



Solano Superior Court Mental Health Diversion Firearms Packet

Persons Prohibited from Possessing Firearms

On or after July 1, 2024, any person who has been granted pretrial mental health diversion under Penal Code section 1001.36 and found by a court to be prohibited from owning or controlling a firearm because they are a danger to themselves or others under Penal Code section 1001.36(m), must relinquish all firearms, ammunition, and other deadly weapons. The prohibition will be in place until the successful completion of pretrial mental health diversion or firearm rights are restored under Welfare and Institutions Code section 8103(g)(4). For more information, see Cal. Welf. & Inst. Code section 8103(i).

If the Court has ordered the firearm restriction:

- You must relinquish any and all firearms, ammunition, and deadly weapons within forty-eight (48) hours.
- You must also file a receipt with the Court showing compliance with the order within forty-eight (48) hours.
- If you were in-custody when the prohibition order was made, you have 14 days to relinquish and file the receipt, or if you are released within the first 14 days of the order, you have 5 days to relinquish and file the receipt from the date you are released from custody.

You have three (3) options to surrender your firearms, ammunition, and deadly weapons:

1. Surrender to any local law enforcement agency.

- A. The law requires that you telephone the law enforcement agency that you will surrender your firearm(s) to.
- B. Tell them you are surrendering your firearm(s) per a Court order.
- C. You must transport your firearm(s) to the law enforcement agency. Read the attached information sheet on page 3, **Instructions for Legal Transport of Firearm(s)**.
- D. You must complete Receipt for Firearms, Firearm Parts Ammunition and Magazines (CR-800) and have law enforcement fill out section 3

2. Sell your firearm(s) to a registered gun dealer.

- A. The gun dealer must be listed with the California Department of Justice Firearms Dealers Centralized list: <https://www.atf.gov/firearms/listing-federal-firearms-licensees>
- B. You must transport your firearm(s) to the gun dealer. Read the attached information sheet on page 3, **Instructions for Legal Transport of Firearm(s)**.
- C. You must complete Receipt for Firearms, Firearm Parts Ammunition and Magazines (CR-800) and have law enforcement fill out section 4.

3. Designate a third party to act on your behalf.

- A. Immediately designate a third-party person, **someone who is not prohibited from possessing a firearm**, to act on your behalf. You **must** complete the Power of Attorney form in this packet.
- B. The person you designate will surrender the firearm(s) to a local law enforcement agency (Option 1) or sell the firearm(s) to a dealer (Option 2).
- C. Read the attached information sheet on page 3, **Instructions for Legal Transport of Firearm(s)**.
- D. Designated third party must complete Receipt for Firearms, Firearm Parts Ammunition and Magazines (CR-800) and have law enforcement fill out section 3 or a licensed gun dealer fill out section 4.

Instructions for Legal Transport of Firearm(s)

1. **You must call the law enforcement agency first** and notify them that you are turning in a firearm and ammunition per Court order.
2. The firearm(s) must not be loaded.
3. When transporting the firearm(s) in a vehicle, it must be locked inside the trunk or in a locked container in the back of the vehicle out of arm's reach. (PC 25610).
4. The law enforcement agency will give you instructions on surrendering ammunition. Some agencies may ask you to make more than one trip: one trip to surrender the firearm(s) and another trip to surrender the ammunition. Ammunition must be transported in a box or specific ammunition can separate from the firearm(s).
5. You must drive straight to the law enforcement agency. Do not stop anywhere else.
6. Call the agency immediately when you arrive or go inside and ask for further instructions. **Leave the firearm(s) inside the vehicle** unless you have been instructed otherwise.



CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS FIREARMS PROHIBITING CATEGORIES

Persons who fall into the following categories are prohibited from owning and/or possessing firearms under California and/or federal law for the time periods described below. Please note that the Department of Justice provides this document for informational purposes only. This list may not be inclusive of all firearm prohibitions. For specific legal advice, please consult with an attorney.

