

FIREARMS, AMMUNITION AND LICENSE RETURN PROCEDURES

1. No later than **sixty-one (61) calendar days** after the protective order expires, the Respondent must file a return request affidavit with the El Paso County Sheriff's Office-Evidence and Property Section (hereinafter referred to as "EPCSO") located at Sheriff's Office Headquarters, 3850 Justice Drive, El Paso, Texas 79938 open Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. A copy of the return request **Declaration** Requesting Return of Weapons, Ammunition, and/or License to Carry can be found on the Protective Order Court's website at www.epcounty.com/courts/protective_order.htm.
2. Once the EPCSO receives Respondent's return request affidavit, the EPCSO will conduct a criminal history check on Respondent to determine if any legal prohibitions to possession of firearms, ammunition, and/or license to carry exist.
3. If no legal prohibitions are identified, the EPCSO will notify Respondent in writing that Respondent has **thirty-one (31) calendar days** from receipt of the notice to retrieve all surrendered firearms, ammunition, and/or license to carry or the EPCSO will dispose of the firearms, ammunition, and/or license to carry pursuant to EPCSO's policies.
4. If legal prohibitions do exist, the EPCSO will notify Respondent in writing of the legal prohibition and the procedures for requesting a review of EPCSO's decision from the Court.
5. Respondents who would like to request review of EPCSO's decision to not return surrendered firearms, ammunition, and/or license to carry, must file a Motion for Return of Surrendered Firearms, Ammunition, and/or License to Carry with the Court. A copy of the **Motion** Requesting Return of Weapons, Ammunition, and/or License to Carry can be found on the Protective Order Court's website at www.epcounty.com/courts/protective_order.htm.
6. Upon receipt of Respondent's Motion for Return of Surrendered Firearms, Ammunition, and/or License to Carry, the Court will schedule a hearing and provide notice of the hearing to the protective order applicant and/or their attorney.
7. Upon conclusion of the hearing, the Court may order return of the surrendered firearms, ammunition, and/or license to carry upon finding no legal prohibitions to Respondent's possession of firearms, ammunition, and/or license to carry exist. If the court does not order return of the surrendered firearms, ammunition, and/or license to carry, then the EPCSO may, pursuant to their policies, dispose of the surrendered firearms, ammunition, and/or license to carry, **thirty-one (31) calendar days** after the Court's decision becomes final.
8. The EPCSO may dispose of Respondent's firearms, ammunition, and/or license to carry pursuant to EPCSO's policies in the following circumstances:
 - a. When Respondent does not file a return request affidavit within **sixty-one (61) calendar days** of the expiration of the protective order; or,

- b. When Respondent does not pick up all surrendered firearms, ammunition, and/or license to carry within **thirty-one (31) calendar days** of receiving written notice from the EPCSO that Respondent can retrieve surrendered firearms, ammunition, and/or license to carry; or
- c. **Thirty-one (31) calendar days** after the Court's decision to deny Respondent's Motion for Return becomes final.