

Headquarters
1st Infantry Division and Fort Riley
Fort Riley, Kansas 66442-7000

*FR Reg 190-1

DATE: December 17, 2012

Military Police

CONTROL OF PRIVATELY OWNED FIREARMS, WEAPONS, EXPLOSIVES, AND AMMUNITION

- 1. PURPOSE.** This regulation implements requirements in AR 190-11 for registration, storage, transport, use and control of privately-owned firearms, weapons, explosives, and ammunition, and defines the prohibited practices relating to them.
- 2. REFERENCES.** Required and related publications and prescribed and referenced forms are listed in Appendix A.
- 3. SUGGESTED IMPROVEMENTS.** The proponent agency of this regulation is the Directorate of Emergency Services, Physical Security Division. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to Director, Directorate of Emergency Services, ATTN: IMWE-RLY-ES, 221 Custer Ave., Fort Riley, Kansas 66442-5053.
- 4. EXPLANATION OF ABBREVIATIONS AND SPECIAL TERMS.** Abbreviations and special terms used in this regulation are explained in the glossary.
- 5. APPLICABILITY.** This regulation applies to all Soldiers assigned or attached to Fort Riley, DA civilians, military Family Members, contract civilians, guests and visitors when within the boundaries of the Fort Riley Military installation.
 - a. Provisions of this regulation do not preclude:
 - (1) The carrying of authorized government-owned weapons on this installation in the performance of official duties.
 - (2) The carrying of privately-owned sporting firearms on Fort Riley as prescribed in FR Reg. 210-15, Installation Hunting and Fishing Regulation and this regulation when properly registered.
 - b. This regulation prescribes the responsibilities of individuals and Commanders concerning registration, storage, transport, use, and control of firearms, weapons, explosives, and ammunition.

*This regulation supersedes FR Reg 190-1, dated 27 Sep 2010.

c. Violations of the provisions of this regulation will be processed as follows:

(1) Soldiers who violate the provisions of this regulation may be subject to prosecution under the Uniform Code of Military Justice or appropriate administrative action.

(2) Civilians who violate the provisions of this regulation may be subject either to prosecution for violations of applicable state or federal law in Federal District Court or Federal Magistrate Court, appropriate administrative action, or both.

6. RESPONSIBILITIES.

a. The Directorate of Emergency Services (DES) will:

(1) Maintain the database of all registered firearms utilizing the Centralized Operations Police Suite (COPS) system.

(2) Respond to all reported violations of this regulation. If explosives, ammunition, fireworks or other similar or like items are found, the Directorate of Emergency Services will contact Explosive Ordnance Disposal (EOD) or Ammunition Quality Assurance Specialists at the Ammunition Supply Point for assistance with movement and disposal instructions.

(3) Screen all privately owned firearms registration requests through NCIC.

(4) Register privately owned firearms belonging to Soldiers, military Family Members and civilians, who wish to bring onto or store such firearms on Fort Riley with proper security checks and approval.

(5) Upon written request, provide a print out to unit Commanders or their authorized representative of all registered privately owned firearms belonging to Soldiers in their command.

(6) Instruct gate guards to assist all personnel who declare possession of unregistered firearms to register them at all open gates traffic permitting:

(7) Will issue a 5 day temporary firearm registration to Soldier's after properly screening the firearm and notify the Soldier's Commander or First Sergeant to ensure proper registration and storage and then track the temporary registration to ensure it is permanently registered.

b. Unit Commanders will:

(1) Ensure the security and control of authorized privately-owned firearms belonging to Soldiers in their command and their Family Members that are stored in the unit arms room or authorized on-post quarters. At no time will privately owned weapons be stored in unit barracks.

(2) Verify the eligibility of Soldiers in their command and their immediate Family Members who wish to bring firearms onto Fort Riley by having the Soldier complete a Fort Riley Form 102 answering and certifying each of the questions listed on the form. Request verification assistance from the Directorate of Emergency Services. Registration is prohibited if the owner;

(a) Has been convicted of a felony.

- (b) Has been convicted of a misdemeanor crime of domestic violence.
 - (c) Is a fugitive from justice.
 - (d) Has been convicted in any court of possession, use or sale of drugs including nonjudicial punishment under Article 15 UCMJ.
 - (e) Is currently declared mentally incompetent.
 - (f) Is a under the age of 18.
- (3) Forward all approved requests (FR Form 102, Privately Owned Firearm Registration) for firearm registration to the Directorate of Emergency Service, Physical Security office building 219 for privately-owned firearms which will be brought onto or stored on Fort Riley by members of their command and their immediate Family Members. This approval will be in writing and will document that the Soldier or Family Member received appropriate safety training on the use and storage of the weapon and is knowledgeable of Federal, state, or local laws, or ordinances concerning firearms possession, use, and transportation. The commander will maintain records of all firearms approved for registration including storage location.
- (4) Establish individual limits on the quantity and type of privately owned ammunition that may be stored in the arms room, based upon availability of space and safety considerations.
- (5) Post this regulation on the unit bulletin board or near the arms room entrance.
- (6) Brief all newly assigned personnel on this regulation and ensure that members of their command are briefed on any changes to this regulation, Federal laws, state laws, or local ordinances.
- (7) Ensure that all members of the command read and sign a statement of understanding acknowledging the requirements of this regulation.
- (8) Conduct unannounced inspections of their unit areas to include parking areas to ensure that proper storage of weapons and registration of firearms is being accomplished. Violations of this regulation will be turned over to the Directorate of Emergency Services.
- (9) Include a section in the unit (arms room) standard operating procedure (SOP) for privately-owned firearms. The SOP will address registration procedures including requirements for registering firearms after duty hours, on weekends and holidays, storage requirements; access to authorized privately-owned weapons and ammunition stored in the unit arms room; the highest authorized caliber of firearm and ammunition; and the disposition of privately-owned weapons in the event of a unit deployment.