Lifetime Prohibitions

Convictions

- Any person who has been convicted of, or has an outstanding warrant and knowledge of the same for, a felony under the laws of the United States, the State of California, or any other state, government, or country. (Cal. Penal Code § 29800(a)(1), (a)(3); 18 U.S.C. § 922(g)(1).)
- Any person who has been convicted of a “violent offense” listed in California Penal Code section 29905. (Cal. Penal Code § 29900(a)(1).)
- Any person with two or more convictions for exhibiting any firearm in a rude, angry, or threatening manner in the presence of another person, except in self-defense, in violation of Penal Code section 417, subdivision (a)(2). (Cal. Penal Code § 29800(a)(2).)
- Any person convicted of a misdemeanor violation of the following offenses:
 - Assault with a firearm. (Cal. Penal Code §§ 29800(a)(1), 23515(a), 245(a)(2).)
 - Assault with a machinegun, assault weapon, or .50 BMG rifle. (Cal. Penal Code §§ 29800(a)(1), 23515(a), 245(a)(3).)
 - Shooting at an inhabited dwelling house, housecar, or camper, or at an occupied building, vehicle, or aircraft. (Cal. Penal Code §§ 29800(a)(1), 23515(b), 246.)
 - Exhibiting any firearm in a rude, angry, or threatening manner in the presence of a peace officer. (Cal. Penal Code §§ 29800(a)(1), 23515(d), 417(c).)
 - Inflicting corporal injury on a spouse or significant other under California Penal Code section 273.5, if convicted on or after January 1, 2019. (Cal. Penal Code § 29805(b).)

- Any person who has been convicted in any court of a misdemeanor crime of domestic violence. (18 U.S.C. § 922(g)(9).)

Mental Health

- Any person who is found by a court of any state to be a danger to others because of a mental disorder or mental illness. (Cal. Welf. & Inst. Code § 8103(a).)
- Any person who is found by a court of any state to be a mentally disordered sex offender. (Cal. Welf. & Inst. Code § 8103(a).)
- Any person who is found by a state or federal court to be not guilty by reason of insanity. (Cal. Welf. & Inst. Code § 8103(b), (c).)
- Any person who is found by a state or federal court to be mentally incompetent to stand trial. (Cal. Welf. & Inst. Code § 8103(d).)
- Any person who, within one year, is taken into custody two or more times as a danger to self or others under Welfare and Institutions Code section 5150 and assessed and admitted to a mental health facility. (Cal. Welf. & Inst. Code § 8103(f)(1)(B).)



CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS FIREARMS PROHIBITING CATEGORIES

- Any person who has been adjudicated as a mental defective or who has been committed to a mental institution. (18 U.S.C. § 922(g)(4); 27 C.F.R § 478.11 (defining "adjudicated as a mental defective" and "committed to a mental institution").)

Miscellaneous

- Any person who is a fugitive from justice. (18 U.S.C. § 922(g)(2).)
- Any person who is an alien illegally or unlawfully in the United States, or admitted to the United States under a nonimmigrant visa (subject to certain exceptions). (18 U.S.C. § 922(g)(5).)
- Any person who has been discharged from the military under dishonorable conditions. (18 U.S.C. § 922(g)(6).)
- Any person who has renounced their United States citizenship. (18 U.S.C. § 922(g)(7).)

10-Year Prohibitions

When a person has been convicted of, or has an outstanding warrant and knowledge of the same for, a misdemeanor violation of any of the offenses listed below (Cal. Penal Code § 29805(a), (c), (d), (e), (f), (g)):

- Threatening public officers, employees, and school officials. (Cal. Penal Code § 71.)
- Threatening certain public officers, appointees, judges, staff or their families with the intent and apparent ability to carry out the threat. (Cal. Penal Code § 76.)
- Intimidating witnesses or victims. (Cal. Penal Code § 136.1.)
- Possessing a deadly weapon with the intent to intimidate a witness or victim. (Cal. Penal Code § 136.5.)
- Using force or threatening to use force against a witness, victim, or informant. (Cal. Penal Code § 140.)
- Attempting to remove or take a firearm from the person or immediate presence of a public or peace officer. (Cal. Penal Code § 148(d).)
- Knowingly making a false report to a peace officer that a firearm has been lost or stolen. (Cal. Penal Code § 148.5(f).)
- Unauthorized possession of a weapon in a courtroom, courthouse, or court building, or at a public meeting. (Cal. Penal Code § 171b.)
- Bringing into or possessing a loaded firearm within the State Capitol, any legislative office, any legislative hearing room, or any office of the Governor or any other constitutional officer. (Cal. Penal Code § 171c(a)(1).)
- Bringing onto the grounds a loaded firearm, or possessing a loaded firearm within, the Governor's Mansion or residence of any other constitutional officer. (Cal. Penal Code § 171d.)
- Knowingly supplying, selling, or giving possession of a firearm to a person to commit a felony while actively participating in a criminal street gang. (Cal. Penal Code § 186.28.)
- Assault. (Cal. Penal Code §§ 240, 241.)
- Battery. (Cal. Penal Code §§ 242, 243.)
- Sexual Battery. (Cal. Penal Code § 243.4.)
- Assault with a stun gun or taser weapon. (Cal. Penal Code § 244.5.)
- Assault with a deadly weapon other than a firearm, or assault with force likely to produce great bodily injury. (Cal. Penal Code § 245(a)(1), (4).)
- When the victim is a school employee engaged in performance of duties, assault with a firearm, assault with a deadly weapon or instrument, assault by any means likely to produce great bodily injury, or assault with a stun gun or taser. (Cal. Penal Code § 245.5.)



CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS FIREARMS PROHIBITING CATEGORIES

- Discharging a firearm or BB gun in a grossly negligent manner. (Cal. Penal Code § 246.3.)
- Shooting at an unoccupied aircraft or motor vehicle, or at an uninhabited building or dwelling house. (Cal. Penal Code § 247.)
- Inflicting corporal injury on a spouse or significant other, if convicted before January 1, 2019. (Cal. Penal Code § 273.5.)
- Intentionally and knowingly violating a protective or restraining order. (Cal. Penal Code § 273.6.)
- Exhibiting any deadly weapon or firearm in a rude, angry, or threatening manner in the presence of another person, except in self-defense. (Cal. Penal Code § 417.)
- Intentionally inflicting serious bodily injury as a result of exhibiting a deadly weapon or firearm in the presence of another person. (Cal. Penal Code § 417.6.)
- Making threats to commit a crime which will result in death of, or great bodily injury to, another person. (Cal. Penal Code § 422.)
- Interference with the exercise of civil rights because of actual or perceived characteristics of the victim. (Cal. Penal Code § 422.6.)
- Possessing a firearm in a place the person knows or reasonably should know is a school zone. (Cal. Penal Code § 626.9.)
- Stalking. (Cal. Penal Code § 646.9.)
- Wearing a peace officer uniform while engaged in picketing or other public informational activities relating to a concerted refusal to work. (Cal. Penal Code § 830.95.)
- Possessing a deadly weapon with the intent to commit an assault. (Cal. Penal Code § 17500.)
- Carrying a concealed firearm, loaded firearm, or other deadly weapon while engaged in picketing or other public informational activities relating to a concerted refusal to work. (Cal. Penal Code § 17510.)
- Carrying a firearm in a public place or on a public street while masked. (Cal. Penal Code § 25300.)
- Carrying a loaded firearm with the intent to commit a felony. (Cal. Penal Code § 25800.)
- Possession of handgun ammunition designed primarily to penetrate metal or armor. (Cal. Penal Code § 30315.)
- Unauthorized possession or knowingly transporting a machinegun. (Cal. Penal Code § 32625.)
- As the driver or owner of any vehicle, knowingly permitting another person to discharge a firearm from the vehicle, or any person who willfully and maliciously discharges a firearm from a motor vehicle. (Cal. Penal Code § 26100(b), (d).)
- A firearms dealer who sells, transfers, or gives possession of a handgun, semiautomatic centerfire rifle, completed frame or receiver, or firearm precursor part to a person under 21 years of age, when no exception applies. (Cal. Penal Code § 27510.)
- Purchase, possession, or receipt of a firearm or deadly weapon by a person receiving in-patient treatment for a mental disorder while a danger to self or others, or by a person who has communicated to a licensed psychotherapist a serious threat of physical violence against an identifiable victim. (Welf. & Inst. Code § 8100.)
- Knowingly providing a deadly weapon or firearm to a person described in Welfare and Institutions Code sections 8100 or 8103. (Cal. Welf. & Inst. Code § 8101.)
- Purchase, possession, or receipt of a firearm or deadly weapon by a person who has been found by a court to be a danger to others because of a mental disorder or mental illness, to be a mentally disordered sex offender, to be not guilty by reason of insanity, or to be mentally incompetent to stand trial. (Cal. Welf. & Inst. Code § 8103(a), (b), (c), (d).)



CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS FIREARMS PROHIBITING CATEGORIES

- Purchase, possession, or receipt of a firearm by a person placed under a conservatorship for specified reasons, by a person taken into custody as a danger to self or others under Welfare and Institutions Code section 5150 and assessed and admitted to a mental health facility, or by a person certified for intensive treatment under Welfare and Institutions Code sections 5250, 5260, or 5270.15. (Cal. Welf. & Inst. Code § 8103(e), (f)(1)(A), (g).)
- Knowingly bringing a firearm into, or knowingly possessing a firearm in, a juvenile facility. (Cal. Welf. & Inst. Code § 871.5.)
- Knowingly bringing a firearm into, or knowingly possessing a firearm in, a Youth Authority institution or camp. (Cal. Welf. & Inst. Code § 1001.5.)
- Grand theft of a firearm. (Cal. Penal Code § 487.)
- Various violations involving sales and transfers of firearms. (Cal. Penal Code § 27590(c).)
- Storing a firearm knowing that a child or person prohibited from possessing firearms is likely to gain access to the firearm, if convicted on or after January 1, 2020. (Cal. Penal Code § 25100.)
- While residing with a person prohibited from possessing firearms, failing to keep the firearm secure in the residence in one of the specified manners, if convicted on or after January 1, 2020. (Cal. Penal Code § 25135.)
- Storing a firearm knowing that a child or person prohibited from possessing firearms is likely to gain access to the firearm, and the child or prohibited person accesses the firearm and carries it off-premises, if convicted on or after January 1, 2020. (Cal. Penal Code § 25200.)
- Willfully harming, injuring, or endangering the health of a child, if convicted on or after January 1, 2023. (Cal. Penal Code § 273a.)
- Willfully harming, injuring, or endangering the health of an elder or dependent adult, or falsely imprisoning an elder or dependent adult, if convicted on or after January 1, 2023. (Cal. Penal Code § 368(b), (c).)
- Knowingly helping a person prohibited from possessing firearms to manufacture a firearm, or knowingly manufacturing a firearm without a valid state or federal serial number, if convicted on or after January 1, 2023. (Cal. Penal Code § 29180(e), (f).)
- Illegally carrying a concealed firearm or a loaded firearm in public when certain conditions are met, if convicted on or after January 1, 2024. (Cal. Penal Code §§ 25400(a), (c)(5) - (7), 25850(a), (c)(5) - (7).)
- Illegally carrying an unloaded firearm in public, if convicted on or after January 1, 2024. (Cal. Penal Code §§ 26350(a), 26400(a).)
- Having a prior conviction for a misdemeanor violation of Penal Code section 29805, if convicted on or after January 1, 2024. (Cal. Penal Code § 29805(f).)
- Maliciously and intentionally maiming, torturing, or wounding a living animal, or maliciously and intentionally killing an animal, if convicted on or after January 1, 2025. (Cal. Penal Code § 597(a).)



CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS FIREARMS PROHIBITING CATEGORIES

Juvenile Prohibitions

- Until 30 years of age or older, any person who is adjudged a ward of the juvenile court under Welfare and Institutions Code section 602 because the person committed an offense listed below (Cal. Penal Code § 29820):
 - An offense listed in Welfare and Institutions Code section 707(b);
 - An offense listed in Penal Code section 29805;
 - A controlled substance offense listed in paragraphs (B), (C), (D), (E), or (F) of Penal Code section 29820(a) (1);
 - Carrying a loaded firearm in public under Penal Code section 25850;
 - Carrying a concealed firearm under Penal Code section 25400(a); or
 - As the driver or owner of a motor vehicle, knowingly permitting another person to bring a firearm into the vehicle, under Penal Code section 26100(a).

Non-Lifetime Mental Health Prohibitions

- For the period of admittance until discharge from a mental health facility, any person who is receiving in-patient treatment at a mental health facility for a mental disorder and is a danger to self or others. (Cal. Welf. & Inst. Code § 8100(a).)
- For the period of the conservatorship, any person who is placed under a conservatorship by a state or federal court because he or she is gravely disabled from a mental disorder or chronic alcoholism and the court finds that possession of a firearm would endanger the person or others. (Cal. Welf. & Inst. Code § 8103(e).)
- For a period of 5 years from the date that a licensed psychotherapist reports to a local law enforcement agency, any person who communicates a serious threat of physical violence to a licensed psychotherapist against a reasonably identifiable victim and the psychotherapist reports the threat to law enforcement. (Cal. Welf. & Inst. Code § 8100(b).)
- For a period of 5 years after being released from a mental health facility, any person who is taken into custody as a danger to self or others under Welfare and Institutions Code section 5150, assessed, and admitted to a mental health facility. (Cal. Welf. & Inst. Code § 8103(f).)
- For a period of 5 years, any person certified for intensive treatment under Welfare and Institutions Code sections 5250, 5260, or 5270.15. (Cal. Welf. & Inst. Code § 8103(g).)
- On or after July 1, 2024, any person who has been granted pretrial mental health diversion under Penal Code section 1001.36 and found by a court to be prohibited from owning or controlling a firearm because they are a danger to themselves or others under Penal Code section 1001.36(m), until successful completion of the pretrial mental health diversion or the restoration of firearm rights under Welfare and Institutions Code section 8103(g)(4). (Cal. Welf. & Inst. Code § 8103(i).)
- On or after July 1, 2024, any person who has been granted pretrial mental health diversion under Penal Code section 1001.80 and found by a court to be prohibited from owning or controlling a firearm because they are a danger to themselves or others under Penal Code section 1001.80(p), until successful completion of the pretrial mental health diversion or the restoration of firearm rights under Welfare and Institutions Code section 8103(g)(4). (Cal. Welf. & Inst. Code § 8103(i).)



CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS FIREARMS PROHIBITING CATEGORIES

Non-Lifetime Court-Ordered Prohibitions

- For the period of probation, any person who is ordered to not possess firearms as a condition of probation. (Cal. Penal Code § 29815.)
- For the period that the court order is in effect, any person who is subject to one of the following court protection or restraining orders (Cal. Penal Code §§ 18120, 29825; Cal. Family Code § 6389):
 - A protective order under Family Code section 6218, including a Domestic Violence Restraining Order, Juvenile Restraining Order, or Emergency Protective Order;
 - An Emergency Protective Order against stalking under Penal Code Section 646.91;
 - A Civil Harassment Restraining Order under Code of Civil Procedure section 527.6;
 - A Workplace Violence Restraining Order under Code of Civil Procedure section 527.8;
 - A Postsecondary School Violence Restraining Order under Code of Civil Procedure section 527.85;
 - A Criminal Protective Order under Penal Code sections 136.2, 273.5(j), 368(l), 646.9(k), 646.91, or 1203.097 (a)(2);
 - An Elder or Dependent Adult Abuse restraining order under Welfare and Institutions Code section 15657.03; unless the order was made based on financial abuse only;
 - A Gun Violence Restraining Order (GVRO) under section 18100, et seq. of the Penal Code, including a Gun Violence Emergency Protective Order under section 18125;
 - A valid order issued by an out-of-state jurisdiction that is similar or equivalent to one of the court protection or restraining orders described above and includes a prohibition on owning or possessing a firearm (Cal. Penal Code §§ 18205(b), 29825).
- For a period of 5 years after an existing GVRO expires, any person convicted of unlawfully possessing a firearm or ammunition in violation of a Gun Violence Restraining Order. (Cal. Penal Code § 18205.)
- Any person who is subject to a court order that meets certain requirements and restrains the person from harassing threatening, stalking, or threatening an intimate partner or child. (18 U.S.C. § 922(g)(8).)

Miscellaneous Prohibitions

- Any person who is addicted to the use of any narcotic drug. (Cal. Penal Code § 29800(a)(1).)
- Any person who is an unlawful user of or addicted to any controlled substance. (18 U.S.C. § 92)



CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS Prohibited Persons Relinquishment Form INSTRUCTIONS

The Prohibited Persons Relinquishment Form (BOF 1022) is used to facilitate firearm relinquishment by criminal defendants who are rendered prohibited from accessing firearms under California law. Pursuant to Penal Code section 29810, a person who is upon conviction subject to Penal Code sections 29800, 29805, or 29815 is prohibited from owning, purchasing, receiving, possessing, or having under custody or control, any firearms, ammunition, body armor, and ammunition feeding devices, and shall use the Prohibited Persons Relinquishment Form to verify that they have relinquished all firearms.

Please note: This form is intended for use in relinquishing firearms only. Any reference to “firearm” throughout this form includes any firearms, receivers, frames, and any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531). As a reminder, a person who is subject to Penal Code sections 29800, 29805, or 29815 **is also prohibited from owning or possessing ammunition, body armor, and ammunition feeding devices**, including but not limited to magazines, clips, speed loaders, and autoloaders.

A person subject to Penal Code sections 29800, 29805, or 29815 **shall relinquish all firearms through a designee**, which **must be** either a local law enforcement agency or a consenting third party who is not prohibited from possessing firearms under state or federal law. The designee **must** relinquish the defendant's firearms by surrendering the firearms to the control of a local law enforcement agency, selling the firearms to a licensed firearms dealer, or transferring the firearms for storage to a firearms dealer pursuant to Penal Code section 29830. The designee **must** relinquish the firearms within the following time periods:

Within 48 hours of the conviction, if the defendant remains out of custody during the 48-hour period following conviction (Pen. Code § 29810, subd. (a)(1), (d))

Within 14 days of the conviction, if the defendant is in custody at any time during the 48-hour period following conviction and is not subsequently released from custody during the 14 days following conviction (Pen. Code § 29810, subd. (a)(1), (e))

Within 5 days following the defendant's release from custody, if the defendant is in custody at any time during the 48-hour period following conviction and is subsequently released from custody during the 14 days following conviction, if the defendant's designee has not yet taken temporary possession of each firearm to be relinquished (Pen. Code § 29810, subd. (a)(1), (e)(4))

The following form allows the defendant to comply with all of the requirements outlined in Penal Code section 29810.

