

4 - Information for Law Enforcement Executives

This section answers frequently asked questions from law enforcement executives about the Youth Crime Gun Interdiction Initiative, comprehensive tracing, and ATF's firearms enforcement programs.

What are the selection criteria for YCGII cities?

Experience over the years has resulted in ATF modifying the selection criteria to focus on cities with a great number of firearms recoveries and a greater law enforcement infrastructure to support the program. The selection criteria utilize the following:

- City population,
- Youth and juvenile crime rates as derived from the Uniform Crime Reports (UCR),
- Known trafficking source or market areas,
- History of firearms tracing, and
- Mix of city size and demographics.

What are the primary goals of the YCGII program?

The primary goals of the YCGII program are:

- Ensure that 100 percent of all recovered crime guns are traced through ATF's National Tracing Center (NTC),
- Conduct research and analysis to determine community-wide patterns and trends,
- Produce an annual report for State and local authorities for use in developing informed enforcement strategies focused on the reduction of firearms violence and the interdiction of firearms to age groups of concern, and
- Use this information to increase the effectiveness of enforcement efforts in the apprehension and prosecution of those who illegally possess and traffic firearms.

What is a crime gun trace?

A crime gun trace by ATF's National Tracing Center (NTC) seeks to identify the Federal firearms licensees (FFLs) who first came in contact with the firearm, i.e., manufacturer, wholesaler, retailer, and the individual who first purchased the firearm from the retail dealer.

In addition, for certain FFLs, the NTC may also be able to provide trace information for firearms resold as used guns and subsequently recovered by law enforcement. Finally, ATF special agents and their State and local counterparts sometimes conduct investigative traces which seek to identify the complete chain of possessors from initial retail purchase to recovery by law enforcement.

What is the investigative value of a crime gun trace? A firearms trace acts as an avenue to obtain additional investigative leads which may tie the suspect to the firearm itself, and to other crimes otherwise unknown if the gun had not been traced. The appearance of an FFL or a first purchaser in association with a crime gun or in association with multiple crime guns does not show that either the FFL or first purchaser has committed unlawful acts. Rather, such information may provide a starting point for further and more detailed investigations.

How does my agency submit a crime gun trace request to the NTC? Traces can be submitted by fax (1-800-578-7223). In emergencies, trace requests can be made by telephone (1-800-788-7133). Trace forms can be obtained by calling the ATF Distribution Center (703-455-7801), by calling your local ATF office, or through the Internet at www.atf.treas.gov.

Will my department be charged for an NTC trace? The NTC will trace any and all crime guns submitted for tracing at no charge.

What is comprehensive crime gun tracing? Comprehensive crime gun tracing occurs when law enforcement authorities in a given jurisdiction routinely submit the serial number, manufacturer, model, caliber, and weapon type of all firearms recovered in their jurisdiction to ATF's NTC. For more complete analysis, law enforcement authorities may submit information on the possessor of the

firearm (when there is a possessor), associate (any individual who may be associated with the possessor at the time of recovery), and recovery date and address.

What is the investigative value to my department of comprehensive crime gun tracing? Large numbers of traces can be analyzed to develop proactive leads to gun traffickers, armed offenders, and illegal possessors of firearms. When the NTC compiles comprehensive crime gun trace information for a law enforcement agency, it can furnish information relating to the following questions: 1. What kinds of guns are being recovered in my area? 2. What types of crimes are associated with these recovered crime guns? 3. Who are the dealers that are the source of crime guns recovered in my area? 4. Who are the individuals supplying firearms to the criminals and juveniles in my area? 5. Where are the recovery locations? 6. Are the source areas in the county or the State, or from out-of-State? 7. Where should my resources be concentrated to stem the flow of firearms to my streets?

With this information, a department working with ATF can maximize enforcement leads to illegal suppliers and their violent customers and establish enforcement strategies to reduce juveniles and criminals illegal access to guns. Firearms tracing can also lead to improved officer safety, since it can alert officers to crime gun activity at a specific address, or by a particular individual.

What is the best method of comprehensive trace submission?

The Electronic Trace Submission System (ETSS) is a stand-alone database that enables ATF field offices and other law enforcement organizations to capture firearm trace related data. This data is then exported from ETSS and the Batch File is then transferred electronically to the NTC for processing. Agencies with only a few hundred traces a year can use fax or mail submission or request ETSS from ATF.

