

5 — Progress and Plans: The Strategic Use of Crime Gun Information

This section describes the progress made in comprehensive crime gun tracing during the past year. Crime gun tracing is voluntary for most law enforcement agencies. Through the Youth Crime Gun Interdiction Initiative (YCGII) and other firearms enforcement programs, ATF in 1996 began a concerted effort to work with other law enforcement organizations to maximize the utility of this critical investigative tool. To develop and encourage crime gun tracing, ATF continues to strive to improve the tracing process, the quantity, quality, and delivery of crime gun information, and related investigative services to ATF agents and their State and local partners.

5-1 Level and Quality of Crime Gun Tracing

Number of Crime Guns Traced. The number of firearm traces submitted to the National Tracing Center (NTC) increased from 197,537 traces in 1998 to 206,070 traces in 1999, a 4 percent increase. Law enforcement officials in the 38 participating YCGII cities submitted approximately 66,787 crime gun trace requests between January 1, 1999 and December 31, 1999, 32 percent of the total number of crime gun trace requests submitted to the NTC during this period. The 12 new YCGII cities submitted 11,885 trace requests.

Comprehensive Crime Gun Tracing. Police departments that join the YCGII make a commitment to trace *all* crime guns recovered in their jurisdictions in order to maximize investigative leads and permit analysis of local crime gun patterns by age group. While other law enforcement agencies are making similar commitments and meeting them successfully, the annual *Crime Gun Trace Reports* currently include only YCGII cities. ATF makes a special effort to ensure the accuracy of the information collected for these reports. While the NTC cannot determine definitively whether all recovered crime guns are being traced, an evaluation can be made based on the number of trace requests, the tracing infrastructure in the law enforcement agencies, and on information obtained from local officials. On this basis, the NTC determined that during 1999, 24 of the 38 cities participating in YCGII were tracing comprehensively. These cities were *Baltimore, MD; Boston, MA; Charlotte-Mecklenburg, NC; Chicago, IL; Cincinnati, OH;*

Cleveland, OH; Dallas, TX; Gary, IN; Jersey City, NJ; Memphis, TN; Miami, FL; Milwaukee, WI; Minneapolis, MN; New Orleans, LA; New York, NY; Philadelphia, PA; Portland, OR; Richmond, VA; San Antonio, TX; San Jose, CA; St. Louis, MO; Tampa, FL; Tucson, AZ; and Washington, DC. Of the remaining 14 cities, 12 cities provided a sufficiently substantial number of traces for a city-based analysis, and two cities submitted insufficient trace requests to complete a *City Report* but were included in the *National Report*. In each *City Report*, *Table H* reports each city's number of trace submissions.

State Comprehensive Crime Gun Tracing Laws. Four States recently have enacted firearms tracing laws: California (California Penal Code section 11108.3 (1998)), Connecticut (Connecticut General Statute, sec. 54-36n (1998)), North Carolina (114-10. Division of Criminal Statistics, Session Laws 1999-225, s. 1(1999)) and Illinois (720 ICLS 5/24-8 (1998)) (juvenile crime guns only). Maryland is instituting Statewide comprehensive tracing by Executive Order 01.01.1998.20. Comprehensive tracing has been achieved in New Jersey through the initiative of law enforcement authorities. ATF is working with appropriate authorities in these States to assist in implementing their tracing laws.

Number of Completed Traces. The NTC is continually improving its ability to diagnose the reasons for missing crime gun trace information to learn what type of crime gun information is most consistently missing or inaccurately reported, and to determine whether the failure to match serial numbers is due to oblit-

eration, faulty recording, incorrect Federal Firearms Licensee (FFL) records, or data mismanagement. This effort is shown in *Tables I and J* of the *City Reports*, and summarized nationally here.

Increased FFL identification rate. For trace requests where the NTC initiated a trace, the NTC identified Federal firearms licensees for 75 percent (44,369) of crime guns. This represents an improvement over the 66 percent rate reported in 1998's *Crime Gun Trace Reports*.

Obstacles to identifying purchasers. As in 1998, the NTC identified retail purchasers for over half (52 percent, 35,006) of the crime guns. Where a trace was initiated by the NTC, purchasers were not identified for several reasons, including:

- problem with crime gun serial number (13 percent)
- records on this crime gun unavailable (7 percent)
- problem with importer name (7 percent)
- problem with manufacturer name (4 percent)
- records not available (1 percent)
- expiration of 20-year record retention requirement (1 percent).