c. Army, Air Force Exchange Services (AAFES) will:

- (1) Issue a FR Form 102B, 5 Day Temporary Firearm Registration (Appendix D), upon the purchase of a firearm.
- (2) Inform the purchaser that they will have five days to register the firearm(s) with their unit and the Directorate of Emergency Services if they intend to store or bring the firearm(s) on Fort Riley.

d. Directorate of Family Morale Welfare Recreation, Outdoor Recreation and the Trap and Skeet Range and Directorate of Public Works, Environmental Division will:

(1) Direct Soldiers and the Family Members intending to bring firearms onto Fort Riley to register their firearms with the Soldier's Unit Commander. Family Members of deployed Soldiers will be directed to the Soldier's Rear Detachment Commander.

(2) Assist civilian customers, in possession of unregistered firearms, by directing them to any gate to register their Privately owned firearms with the Directorate of Emergency Services.

7. REGISTRATION PROCEDURES.

a. All privately-owned firearms in a person's possession while physically on Fort Riley must be registered on a FR Form 102 (Figure 1). This form maybe found on the internet by searching for the 1st Infantry Division or Fort Riley's home page. At the drop down menus select Units, then Garrison Command, then Emergency Service. In addition, an alternate proof of registration would be the Centralized Operations Police Suite (COPS) generated Weapons Permit with approved stamp.

b. Anyone entering the installation in possession of privately owned will declare possession of the privately owned firearms to the gate guard at the access control point (gate) and provide a copy of the valid registration or request assistance with registration.

c. Soldiers:

(1) Wishing to bring firearms on-post will submit a written request (FR Form 102) to their commander for approval to register their privately owned firearms and those of their immediate Family Members.

(2) Wishing to store a registered privately owned firearm on the installation will store those firearms in the unit arms room unless the commander authorizes them to be stored in their on-post quarters. At no time will privately owned weapons be stored in unit barracks.

(3) Who reside off the military installation (off-post) are not required to register their privately-owned firearms as long as these firearms are not brought onto the Fort Riley military installation.

(4) Soldiers who are newly assigned to Fort Riley will secure their weapon(s) in the 1st Replacement Company arms room upon arrival to Fort Riley. Upon assignment to their gaining unit. Soldiers will permanently register the firearm(s) through their gaining unit Commander. Firearms may be withdrawn from the 1st Replacement Company arms room by presenting a valid Fort Riley Firearms registration form. This will occur if and when the firearm(s) is/are brought onto or stored on Fort Riley.

d. Civilians and Soldiers not assigned, attached, or temporarily stationed at Fort Riley wishing to bring firearms onto Fort Riley will register their privately-owned firearm(s) with the Directorate of Emergency Services prior to bringing the firearm onto the Fort Riley military installation. Civilian registrations are valid for three (3) years.

e. Owners of registered privately-owned firearms will immediately notify the Directorate of Emergency Services and the unit Commander of the sale, transfer, loss, theft, or other change in the disposition of the firearm.

8. SECURITY AND CONTROL PROCEDURES.

a. Soldiers residing on Fort Riley who intend to possess firearms on Fort Riley will store all of their authorized privately-owned firearms and ammunition in the unit arms room unless written permission is granted by the unit Commander to store their authorized privately-owned firearms and ammunition at their assigned on post family quarters, Bachelor Officer Quarters (BOQ) or Senior Bachelor Enlisted Quarters (SBEQ). Written permission will be annotated by the Commander on the FR Form 102. At no time will privately owned weapons be stored in unit barracks.

b. Privately-owned firearms and ammunition stored in the unit arms room will be secured in and approved locked containers separate from military arms, ammunition, and explosives.

c. Privately-owned firearms and ammunition will be accounted for and inventoried using the same procedures as for military arms, ammunition, and explosives.

d. A DA Form 3749, Equipment Receipt, and DA Form 2062, Hand Receipt, will be issued for each privately-owned weapon including firearms stored in the unit arms room. The receipt will be retained by the weapon owner when the weapon is stored in the unit arms room and will be surrendered when the weapon is withdrawn from the unit arms room. Hand receipt procedures will be used for storage of privately-owned ammunition.

