

# KEEP THIS ORDER



## MUNICIPAL COURT OF SEATTLE

CITY OF SEATTLE,

Plaintiff,

vs.

Defendant.

)  
 ) Case #: \_\_\_\_\_  
 ) SPD Incident #: \_\_\_\_\_  
 )  
 ) **ORDER TO SURRENDER, FORFEIT,**  
 ) **DESTROY, OR RELEASE FIREARMS;**  
 ) **DECLARATION OF NONSURRENDER**  
 )  
 )  
 )

THIS MATTER having come on before the undersigned judge, and the Court having considered the records and files herein, hereby ORDERS:

- A.  Surrender of Firearm(s) & Concealed Pistol License: Pursuant to RCW 9.41.800 and CrRLJ 3.2, the defendant shall surrender to the Seattle Police Department within five (5) business days from today's date or from the date from the date the defendant is released from custody, whichever is later, any and all firearms in his/her possession, control, or custody, including, but not limited to, the firearms described as follows:

Firearm Make	Model	Caliber	Serial Number

If the defendant possesses a concealed pistol license, the defendant shall also surrender it. Instructions on where to surrender the firearms are located on the back of page two of this order. **DO NOT BRING YOUR FIREARMS TO THE MUNICIPAL COURT OF SEATTLE.**

- B.  Forfeiture of Firearm(s): Pursuant to RCW 9.41.098, the court finds: (1) the firearms listed below were in the possession or under the control of the defendant at the time the defendant committed or was arrested for committing a felony or committing a nonfelony crime in which a firearm was used or displayed; or (2) the firearm was used or displayed by the defendant in the commission of a felony or a nonfelony crime in which a firearm was used or displayed; or, (3) the firearm was in the possession or under the control of the defendant at the time the defendant was prohibited from possessing a firearm under RCW 9.41.040 or 9.41.045; or (4) another basis for forfeiture exists pursuant to RCW 9.41.098; or (5) the defendant agrees to forfeiture of the firearm pursuant to a plea agreement entered into by the parties. The court hereby orders forfeiture of the firearms listed below:

Firearm Make	Model	Caliber	Serial Number

C.  Destruction of Firearm(s): Pursuant to RCW 9.41.098(2), the Court orders the Seattle Police Department to destroy the firearms referenced in section B.

D.  Release of Firearm(s): The Court releases its hold on the below-described firearms pursuant to this case number. The Seattle Police Department may return the firearms to the defendant pursuant to this case number, but only if there are no other disqualifications that prohibit the defendant from possessing the firearms. Instructions on obtaining the firearms are located on the back of this order. If the defendant does not request the return of these firearms within 60 days, the Seattle Police Department shall destroy the firearms as unclaimed property pursuant to RCW 63.32.010(5).

Firearm Make	Model	Caliber	Serial Number

E.  Defendant's Declaration of Nonsurrender: I understand that the Court has ordered me to surrender any and all firearms that I own or have in my possession, control, or custody. I have not surrendered any weapons pursuant to that order because I do not own any firearms or have any in my possession, control, or custody. If this section is marked, then by my signature below I certify under penalty of perjury under the laws of the State of Washington that this Declaration of Nonsurrender is true and correct. Signed at Seattle, Washington, on the date noted below.

F.  Other: \_\_\_\_\_  
\_\_\_\_\_

DONE IN OPEN COURT this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
JUDGE

**You must fully comply with the terms of this order. If you do not, you must appear at a Status Check Hearing. If you do not appear at the Hearing, a bench warrant will be issued.**

\_\_\_\_\_  
Defendant

Presented by:

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Attorney for Defendant

Status Check :

1:35 P.M.

Room \_\_\_\_\_

Thursday \_\_\_\_\_

**Please see reverse side of this page for instructions regarding the surrender of your firearms to the Seattle Police Department.**

## INSTRUCTIONS:

You have been ordered to surrender firearms to the Seattle Police Department. Please read and follow the instructions on this form.

1. Please call the Evidence Unit at 206-684-8720, Monday through Friday, 8am to 5pm to arrange drop-off of the firearm(s). Firearms can only be accepted by the Evidence Unit when there is a police officer on duty; therefore, you must schedule your appointment to make sure an officer will be available for you.
2. Bring a copy of your court order.
3. When you arrive, ensure all firearms are unloaded and rendered safe to handle. **DO NOT BRING FIREARMS INSIDE THE BUILDING UNTIL DIRECTED TO DO SO. Loaded firearms will not be accepted under any circumstance.** There is an unloading area outside the building entrance.
4. You will be given a detailed receipt, listing all items surrendered. You should keep the receipt and this document in a safe place for later reference.

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### *Obtaining your firearms*

Once the matter for which you have surrendered the firearm(s) is complete, you will be notified at the address you provided the court whether the firearm(s) will be returned to you.

A background check is performed prior to **all** firearm releases, even voluntary surrenders. Since federal, state and local laws prohibit certain persons from possessing firearms, it is possible that the firearm(s) may not be returned to you, even if the matter for which you are surrendering them is resolved in your favor.

1. **When you come to claim your firearm(s), bring government-issued photo identification** (driver's license, identification card, military identification, passport, etc). Firearms will not be released without identification.
2. **Firearms will only be released to the person named on the release form.**

Note: Washington State law (RCW 63.32) requires law enforcement to hold personal property a maximum of sixty (60) days after notifying the owner when and where the property may be claimed. **YOU MUST MAKE ARRANGEMENTS TO CLAIM YOUR FIREARM(S) WITHIN 60 DAYS FROM THE DATE OF THE NOTICE THAT THE COURT RELEASED THE HOLD ON YOUR FIREARM(S).** After 60 days, unclaimed property will be disposed of according to law.