proposed allocation for funding is listed in Attachment A.

Relevant Previous Council Action

On January 20, 2023, the Judicial Council approved the allocation and distribution of \$18.5 million to seven trial courts (Cycle 1) and delegated authority to the Family and Juvenile Law Advisory Committee to reallocate and distribute any unspent funding from these grant awards to any of the awarded courts, based on the same criteria established during the application period.¹

On May 12, 2023, the Judicial Council approved the allocation and distribution of \$1.6 million to one trial court (Cycle 2) and delegated authority to the Family and Juvenile Law Advisory Committee to reallocate and distribute any unspent funding from these grant awards to any of the awarded courts in Cycles 1 and 2, based on the same criteria established during the application period.

The recommendations for Cycle 3 were presented to the Judicial Branch Budget Committee on October 11, 2024, and approved for consideration by the Judicial Council.

Analysis/Rationale

The Budget Act of 2022 appropriated \$40 million in one-time funding to support court-based firearm relinquishment programs, requiring courts to partner with at least one law enforcement agency to ensure “the consistent and safe removal of firearms from individuals who become prohibited from owning or possessing firearms and ammunition pursuant to court order.”² Of the total amount, \$36 million was directed for distribution to trial courts. In 2024, to address statewide budget deficits, the amount allocated to the program was reduced to \$30.8 million.³ Of the \$30.8 million, a total of \$20.1 million has already been allocated to eight courts in Cycles 1

¹ Judicial Council of Cal., Advisory Com. Rep., *Allocations and Reimbursements to Trial Courts: Firearm Relinquishment Grant Program for 2022–23 Through 2024–25* (Dec. 15, 2022), <https://jcc.legistar.com/View.ashx?M=F&ID=11589761&GUID=C8033AC8-2569-4E4B-A6E7-795900CF73F9>.

The seven courts included Los Angeles, Modoc, San Diego, San Francisco, San Mateo, Santa Clara, and Ventura.

² Item 0250-001-0001, provision 11.

³ Budget Act of 2024 (Assem. Bill 107; Stats. 2024, ch. 22), https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB107.

and 2 and \$1.6 million is needed for the council to administer and evaluate the program, leaving \$9.1 million available to fund courts in Cycle 3.

Since implementation, Cycle 1 and 2 courts have been successful at partnering with law enforcement to establish firearm relinquishment programs. Program activities have resulted in over 400 individuals relinquishing over 1,600 firearms, in a range of small, medium, and large courts. More information on the implementation of the program can be found in the Judicial Council's report to the Legislature, *Report on the Firearms Relinquishment Grant Program for 2023–24*.⁴

To distribute the remaining funds, the Judicial Council's Center for Families, Children & the Courts circulated a grant application for Cycle 3 of the program. All courts, including those that received grants in Cycles 1 and 2, were invited to apply. The application was sent to all trial court presiding judges and court executive officers on October 31, 2023, with a deadline of December 22, 2023. Information regarding the program was also posted on the California Courts website, and a live webinar on the application process was hosted on November 16, 2023.

In January 2024, the Governor's proposed budget for fiscal year 2024–25 included a reduction of \$20 million to this program, which would have eliminated all funding available for Cycle 3. As a result, applications for Cycle 3 were put on hold. As noted above, the Budget Act of 2024 reappropriated \$10.8 million to the program, allowing the council to move forward with funding a third cycle.⁵

Eligibility and selection criteria

To be eligible for grant funding, the enabling legislation provided the following criteria and priority areas in selecting applicant courts:

- Courts must contract with at least one law enforcement agency located within the county for activities that cannot reasonably and safely be conducted by the court.
- At least 30 percent of the funding allocated to each court must be directed to law enforcement through contracts with the court.
- The selection process must consider statewide diversity in geographic location and court size.
- Priority must be given to firearm relinquishment activities related to civil court orders including domestic violence restraining orders and gun violence restraining orders.
- Priority must be given to courts with higher numbers of requests, per capita, for domestic violence restraining orders or gun violence restraining orders filed.

⁴ Available at www.courts.ca.gov/7466.htm.

⁵ Assem. Bill 157 (Stats. 2024, ch. 994).

In addition, for Cycles 2 and 3, the council established priority for funding courts not currently participating in the program over courts that already received funding in a prior cycle.⁶

Proposed grant awards

Seven trial courts applied for funding during Cycle 3: the Superior Courts of Alameda, El Dorado, Imperial, Sacramento, San Diego, Shasta, and Yolo Counties. All seven courts were eligible for funding as each court proposed to partner with at least one law enforcement agency and to allocate at least 30 percent of the proposed budget to law enforcement. The total amount requested was \$11.1 million, \$2 million above the \$9.1 million available to fund courts in Cycle 3. A summary of each court's application is provided in Attachment B.

Of the seven courts who applied, six represent new courts that have not previously received funding under this program. One court, the Superior Court of San Diego County, was funded in Cycle 1 at \$2.3 million. The committees recommend funding the six courts that have not previously received funding. The recommended allocations are provided in Attachment A.