e. Privately-owned weapons and ammunition stored in the unit arms room will be withdrawn only with written permission from the unit Commander or his/her authorized representative. Unit Commanders will develop a written standard operating procedure for weapon withdrawal and list of unit representatives authorized to release privately-owned weapon and ammunition.

f. All issue, turn-in and inventory procedures for privately-owned weapons and ammunition will be conducted in accordance with AR 190-11, AR 710-2, and DA Pam 710-2-1.

g. Soldiers living in on post family quarters, Bachelor Officer Quarters (BOQ) or Senior Bachelor Enlisted Quarters (SBEQ) must obtain their Commander's written approval to allow visiting guest, to store their firearms in the Soldiers on-post quarters. Additionally, such firearms must be registered in accordance with paragraph 7c. of this regulation.

h. The unit Commander may withdraw permission authorizing storage of authorized privately-owned firearms and ammunition at a Soldier's assigned on post family quarters, Bachelor Officer Quarters (BOQ) or Senior Bachelor Enlisted Quarters (SBEQ) and require the Soldier to store authorized privately-owned firearm(s) and

ammunition in the unit arms room when he/she believes such action to be reasonably necessary for maintaining law, order and discipline.

i. If the possession of a privately owned firearm is otherwise known to a Commander, notwithstanding prohibitions under paragraph 9(p), the Commander may request, but not order, any Soldiers residing off-post to store their weapons in the unit arms room or require the Soldier to move on post when he/she believes such action to be reasonably necessary for maintaining law, order and discipline. The Commander should contact their Brigade Judge Advocate for guidance.

j. All persons entering the installation with privately owned firearms must declare possession of the firearm and present their Fort Riley firearm registration form to the guard at the access control point.

k. All privately-owned firearms transported or secured in vehicles on the Fort Riley military installation must be locked in the vehicle's trunk, or, if the vehicle has no trunk, in a storage area of the vehicle beyond the reach of the vehicle's occupants. If this is not possible the firearm will be transported in a closed (zipped, snapped, clasped) case, with a trigger lock in place or other similar device utilized.

l. Privately-owned firearms will only be transported in vehicles on Fort Riley while traveling by the most direct route to and from authorized locations such as a hunting areas, firearm ranges, quarters, AAFES, DFMWR, DPW Environmental Division facilities, or unit and organizational parking lots. All weapons including firearms will be properly secured in the vehicle and will not be taken into public or private establishments. Firearms and privately-owned weapons should only be removed from vehicles for use at authorized recreational areas and for secure storage, such as unit arms rooms and quarters.

9. PROHIBITED PRACTICES. The following practices are prohibited:

a. The possession of a weapon or weapons in violation of Federal and state laws or of this regulation. Examples include switchblade, gravity blade, butterfly knives, brass knuckles, and throwing stars.

b. Discharging any firearm within the Fort Riley military installation; to include pistols, shotguns, rifles, sling shots, bows and crossbows, paintball and BB guns; and, other devices which throw or are designed to throw a missile or object with sufficient force to injure persons or damage property; except at authorized ranges and authorized areas. Airsoft is not authorized to be fired in public areas for example in the front yard, back yard, or parks of any housing area, etc. They may be utilized at authorized range complexes, training areas (when cleared and authorized by range control), or area of responsibility, such as inside assigned quarters and garage area, or unit areas when authorized by Commander.

c. Selling, manufacturing, purchasing, possessing or carrying, concealed or otherwise, any "brass knuckles," "knucks," or any device fitting over the hand to be used

in striking another individual, other than equipment designed for sporting events such as boxing gloves.

d. Selling, manufacturing, purchasing, possessing or carrying, concealed or otherwise, any "blackjack," "slapper," "nunchucks," spring-loaded collapsible or folding batons, or PR-24 police baton except for law enforcement officers in conjunction with the performance of their official duties.

e. Selling, manufacturing, purchasing, possessing or carrying, concealed or otherwise, any knife, commonly referred to as a switchblade, which has a blade that opens automatically by hand pressure applied to a button, or spring or other device in the handle of the knife, or any knife which has a blade that opens by the force of gravity or by an outward, downward, or centrifugal thrust or movement (commonly called "gravity blade" or "butterfly" knives).

f. Possessing or carrying any taser, stun gun, cattle prod or other device designed to deliver an electrical shock.

g. Carrying concealed on one's person any weapon including knives with blades longer than 3 inches. Kansas concealed carry handgun permits and those issued by other states are not recognized on Fort Riley.

h. Carrying, transporting, or possessing any loaded privately-owned firearm in or on any vehicle, except for law enforcement officers when permitted on Fort Riley in the performance of official duties. A firearm is considered loaded when the weapon is configured with its ammunition attached or contained so as to be immediately ready to discharge or when the ammunition is contained in a magazine, cylinder, or similar container, which is attached to, or otherwise integral with the weapon. It is not necessary to remove ammunition from a magazine that is removed from and stored separate from the firearm.

