

Kenoy C. Guinn  
Governor



George Togliatti  
Director

Captain Philip K. O'Neill  
Division Chief

## Records & Technology Division

808 W Nye Lane  
Carson City, Nevada 89703  
Telephone (775) 687-1600 • Fax (775) 687-1843

December 30, 2005

Mr. Nick Colucci, Deputy Chief  
Firearm Program Division  
Bureau of Alcohol, Tobacco, Firearms and Explosives  
650 Massachusetts Avenue, N.W.  
Washington, DC 20226

Dear Mr. Colucci,

In cooperation with the Nevada Sheriff's and Chief's Association (NvSCA) I'm forwarding to you the Memorandum of Understanding (MOU) between the Nevada Department of Public Safety (DPS) and NvSCA regarding the issuance of Carrying Concealed Weapons Permits (CCWs). Based upon this MOU we respectfully request BATF reinstate the NICS check exemption, which Nevada had previously enjoyed, for those citizens currently possessing a valid Nevada CCW permit when purchasing a firearm.

If you should require any further information, please contact me at (775) 687-1600 ext. 268. I appreciate your consideration in this matter. I look forward to receiving your approval to our solicitation.

Sincerely,

Captain Philip K. O'Neill  
CJIS Systems Officer (CSO)  
Nevada Department of Public Safety  
Records and Technology Division

CC: Lt. Paul Howell, Douglas County Sheriff's Office  
Abby Roth, Esq., U.S. DOJ, BATF  
Cherie Knoblock, U.S. DOJ, BATF

Attachment: Memorandum of Understanding between the Department of Public Safety, State of Nevada, and the Respective Sheriff's of the Counties of the state of Nevada Regarding the Issuance of Permits to Carry Concealed Firearms within the State of Nevada.

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## **NEVADA SHERIFFS' & CHIEFS' ASSOCIATION**

**Ronald Pierini, President**  
**Mark Paresi, Vice President**  
**Tony DeMeo, Treasurer**  
**Michael Mancebo, Sgt-at-Arms**

### **MEMORANDUM OF UNDERSTANDING BETWEEN THE DEPARTMENT OF PUBLIC SAFETY STATE OF NEVADA, AND THE RESPECTIVE SHERIFF'S OF THE COUNTIES OF THE STATE OF NEVADA REGARDING THE ISSUANCE OF PERMITS TO CARRY CONCEALED FIREARMS WITHIN THE STATE OF NEVADA**

**WHEREAS**, the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATF) has previously deemed the permits to carry concealed firearms issued by the respective county Sheriffs of the State of Nevada to be acceptable alternatives to National Instant Criminal Background Check System (NICS) checks; and

**WHEREAS**, the BATF raised the issue of whether the Nevada permits to carry concealed firearms still qualify as federally-recognized exceptions to a NICS check in its letter addressed to Nevada Highway Patrol of the Department of Public Safety in the State of Nevada, dated May 20 2005. Specifically, the matters identified in the BATF letter were not having a state law that requires NICS checks to be done by the respective county Sheriffs before issuing renewal permits to carry concealed firearms and not requiring NICS checks to include a check of the Immigration and Customs Enforcement databases for applicants who are not citizens of the United States; and

**WHEREAS**, the foregoing matters cannot be adopted into state law until the 2007 session of Nevada State Legislature convenes; and

**WHEREAS**, the respective county Sheriffs of the State of Nevada wish to regain the status of the permits to carry concealed firearms they issue as acceptable alternatives to NICS checks; and

**WHEREAS**, the BATF has agreed to accept a Memorandum of Understanding (MOU) between the Department of Public Safety and the respective county Sheriffs of the State of Nevada as an interim measure until the matters referred to in the May 20, 2005 BATF letter can be enacted into state law;

# **COPY**



P.O. Box 3247 Mesquite, NV 89024  
 1-866-266-9870



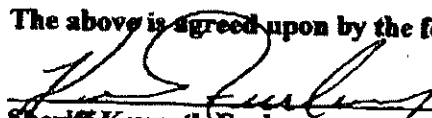
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**IT IS HEREBY AGREED** that there is an understanding and agreement between Department of Public Safety, State of Nevada and the respective county Sheriffs, as evidenced by the signatures of their representatives below, agreeing to comply with the terms below. The consequence of failing to do so by a county Sheriff will mean losing their ability to issue permits to carry concealed firearms that are recognized as alternatives to NICS background checks:

