

BOX ELDER COUNTY SHERIFF'S DEPARTMENT

FIREARMS RELEASE PROCEDURE

- 1- No firearm will be released to any person who may not lawfully possess it under any applicable federal, state, county, city law or ordinance.
- 2- ANY firearm used in the commission or attempted commission of any Criminal Offense, BY THE OWNER, WILL NOT be released as per 76-10-525 UCA.
- 3- The owner receiving the firearm(s) must provide to the evidence custodian the following:
 - Picture Identification, AND
 - Drivers License Number, Date of Birth, and Current Address, AND
 - Proof of Ownership of Firearms to include:
 - a- Copy of bill of sale from a licensed firearms dealer or ATF form, OR
 - b- Copy of notarized bill of sale from the individual and /or entity whom the firearm(s) were purchased, that is dated & notarized prior to the date of seizure, OR
 - c- A sworn/notarized affidavit from two family members (not a party to the incident) attesting that the firearm(s) is a family heirloom, OR
 - d- A signed receipt from a member of the Box Elder County Sheriff's Department that describes the firearm(s), and identifies the person whom they were received from, if taken for the purposes of HOLD FOR OWNER.
- 4- All documentation provided above MUST describe the firearm(s) by Make, Model, and Serial number.
- 5- Ownership of a firearm WILL NOT be transferred. However, Firearms that are held as HOLD FOR OWNER may have ownership transferred to a valid Federal Firearms Licensee in the event of an intervening criminal offense or conviction.
- 6- Firearms taken for the purposes of HOLD FOR OWNER, will be retained for 90 DAYS without cost, after which a storage fee of \$1.00 per day/per firearm will start accruing for an additional 90 DAYS. At the conclusion of the 180 period, the firearms will be considered abandoned and will be disposed of as per the department heads direction. Written notice from the department will be sent to the owner, at the conclusion of each 90 day period.

Once the firearm(s) owner has met the above listed criteria, they should contact one of the listed evidence custodians by phone, to set up an appointment to come in and present the documentation for release of the firearm(s).
- 7- The Release of Firearms from Evidence requires the evidence Custodian to complete the following:
 - a- Signed Documentation indicating that the firearm(s) are no longer needed for prosecution purposes.
 - b- A transaction number and approval from BCI for Brady/Background Check.
 - c- 30 day waiting period from the date the sentencing order is signed by Magistrate with jurisdiction.