i. Carrying, possessing or storing on the Fort Riley military installation any unregistered privately-owned firearm.

j. Carrying on one's person, concealed or otherwise, a tear gas or smoke grenade. Possession of any military smoke, tear gas or noxious odor-producing device is prohibited except in the performance of official duties. This provision shall not be considered to prohibit the carrying of a single aerosol or pump spray container holding no more than 25 grams of CN or CS tear gas for personal protection.

k. Possessing any device or attachment of any kind which is designed, used or intended for use in silencing the report of any firearm.

l. Selling, manufacturing, possessing or discharging pyrotechnics, explosives or incendiary devices which includes, but is not limited to, blasting caps, fireworks, and artillery simulators. This provision does not prohibit possession and storage of reasonable amounts of ammunition for registered privately-owned firearms or the

possession, storage and use of not more than 1 pound (0.454 kg) of commercially manufactured sporting black powder, 20 pounds (9 kg) of smokeless powder and 10,000 small arms primers for hand loading of small arms ammunition for personal consumption.

m. The carrying, registration or use of any firearm by a person who is under 18 years of age, unless that person is accompanied by a parent or legal guardian over the age of 18 who is responsible for the safe and lawful use of the firearm.

n. Retaining or storing incendiary devices or explosives, as defined in the glossary, on the Fort Riley Military installation, other than in the performance of official duties.

o. Carrying, possessing or storing an automatic firearm on Fort Riley military installation. This prohibition does not include government owned weapons used for military duties.

p. Collecting or recording any information relating to the otherwise lawful acquisition, possession, ownership, carrying or other use of privately owned firearm, privately owned ammunition, or any other privately owned weapon by a member of the Armed Forces or civilian employee of the Department of Defense on property not owned or operated by the DoD is prohibited. Such information that has already been collected or recorded will be destroyed.

q. Storage of unregistered privately-owned firearms and ammunition on post.

APPENDIX A

REFERENCES

Section I Required Publications

AR 190-11
Physical Security of Arms, Ammunition, and Explosives

AR 710-2
Supply Policy below the Wholesale Level

DA Pam 710-2-1
Using Unit Supply System Manual Procedures

FR Reg 210-15
Installation Hunting and Fishing Regulation

Section II Referenced Publications

This section contains no entries

Section III Prescribed Forms

FR Form 102
Privately Owned Firearm Registration

FR Form 102A
Privately Owned Firearm Registration (Numerous)

FR Form 102B
5 Day Temporary Firearm Registration

DA Form 3749
Equipment Receipt

DA Form 2062
Hand Receipt/Annex Number

Section IV Referenced Forms

DA Form 2028
Recommended Changes to Publications and Blank Forms

APPENDIX B

Extract From Kansas Statutes

KSA 21-4201. "Criminal use of weapons.

(a) Criminal use of weapons is knowingly:

(1) selling, manufacturing, purchasing, possessing or carrying any bludgeon, sand club, metal knuckles or throwing star, or any knife, commonly referred to as a switch-blade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward or centrifugal thrust or movement;

(2) carrying concealed on one's person, or possessing with intent to use the same unlawfully against another, a dagger, dirk, billy club, blackjack, slingshot, dangerous knife, straight-edged razor, stiletto or any other dangerous or deadly weapon or instrument of like character, except that an ordinary pocket knife with no blade more than four inches in length shall not be construed to be a dangerous knife, or a dangerous or deadly weapon or instrument;

(3) carrying on one's person or in any land, water or air vehicle, with intent to use the same unlawfully, a tear gas or smoke bomb or projector or any object containing a noxious liquid, gas or substance;

(4) carrying any pistol, revolver or other firearm concealed on one's person except when on the person's land or in the person's abode or fixed place of business;

(5) setting a spring gun;

(6) possessing any device or attachment of any kind designed, used or intended for use in suppressing the report of any firearm;

(7) selling, manufacturing, purchasing, possessing or carrying a shotgun with a barrel less than 18 inches in length or any other firearm designed to discharge or capable of discharging automatically more than once by a single function of the trigger; or

(8) possessing, manufacturing, causing to be manufactured, selling, offering for sale, lending, purchasing or giving away any cartridge which can be fired by a handgun and which has a plastic-coated bullet that has a core of less than 60% lead by weight.

(b) Subsections (a)(1), (a)(2), (a)(3), (a)(4) and (a)(7) shall not apply to or affect any of the following:

(1) law enforcement officers, or any person summoned by any such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;

(2) wardens, superintendents, directors, security personnel and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime, while acting within the scope of their authority;

(3) members of the armed services or reserve forces of the United States or the Kansas national guard while in the performance of their official duty; or

(4) manufacture of, transportation to, or sale of weapons to a person authorized under subsections (b)(1), (2) and (3) to possess such weapons.

