



THE SUPREME COURT of OHIO  
OFFICE OF COURT SERVICES

National Instant Criminal Background Check System (NICS) Disqualifiers  
Court Reporting Requirements and Reporter: Juvenile Division

**FELONY CONVICTION (F2 and up) [[18 U.S.C. 922\(g\)\(1\)](#)]**

Reporting Requirement	Reporter of Information	Party Responsible for Entry
Weekly report of delinquency dispositions. <a href="#">R.C. 2152.71(A)(2)</a>	Clerk	Ohio Attorney General’s Office – Bureau of Criminal Investigation

**Felony:** A “crime punishable by imprisonment for a term exceeding one year” under [18 U.S.C. 922\(g\)\(1\)](#); in Ohio, a crime punishable by imprisonment for a term exceeding one year is classified as a felony of the second degree or higher under [R.C. 2152.16](#).

**Criminal Dispositions where Defendants were Never Arrested:** BCI cannot link the criminal disposition to an arrest record without the unique Incident Tracking Number (ITN). BCI must have the ITN before the disposition can be reported to the National Crime Information Center (NCIC).

**Fingerprint Requirement:** If fingerprints are to be taken in accordance with [R.C. 109.60](#), the court shall inquire at the time of first appearance whether or not the fingerprints were taken at the time of arrest or the time the child was taken into custody. If fingerprints were not taken, the court shall order the person or child to appear before the sheriff or the chief of police within twenty-four hours to have the person’s or child’s fingerprints taken. [R.C. 109.60](#)

The court also shall inquire at the time of sentencing whether or not fingerprints have been taken pursuant to [R.C. 109.60](#). If the person or the child was not fingerprinted for the original arrest or court appearance, the court shall order the person or child to appear before the sheriff or the chief of police within twenty-four hours to have the person’s or child’s fingerprints taken. [R.C. 109.60](#)

**FUGITIVE FROM JUSTICE [[18 U.S.C. 922\(g\)\(2\)](#)]**

Reporting Requirement	Reporter of Information	Party Responsible for Entry
No requirement to report	None	None

**Juvenile Fugitives:** A “fugitive from justice” is defined as a person who has fled from any state to avoid prosecution for a crime or avoid giving testimony in a criminal proceeding. [18 U.S.C. 921\(a\)\(15\)](#). There is no rule or statute that requires the clerk or court to notify law enforcement of the issuance of a capias.

**Warrant Process:** The warrant is issued by the court, journalized by the clerk, and reported to law enforcement for entry into LEADS.



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**UNLAWFUL USER OF OR ADDICTED TO ANY CONTROLLED SUBSTANCE [18 U.S.C. 922(g)(3)]**

Reporting Requirement	Reporter of Information	Party Responsible for Entry
Unknown	Unknown	Unknown

**Controlled Substance Disqualifier:** See [21 U.S.C. 802](#) for context of an “unlawful user of or addicted to controlled substances” under [18 U.S.C. 922\(g\)\(3\)](#). The disqualification applies to medical marijuana card holders.

**Unlawful User or Addicted to any Controlled Substance:** A person who has lost the power of self-control with reference to the use of a controlled substance; and any person who is a current user of a controlled substance in a manner other than prescribed by a licensed physician. [27 C.F.R. 478.11](#)

Upon notice of a drug-related or involved offense, NICS will research the arrest and disposition information to see if unlawful use of a controlled substance has occurred within the past 12 months. An inference of current use or possession may be drawn from the law enforcement report, self-admission, drug test results, etc. The terms of active probation, regardless of the charge, are researched to determine if there are any conditions that prohibit firearm possession or includes drug testing.

**ADJUDICATED AS A MENTAL DEFECTIVE OR HAS BEEN COMMITTED TO ANY MENTAL INSTITUTION [18 U.S.C. 922(g)(4)]**

Reporting Requirement	Reporter of Information	Party Responsible for Entry
<a href="#">R.C. 2151.23(A)(4)</a> gives the juvenile court exclusive original jurisdiction “to exercise the powers and jurisdiction given the probate division of the court of common pleas in <a href="#">Chapter 5122</a> . of the Revised Code, if the court has probable cause to believe that a child otherwise within the jurisdiction of the court is a mentally ill person subject to court order, as defined in section <a href="#">5122.01</a> of the Revised Code.” <a href="#">R.C. Chapter 5122</a>	Not applicable	Upon the order of a mental health evaluation or treatment of a person who pled guilty or was convicted of a violent offense or upon the approval of conditional release of a person found Not Guilty by Reason of Insanity and Incompetent to Stand Trial submit Form 95 to law enforcement. <a href="#">R.C. 2929.44</a> , <a href="#">R.C. 2945.402</a> , and <a href="#">Sup.R. 95</a>

**Sup.R. 95:** Whether the requirements of [Sup.R. 95](#) are applicable to juvenile courts is subject to interpretation. [R.C. 2929.44](#) references only the conviction without mentioning adjudication of a person who plead guilty of or convicted of an offense of violence.



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**ILLEGAL ALIEN [18 U.S.C. 922(g)(5)]**

Reporting Requirement	Reporter of Information	Party Responsible for Entry
Not applicable	Not applicable	Not applicable

**DISHONORABLE DISCHARGE FROM ARMED FORCES [18 U.S.C. 922(g)(6)]**

Reporting Requirement	Reporter of Information	Party Responsible for Entry
Not applicable	Not applicable	Not applicable

**RENOUNCED U.S. CITIZENSHIP [18 U.S.C. 922(g)(7)]**

Reporting Requirement	Reporter of Information	Party Responsible for Entry
Not applicable	Not applicable	Not applicable

**SUBJECT TO DOMESTIC VIOLENCE PROTECTION ORDER [18 U.S.C. 922(g)(8)]**

Reporting Requirement	Reporter of Information	Party Responsible for Entry
Upon issuance, submit Form 10-A to law enforcement agency. <a href="#">Sup.R. 10(A)</a>	Court	Law enforcement enters protection orders into LEADS. <a href="#">Ohio Adm.Code 4501:2-10-03(C)(11)</a>

**UNDER FELONY INDICTMENT OR INFORMATION [18 U.S.C. 922(n)]**

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