

COMPLIANCE WITH 12021 PENAL CODE

PERSONS PROHIBITED FROM

POSSESSING FIREARMS

If you are listed as a restrained person on a protective order as defined in Section 6218 of the Family Code, or a temporary restraining order, or an injunction issued pursuant to Section 527.6 or 527.8 of the Code of Civil Procedure, you are not allowed to possess a firearm. Possession of a firearm while being a restrained person is a public offense, which is punishable by imprisonment in the county jail, not exceeding one year, or in state prison, by a fine not exceeding \$1,000 (one thousand dollars), or by both imprisonment and fine. **If you are a restrained person and have a firearm restriction, you are required to relinquish any firearm in or subject to your immediate possession or control for the term of the court order within 48 hours of the order being served.**

You have three options for surrendering your firearms.

OPTION # 1:

Surrender your firearms to your local law enforcement agency. The local law enforcement agency would be the agency that has jurisdiction over your residential address. The court will require you to supply a receipt from your local law enforcement agency showing that you have surrendered your firearms. The law requires that you telephone your law enforcement agency and advise them that you are requesting to surrender your firearms per a court order. Attached to this packet is an information sheet on how to transport your firearms legally.

OPTION # 2:

Sell your firearm to a registered gun dealer who is listed with the California Department of Justice Firearms Dealers Centralized List. The court will require you to supply a bill of sale from the firearm dealer showing that you have sold your firearms. Attached to this packet is an information sheet on how to transport your firearms legally.

OPTION # 3:

Sell or give your firearm to a private party. The law requires that whenever you sell or give a firearm to a private party the transaction must go through a registered firearm dealer. The firearm dealer needs to be listed on the California Department of Justice Firearms Dealers Centralized List. You need to provide the court with a copy of the Dealers Record of Sale of Firearms Worksheet which will be provided to you by the firearm dealer.

COMMON QUESTIONS ASKED

1. What is considered a firearm?

ANSWER: A firearm is any device designed to be used as a weapon, from which is expelled through a barrel a projectile by the force of any explosion or other form of combustion. Firearms include, but are not limited to, handguns, rifles, shotguns, and assault weapons.

2. What are the qualifications to be a registered firearms dealer?

ANSWER: A qualified firearms dealer must possess a valid federal firearms license; any regulatory or business license, or licenses, required by local government; a certificate of eligibility issued by the Department of Justice; a license issued in the format prescribed by the Department of Justice; and is among those recorded in the California Department of Justice Centralized List.

3. Which law enforcement agency should I call?

ANSWER: The law enforcement agency that has jurisdiction over your residential address, i.e., if you live in Santa Rosa city limits then the Santa Rosa Police Department would have jurisdiction.

4. Once I give my firearms to law enforcement; can I change my mind and sell them at a later date?

ANSWER: During the period of the relinquishment order, a respondent is entitled to make one sale of all firearms that are in the possession of a local law enforcement agency. A licensed gun dealer, who presents a local law enforcement agency with a bill of sale indicating that all firearms owned by the respondent that are in possession of a local law enforcement agency have been sold by the respondent to the licensed gun dealer, shall be given possession of those firearms.

5. How long will law enforcement keep my firearm? Are there any fees?

ANSWER: The law enforcement agency will retain your firearms until the court order expires. At that time there will be a storage fee charged to you by the law enforcement agency. This storage fee will differ from agency to agency and you will be advised prior to relinquishing your firearms what the fee will be.

