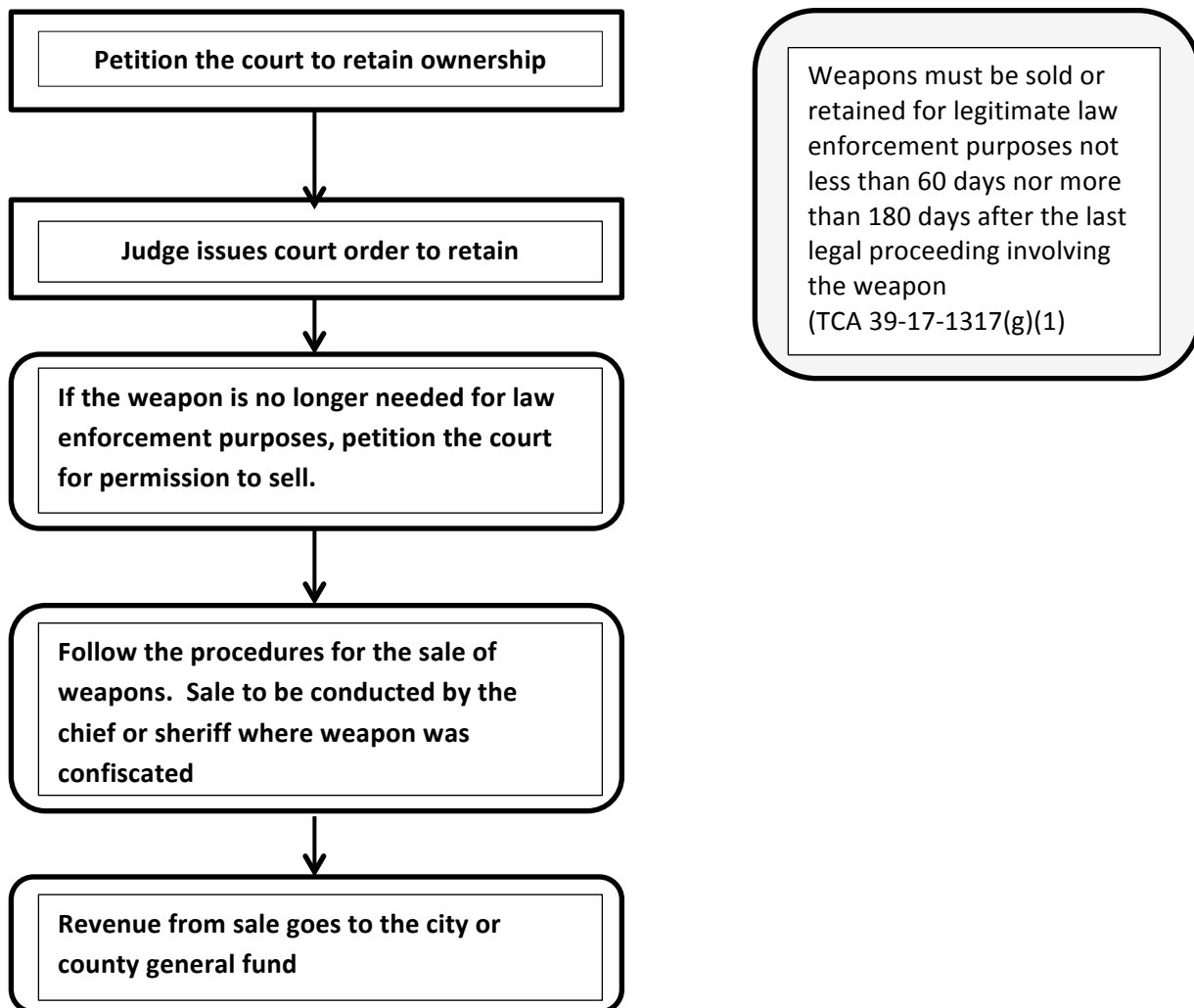


TO RETAIN OWNERSHIP OF WEAPONS

- Any weapon that is possessed, used or sold in violation of the law shall be confiscated and declared to be contraband by a **court of record exercising criminal jurisdiction**. If the weapon was confiscated by a judicial district drug task force, the director of the task force may petition the court for disposal of the weapon (TCA 39-17-1317(a)).
- A judicial district drug task force director may petition the court to retain ownership of weapons for legitimate law enforcement purposes (39-17-1317(b) and 39-17-1317(e)(1)).
- If the weapons are later sold, the task force must petition the court for the authorization and follow the procedures for selling the weapons as listed under the “To Sell Weapons” page in this document (39-17-1317(e)(2))