(c) Subsection (a)(4) shall not apply to or affect the following:

(1) watchmen, while actually engaged in the performance of the duties of their employment;

(2) licensed hunters or fishermen, while engaged in hunting or fishing;

(3) private detectives licensed by the state to carry the firearm involved, while actually engaged in the duties of their employment;

(4) detectives or special agents regularly employed by railroad companies or other corporations to perform full-time security or investigative service, while actually engaged in the duties of their employment;

(5) the state fire marshal, the state fire marshal's deputies or any member of a fire department authorized to carry a firearm pursuant to K.S.A. 31-157 and amendments thereto, while engaged in an investigation in which such fire marshal, deputy or member is authorized to carry a firearm pursuant to K.S.A. 31-157 and amendments thereto; or

(6) special deputy sheriffs described in K.S.A. 19-827, and amendments thereto, who have satisfactorily completed the basic course of instruction required for permanent appointment as a part-time law enforcement officer under K.S.A. 74-5607a and amendments thereto.

(d) Subsections a(1), a(6) and a(7) shall not apply to any person who sells, purchases, possesses or carries a firearm, device or attachment which has been rendered unserviceable by steel weld in the chamber and marriage weld of the barrel to the receiver and which has been registered in the national firearms registration and transfer record in compliance with 26 U.S.C. 5841 et seq. in the name of such person and, if such person transfers such firearm, device or attachment to another person, has been so registered in the transferee's name by the transferor.

(e) Violation of subsections (a)(1) through (a)(5) is a class A nonperson misdemeanor. Violation of subsection (a)(6), (a)(7) or (a)(8) is a severity level 9, nonperson felony.”

KSA 21-4202. “Aggravated weapons violation. (a) An aggravated weapons violation is a violation of any of the provisions of K.S.A. 21-4201 and amendments thereto by a person who: (1) Within five years preceding such violation has been convicted of a nonperson felony under the laws of Kansas or any other jurisdiction or has been released from imprisonment for such nonperson felony.”

KSA 21-4203. “Criminal disposal of firearms.

(a) Criminal disposal of firearms is knowingly:

(1) selling, giving or otherwise transferring any firearm with a barrel less than 12 inches long to any person under 18 years of age;

(2) selling, giving or otherwise transferring any firearms to any person who is both addicted to and an unlawful user of a controlled substance;

(3) selling, giving or otherwise transferring any firearm to any person who, within the preceding five years, has been convicted of a felony, other than those specified in subsection (b), under the laws of this or any other jurisdiction or has been released from imprisonment for a felony and was found not to have been in possession of a firearm at the time of the commission of the offense;

(4) selling, giving or otherwise transferring any firearm to any person who, within the preceding 10 years, has been convicted of a felony to which this subsection applies, but was not found to have been in the possession of a firearm at the time of the commission of the offense, or has been released from imprisonment for such a crime, and has not had the conviction of such crime expunged or been pardoned for such crime;

(5) selling, giving or otherwise transferring any firearm to any person who has been convicted of a felony under the laws of this or any other jurisdiction and was found to have been in possession of a firearm at the time of the commission of the offense; or

(6) selling, giving or otherwise transferring any firearm to any person who is or has been a mentally ill person subject to involuntary commitment for care and treatment, as defined in K.S.A. 59-2946, and amendments thereto, or a person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment as defined in K.S.A. 59-29b46, and amendments thereto, and such person has not received a certificate of restoration pursuant to K.S.A. 2007 Supp. 75-7c26, and amendments thereto.

(b) Subsection (a)(4) shall apply to a felony under K.S.A. 21-3401, 21-3402, 21-3403, 21-3404, 21-3410, 21-3411, 21-3414, 21-3415, 21-3419, 21-3420, 21-3421, 21-3427, 21-3442, 21-3502, 21-3506, 21-3518, 21-3716, 65-4127a or 65-4127b, or 65-4160 through 65-4164, and amendments thereto, or a crime under a law of another jurisdiction which is substantially the same as such felony.

(c) Criminal disposal of firearms is a class A nonperson misdemeanor.”

KSA 21-4204. “Criminal possession of a firearm.

(a) Criminal possession of a firearm is:

(1) possession of any firearm by a person who is both addicted to and an unlawful user of a controlled substance;

(2) possession of any firearm by a person who has been convicted of a person felony or a violation of any provision of the uniform controlled substances act under the laws of Kansas or a crime under a law of another jurisdiction which is substantially the same as such felony or violation, or was adjudicated a juvenile offender because of the commission of an act which if done by an adult would constitute the commission of a person felony or a violation of any provision of the uniform controlled substances act, and was found to have been in possession of a firearm at the time of the commission of the offense;

(3) possession of any firearm by a person who, within the preceding five years has been convicted of a felony, other than those specified in subsection (a)(4)(A), under the laws of Kansas or a crime under a law of another jurisdiction which is substantially the same as such felony, has been released from imprisonment for a felony or was adjudicated as a juvenile offender because of the commission of an act which if done by an adult would constitute the commission of a felony, and was found not to have been in possession of a firearm at the time of the commission of the offense;

