

**COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA STATE POLICE**

**AFFIDAVIT OF SAFEKEEPING BY THIRD PARTY
FOR RELINQUISHMENT OF FIREARMS PURSUANT TO 23 P.A.C.S. §6108.3**

PROTECTION ORDER INFORMATION

1. Name (Last, First, MI)	2. County Court of Jurisdiction Snyder	3. Case No	4. Iss. Date of Order	5. Exp. Date of Order
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6. FIREARM(S), WEAPON(S), AMMUNITION LISTING

Description/Make/Manufacturer	Model	Caliber or Gauge	Length of Barrel	Serial Number

For additional firearms, weapons and ammunition attach a separate sheet that is signed by the dealer/responsible clerk. The sheet should be attached to this form and it is suggested that the Protection Order Information listed above also be listed.

TO BE COMPLETED BY THIRD PARTY RECIPIENT/SAFEKEEPER

7. Third Party Name (Last, First, MI)		8. Date of Birth	9. SSN (Optional, but will help prevent misidentification)	10. Photo ID/Driver License No.
11. Street Address (<i>The sheriff must be notified within 7 days of any change in address.</i>)			12. City and State	13. Zip Code
14. Pennsylvania Supreme Court Attorney ID No. (where applicable):			15. Dealer Number (where applicable):	
16. Name of Defendant (Last, First, MI)		17. Date of Birth	18. Defendant SSN (Optional, but will help prevent misidentification)	
19. Have you ever been convicted of a crime enumerated in section 6105(b), or do any of the conditions under 6105 (c) apply to you? (Read entire list of enumerated prohibiting offenses prior to answering this question.)				<input type="checkbox"/> YES <input type="checkbox"/> NO
20. Are you now charged with, or have you ever been convicted of a crime punishable by imprisonment for a term exceeding one year? This is the maximum sentence that you "could have received," not the actual sentence you did receive. (This does not include Federal or state offenses pertaining to antitrust, unfair trade practices, restraints of trade, or regulation of business; or state offenses classified as misdemeanors and punishable by a term of imprisonment not to exceed two years.) (Read entire list of enumerated prohibiting offenses prior to answering this question.)				<input type="checkbox"/> YES <input type="checkbox"/> NO
21. Are you currently subject to an active protection from abuse order?				<input type="checkbox"/> YES <input type="checkbox"/> NO
22. Has the named defendant ever been the subject of a protection from abuse order issued on your behalf?				<input type="checkbox"/> YES <input type="checkbox"/> NO
23. Are you and the defendant family or household members?				<input type="checkbox"/> YES <input type="checkbox"/> NO
24. Are you an attorney at law who is in an attorney-client relationship with the defendant, and who is not a household member of the defendant?				<input type="checkbox"/> YES <input type="checkbox"/> NO
25. Are you a commercial armory who is not a family or household member of the defendant; a commercial armory with a secure storage facility designed to store firearms; and a commercial armory that possesses all Federal and State licenses to store firearms?				<input type="checkbox"/> YES <input type="checkbox"/> NO

26. Acknowledgment

I do solemnly swear (or affirm) and acknowledge that I understand and agree to the following:

I understand that pursuant to 18 Pa.C.S. §6105(a.1)(5), if I knowingly return or allow defendant identified below to have access to the firearms, other weapons, or ammunition prior to the sheriff accepting return of the safekeeping permit or issuance of a court order which provides for allowing the defendant to take possession of the firearm, other weapon or ammunition that was relinquished to me, I commit a misdemeanor of the first degree, punishable by a potential maximum of five years' incarceration. I also understand that in addition to any criminal penalties prescribed in 23 Pa.C.S. Chapter 61 or 18 Pa.C.S. Chapter 61, I may be civilly liable to any person for any damages caused and shall be liable to any person for punitive damages in an amount not to exceed \$5,000.

I understand that all firearms, other weapons, and ammunition relinquished to me for safekeeping will be stored using a locking device (relating to firearms) or in a secure location to which the defendant does not have access.

I understand that the firearm(s), other weapon(s) and ammunition will be returned to the defendant, or otherwise transferred to another individual, only in strict conformance with state and federal law.

I also understand that I must notify the sheriff of any change of address within seven days of such a change taking place.

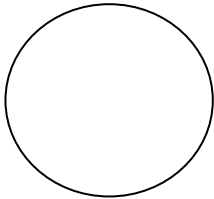
I verify that the statements set forth in this Affidavit are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relative to Unsworn Falsification to Authorities.

