

DOMESTIC VIOLENCE AFFIDAVIT

Pursuant to the Omnibus Consolidated Appropriations Act of 1997, which amends the Gun Control Act of 1968, any person convicted of a misdemeanor crime of domestic violence as defined by the Act is prohibited from shipping, transporting, possessing or receiving firearms or ammunition. There is no "official use" exemption to this prohibition. Accordingly, the Florida Department of Corrections is requiring that every applicant applying for a certified position, required or granted the authority to bear arms, submit the following Affidavit. In addition, the department will complete an FCIC check on each applicant seeking a certified position.

NOTE: A conviction shall not apply for purposes of this law UNLESS:

- (A) The person was represented by counsel in the case or knowingly and intelligently waived the right to counsel in the case; and
- (B) If the person was entitled to a trial by jury under the laws of the convicting jurisdiction, then the conviction must have resulted from:
 - (1) A trial by jury; or
 - (2) The person knowingly and intelligently waived the right to have the case tried by a jury, by guilty plea or otherwise.

I, _____, do solemnly swear and affirm that the following information is true and correct to the best of my knowledge. (*For statements (1) and (2) below, in the space provided, please state true or false, followed by your initials.*):

- (1) _____ That I have never been convicted of a misdemeanor crime of domestic violence, including convictions where adjudication has been withheld, but not including those convictions that have been expunged or otherwise set aside or pardoned. A conviction of a misdemeanor crime of domestic violence is a conviction that:
 - (a) is a misdemeanor under Federal or State law; and
 - (b) has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon, committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim.

Requisition # _____

(2) _____ That I have been convicted of a misdemeanor crime of domestic violence, as defined in (1) above, as follows (*please provide the following information for each conviction*):

Court/Jurisdiction: _____

Court/Jurisdiction: _____

Docket/Case Number: _____

Docket/Case Number: _____

Statute/Charge: _____

Statute/Charge: _____

Date sentenced: _____

Date sentenced: _____

(3) That I understand that violating this law will subject me to a fine of up to \$250,000, imprisonment for not more than 10 years, or both.

I am aware that any omissions, falsifications, misstatements, or misrepresentations above may disqualify me for employment consideration and, if I am hired, may be grounds for termination at a later date.

Signature of Employee

State of Florida)
County of)

Sworn to or affirmed and subscribed before me this _____ day of _____, 20____
by _____.

Signature of Notary Public

Printed Name of Notary

Personally Known _____ OR Produced Identification _____
Type of Identification _____