

GUN SAFETY LAW IMPLEMENTATION GUIDE AND CHECKLIST

State and local jurisdictions seeking to implement gun safety laws will likely encounter a wide range of challenges and opportunities. Jurisdictions should seek to identify potential obstacles before proceeding. This document provides some guidance designed to assist in that process. Given that communities differ in terms of needs and resources, and various stakeholders within particular communities may have differing views on these issues, it may be helpful to have a variety of people involved with this process complete this document.

1. What problem is this law designed to address?

2. Briefly describe and/or sketch out how the law will be used.

3. Think about and jot down the various steps that are necessitated by this policy.

For example, a person concerned about someone with access to firearms might want to request an ERPO. Where do they get info? Are there necessary forms? How will they serve the order? What will the court need to be prepared to handle? What will the respondent need to know? How will the firearms be turned over, stored, and returned?

4. Mark the key players and stakeholders who will be involved with or impacted by implementation of the new law.

Who will be directly impacted (protected, restricted, expected to implement, responsible for leading the way, etc.) by the law being enacted?	Involved in development of the law	Need to be included in the implementation process
Judges		
State judicial policy-making body (Judicial Council, Office of State Court Administrator, Supreme Court)		
Court clerks		
Entity responsible for key database(s) for entry of orders		
Psychiatric facilities		
State Dept. of Justice		
Technology professionals in impacted agencies and organizations		
Continuing education providers for key professionals		
Court administrators		
Court-based investigators, mediators, counselors		
Public defenders		
Private defense attorneys		
Civil attorneys		
City attorneys or county counsel		
Legal aid attorneys		
Self-help or legal information services		
Victims/survivors of domestic violence		
Victims/survivors of community violence		
Victims/survivors of other forms of firearm violence		
People who have caused harm/violence		
Healthcare providers		
Evaluators and researchers		

Who will be directly impacted (protected, restricted, expected to implement, responsible for leading the way, etc.) by the law being enacted?	Involved in development of the law	Need to be included in the implementation process
Community-based community violence prevention agencies		
Gun owners and purchasers		
Social service providers		
Child welfare workers		
Gun dealers		
Probation		
Law enforcement <ul style="list-style-type: none"> • Statewide • Specific jurisdictions • Municipal agencies • Sheriff's departments • Prosecutors • Chiefs • Trainees/new officers • Long-time officers 		
Hotlines		
Violence prevention advocates		
Elder abuse and vulnerable adults workers		
Educators		
Statewide domestic violence coalition(s)		
Faith communities		
Violence interrupters		
Community-based organizations		
Public health workers		
Family justice centers		
Family violence councils		
Local/state grant-making agency		

Others

5. Will any additional regulations or clarifying guidelines be necessary for effective implementation? If so, who will be responsible for drafting and approving these guidelines?

6. Identify key resources necessary for implementation and which stakeholders will be responsible.

What	Who
Court forms	
Informational materials (brochures, PSAs, social media, etc.)	
Development of website(s)	
Training for law enforcement	
Information and training for advocates	
Training for community-based service providers	
Physical locations available for storage	
Computer/IT resources (specify)	
Legal information for petitioners or respondents/defendants/probationers	
Community-based services (specify)	
Distribution of funds	
Tools such as checklists, templates, and benchcards	
Additional resources necessary for implementation (specify)	
Participation in steering/oversight committees	
Evaluation and research	

7. Outline the various methods and timeframe that will be used to implement the new law.

What	When
In-person convening of key players (regular coalition or new taskforce/working group meetings)	
Online meetings	
Training events	
Production of specific materials <ul style="list-style-type: none"> • Pocket-sized brochure • Intake forms/sample questions • How-to-relinquish info sheets • Resources available to assist 	
Input into regulations, forms, and other needed tools and elements of the law	
One-on-one conversations with key stakeholders	
Connecting key stakeholders with peers in other jurisdictions	
Sharing promising practices	
Attending existing coalition meetings	
Developing strategic plans for implementation	
Incorporating this policy into existing strategic and operations plans	
Incorporating this policy into existing trainings	
Networking nationally with similarly situated jurisdictions	
Budget advocacy	
Local/state grant-making agency	
Educating newly appointed/elected stakeholders about the law/policy	

Things to Avoid

- **Using polarizing terminology.** There is a lot of support across the political spectrum for gun *safety* policies. Consider taking concrete steps to avoid using language that criticizes gun owners, veterans, or others for whom firearms may be important, as well as language that suggests all those who own guns are inherently dangerous. Also, avoid using language that demonizes or marginalizes certain groups of stakeholders (“dangerous hands,” “the mentally ill,” “criminals”). Language matters and can make the implementation process more or less inclusive.
- **Measuring success by the number of orders issued or arrests made.** Discretion plays an important role in handling complex and potentially dangerous situations. Sometime criminal proceedings are necessary; in other situations, a civil restraining order will be the best approach; and in still other situations, individual family or community-based solutions without law enforcement or court involvement will offer safe and appropriate responses.

- **Disseminating misinformation that confuses key stakeholders.** Legal policy is often nuanced and changes over time with court decisions, statutory amendments, and interpretations through rules and regulations. Trainings should be conducted by people who understand the complexity of the jurisdiction’s legal framework and should not focus solely on the new laws, but instead should place new provisions in the context of existing or changed law. Any public-facing materials should similarly avoid advocating for a single legal remedy and should instead provide referrals to safety planning and legal services. Jurisdictions might also consider developing standardized materials and a “train the trainers” program to help keep information consistent and accurate.

Possible Challenges and Recommendations

- 1. Lack of clarity in the statute:** People disagree over what is intended by the law and who should guide implementation.

Recommendation: Consider creating a multidisciplinary stakeholder working group to discuss what success looks like. Make sure participants bring diverse perspectives to the discussion and that membership itself is diverse around race, culture, LGBTQ+ identity, involvement in mental health service delivery, tribal affiliation, and other characteristics that reflect communities impacted by the law.

- 2. Limited or lack of resources:** If no funding is allocated in the original bill, stakeholders may struggle to effectively implement the law.

Recommendation: Identify funding needs and opportunities to advocate for appropriate resources. Explore whether any currently funded approaches could be reworked to include this new policy area. Build coalitions and partnerships with others who may be able to leverage funds or resources not otherwise available.

- 3. Law not widely known or well-understood:** Some new legal remedies may be unfamiliar to key stakeholders who may not have the training or context to successfully implement the law.

Recommendation: Partner with others in the relevant professional area to develop responsive training opportunities. Connect local stakeholders with peers in jurisdictions that are similar and have implemented related approaches. Identify key ways the public might end up needing the particular remedy and who they might interact with to determine who needs what type of training. Produce materials for stakeholders and those who need to know about the law.

- 4. Safe policies for removal and storage of firearms are not in place or are inconsistent statewide:** This can cause confusion across jurisdictions and create unnecessary duplication of limited resources.

Recommendation: Create clear policies and procedures, and help disseminate policies from other jurisdictions. Coordination and learning promising practices from each other through well-documented policies and procedures can make an enormous difference.

5. Limited data and ability to measure success: Many communities have limited information about how policies are being applied. Data collection should be built into policies and procedures so that budget requests and areas for improvement can be identified, as can any unintended negative or disproportionate impact.

Recommendation: Identify key indicators of success, discuss with working group and partners, and find ways to collect information early and throughout the implementation process. Consider whether a local college or university or organization may be able to assist with the research effort.

Completed By

Date

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