

**(COMMUNITY SUPERVISION OFFICER: PLEASE READ THIS DOCUMENT IN ITS ENTIRETY TO PROBATIONER)**

**GUN CONTROL ACT OF 1968**

Having been placed on Community Supervision, it is important for you to be aware of and understand significant laws, which can affect your future. The following information is a summary of the Gun Control Act of 1968.

As provided in Title 18, United States Code, section 922(g), it is unlawful for any person to **ship, transport, possess, receive or purchase** any firearm or ammunition if such person:

- \_\_\_\_\_ (1) has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year;
- \_\_\_\_\_ (2) is a fugitive from justice;
- \_\_\_\_\_ (3) is an unlawful user of or addicted to any controlled substance;
- \_\_\_\_\_ (4) has been adjudicated as a mental defective or who has been committed to a mental institution;
- \_\_\_\_\_ (5) who, being an alien, is illegally or unlawfully in the United States or has been admitted to the United States under a non immigrant visa;
- \_\_\_\_\_ (6) has been discharged from the Armed Forces under dishonorable conditions;
- \_\_\_\_\_ (7) having been a citizen of the United States, has renounced his citizenship;
- \_\_\_\_\_ (8) is subject to an order restraining a person from harassing, stalking, or threatening an intimate partner or child of an intimate partner; or
- \_\_\_\_\_ (9) has been convicted in any court of a misdemeanor crime of domestic violence.

**(PROBATIONER WILL INITIAL AND DATE THOSE SECTIONS OF LAW ABOVE THAT APPLY TO HIM/HER)**

As provided in Title 18, United States Code, section 922(n), it is unlawful for any person under **indictment or information** of a crime punishable by imprisonment for a term exceeding one year to **ship, transport, or receive** any firearm or ammunition. A person who receives **Deferred Adjudication** is considered to be under indictment for the offense charged during the community supervision period

Texas Penal Code (State Statute)

As provided by Section 46.04, Texas Penal Code, it is unlawful for a person who has been convicted of a felony to possess a firearm for a period of **five years** after release from confinement of supervision and, after that period, **prohibits the Possession of firearms by felons at any location other than their residence.**

**The Federal statutes apply to you in the following manner:**

1. From the date of your indictment for any crime punishable by more than 1 year imprisonment it is unlawful for you to receive any firearm or ammunition or to ship or transport any firearm or ammunition in interstate or foreign commerce **(this prohibition includes persons who remain under indictment while serving a community supervision sentence pursuant to a deferred adjudication);**  
 \_\_\_\_\_ **(Initial and date if item 1 applies to you by reason of a deferred adjudication.)**

2. Upon the entry of a judgment of guilt by the court for any crime punishable by more than 1 year imprisonment, or of a misdemeanor crime of domestic violence, you may not possess, receive, ship or transport any firearm or ammunition. This provision also prohibits “constructive” possession which occurs when firearms or ammunition are readily accessible to the convicted person.

The termination of community supervision **DOES NOT** remove State and Federal prohibitions on the possession, receipt, shipment, and transportation of firearms by convicted persons. Application must be made to ATF for relief.

I acknowledge that the above information has been explained to me and further that I have received a copy of the same this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Community Supervision Officer)

\_\_\_\_\_  
(Probationer)

**PROBATIONER AND COMMUNITY SUPERVISION OFFICER MUST SIGN FORM**