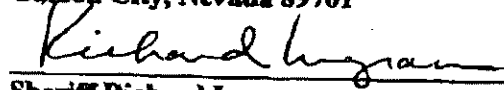
1. The county Sheriffs agree to insure that NICS checks will be performed before they issue any permits or renewal of permit to carry concealed firearms to persons applying for such permits;
2. The county Sheriffs agree to include a check of the Immigration and Customs Enforcement (ICE) databases for applicants who are not citizens of the United States. Furthermore, the applications for a permit to carry concealed firearms used by the county Sheriffs must contain entries for citizenship, place of birth, and Alien or Admission Number, which must be completed by the applicants who are not citizens of the United States; and
3. The county Sheriffs agree to deny issuing any state permit to carry concealed firearms to any person who is prohibited from possessing a firearm under federal law

**IT IS FURTHER AGREED** that Department of Public Safety, State of Nevada agrees that any future contact regarding issues in this memorandum be conducted through the county Sheriffs' representative, the Executive Director of the Nevada Sheriffs' and Chiefs' Association or directly with the Sheriffs of the counties of the State of Nevada.

The above is agreed upon by the following:

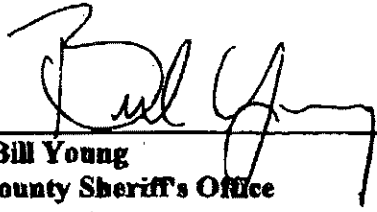
  
 Sheriff Kenneth Furlong  
 Carson City Sheriff's Office  
 901 East Musser Street  
 Carson City, Nevada 89701

Date: 12-29-05

  
 Sheriff Richard Ingram  
 Churchill County Sheriff's Office  
 73 1/2 N Main St  
 Fallon, Nevada 89406

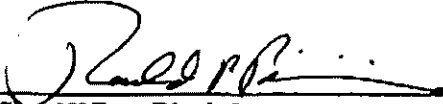
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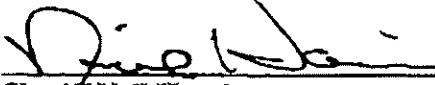
Date: 12-8-05

**Sheriff Bill Young**  
Clark County Sheriff's Office  
400 E Stewart Ave  
Las Vegas, Nevada 89101



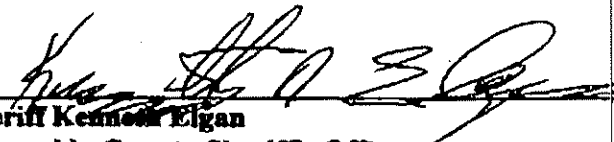
Date: 12/8/05

**Sheriff Ron Pierini**  
Douglas County Sheriff's Office  
1625 8th St  
Minden, Nevada 89423



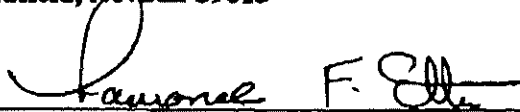
Date: 12/8/05

**Sheriff Neil Harris**  
Elko County Sheriff's Office  
775 W Silver St  
Elko, Nevada 89801



Date: 12-8-05

**Sheriff Kenneth Elgan**  
Esmeralda County Sheriff's Office  
P.O. Box 520  
Goldfield, Nevada 89013



Date: 12-8-05

**Sheriff Laurance F. Etter**  
Eureka County Sheriff's Office  
411 N Main St  
Eureka, Nevada 89316

SAR ATTACHMENT A

Date: \_\_\_\_\_

**Sheriff Gene Hill**  
Humboldt County Sheriff's Office  
25 W Fifth St  
Winnemucca, Nevada 89445

*Ronald Unger*

Date: 12-8-05

Sheriff Ronald Unger  
Lander County Sheriff's Office  
25 E 2nd St  
Battle Mountain, Nevada 89820

*Dahl Bradfield*

Date: 12-08-05

Sheriff Dahl Bradfield  
Lincoln County Sheriff's Office  
1 Main St  
Pioche, Nevada 89043

see Attachment B

Date: \_\_\_\_\_

Sheriff Sid Smith  
Lyon County Sheriff's Office  
30 Nevin Way  
Yerington, Nevada 89447

*Fred Trdla*

Date: 12-08-05

Sheriff Fred Trdla  
Mineral County Sheriff's Office  
105 South A St  
Hawthorne, Nevada 89415

