



San Diego County Gun Owners

April 7th, 2023

City Attorney Elliott:

Thank you for your response to my letter of April 5, 2023. Predictably, your office will not petition for a Gun Violence Restraining Order (GVRO) against Nathan Fletcher, despite the sexual assault allegations against him as spelled out in court documents and reported by every major news agency in San Diego.

You have been public about how aggressive your office is when petitioning for GVROs in similar situations, especially when a GVRO isn't even required to remove firearms. You have pursued GVROs in hundreds of cases in which there was little more than the accusation of bad behavior, let alone an alleged victim of violent crime.

Your office has issued a GVRO for a Facebook meme that offended a coworker. Your office has issued a GVRO against a roommate who was having a financial dispute. Your office has even issued a GVRO against a woman who caught her husband cheating, while taking the word of the angry husband, and then refused to drop the case after the husband admitted he made up the accusation.

What makes the Nathan Fletcher case different? Why won't you take Fletcher's guns so he has to – like these other cases – spend thousands of dollars to go to court and clear his name, simply because someone accused him?

There is an actual alleged violent crime committed against someone, which makes it a much more serious situation than most of your GVROs. The big difference in this case is Fletcher appears to be getting special treatment, because of his stature as a prominent elected official.

In your letter you say you don't want to petition for a GVRO because you don't want to “stigmatize” people seeking help for PTSD and alcoholism (making no mention of any concern or compassion for Fletcher's alleged sexual assault victim). Does your office have a complete list of laws people can break and then avoid any related consequences, by claiming PTSD and alcoholism? If so, can you please provide it to me?



I knew before I wrote my initial letter that you would not pursue a GVRO in this case. Your confirmation that I was right is proof that GVROs are dangerously subjective and applied capriciously. I can only assume that you are choosing to not pursue a GVRO because of how damaging it could be to your ally Fletcher's personal and professional life.

San Diego County Gun Owners is asking that everyone be afforded the "Nathan Fletcher Treatment" from now on. Don't just spare your friends from GVROs; spare everyone. If someone is breaking the law, law enforcement already has the ability to take firearms away. If someone is not breaking the law, why are we taking away their firearms?

To be clear, we continue to vehemently oppose the use of GVROs, even in Fletcher's case. However, the subjectivity in issuance of GVROs, the lack of protections for gun owners who are being falsely accused, and your political bias and extremism in these cases make GVROs dangerous to the people of San Diego.

My initial letter to you and your predictable response was a successful exercise in proving the use of GVROs as bad public policy and how easily that policy can be abused by your office.

Prove to everyone that your political friends aren't more important than the rest of your constituents. Prove that you oppose unequal application of the law by discontinuing your aggressive campaign to overuse GVROs.

Sincerely,

Michael A. Schwartz

San Diego County Gun Owners PAC