(4) possession of any firearm by a person who, within the preceding 10 years, has been convicted of: (A) a felony under K.S.A. 21-3401, 21-3402, 21-3403, 21-3404, 21-3410, 21-3411, 21-3414, 21-3415, 21-3419, 21-3420, 21-3421, 21-3427, 21-3442, 21-3502, 21-3506, 21-3518, 21-3716, 65-4127a or 65-4127b, or 65-4160 through 65-4164, and amendments thereto, or a crime under a law of another jurisdiction which is substantially the same as such felony, has been released from imprisonment for such felony, or was adjudicated as a juvenile offender because of the commission of an act which if done by an adult would constitute the commission of such felony, was found not to have been in possession of a firearm at the time of the commission of the offense, and has not had the conviction of such crime expunged or been pardoned for such crime; or (B) a nonperson felony under the laws of Kansas or a crime under the laws of another jurisdiction which is substantially the same as such nonperson felony, has been released from imprisonment for such nonperson felony or was adjudicated

as a juvenile offender because of the commission of an act which if done by an adult would constitute the commission of a nonperson felony, and was found to have been in possession of a firearm at the time of the commission of the offense;

(5) possession of any firearm by any person, other than a law enforcement officer, in or on any school property or grounds upon which is located a building or structure used by a unified school district or an accredited nonpublic school for student instruction or attendance or extracurricular activities of pupils enrolled in kindergarten or any of the grades 1 through 12 or at any regularly scheduled school sponsored activity or event;

(6) refusal to surrender or immediately remove from school property or grounds or at any regularly scheduled school sponsored activity or event any firearm in the possession of any person, other than a law enforcement officer, when so requested or directed by any duly authorized school employee or any law enforcement officer; or

(7) possession of any firearm by a person who is or has been a mentally ill person subject to involuntary commitment for care and treatment, as defined in K.S.A. 59-2946, and amendments thereto, or persons with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment as defined in K.S.A. 59-29b46, and amendments thereto.

(b) Subsection (a)(5) shall not apply to:

(1) possession of any firearm in connection with a firearms safety course of instruction or firearms education course approved and authorized by the school;

(2) any possession of any firearm specifically authorized in writing by the superintendent of any unified school district or the chief administrator of any accredited nonpublic school;

(3) possession of a firearm secured in a motor vehicle by a parent, guardian, custodian or someone authorized to act in such person's behalf who is delivering or collecting a student; or

(4) possession of a firearm secured in a motor vehicle by a registered voter who is on the school grounds, which contain a polling place for the purpose of voting during polling hours on an election day.

(c) Subsection (a)(7) shall not apply to a person who has received a certificate of restoration pursuant to K.S.A. 2007 Supp. 75-7c26, and amendments thereto.

(d) Violation of subsection (a)(1) or (a)(5) is a class B nonperson select misdemeanor; violation of subsection (a)(2), (a)(3), (a)(4) or (a)(7) is a severity level 8, nonperson felony; violation of subsection (a)(6) is a class A nonperson misdemeanor."

KSA 21-4205. "Defacing identification marks of a firearm.

(a) Defacing identification marks of a firearm is the intentional changing, altering, removing or obliterating the name of the maker, model, manufacturer's number or other mark of identification of any firearm.

(b) Possession of any firearm upon which any such mark shall have been intentionally changed, altered, removed or obliterated shall be prima facie evidence that the possessor has changed, altered, or obliterated the same.

(c) Defacing identification marks of a firearm is a severity level 10, nonperson felony."

KSA 21-4206. "Confiscation and disposition of weapons.

(1) Upon conviction of a violation or upon adjudication as a juvenile offender for a violation of K.S.A. 21-4201, 21-4202, 21-4204, 21-4204a or 21-4219, and amendments thereto, any weapon seized in connection therewith shall remain in the custody of the trial court.

(2) Any stolen weapon so seized and detained, when no longer needed for evidentiary purposes, shall be returned to the person entitled to possession, if known. All other confiscated weapons when no longer needed for evidentiary purposes, shall in the discretion of the trial court, be: (a) destroyed; (b) forfeited to the law enforcement agency seizing the weapon for use within such agency, for sale to a properly licensed federal firearms dealer, for trading to a properly licensed federal firearms dealer for other new or used firearms or accessories for use within such agency or for trading to another law enforcement agency for that agency's use; or (c) forfeited to the Kansas bureau of investigation for law enforcement, testing, comparison or destruction by the Kansas bureau of investigation forensic laboratory.

(3) If weapons are sold as authorized by subsection (2), the proceeds of the sale shall be credited to the asset seizure and forfeiture fund of the seizing agency."

KSA 21-4207. "Failure to register sale of explosives.

(a) Failure to register sale of explosives is the omission, by the seller of any explosive or detonating substance, to keep a register of every sale or other disposition of such explosives made by the seller as required by this section.