Signature of Third Party Recipient (in ink): _____ **Date:** _____

Taken, sworn, and subscribed before me, this

_____ **day of** _____, _____
(day) (month) (year)

Notary



TO BE COMPLETED BY DEFENDANT

27. Name of Defendant (Last, First, MI)	28. Date of Birth	29. SSN (Optional, but will help prevent misidentification)	30. Photo ID/Driver License No.
31. Street Address	32. City and State		33. Zip Code

34. Acknowledgment

I do solemnly swear (or affirm) and acknowledge that I understand and agree to the following:

I am a person who is the subject of an active final protection from abuse order issued pursuant to 23 Pa. C.S. §6108, or I am the subject of any other active protection from abuse order issued pursuant to 23 Pa. C.S §6107(b), which provided for the relinquishment of firearms during the period of time the order is in effect, or I am otherwise prohibited from possessing or acquiring a firearm under 18 U.S.C.§922(g)(8) I understand that the prohibition relating to a protection from abuse order terminates upon the expiration or vacation of an active protection from abuse order or portion thereof relating to the relinquishment of firearms.

I will not take possession of any firearm, other weapon or ammunition relinquished to the third party identified above, until the Sheriff accepts return of the safekeeping permit pursuant to 23 Pa.C.S. §6108.3(d), or the court orders the return of the firearm(s), other weapon(s) or ammunition to me.

I understand it is my responsibility to relinquish to the third party identified above, all firearm(s), other weapon(s) or ammunition identified above, within the timeframe specified in the order for relinquishment. It is also my responsibility to obtain an acknowledgement of receipt form from the third party indicating they have accepted the firearm(s), other weapon(s) or ammunition from me, and I must provide that to the sheriff's office within 24 hours of the sheriff issuing a safekeeping permit to the third party (or the next business day, if the sheriff's office is closed). If I do not do so, I understand that the sheriff will send immediate notice to the court, plaintiff, and appropriate law enforcement agencies, which may result in a criminal investigation and possible prosecution of misdemeanor charges of the second degree.

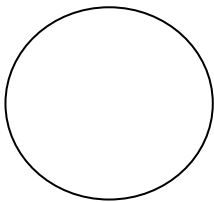
I understand that the firearm(s), other weapon(s) and ammunition will be returned to me, or otherwise transferred to another individual, only in strict conformance with state and federal law.

I verify that the statements set forth in this Affidavit are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. §4904 relative to Unsworn Falsification to Authorities.

Signature of Defendant (in ink): _____ **Date:** _____

Taken, sworn, and subscribed before me, this

Notary



_____ **day of** _____, _____
(day) (month) (year)

FOR SHERIFF'S USE ONLY (Note: Return of handguns to a defendant will require a PICS background check and approval number.)

35. Sheriff's Name or Designee:	36. County Snyder	37. Sheriff's Signature or Designee
38. Safekeeping Accepted <input type="checkbox"/> YES <input type="checkbox"/> NO	39. PICS Approval No.	40. Sheriff's Signature or Designee and Date
41. Safekeeping Rejected <input type="checkbox"/> YES <input type="checkbox"/> NO	42. Reason for Rejection	43. Sheriff's Signature or Designee and Date
44. Safekeeping Revoked <input type="checkbox"/> YES <input type="checkbox"/> NO	45. Reason for Revocation	46. Sheriff's Signature or Designee and Date
47. Date Weapons Returned	48. PICS Approval No.	49. Sheriff's Signature or Designee

18 Pa.C.S. Section 6105(a)(1): A person who has been convicted of an offense enumerated in subsection (b), within or without this Commonwealth, or whose conduct meets the criteria in subsection (c) shall not possess, use, control, sell, transfer or manufacture or obtain a license to possess, use, control, sell, transfer, or manufacture a firearm in this Commonwealth.

Section 6105(a.1)(2): A person who is the subject of an active final protection from abuse order issued pursuant to 23 Pa.C.S. § 6108, is the subject of any other active protection from abuse order issued pursuant to 23 Pa.C.S. § 6107(b) (relating to hearings), which provided for the relinquishment of firearms or other weapons or ammunition during the period of time the order is in effect, or is otherwise prohibited from possessing or acquiring a firearm under 18 U.S.C. § 922(g)(8) (relating to unlawful acts), commits a misdemeanor of the second degree if he intentionally or knowingly fails to relinquish a firearm or other weapon or ammunition.