Sections To Be Completed by Defendant

If the defendant does not own, possess, or have custody or control of any firearms, including completed or unfinished frames or receivers, the defendant must complete Section A, and provide their signature, and date, in Section B.

If the defendant owns, possesses, or has custody or control of any firearms, including completed or unfinished frames or receivers, the defendant must complete Sections A, B, C, D, E, and F.

Section A

Complete all personal information. This section is required to establish identity.

Section B

If you do not own, possess, or have custody or control of any firearms, including completed or unfinished frames or receivers, add your signature and date where indicated to complete the form. You do not need to complete any other sections of this form if you do not own, possess, or have custody or control of any firearms. Submit the completed form to your probation officer.



CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS Prohibited Persons Relinquishment Form INSTRUCTIONS

Section C

If you own, possess, or have under your custody or control any firearms, complete the firearm information and attach the Defendant Supplemental Form (BOF 1023) to report additional firearms as needed. Provide all information about the firearm(s) to be relinquished. Include the current location of the firearm(s) and provide all reasonably available information about the location of the firearm(s) to enable the Power of Attorney (consenting third-party) or Law Enforcement Agency (LEA) Designee to locate the firearm(s).

Provide initials acknowledging the fine and cohabitant advisory.

Section D

If applicable, check "Yes" and provide court documentation verifying that the court approved a shortened or enlarged relinquishment period, or alternate relinquishment method. Otherwise, check "No."

Section E

Complete Power of Attorney (Consenting Third Party)/Law Enforcement Designee Assignment information.

Section F

Complete and sign the Defendant Declaration section.

If applicable, have the Power of Attorney (consenting third-party or local law enforcement agency designee) complete sections G, H, and/or I.

Once the form has been completed by all necessary parties, the signed form must be submitted to the defendant's assigned Probation Officer. The form may be submitted to the Probation Officer by the defendant or the Power of Attorney Designee.

Sections To Be Completed by Power of Attorney Designee , If Designee is a Consenting Third-Party

Sections G and I are to be completed by the Power of Attorney Designee (consenting third-party), if the defendant designates a consenting third-party to relinquish the defendant's firearms.

Section G

Provide personal information to determine your identity. Sign and date the declaration.

Sections To Be Completed by Power of Attorney Designee, If Designee is a Law Enforcement Agency (LEA)

Sections H and I are to be completed by the Power of Attorney LEA Designee, if the defendant designates a local law enforcement agency to relinquish the defendant's firearms.

Section H

Provide law enforcement agency information, as well as the name and title of the law enforcement agency's representative that took possession of the firearm(s).

Section I

Provide firearm(s) information, date the firearm(s) was relinquished, and to whom it was relinquished. Attach the Designee Supplemental Form (BOF 1024) to report additional firearms as needed.



CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS Prohibited Persons Relinquishment Form INSTRUCTIONS

Pursuant to Penal Code section 29810, a person who is upon conviction subject to Penal Code sections 29800, 29805, or 29815 is prohibited from owning, purchasing, receiving, possessing, or having under custody or control, any firearms, ammunition, body armor, and ammunition feeding devices. Any person subject to section 29800, 29805, or 29815 shall relinquish all firearms through a designee within the time periods set forth in subdivision (d) or (e) of Penal Code section 29810, by surrendering the firearms to the control of a local law enforcement agency, selling the firearms to a licensed firearms dealer, or transferring the firearms for storage to a firearms dealer pursuant to section 29830.

Please note: This form is intended for use in relinquishing firearms only. (The term "firearm" includes completed and unfinished frames and receivers). As a reminder, a person who is convicted of any offense listed in sections 29800, 29805, or 29815 is also prohibited from owning or possessing ammunition, body armor, and ammunition feeding devices, including but not limited to magazines, clips, speed loaders, and autoloaders.