*Anthony L DeMeo*

Date: 28 Dec 2005

Sheriff Anthony L DeMeo  
101 R Nye County Sheriff's Office  
Radar Rd  
Tonopah, Nevada 89049

*Ronald Skinner*

Date: 12/08/05

Sheriff Ronald Skinner  
Pershing County Sheriff's Office  
395 9th St  
Lovelock, Nevada 89419

*James Miller*

Date: 12/21/05

**Sheriff James Miller**  
**Storey County Sheriff's Office**  
**26 S B St**  
**Virginia City, Nevada 89440**

*Dennis Balaam*

Date: 12/12/05

**Sheriff Dennis Balaam**  
**Washoe County Sheriff's Office**  
**911 Parr Blvd**  
**Reno, Nevada 89512**

*Bernie Romero*

Date: 12/23/05

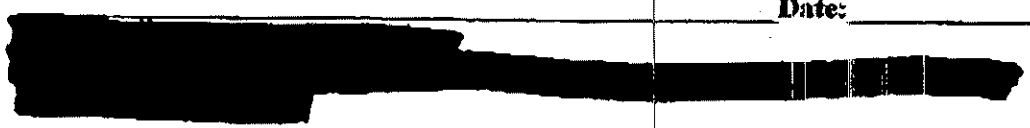
**Sheriff Bernie Romero**  
**White Pine County Sheriff's Office**  
**1785 Great Basin Blvd**  
**P O Box 151870**

*George Togliatti*

Date: 12/8/05

**Director George Togliatti** 555 Wright Way  
**Nevada Department of Public Safety**  
**Carson City, NV 89711**

Date: \_\_\_\_\_

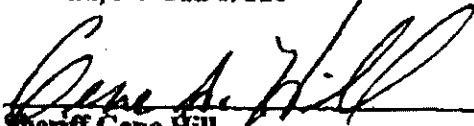


**MEMORANDUM OF UNDERSTANDING**

**ATTACHMENT A**

**Sheriff Lawrence Etter**  
**Eureka County Sheriff's Office**  
**411 N Main St**  
**Eureka, Nevada 89316**

Date: \_\_\_\_\_

  
**Sheriff Gene Hill**

Date: DEC. 2, 2005

**Humboldt County Sheriff's Office**  
**25 W Fifth St**  
**Winnemucca, Nevada 89445**

Date: \_\_\_\_\_

**Sheriff Ronald Unger**  
**Lander County Sheriff's Office**  
**25 E 2nd St**  
**Battle Mountain, Nevada 89820**

Date: \_\_\_\_\_

**Lincoln County Sheriff's Office**  
**Sheriff Dahl Bradfield**  
**1 Main St**  
**Pioche, Nevada 89043**

Date: \_\_\_\_\_

**Lyon County Sheriff's Office**  
**Sheriff Sid Smith**  
**30 Nevin Way**  
**Yerington, Nevada 89447**

Date: \_\_\_\_\_

**Mineral County Sheriff's Office**  
**Sheriff Fred Trdla**  
**105 South A St**  
**Hawthorne, Nevada 89415**

**MEMORANDUM OF UNDERSTANDING**

**ATTACHMENT B**

Date: \_\_\_\_\_

**Sheriff Lawrence Etter**  
**Eureka County Sheriff's Office**  
**411 N Main St**  
**Eureka, Nevada 89316**

Date: \_\_\_\_\_

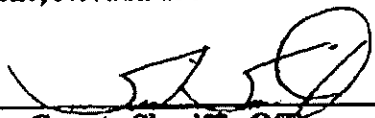
**Sheriff Gene Hill**  
**Humboldt County Sheriff's Office**  
**25 W Fifth St**  
**Winnemucca, Nevada 89445**

Date: \_\_\_\_\_

**Sheriff Ronald Unger**  
**Lander County Sheriff's Office**  
**25 E 2nd St**  
**Battle Mountain, Nevada 89820**

Date: \_\_\_\_\_

**Lincoln County Sheriff's Office**  
**Sheriff Dahl Bradfield**  
**1 Main St**  
**Pioche, Nevada 89043**



Date: 12-05-2005

**Lyon County Sheriff's Office**  
**Sheriff Sid Smith**  
**30 Nevin Way**  
**Yerington, Nevada 89447**

Date: \_\_\_\_\_

**Mineral County Sheriff's Office**  
**Sheriff Fred Trdla**  
**105 South A St**  
**Hawthorne, Nevada 89415**