



GENERAL ORDER OPS-33 SURRENDER OF FIREARMS AND AMMUNITION

EFFETIVE SEPTEMBER 28, 2018

This General Order contains the following numbered sections:

- I. POLICY
- II. DEFINITIONS
- III. HEADING
- IV. HEADING
- V. CANCELLATION

I. POLICY

It is the policy of the Howard County Department of Police (HCPD) to receive firearms from persons surrendering them either voluntarily or pursuant to a court order.

II. DEFINITIONS

- A. Involuntary surrender: The surrender of firearms pursuant to a court order, Extreme Risk Protective Order, or the seizure of firearms pursuant to a search warrant.
- B. Voluntary Surrender: The turning in of firearms by a person who no longer wishes to possess them.

III. VOLUNTARY SURRENDER OF FIREARMS AND AMMUNITION

- A. A sworn officer shall respond to receive firearms and ammunition brought to an HCPD station for voluntary surrender.
- B. The person surrendering the firearms shall be asked to provide their identification.
- C. Form HCPD 1225, Receipt for Surrendered Firearms and Ammunition, shall be completed and a copy provided to the person surrendering the firearms.
- D. Firearms shall be submitted to Property and Evidence utilizing HCPD Form 1300, Property Room Submission, and all guidelines and procedures detailed in General Order ADM-49, Property and Evidence Control, and the HCPD Evidence Manual.
- E. If the firearm is operational, it shall be test fired in the Bullet Recovery System (BRS) and the shell and projectile shall be submitted to MSP for analysis.
- F. The firearm or ammunition shall be marked for destruction or converted to HCPD use.
 - 1. Firearms marked for destruction shall be placed in the "To Be Destroyed" section of the gun vault, and all procedures detailed in General Order SOP PE-04, Destruction of Property and Evidence, shall be followed.
 - 2. Ammunition shall be placed in the appropriate bin in the P&E Section for disposal by the Maryland State Fire Marshal as per SOP PE-04 or converted to HCPD use.
 - 3. Firearms and/or ammunition shall be converted to HCPD use by authorization of the Chief of Police.

IV. INVOLUNTARY SURRENDER OF FIREARMS AND AMMUNITION¹

- A. Firearms surrendered pursuant to an Extreme Risk Protective Order (ERPO)
1. When firearms and ammunition are surrendered by the Respondent of an ERPO at his place of residence, the officer serving the ERPO shall:
 - a. Complete form HCPD 1225, Receipt of Surrendered Firearms/Ammunition.
 - b. The Respondent shall be asked to sign the form. If the Respondent refuses to sign the form, write "Refused to Sign" in the appropriate space. Provide the Respondent with a copy of the form as receipt.
 - c. Firearms and ammunition shall be documented on form HCPD Form 1300, Property Room Submission Form, following the procedures detailed in General Order ADM-49, Property and Evidence Control, and the HCPD Evidence Manual.
 - d. A copy of Forms 1225 and 1300, the ERPO, and the written report shall be submitted to the Records Section before the end of the shift.
 2. When the Respondent of an ERPO brings firearms and ammunition to a District station for surrender:
 - a. When the Respondent contacts an HCPD station prior to reporting to the station to surrender his firearms or ammunition or walks into a station stating he has firearms and ammunition to surrender, a sworn officer shall be asked to respond to accept them.
 - b. The Respondent shall be asked for photo identification and a copy of the order requiring the surrender of fire arms and ammunition.
 - c. HCPD Form 1225 shall be completed.
 - d. The Respondent shall be asked to sign the form. If the Respondent refuses to sign the form, write "Refused to Sign" in the appropriate space. Provide the Respondent with a copy of the form as receipt.
 - e. Firearms and ammunition shall be documented on form HCPD Form 1300, Property Room Submission Form, and submitted following the procedures detailed in General Order ADM-49, Property and Evidence Control, and the HCPD Evidence Manual.
 - f. A copy of the form shall be submitted to the Records Section before the end of the shift.
- B. When firearms are surrendered to or seized by the HCPD pursuant to an ERPO for another jurisdiction:
1. Form 1225 shall be completed and a copy provided to the person.
 2. Firearms and ammunition shall be submitted to the Property and Evidence Room following all applicable General Orders.
 3. The Supervisor of the Property and Evidence section shall contact the other jurisdiction advising them the firearms and ammunition are in the possession of the HCPD and make arrangements for the other jurisdiction to retrieve the firearms and ammunition.

¹ CALEA 84.1.8

C. Domestic Violence Firearms Transfer

1. The Howard County Sheriff's Office maintains primary responsibility for DV firearms transfer; however, respondents may bring firearms to the HCPD to comply with this directive.
2. In most cases, a Sheriff's Deputy will serve the notice on a defendant in the court room advising them they are required to surrender all firearms and ammunition in their possession and providing them with instructions for the surrender. Respondents have 48 business hours to transfer the firearms and ammunition to a law enforcement.
3. Should a respondent report to a HCPD police station to surrender firearms, all procedures detailed in section IV.A. of this General Order shall be followed.

V. **RETURN OF FIREARMS AND AMMUNITION**

- A. If a subject is permitted the return of their firearms, the Firearms Investigator shall conduct all appropriate checks to ensure he may legally possess firearms.
- B. The subject shall be advised to call the Property and Evidence Section at 410-313-2246 during normal business hours to schedule a time for the return of the firearms and ammunition.
- C. The firearms and ammunition shall be returned to the subject following procedures established by the Property and Evidence Section.

VI. **FIREARMS INVESTIGATOR RESPONSIBILITIES**

- A. The HCPD Firearms Investigator shall conduct all necessary checks on firearms prior to returning them to a person or the firearm being destroyed.
- B. Prior to releasing firearms to a respondent, all required background checks shall be conducted to determine if he may legally possess firearms or if he is prohibited.

AUTHORITY:



Gary L. Gardner
Chief of Police