A. Prohibited Person Information (Defendant):

Last Name:		First Name:		Middle Name:	
Physical Residence Address:			City:	State:	Zip Code:
Date of Birth (mm/dd/yyyy):	California Driver License or Identification No.:	Sex:	Phone No. (include area code):		

B. Firearm(s) Declaration:

I hereby declare, under penalty of perjury under the laws of the State of California, that I do not own, possess, or have under my custody or control, any firearms, including completed or unfinished frames or receivers.

Signature

Date

C. Firearm(s) Information (If additional space is needed to report additional firearm(s), use supplemental form (BOF 1023)):

Initial _____ By initialing here, I understand that as a result of my conviction, I am prohibited from owning, purchasing, receiving, possessing, or having under my custody or control, any firearms, ammunition, body armor, and ammunition feeding devices, and that I may face criminal charges if I violate this prohibition.

Firearm Type:				Serial Number:	Make:	Model:
<input type="radio"/> Handgun <input type="radio"/> Rifle <input type="radio"/> Shotgun <input type="radio"/> Other (Incl. Frame/Receiver)						
Caliber:	Color:	Firearm Origin:	Barrel Length:	<input type="radio"/> in.	Category (i.e. semi-automatic, single-shot, bolt action):	
				<input type="radio"/> cm.		

Describe Firearm (Identification Marks):

Current Location of Firearm (including address and other information about the firearm's specific location):



CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS Prohibited Persons Relinquishment Form INSTRUCTIONS

Firearm Type:				Serial Number:	Make:	Model:
<input type="radio"/> Handgun	<input type="radio"/> Rifle	<input type="radio"/> Shotgun	<input type="radio"/> Other (Incl. Frame/Receiver)			
Caliber:	Color:	Firearm Origin:	Barrel Length:	<input type="radio"/> in.	Category (i.e. semi-automatic, single-shot, bolt action):	
				<input type="radio"/> cm.		

Describe Firearm (Identification Marks):

Current Location of Firearm (including address and other information about the firearm's specific location):

Firearm Type:				Serial Number:	Make:	Model:
<input type="radio"/> Handgun	<input type="radio"/> Rifle	<input type="radio"/> Shotgun	<input type="radio"/> Other (Incl. Frame/Receiver)			
Caliber:	Color:	Firearm Origin:	Barrel Length:	<input type="radio"/> in.	Category (i.e. semi-automatic, single-shot, bolt action):	
				<input type="radio"/> cm.		

Describe Firearm (Identification Marks):

Current Location of Firearm (including address and other information about the firearm's specific location):

Firearm Type:				Serial Number:	Make:	Model:
<input type="radio"/> Handgun	<input type="radio"/> Rifle	<input type="radio"/> Shotgun	<input type="radio"/> Other (Incl. Frame/Receiver)			
Caliber:	Color:	Firearm Origin:	Barrel Length:	<input type="radio"/> in.	Category (i.e. semi-automatic, single-shot, bolt action):	
				<input type="radio"/> cm.		

Describe Firearm (Identification Marks):

Current Location of Firearm (including address and other information about the firearm's specific location):

Firearm Type:				Serial Number:	Make:	Model:
<input type="radio"/> Handgun	<input type="radio"/> Rifle	<input type="radio"/> Shotgun	<input type="radio"/> Other (Incl. Frame/Receiver)			
Caliber:	Color:	Firearm Origin:	Barrel Length:	<input type="radio"/> in.	Category (i.e. semi-automatic, single-shot, bolt action):	
				<input type="radio"/> cm.		

Describe Firearm (Identification Marks):

Current Location of Firearm (including address and other information about the firearm's specific location):

Case/Docket #: _____



CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS Prohibited Persons Relinquishment Form INSTRUCTIONS

Initial

By initialing here, I understand that failure to timely file a completed Prohibited Persons Relinquishment Form (BOF 1022) with the assigned probation officer within the specified time period shall constitute an infraction punishable by a fine not exceeding \$100. (Pen. Code, § 29810, subd. (c)(5).)

Initial

By initialing here, I understand that any person who lives with me (cohabitant) and who owns firearms must store those firearms in accordance with Penal Code section 25135, which requires that the firearm not be kept in the residence unless one of the following applies: (1) the firearm is maintained within a locked container; (2) the firearm is disabled by a firearm safety device; (3) the firearm is maintained within a locked gun safe; (4) the firearm is maintained within a locked trunk; (5) the firearm is locked with a locking device as described in Section 16860, which has rendered the firearm inoperable; or (6) the firearm is carried on the person or within close enough proximity thereto that the individual can readily retrieve and use the firearm as if carried on the person. If a cohabitant fails to store a firearm in accordance with these requirements, they may face criminal penalties.