TO EXCHANGE FIREARMS

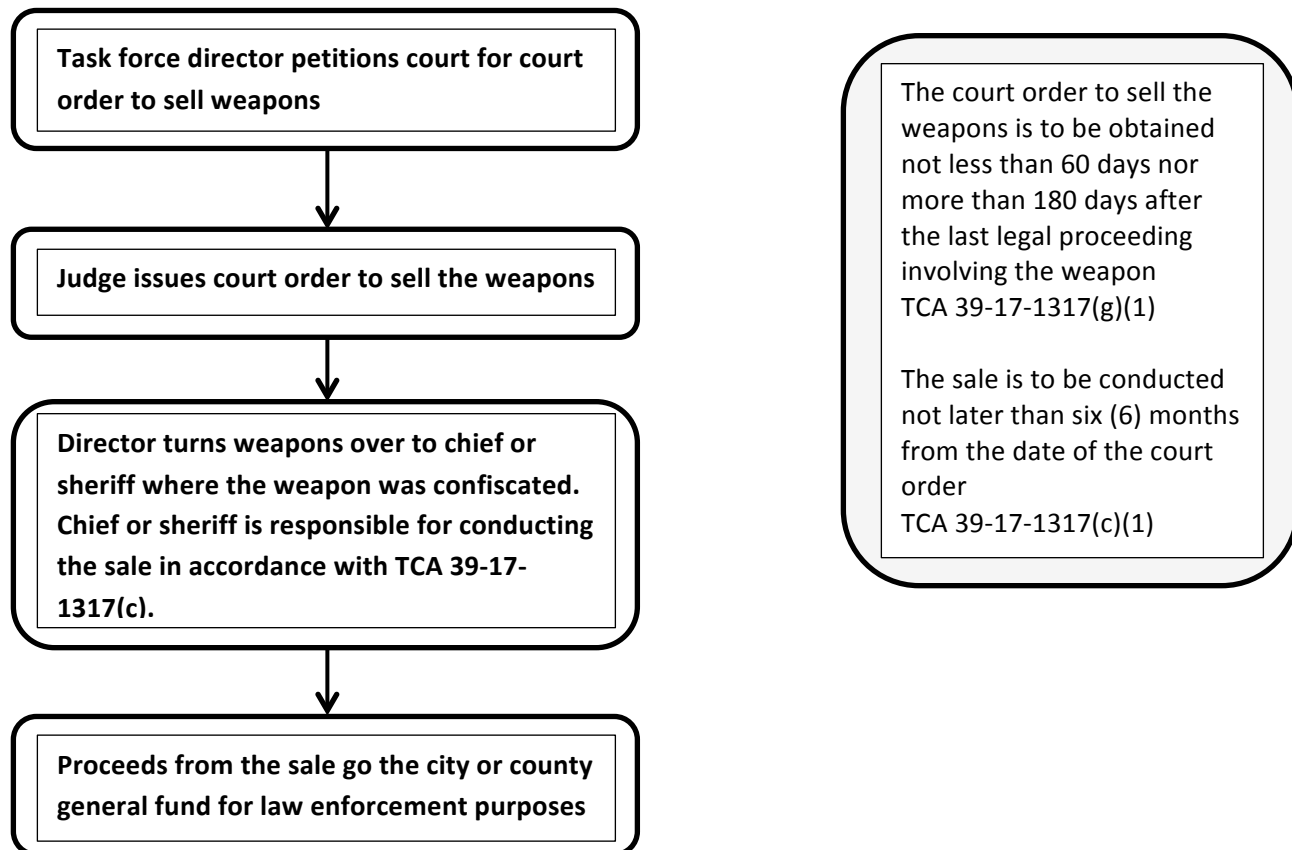
- Any weapon that is possessed, used or sold in violation of the law shall be confiscated and declared to be contraband by a **court of record exercising criminal jurisdiction**. If the weapon was confiscated by a judicial district drug task force, the director of the task force may petition the court for disposal of the weapon (TCA 39-17-1317(a)).
- The director of the judicial district drug task force may petition the court for permission to exchange firearms that have previously been titled to the drug task force for other firearms, ammunition or body armor. The exchange must take place between the drug task force and a licensed and qualified law enforcement firearms dealer.
- There is nothing to prevent a director from petitioning the court for a court order giving title of weapons to the task force, and *further* authorizing the director to exchange the weapons, all in a single petition for a court order.



The court order to retain to retain must be obtained not less than 60 days nor more than 180 days after the last legal proceeding involving the weapon (TCA 39-17-1317(g)(1))

TO SELL WEAPONS

- Any weapon that is possessed, used or sold in violation of the law shall be confiscated and declared to be contraband by a **court of record exercising criminal jurisdiction**. If the weapon was confiscated by a judicial district drug task force, the director of the task force may petition the court for disposal of the weapon (TCA 39-17-1317(a)).
- The director of the drug task force is to petition the court for permission to sell the weapons.
- The weapons are to be sold at public auction not later than six months from the date of the court order, and the sale is to be conducted by the sheriff of the county or the chief of police of the municipality in which the weapon was seized (TCA 39-17-1317(c)(1)).
- The proceeds from the sale go into the county or municipal general fund and shall be allocated solely for law enforcement purposes (TCA 39-17-1317(c)(2)).
- An inter-local agreement between the task force and local agencies could specify that the proceeds will go back to the task force.



UNSAFE WEAPON

- Any weapon that is possessed, used or sold in violation of the law shall be confiscated and declared to be contraband by a **court of record exercising criminal jurisdiction**. If the weapon was confiscated by a judicial district drug task force, the director of the task force may petition the court for disposal of the weapon (TCA 39-17-1317(a)).
- TCA 39-17-1317(i) provides for a police chief, sheriff, commissioner of safety, or director of the TBI to petition the court for a court order to destroy weapons that are unsafe or inoperable. The statute does not include a director of a drug task force in that part. Thus, the DTF will have to have a sheriff or police chief with jurisdiction where the weapon was seized petition the court for permission to destroy unsafe or inoperable firearms.