INSTRUCTIONS FOR SAFELY TRANSPORTING A FIREARM TO A LAW ENFORCEMENT AGENCY

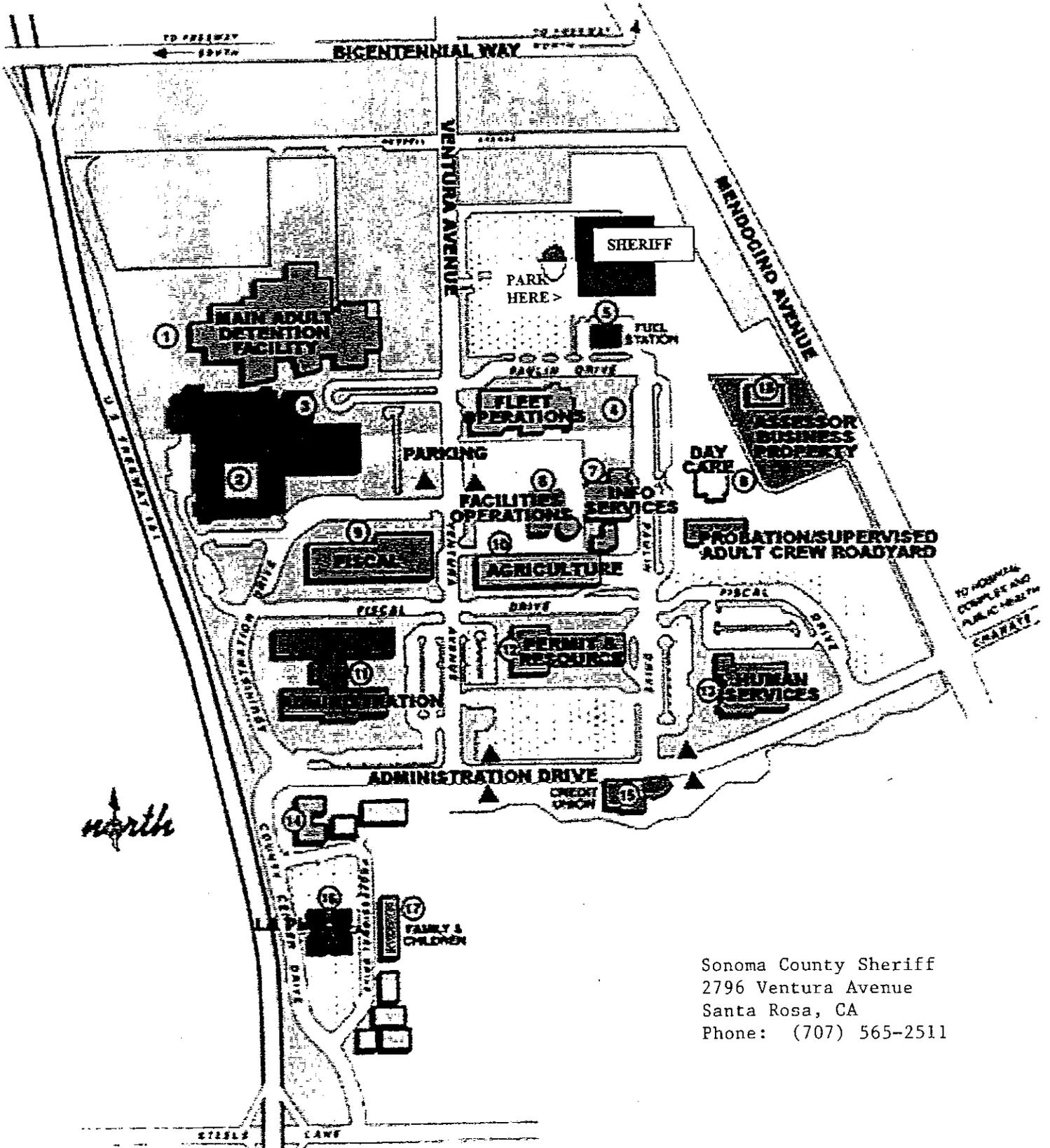
1. The firearms must be unloaded.
2. No ammunition may be brought in with the firearm.
3. When transporting the firearm, it must be locked in the vehicle trunk.
4. If no vehicle trunk is available, the concealable weapon must be transported in a locked container other than the locked glove compartment- 12026.0(a)PC
5. It must be transported directly to the law enforcement agency with no deviations.
6. The person must give prior notice (via telephone call with mutually agreed upon time and date) to the law enforcement agency that he/she is going to be transporting a firearm to their facility.

**IF YOU HAVE CHOSEN OPTION # 1 AND YOU RESIDE IN THE SONOMA COUNTY
SHERIFF'S DEPARTMENT JURISDICTION (UNINCORPORATED AREA OF SONOMA
COUNTY OR WINDSOR) PLEASE ADHERE TO THE BELOW LISTED REQUIREMENTS:**

1. Be advised that, by selecting Option # 1, you will be charged a storage fee by the Sonoma County Sheriff's Department. Current storage fees are \$117.00 per year per court ordered restriction.
2. The Sheriff's Department will store your firearm for the length of the court order, allowing you to make one sale of **all** your firearm(s) to a licensed gun dealer during the term of the court order.
3. If you chose Option # 1, you must contact 565-2121 within your 72-hour period in order to set up an appointment to hand over your firearms to a deputy. This appointment must be set up between 6:00 P.M. to 10:00 P.M., Monday through Sunday, including holidays. You must contact the Sheriff's Department for an appointment time. You will be asked to provide a full description of your vehicle, including the license plate, your name, DOB, height, weight and a description of the clothing you will be wearing. You are **not** to have anyone accompany you to your appointment.
4. Any and all firearms must be unloaded and secured in the trunk of your vehicle. If no trunk is available, lock your firearm in secured container transported in the rear of your vehicle (out of arms reach).
5. Park your vehicle in the area located just in front of the new Sheriff's Department building, 2796 Ventura Avenue, in Santa Rosa (just east and across the street from the old building) unless advised otherwise by Dispatch. **Remain in your vehicle until the arrival of the deputies.**
6. Once the deputies arrive, place your hands on the steering wheel and await direction from the deputies. This is to ensure your safety, as well as that of the deputies who are arriving to assist you.
7. **DO NOT BRING ANY AMMUNITION IN YOUR VEHICLE.** If you wish to hand over ammunition for disposal, please contact 565-2650 and arrange to bring the ammunition to the Sonoma County Sheriff's Department for destruction at a later time.
8. If you are unable to meet with the deputy at the appointed time, please contact 565-2121. If you are late for your appointment, the deputy may or may not be able to wait for you, due to the number of calls for service pending. If, due to unforeseen circumstances, the deputies are unable to meet with you, use the pay phone located in front of the Sheriff's Department and re-contact 565-2121. **If you fail to make your appointment with the deputy, you will need to re-contact 565-2121 and a Sonoma County Sheriff's Department sergeant will make contact with you, advising you whether the Sheriff's Department can make another appointment with you. If no appointment is available, you will be advised to make arrangements with the court for one of the other options available to you.**

SHERIFF'S DEPARTMENT

Look for the parking stall marked Sheriff Vehicle Only near the main entrance to the building off to the right.



Sonoma County Sheriff
2796 Ventura Avenue
Santa Rosa, CA
Phone: (707) 565-2511