(b) The register of sales required by this section shall contain the date of the sale or other disposition, the name, address, age and occupation of the person to whom the explosive is sold or delivered, the kind and amount of explosive delivered, the place at which it is to be used and for what purpose it is to be used. Such register and record of sale or other disposition shall be open for inspection by any law enforcement officer, mine inspector or fire marshal of this state for a period of not less than one year after the sale or other disposition.

(c) Failure to register sale of explosives is a class B nonperson misdemeanor.”

KSA 21-4208. “Failure to register receipt of explosives. Failure to register receipt of explosives is the omission, by any person to whom delivery of any quantity of explosive or other detonating substance is made, to acknowledge the receipt thereof by signing his name in the register provided in section 21-4207 (2) on the page where the record of such delivery is entered. Failure to register receipt of explosives is a Class C misdemeanor.”

KSA 21-4209. “Criminal disposal of explosives.

(a) Criminal disposal of explosives is knowingly selling, giving or otherwise transferring any explosive or detonating substance to:

(1) A person under 21 years of age; or

(2) a person who is both addicted to and an unlawful user of a controlled substance; or

(3) a person who, within the preceding five years, has been convicted of a felony under the laws of this or any other jurisdiction or has been released from imprisonment for a felony.

(b) Criminal disposal of explosives is a severity level 10, person felony.”

KSA 21-4210. “Carrying concealed explosives. Carrying concealed explosives is carrying any explosive or detonating substance on the person in a wholly or partly concealed manner. Carrying concealed explosives is a class C misdemeanor.”

APPENDIX C

FR Form 102A, Registration of Privately Owned Firearms (Numerous)

REGISTRATION OF PRIVATELY OWNED FIREARMS (NUMEROUS)					Date
AR 190-11 for basic requirements. FR Reg 190-1 for local procedures.					
LAST NAME, First Name, MI			Social Security Number	State	Driver's License #
Rank/Grade	DOB	Height/Weight	Eye Color	Hair/Color	
Address, City, State, Zip Code				Personal Phone	
Brigade	Battalion	Company	Unit Phone	ETS	
Serial Number	Firearm Type	Model	Make/Brand	Caliber/Gauge	
Serial Number	Firearm Type	Model	Make/Brand	Caliber/Gauge	
Serial Number	Firearm Type	Model	Make/Brand	Caliber/Gauge	
Serial Number	Firearm Type	Model	Make/Brand	Caliber/Gauge	
Serial Number	Firearm Type	Model	Make/Brand	Caliber/Gauge	
Penalties for inaccurate or False Statements. The US Criminal Code (Title 18, Section 1001) provides that knowingly falsifying or concealing a material fact is a felony which may result in fines up to \$10,000 and/or 5 years imprisonment, or both.					
Question (Required explanation for all "YES" answers. See remarks block)				YES	NO
1. Have you ever been convicted in any court of any felony offense?					
2. Have you ever been convicted in any court of a misdemeanor crime of domestic violence?					
3. Are you a fugitive from justice?					
4. Have you ever been convicted in any court (includes non-judicial punishment received under Article 15, UMCJ) for the possession, use, or sale of marijuana, dangerous or narcotic drugs?					
Remarks:					
Certifications That My Answers Are True					
I acknowledge my responsibility for security, proper storage and use of my privately-owned firearm(s). I am the owner of the firearm(s) listed above. I have received safety training on the use and storage on the above listed firearms. My statements on this form, and any attachments to it, are true, complete, and correct to the best of my knowledge and belief and are made in good faith. I understand that a knowing and willful false statement on this form can be punished by fine or imprisonment or both. (See Section 1001 of Title 18, United States Code.)					
Signature (Sign in Ink) _____			Date _____		
Commander/Registrar					
The request for registration of the above privately owned firearm(s) has been reviewed by the Commander for accuracy and is being provided to the Directorate of Emergency Services for registration in the Consolidated Police Operations Suite (COPS) system. The privately owned firearm(s) will be stored in the Unit Arms Room Soldier's On-Post Quarters Soldier lives off post but will transport firearms on post for authorized purposes.					
Commander's Signature (Sign in Ink) _____			Date _____		
Registrar's Signature (Sign in Ink) _____			Date _____		
<p>Privacy Act Statement: The information you provide is covered by the Privacy Act of 1974, Title 5, U.S.C. 562a. AUTHORITY: 10 U.S.C. 3013, Department of the Army, Army Regulation 190-11 Physical Security of Arms, Ammunition and Explosives (AA&E), AR 190-14, Carrying of Firearms and Use of Force for Law Enforcement Security Duties; and E.O. 9397 (SSN). PRINCIPLE PURPOSE(S): To assist commanders in carrying out effective law enforcement, troop safety and crime prevention programs. ROUTINE USES: Information is furnished to criminal justice elements outside Department of the Defense for investigation and prosecution when such cases fall within their jurisdiction or concurrent jurisdiction is applicable. The 'Blanket Routine Uses' set forth at the beginning of the Army's compilation of systems of records notices also apply to this system. DISCLOSURE: Mandatory. Information must be provided for all personal firearms on the installation.</p>					

