



THE SUPREME COURT of OHIO
OFFICE OF COURT SERVICES

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

FELONY CONVICTION (F4 and up) [[18 U.S.C. 922\(g\)\(1\)](#)]

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

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 fourth degree or higher under [R.C. 2929.14\(A\)](#).

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

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

Fugitive from Justice: A person who has fled from any state to avoid prosecution for a crime or to avoid giving testimony in any criminal proceeding. [18 U.S.C. 921\(a\)\(15\)](#)

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

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.

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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
Upon civil commitment R.C. 5122.141 , R.C. 5122.15 , and R.C. 5122.311	Probate judge or chief clinical officer of hospital	Ohio Attorney General’s Office – Bureau of Criminal Investigation

Adjudicated Mental Defective: The definition of a person who has been “adjudicated as a mental defective” as used in [18 U.S.C. 922\(g\)\(4\)](#) is broader than a “mentally ill person subject to a court order” as used in [R.C. 5122.311](#). See [27 C.F.R. 478.11](#) and [R.C. 5122.01](#) respectively.

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
Not applicable	Not applicable	Not applicable

MISDEMEANOR DOMESTIC VIOLENCE CONVICTION [[18 U.S.C. 922\(g\)\(9\)](#)]

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

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

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