Reductions were made to the funding requests for the Superior Courts of Alameda and Imperial Counties because their proposed budgets contain some unallowable line items or expenses not consistent with the goals of the program. These reductions were reviewed with the courts.

Policy implications

The recommended actions comply with the provision in the Budget Act of 2022 that the Judicial Council allocate these funds to trial courts to support court-based firearm relinquishment programs.

Comments

Public comments were not solicited for this proposal because the recommendations are within the Judicial Council's purview to approve without circulation.

Alternatives considered

The committees considered funding all applicants who applied but rejected this approach as it would likely require a percentage reduction to all programs.

Fiscal and Operational Impacts

Funding six new courts would allow those courts to establish or expand firearm relinquishment programs. While the Superior Court of San Diego County would not be awarded additional funding to expand its program, it could use unspent funds from its current allocation to do so.

The Judicial Council will execute a contract agreement with each awarded court, and each court will then be required to execute a memorandum of understanding with its law enforcement

⁶ The council established this additional priority area, consistent with AB 178 (Stats. 2022, ch. 45), which requires the council to establish the process and criteria for allocating funds.

agency partner. All grant funding for Cycle 3 must be spent or encumbered by December 31, 2026.

Attachments and Links

1. Attachment A: *Firearm Relinquishment Grant Program Proposed Funding Allocation for 2024–25 Through 2025–26*
2. Attachment B: *Firearm Relinquishment Grant Program Summary of Cycle 3 Applications*

**Firearm Relinquishment Grant Program
Proposed Funding Allocation for 2024–25 through 2025–26**

#	Recipient Court	Region/Court Size	Proposed Grant Funding Allocation
1	Alameda	Bay Area/Large	\$5,588,089*
2	El Dorado	Northern California/Small	\$578,993
3	Imperial	Southern California/Small	\$1,261,304†
4	Sacramento	Northern California/Large	\$651,901
5	Shasta	Northern California/Small	\$377,615
6	Yolo	Northern California/Small	\$655,795
Total			\$9,113,697
<p>* The committees do not recommend funding (1) indirect costs for subcontractors; (2) food and beverages for mobile clinics; and (3) client advocacy (navigator) services. The award represents the proposed budget less the total cost of these three items (\$762,362).</p> <p>† The committees do not recommend funding leases for vehicles. The award represents the proposed budget less the cost of leasing vehicles for law enforcement (\$79,150).</p>			

**Firearm Relinquishment Grant Program
Summary of Cycle 3 Applications**

#	Court	Description
1	Alameda	New relinquishment program in partnership with the Alameda County District Attorney's Office and the Oakland Police Department. The court would hire a dedicated case manager to monitor firearms compliance for domestic violence and gun violence restraining order cases. The district attorney's office would have dedicated staff to coordinate relinquishment activities with other law enforcement agencies; provide education for the court, law enforcement, stakeholders and the public; and update electronic databases to improve case tracking and firearms data. The Oakland Police Department would also update its electronic database to improve case management for firearms cases.
2	El Dorado	New relinquishment program in partnership with the El Dorado County District Attorney's Office and probation department. The court would notify partners of restraining orders and cases involving noncompliance, and hold noncompliance hearings. The district attorney's office would have a dedicated investigator to screen domestic violence and gun violence restraining order cases, provide training, lead team meetings, and coordinate relinquishment efforts. The probation department would use funding to support relinquishment field operations and other relinquishment initiatives.
3	Imperial	Expand an existing relinquishment program in partnership with the Imperial County District Attorney's Office and Sheriff's Office. The court would provide information on relinquishment procedures and track compliance. The district attorney's and sheriff's offices would have a dedicated team to review and facilitate relinquishment.
4	Sacramento	Expand an existing relinquishment program in partnership with the Sacramento County District Attorney's Office. Would establish a task force to address firearms relinquishment and provide training and education to stakeholders and the public. The court would lead the task force and be responsible for notifying partners of noncompliant cases and related hearings. The district attorney's office would have staff to investigate possible noncompliance, be present for compliance review hearings, and provide information to parties regarding proper relinquishment.

ATTACHMENT B

5	Shasta	New relinquishment program. The court would dedicate marshal staff to be responsible for reviewing domestic violence and gun violence restraining order cases to screen for possible firearms, attend compliance hearings, provide relinquishment information to restrained persons, follow up with restrained persons on status of relinquishment, and refer noncompliance cases to the district attorney's office and local law enforcement.
6	Yolo	Expand an existing relinquishment program in partnership with the Yolo County Sheriff's Office. The court would have dedicated staff to track compliance in court cases and provide help with restraining orders, including understanding the firearms relinquishment process. The sheriff's office would provide dedicated staff to coordinate information with the court, develop relinquishment protocols tied to service of restraining orders, and investigate and enforce firearm relinquishment orders.
7	San Diego (not recommended for funding)	Expand an existing relinquishment program in partnership with the San Diego City Attorney's Office and Police Department. Relinquishment activities would be performed by current partners and other local law enforcement agencies for other firearm-prohibiting cases, including domestic violence restraining orders. The court would create a new compliance review calendar at each court location and develop new procedures to streamline restraining order processes.