

Appealing your Oregon Denial

If you believe you have been erroneously denied on a firearms transfer, you may appeal your denial. You may submit your request to the Oregon State Police FICS Unit.

By Email/Mail:

You may challenge the accuracy of the record used in the denial determination by email or mail (addresses are listed below). You may provide additional information (e.g., court documentation, police report) to assist the FICS Unit.

All emails received at denied.firearm@osp.oregon.gov must be related to a denied firearm transfer. All other emails will be deleted.

You must include the **required information** below with your written appeal correspondence:

- 1) NICS Transaction Number (NTN) - provided by the dealer at the time of the denial**
- 2) Transferee's/Buyer's Name**
- 3) Birth Date**
- 4) Phone number with area code**

Failure to include all required appeal information will result in the rejection of your appeal request.

E-mail: denied.firearm@osp.oregon.gov

Mail:

**Oregon State Police
Criminal Justice Information Services
Division – FICS Unit
3565 Trelstad Ave SE
Salem, OR 97317**

Right of Appeal

OAR 257-010-0035 – Access by Individuals for Purpose of Review and/or Challenge

And OAR 257-010-0050 – Rights of Appeal can be found:

[Oregon Secretary of State Administrative Rules](#)

Requesting an FBI NICS Appeal

You may challenge a **denied** firearm transaction through the NICS Appeal process by visiting www.edo.cjis.gov or by mailing the appeal, including the NICS Transaction Number (NTN) to:

**FBI CJIS Division – NICS Section
CJIS Main, C1
1000 Custer Hollow Road
Clarksburg, WV, 26306**

If you need help or have questions on firearm-related challenges, call (304) 625-5590 or email identity@fbi.gov

Out-Of-State Records

The FICS unit requests additional information from out-of-state agencies in accordance with each agency's direction. Questions regarding incomplete or inaccurate out-of-state criminal history records should be directed towards the agencies within that state.

What Prohibits an Individual from Receiving a Transferred Firearm?

A background denial from the Oregon State Police FICS Unit indicates the subject of a background check is disqualified to receive a transfer based on a criminal history record containing a state or federal prohibitor.

Section 922 (g) (1-9) and (n) of the Gun Control Act prohibits certain persons from shipping or transporting any firearm in interstate or foreign commerce, or receiving any firearm which has been shipped or transported in interstate or foreign commerce or possessing any firearm in or affecting commerce. **These prohibitions apply to any person who:**

18 U.S.C. §922 (g) (1) / ORS 166.470 (1) (b)
Has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year.

18 U.S.C. §922 (g) (2) / ORS 166.470 (1) (c)
Is a fugitive from justice.

18 U.S.C. §922 (g) (3)
Is an unlawful user of or addicted to any controlled substance.

18 U.S.C. §922 (g) (4) / ORS 166.470 (1) (e)
Has been adjudicated as a mental defective or committed to a mental institution.

18 U.S.C. §922 (g) (5)
Is an alien illegally or unlawfully in the United States or who has been admitted to the United States under a nonimmigrant visa.

18 U.S.C. §922 (g) (6)
Has been discharged from the Armed Forces under dishonorable conditions.

18 U.S.C. §922 (g) (7)
Having been a citizen of the United States, has renounced U.S. citizenship.

18 U.S.C. §922 (g) (8)
Is subject to a court order that restrains the person from harassing, stalking, or threatening an intimate partner or child of such intimate partner.

18 U.S.C. §922 (g) (9)

Has been convicted in any court of a misdemeanor crime of domestic violence.

18 U.S.C. §922 (n)

Is under indictment for a crime punishable by imprisonment for a term exceeding one year.

Oregon State Prohibitors

In addition to federal prohibitors, Oregon law prohibitors include:

ORS 137.540 (j)

Has conditions of probation limiting possession of firearms.

ORS 166.470 (1) (g)

Has been convicted or found not guilty by reason of insanity during the previous four years for the following misdemeanors:

Assault 4th Degree: ORS 163.160

Menacing: ORS 163.190

Recklessly Endangering: ORS 163.195

Strangulation: ORS 163.187

Intimidation 2nd//Bias Crime: ORS 166.155(1) (b)

ORS 166.250 (B) (i) (ii)

While a minor, was found to be within the jurisdiction of the juvenile court for having committed an act which, if committed by an adult, would constitute a felony or misdemeanor involving violence, as defined in ORS 166.470; and was discharged from the jurisdiction of the juvenile court within four years prior to being charged under this section.

ORS 166.255 (1)

(a) The person is subject to a court order that restrains the person from stalking, intimidating, molesting, or menacing a family or household member of the person, a child of a family or household member of the person or a child of the person.

(b) Has been convicted of a qualifying misdemeanor and, at the time of the offense, the person was: A family or household member of the victim of the offense; or A parent or guardian of the victim of the offense; or

(c) Has been convicted of stalking under ORS 163.732.

Further information:

Further information about firearms transactions can be found on the OSP website at: [Oregon State Police : Firearms Instant Check System \(FICS\) : Criminal Justice Information Services \(CJIS\) : State of Oregon](#)

The website also provides a Pre-Purchase Self-Assessment Questionnaire that can be used as a guide to assist you in a firearms purchase. [PrePurchaseSelfAssessmentQuestionnaire_06-12-2024.pdf \(oregon.gov\)](#)

Oregon State Police Firearms Instant Check System (FICS) Unit



Guide to Appealing an Oregon Firearm Transfer

Denial

Your Rights and Responsibilities

May 31, 2024