APPENDIX D

FR Form 102B, 5-Day Temporary Firearm Registration

5 DAY TEMPORARY FIREARM REGISTRATION AR 190-11 for basic requirement, FR 190-1 for local procedures (See back for Privacy Act Statement)					Date	
LAST NAME, First Name, MI				Social Security Number		
Address, City, Zip code				Serial Number		
Brigade	Battalion	Company		Firearm Type	Make/Brand	
This Privately-owned firearm must be properly secured and stored in the location circled.		On Post QTRS	Unit Arms Room	Off Post	Model	Caliber/Gauge
I acknowledge my responsibility to properly register this firearm on the installation within five (5) days.				Registrar's Signature		
				PrivRegistrar's Name/Rank (print/type)		
Owner's Signature						

FR Form 102B

The primary use of this information is to register firearms as required by AR 190-11 and FR 190-1. Furnishing this information, to include your Social Security Account Number, is voluntary; however failure to provide all of this information will cause non-issuance and the firearm will not be authorized to be brought on the Fort Riley military installation. A copy of this form will be provided to the Fort Riley Police for use by federal, state and local law enforcement agencies as an aid to recovery or identification of lost or stolen firearms.

Complete two (2) copies: Original completed form is kept by the owner, one copy is sent to the **Fort Riley Police Station.**

FORT RILEY FIREARM REQUIREMENTS: All firearms **MUST** be registered. Firearms **MUST** be transported unloaded and locked in a trunk or locked in a case or locked with a trigger lock or disassembled. Under 16 years old must be accompanied by an adult who is responsible for the conduct of the youth. Carrying concealed firearms is prohibited on this installation. Notify the Fort Riley Police when this firearms is sold or transferred. See FR 210-15 for hunting requirements. Discharging (firing) firearms (like target practice) is restricted to authorized ranges during authorized times.

PROTECT AND ASSIST

GLOSSARY

Section I Abbreviations

AA&E

Arms, Ammunition and Explosives

AAFES

Army Air Force Exchange Service

COPS

Centralized Operations Police Suite

DES

Directorate of Emergency Services

DPW

Directorate of Public Works

IMCOM

Installation Management Command

MSC

Major Subordinate Command

SOP

Standard Operating Procedure

UCMJ

Uniform Code of Military Justice

Section II Special Terms

Ammunition

The material fired, scattered, thrown or detonated from any weapon such as shotgun shells, bullets, arrows, etc., including the components of materials fired, scattered, thrown, or detonated from any weapon such as smokeless or black powder, primers, arrowheads, points, etc.

Explosives/incendiary devices

Any simulator, mine, bomb, grenade, rocket, missile, blasting cap, or fireworks, or similar device containing an explosive or incendiary charge

Firearm

A firearm includes any revolver, pistol, rifle, shotgun, or other device designed for or capable of propelling a bullet or other projectile by means of an explosive or compressed charge. Airsoft and Paintball guns are excluded from this definition for registration purposes only.

Possession

Either, (1) actual ownership of a weapon or (2) the exercise of dominion and control over a firearm or weapon, regardless of actual ownership.

Privately-owned firearm

Any firearm in the possession of an individual, other than authorized military firearms in an individual's possession as part of official military duties.

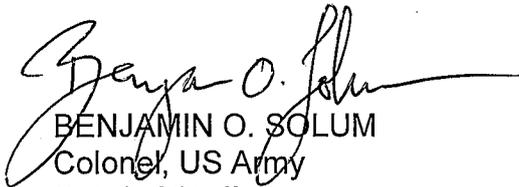
Privately-owned weapon

Any weapon in the possession of an individual, other than authorized military weapon in an individual's possession as part of official military duties.

Weapon

(1) Either, any firearm, knife with a blade longer than three inches; a straight razor; spring or elastic powered BB guns, a sap, slapper, or bludgeon; brass knuckles; nunchucks, throwing stars, or like or similar items; spears, swords, sabers or dirks, other than those used exclusively for ornamental, ceremonial, or sporting purposes or (2) sports items such as baseball bats, tools such as axes and hammers, and household utensils such as kitchen knives, ice picks, scissors, meat cleavers, carpet knives, pocket knives (a utility knife containing one or more blades, hunting or fillet knives, and wood working tools are not considered weapons when they are used for their intended purpose. They will be considered weapons when used, or displayed in such a manner as to threaten or inflict bodily harm, either intentionally or out of reckless disregard for life.

FOR THE COMMANDER



BENJAMIN O. SOLUM
Colonel, US Army
Chief of Staff

OFFICIAL:



KENNETH F. STEGGEMAN
Director, Directorate of Human Resources

APPENDIXES:

- A - References
- B - Extract from Kansas Statutes
- C - FR Form 102A, Registration of Privately Owned Firearms (Numerous)
- D - FR Form 102B, 5 Day Temporary Firearm Registration

DISTRIBUTION:

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