How much does comprehensive tracing cost?

ETSS is currently available to all ATF field offices and can be downloaded from the NTC page on the ATF Intranet at no charge. Upon request, police departments can upload ETSS by CD-ROM. The

largest cost to the department is likely to be the cost of entering trace information in person hours.

What assistance in establishing comprehensive tracing is available from ATF?

Comprehensive crime gun tracing is free to the requesting jurisdiction. The NTC will also work with police departments to establish the easiest methods for them to trace firearms. The Crime Gun Analysis Branch (CGAB) will conduct a full assessment of a city's capability for comprehensive tracing and recommend the steps needed to achieve this goal, including providing funding to improve the city's crime gun data collection process. ATF will also provide the city with a detailed plan of action highlighting specific activities that each party would perform. ATF also provides training directly and in conjunction with the International Association of Chiefs of Police and the Bureau of Justice Assistance.

Will my law enforcement agency receive responses to trace requests directly?

After a firearm is submitted for tracing, the trace report containing the results of the trace is returned to the requester.

How long does a trace response take?

A routine firearm trace averages 12 working days.

Are there special provisions for urgent traces?

Urgent traces, which must adhere to certain criteria, are completed within 24 hours. Criteria for an urgent trace include: assaults, bank robbery, kidnapping, murder/suicide, rape/sex crimes, terrorist act or threat, undercover investigation, high profile, needed for court, needed to hold a suspect in custody, or issuance of a search warrant.

Are trace responses on paper or electronic?

Currently, Federal, State, and local law enforcement agencies can submit trace requests electronically, but can only receive trace responses on paper. In addition, the NTC will respond to law enforcement organization requests for an extract of a jurisdiction's trace information and provide it on disk.

Can investigators search available crime gun trace information for investigative leads?

ATF developed Online LEAD, a firearms trafficking information system, to enable investigators to search

for criminal patterns in trace information. It has proven to be a powerful tool in the hands of field investigators. By analyzing the raw data contained in firearms trace and multiple sales records, Online LEAD generates a wealth of investigative leads. For example, ATF and other law enforcement agencies can identify firearms traffickers by researching both the sources of firearms and their destinations. For individual jurisdictions, the value of Online LEAD depends on law enforcement agencies tracing crime guns comprehensively.

Do State and local law enforcement agencies have access to Online LEAD?

Yes. Online LEAD is located at ATF field offices and is readily available to local task forces. The Online LEAD crime gun information system allows ATF agents and inspectors to access crime gun trace and multiple sales data directly from their desktop computers using the ATF Intraweb. The data in the Online LEAD system is updated automatically every 24 hours.

Do all crime gun traces result in identification of purchasers, and if not, why submit all recovered firearms for tracing?

Currently over 53 percent of traces from participating cities result in the identification of a purchaser, and many of these are relatively recent gun buyers. Even without purchaser results, most crime gun traces result in useful information. With gun dealer but not purchaser information, traces can reveal concentrations of crime guns flowing from particular dealers, and provide information on the source States and counties of these firearms, thus helping local law enforcement officials understand whether crime guns they recover have crossed jurisdictional lines. Other information supplied, such as possessor, associate, and recovery information, will allow comprehensive crime gun analysis for your jurisdiction.

Can ATF's CGAB assist my agency in specific investigations?

The CGAB, located at the National Tracing Center, can provide information useful for officer safety precautions when conducting search warrants, to assist in an investigation, hold a suspect, or acquire a search warrant. Your agency can request analysis of

crime gun trace data in your jurisdiction by fax (304-260-3640), email CrimeGunAnalysisBranch@trac.atf.treas.gov, or telephone (1-866-360-3418). The CGAB can provide assistance by running an individual suspects name and/or address through the Firearms Tracing System (FTS) to determine whether any firearms have been recovered at a particular address in connection with warrant service, or if an individual at that address has purchased multiple firearms or been involved in crime gun traces.

Can the CGAB assist my agency in using crime gun trace information for strategic purposes?

