

A person who answers "yes" to any of the questions below may be prohibited from purchasing or possessing a firearm pursuant to state or federal law.

Are you under indictment for a felony offense?

Have you ever been convicted, as an adult, in any court of a felony offense?

If you are 28 years old or younger, have you ever been adjudicated delinquent as a juvenile 14 years of age or older at the time of offense of a delinquent act, which would be a felony if committed by an adult?

Were you adjudicated delinquent on or after July 1, 2005, as a juvenile 14 years of age or older at the time of the offense of murder, kidnapping, robbery, or rape?

Have you ever been convicted in any court of a misdemeanor crime punishable by more than 2 years even if the maximum punishment was not received?

Is there an outstanding protective or restraining order against you from any court?

Is there an outstanding felony or misdemeanor warrant of arrest pending against you from any jurisdiction?

Have you been convicted of the use or possession of a controlled substance within the past year or have you been found through a drug test to use a controlled substance unlawfully within the past year?

Have you ever been adjudicated legally incompetent, mentally incapacitated, or been involuntarily committed to a mental institution?

Have you been discharged from the Armed Forces under dishonorable discharge?

Are you an alien illegally in the United States? Are you a nonimmigrant alien?

Are you a person who, having been a citizen of the United States, has renounced your citizenship?

Have you ever been convicted for the misdemeanor crime of domestic violence?

Have you purchased a handgun from any source within the last 30-days? (Handgun Purchases Only)

Are you a person who, within a 36 consecutive month period, has been convicted, under Virginia law, of 2 misdemeanor offenses for Possession of Controlled Substance or Possession of Marijuana? (Handgun Purchases Only)



Department of State Police

Firearms Transaction Center

Post Office Box 85608
Richmond, Virginia 23285-5608

Phone: 804-674-2292

Fax: 804-674-2791

E-mail: firearms@vsp.virginia.gov

WWW.VSP.STATE.VA.US

Virginia Firearms Transaction Program



Appeal Guide

Firearms Transaction Center

January 2006

If you are denied the purchase or pawn redemption of a firearm and do not believe that you are prohibited by state or federal law from purchasing or possessing a firearm, you may:

Contact the Firearms Transaction Center (FTC) at (804) 674-2292 or by E-mail at firearms@vsp.virginia.gov to discuss the ineligible determination or to provide additional information deemed pertinent to the final determination of eligibility. Fingerprint comparison may be necessary in some instances, and may support the issuance of a Unique Firearms Identification Number, (UFIN) to facilitate future purchase approvals.

Exercise your right to institute a civil action pursuant to Section 9.1-135 of the Code of Virginia, provided that any such action is initiated within 30-days of the denial.

Elect to direct your challenge to the accuracy of a record, in writing, to: FBI, NICS Operations Center, Criminal Justice Information Services Division, 1000 Custer Hollow Road, Module C-3, Clarksburg, West Virginia 26306-0147 or E-Mail at address: nicsappeals@leo.gov.

This process of appeal is authorized by 28 Code of Federal Regulations 25.10.

You may obtain a copy of your Virginia criminal history record by completion of a Criminal History Record Request Form SP-167.

This form can be viewed, downloaded and/or printed by visiting the Virginia State Police Forms page. This form is also available by calling or writing the following: Virginia State Police, Criminal Justice Information Services Division, Central Criminal Records Exchange, Post Office Box C-85076, Richmond, VA 23261-5076,

The completed form may be mailed to the above address or presented in person during regular business hours to: Virginia State Police Administrative Headquarters, 7700 Midlothian Turnpike, Richmond, Virginia.

You may request correction of your Virginia criminal record if the record is found to be in error pursuant to Section 9.1-132, Code of Virginia, provided that any such action is initiated within 30-days of the denial.

To request a copy of your criminal record from a state other than Virginia, you must communicate directly with that state authority for receipt, update, or correction purposes.

Restoration of Rights

One who is convicted of a felony automatically loses his or her firearm rights under state and federal law. If you have been convicted of a felony as described in Section 18.2-308.2 of the Code of Virginia, you may still be eligible to purchase a firearm if your rights have been restored under both state and federal law, as follows:

IT IS YOUR RESPONSIBILITY TO PROVIDE EVIDENCE OF THE RESTORATION OF RIGHTS TO THE STATE POLICE.

You have been pardoned or have had your political disabilities removed pursuant to Article V, Section 12 of the Constitution of Virginia, and if the executive order does not place any conditions upon the reinstatement of your right to ship, transport, possess or receive firearms. OR

You have been granted permission by the Circuit Court of the jurisdiction in which you reside to possess or carry a firearm (with no restrictions on the type of firearm) and one of the following: you have had all other political rights restored by the Governor, or, you have had your federal disabilities removed by the Bureau of Alcohol, Tobacco, Firearms, and Explosives. OR

You have had your political rights restored by the Governor of Virginia or the Governor of the State in which you were convicted and one of the following: the reinstatement of rights included the right to ship, transport, possess or receive firearms, or you have had your firearms rights restored by the Virginia Circuit Court in the jurisdiction in which you reside, or you have had your federal disabilities removed by the Bureau of Alcohol, Tobacco, Firearms, and Explosives.

THE ABOVE DOES NOT APPLY IF YOUR CONVICTION OCCURRED IN A FEDERAL COURT. UNDER FEDERAL LAW, A STATE COURT DOES NOT HAVE THE AUTHORITY TO REMOVE FIREARM DISABILITIES IMPOSED BY A FEDERAL COURT.