Section 6105(b):

§908 Prohibited offensive weapons
 §911 Corrupt organizations
 §912 Possession of weapon on school property
 §2502 Murder
 §2503 Voluntary manslaughter
 §2504 Involuntary manslaughter, if the offense is based on the reckless use of a firearm
 §2702 Aggravated assault
 §2703 Assault by prisoner
 §2704 Assault by life prisoner
 §2709.1 Stalking
 §2716 Weapons of mass destruction
 §2901 Kidnapping
 §2902 Unlawful restraint
 §2910 Luring a child into a motor vehicle
 §3121 Rape
 §3123 Involuntary deviate sexual intercourse
 §3125 Aggravated indecent assault
 §3301 Arson and related offenses
 §3302 Causing or risking catastrophe
 §3502 Burglary
 §3503 Criminal trespass, if the offense is graded a felony of the second degree or higher
 §3701 Robbery
 §3702 Robbery of motor vehicle

§3921 Theft by unlawful taking or disposition, upon conviction of the second felony offense
 §3923 Theft by extortion, when the offense is accompanied by threats of violence
 §3925 Receiving stolen property, upon conviction of the second felony offense
 §4906 False reports to law enforcement authorities, if the fictitious report involved the theft of a firearm as provided in 4906(c)(2)
 §4912 Impersonating a public servant, if the person is impersonating a law enforcement officer
 §4952 Intimidation of witnesses or victims
 §4953 Retaliation against witness, victim or party
 §5121 Escape
 §5122 Weapons or implements for escape
 §5501(3) Riot
 §5515 Prohibiting of paramilitary training
 §5516 Facsimile weapons of mass destruction
 §6110.1 Possession of firearm by minor
 §6301 Corruption of minors
 §6302 Sale or lease of weapons and explosives

Any offense equivalent to any of the above-enumerated offenses under the prior laws of this Commonwealth or any office equivalent to any of the above-enumerated offenses under the statutes of any other state or of the United States.

Section 6105(c):

Effective November 22, 1995, 18 Pa.C.S. § 6105(c) also prohibits the following persons from possessing, using, controlling, transferring, manufacturing, or obtaining a license to possess, use, control, transfer, or manufacture a firearm in the Commonwealth of Pennsylvania.

ARE YOU A PERSON WHO:

1. is a fugitive from justice; or
2. has been convicted of an offense under the act of April 14, 1972 (P.L. 233, No. 64), known as The Controlled Substance, Drug, Device and Cosmetic Act, or any equivalent Federal statute or equivalent statute of any other state, that may be punishable by a term of imprisonment exceeding two years; or
3. has been convicted of driving under the influence of alcohol or controlled substance as provided in 75 Pa.C.S. § 3802 (relating to driving under influence of alcohol or controlled substance) or the former 75 Pa.C.S. § 3731, on three or more separate occasions within a five-year period. For the purposes of this paragraph only, the prohibition of Section 6105(a) shall only apply to transfers or purchases of firearms after the third conviction; or
4. has been adjudicated as an incompetent or who has been involuntarily committed to a mental institution for inpatient care and treatment under section 302, 303, or 304 of the provisions of the act of July 9, 1976 (P.L. 817, No. 143), known as the Mental Health Procedures Act; or
5. being an alien, is illegally or unlawfully in the United States; or
6. is the subject of an active protection from abuse order issued pursuant to 23 Pa.C.S. § 6108 (relating to relief), which order provides for the relinquishment of firearms during the period of time the order is in effect. This prohibition shall terminate upon the expiration or vacation of an active protection from abuse order or portion thereof relating to the relinquishment of firearms; or
7. was adjudicated delinquent by a court pursuant to 42 Pa.C.S. § 6341 (relating to adjudication) or under any equivalent Federal statute or statute of any other state as a result of conduct which if committed by an adult would constitute an offense under 18 Pa.C.S. sections 2502, 2503, 2702, 2703, 2704, 2901, 3121, 3123, 3301, 3502, 3701, and 3923; or
8. was adjudicated delinquent by a court pursuant to 42 Pa.C.S. § 6341 or under any equivalent Federal statute or statute of any other state as a result of conduct which if committed by an adult would constitute an offense enumerated in 18 Pa.C.S. § 6105(b) with the exception of those crimes set forth in paragraph 7. This prohibition shall terminate 15 years after the last applicable delinquent adjudication or upon the person reaching the age of 30, whichever is earlier.
9. is prohibited from possessing or acquiring a firearm under 18 U.S.C. § 922(g)(9). If the offense which resulted in the prohibition under 18 U.S.C. § 922(g)(9) was committed, as provided in 18 U.S.C. § 921(a)(33)(A)(ii) (relating to definitions), by a person in any of the following relationships: (i) the current or former spouse, parent or guardian of the victim; (ii) a person with whom the victim shares a child in common; (iii) a person who cohabits with or has cohabited with the victim as a spouse, parent or guardian; or (iv) a person similarly situated to a spouse, parent, or guardian of the victim; then the relationship need not be an element of the offense to meet the requirements of this paragraph.
10. has been convicted of an offense under subsection (a.1)(2). The prohibition shall terminate five years after the date of conviction, final release from confinement or final release from supervision, whichever is later.

PRIVACY ACT NOTICE

Solicitation of this information is authorized under Title 18 Pa.C.S. § 6111. Disclosure of your social security number is voluntary. Your social security number, if provided, may be used to verify your identity and prevent misidentification. All information supplied, including your social security number, is confidential and not subject to public disclosure.