Analysis of crime gun trace data in your jurisdiction can be provided through the CGAB and Online LEAD. The CGAB can analyze your crime gun trace and related multiple sales information to help identify problems in your jurisdiction. A trace study can be conducted to identify trends and patterns in crimes involving firearms. The CGAB can provide leads and proactive referrals on individuals who may be suspected of straw purchasing or firearms trafficking in your jurisdiction.

Does the NTC provide crime gun mapping?

The CGAB can map crime gun recovery locations on a map of your jurisdiction demonstrating trends and patterns with areas of high amounts of crime gun recovery locations. Mapping of crime gun recovery locations can be provided most effectively when a jurisdiction is tracing comprehensively and when complete recovery address information is supplied.

What does ATF view as best practices in using crime gun tracing as an investigative tool?

Best practices include first ensuring that you are maximizing ATF as a resource by requesting traces through the NTC on all recovered firearms; ensuring that possessors of recovered firearms are interviewed to determine their sources; and ensuring that ATF is the central recipient of all firearms-related information. You should also use other statistical data as shown in the annual Crime Gun Trace Reports and, where possible, develop a gun unit dedicated to investigating firearms offenses and developing strategies based on the analysis, including working with ATF in the conduct of joint firearms trafficking investigations.

How does the FTS relate to the National Integrated Ballistics Identification Network (NIBIN)?

Crime gun tracing and ballistics identification are both crime gun investigative tools. Tracing can be conducted when the crime gun itself is recovered. If only a cartridge or bullet is recovered, this image can be analyzed so that it can be tied with previously identified shooters or firearms. Increasingly, departments are using both tools to assist in solving gun crimes. Ballistics Imaging technology does not automatically submit the crime gun to be traced through the National Tracing Center.

How will comprehensive crime gun tracing help reduce youth gun violence?

Comprehensive crime gun tracing will provide an information platform for developing the best local investigative strategies. One of the findings of the Crime Gun Trace Reports is that a large proportion of youth crime guns are quite new and most likely deliberately and illegally trafficked. Many crime guns were first sold at retail in-State. The long held presumption that guns used in crimes were all borrowed from home, stolen, or trafficked across State lines appears to be incorrect. Comprehensive crime gun tracing and trace analysis can support both trafficking investigations aimed at these sources of newer firearms and the deployment of traditional criminal investigation techniques (debriefings, confidential informants, turning of arrestees, etc.) aimed at sources of new and older firearms. Because juveniles have less access to the firearms market than adults, a strategy that targets their illegal supply can be especially productive.

How does tracing relate to a strategy of deterring and incarcerating persons illegally possessing, carrying, or using firearms?

Local law enforcement authorities are actively searching to find the best mix of local enforcement operations. ATF is providing new assistance to that effort by working to institute comprehensive tracing and ballistics identification capabilities and use these

tools to support gun crime investigations. These tools are providing new opportunities to attack gun criminals and the illegal gun market, which includes many felons acting as gun traffickers. At the Federal level, ATF believes that a balance between attacking the illegal supply of firearms to prohibited persons, including juveniles and adult felons, and deterring and incarcerating armed violent offenders, is necessary to reduce violent crime.

What are common types of illegal diversion?

Corrupt Federal firearms licensees, unlicensed sellers, straw purchasers, thieves, and traffickers in stolen guns, all contribute to the illegal market in guns. ATF utilizes all aspects of comprehensive trace data to initiate criminal investigations and to develop ATF regulatory enforcement strategies.

How does comprehensive tracing relate to an ATF regulatory enforcement strategy?

Comprehensive trace data are used to initiate criminal investigations and to develop ATF regulatory enforcement strategies. The focused inspection program addresses some of the following:

- firearms dealers with a significant percentage of unsuccessful firearms traces,
- reported Multiple Sales/unreported Multiple Sales,
- firearms dealers with *more* than one theft involving less than ten firearms, and
- dealers identified with short time to crime firearms.

Comprehensive tracing also allows ATF to identify Federal firearms dealers who may have serious recordkeeping problems, inventory problems, and who may be associated with crime guns. In addition, firearm dealers who do not respond to a crime gun trace request or provide incorrect information in response to firearms trace request(s) are identified. Dealers who have been cited for firearm violations are advised of the correct recordkeeping procedures and if the violations continue, are subject to administrative action, including license revocation.