D. Court Authorized Exception(s):

Yes No Pursuant to Penal Code section 29810, subdivision (f), the court has for good cause approved a shortened or enlarged relinquishment time period or has allowed for an alternative method for relinquishment (If checked "yes," attach court documentation).

E. Power of Attorney (Consenting Third-Party)/Law Enforcement Designee Assignment:

I, _____, hereby designate _____
Printed Name of Defendant Printed Name of Power of Attorney/LEA Designee

to have Power of Attorney for the purpose of transferring or disposing of my firearm(s).

F. Defendant Declaration:

I hereby declare, under penalty of perjury under the laws of the State of California, that the foregoing is true and correct. I understand that I, as defendant, directly and/or through my designee, am obligated to submit a completed Prohibited Persons Relinquishment Form (BOF 1022) to my assigned probation officer within the time period specified in Penal Code section 29810, subdivision (d) or (e).

I was not in law enforcement custody at any time within the 48-hour period following conviction and understand my designee shall dispose of any firearms I own, possess, or have in my custody or control **within 48 hours of my conviction.** (Pen. Code, § 29810, subd. (d).)

I was in law enforcement custody at any point within the 48-hour period following conviction and understand my designee shall dispose of any firearms I own, possess, or have in my custody or control **within 14 days of my conviction, or within 5 days following my release from custody if I am or have been released from custody during the 14 days following conviction and a designee has not yet taken temporary possession of each firearm to be relinquished.** (Pen. Code, § 29810, subd. (e).)

Signature

Date



CALIFORNIA DEPARTMENT OF JUSTICE BUREAU OF FIREARMS Prohibited Persons Relinquishment Form INSTRUCTIONS

G. Power of Attorney Designee (Consenting Third-Party):

Last Name:		First Name:		Middle Name:	
Physical Residence Address:			City:	State:	Zip Code:
Date of Birth (mm/dd/yyyy):	California Driver License or Identification No.:	Sex:	Phone No. (include area code):		

I, _____, hereby consent to accept appointment as Power of Attorney for the sole purpose of transferring
Transferring Printed Name of Power of Attorney Designee

or disposing firearms on behalf of _____, the owner or possessor of the firearm(s).
Printed Name of Defendant

By consenting to accept appointment as Power of Attorney, I acknowledge the following:

I understand that it is my legal responsibility to carry out one of the following actions on behalf of the defendant: surrender the firearm(s) to the control of a local law enforcement agency, sell the firearm(s) to a licensed firearms dealer, or transfer the firearm(s) to a dealer pursuant to Penal Code section 29830.

I understand that I, the designee, shall relinquish these firearm(s) within 48 hours of when the defendant was convicted if the defendant remains out of law enforcement custody during that 48-hour period, or within 14 days of when the defendant was convicted, if the defendant remains in law enforcement custody during the 48-hour period following the conviction, or within 5 days after the defendant's release from custody if the defendant remains in law enforcement custody during the 48-hour period following conviction but is subsequently released from custody during the 14 days following conviction.

I understand that I, or the defendant, am obligated to submit this completed Prohibited Persons Relinquishment Form (BOF 1022) to the defendant's assigned probation officer within these time periods, as specified in Penal Code Section 29810, subdivision (d) and (e).

I understand that on section I of this form, I shall record the date each firearm was relinquished and the name of the party to whom it was relinquished, and I will attach corresponding receipts or the optional Firearm Disposition Receipt Form (BOF 1025) from the law enforcement agency or licensed firearms dealer who takes possession of the relinquished firearm(s).

I declare under penalty of perjury under the laws of the State of California that I am not prohibited by state or federal law from possessing firearms.

Signature

Date

H. Power of Attorney Designee (Law Enforcement Agency):

ORI Number:	LEA Name:				
Street Address:	City:	State:	Zip Code:	Phone Number:	

Printed Name of LEA Representative/Title

Signature

Date

Case/Docket #: _____



**CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS
Prohibited Persons Relinquishment Form
INSTRUCTIONS**

Firearm Relinquished to:

Law Enforcement Agency
(LEA)

ORI No., LEA Name, and Address

Relinquished Firearm Date

Licensed Firearm Dealer
(CFD)

CFD No., Name, and Address

Relinquished Firearm Date

Printed Name and Title of LEA Representative or CFD Salesperson/Associate

Signature of LEA Representative or CFD Salesperson/Associate

Case/Docket #: _____