Uninitiated traces. The NTC did not initiate a trace for about a tenth (11 percent, 7,513) of the trace requests, for several reasons, including:

- firearms manufactured before 1969 and not traceable through Out-of-Business records (9 percent)
- trace request submitted for informational purposes only (2 percent)
- other reasons (0.5 percent)

The initiation of 90 percent of the trace requests from YCGII jurisdictions is an improvement over prior years and this improvement is attributable, in part, to a policy instituted by the NTC in 1999 of initiating traces on all crime gun trace requests, including older firearms that were previously untraced.

Other limitations. With sufficient information about the crime gun, the NTC can identify the first retail purchaser of crime guns. In most cases, it cannot identify retail purchasers of crime guns re-sold by FFLs as used guns, or of crime guns acquired as used guns from unlicensed sellers. As a result of the structure of the firearms laws, an NTC trace usually stops at the first retail purchase of the firearm recovered by law enforcement.

5-2 Investigative Support for State and Local Law Enforcement Agencies

Trace Analysis, Mapping, and Investigative Support. The NTC Crime Gun Analysis Branch (CGAB) has been increasingly active in responding to requests from law enforcement agencies for assistance in developing strategic overviews of the local crime gun problem and in law enforcement investigations and regulatory inspections. In 1999, the CGAB completed over 30 crime gun mapping requests, including 10 YCGII cities; 130 requests for crime gun trace information; 650 requests for queries of the Firearms Tracing System (FTS) concerning individuals; 600 requests for queries concerning FFLs; 230 proactive referrals to investigators on suspected firearms traffickers; 20 presentations in 1999 on crime gun trace analysis through crime gun mapping and Online LEAD to YCGII cities, and prepared the *Crime Gun Trace Reports*.

Field Resource: Online LEAD. Online LEAD is the current version of Project LEAD, ATF's crime gun trafficking information system. In 1999, the number of ATF investigators using Online LEAD increased from less than 100 to approximately 1,400 users. In November 1999, Online LEAD was deployed to all ATF field offices to enable ATF agents, inspectors, and local task force officers to access crime gun trace and related multiple sales information directly from their desktop computers using the ATF Intraweb, with over 200 users from YCGII cities receiving access. ATF investigators in all locations can now access not only local but all nationwide crime gun information, facilitating

regional and interstate investigations. Also in 1999, the NTC added a number of enhancements to make the system more user friendly, including additional information fields and queries aimed at the local investigator.

New Features in the *Crime Gun Trace Reports*. This year's reports are provided on a calendar year basis for the first time. ATF is presenting a *National Report* for the first time, based on traces from a significant number of cities with a population of 250,000 or more. Other significant improvements include the addition of: analysis of models of crime guns for nine cities that provided adequate information (*National Report*); new information relevant to officer safety (*National and City Reports*) and on crime guns purchased in multiple sales (*National Report*); maps showing crime gun sources (*National and City Reports*); reporting on instances where the purchaser is the crime gun possessor (*City Reports, Table A*); median time-to-crime (*City Reports, Table E*); county level geographic source information (*City Reports, Table G*); trace completion rates for possessor age, recovery location, manufacturer, and importer (*City Reports, Table H*); and additional analysis of reasons for lack of trace completion (*City Reports, Table J*).

Training: Firearms Tracing and Illegal Trafficking Investigations. In 1999, ATF developed a training CD-ROM to help train Federal, State, and local law enforcement officers participating in YCGII in firearms identification and tracing procedures. ATF field agents learned how to use the YCGII Instructor CD-ROM and then delivered it locally. Because of the important role of firearms trafficking investigations in the reduction of violent crime, the International Association of Chiefs of Police, in a program funded by the Department of Justice's Bureau of Justice Assistance, in 1999 continued to provide training at the NTC for police departments interested in starting comprehensive crime gun tracing and trafficking enforcement programs.

Training: Restoration of Obliterated Serial Numbers. ATF continues to work with police departments and law enforcement laboratories to restore obliterated serial numbers on crime

guns and to develop local coordinated enforcement efforts to trace and proactively target leads derived from recovered crime guns with obliterated serial numbers. ATF has developed a 3-day session of instructional and hands-on training for State and local investigators and firearm examiners covering the importance of restoring obliterated serial numbers and tracing those firearms. Thirteen schools were held in fiscal year 2000, five in YCGII cities.

5-3 Improvements in the Tracing Process and Tracing Support for State and Local Law Enforcement Agencies

Currently, a routine firearm trace takes an average of 10 and a half business days to complete. Urgent traces are completed within 24 hours. In 1999, ATF continued to take steps to shorten the time it takes to complete a routine trace, and facilitate law enforcement agencies' ability to submit and receive trace information.

The Transition to Paperless Tracing. The NTC supports the receipt of batches of trace requests via electronic file transfer from Federal, State, and local law enforcement agencies. This firearms tracing process was designed specifically for those agencies which are already utilizing some type of automated system, i.e., property, incident, or ballistics database. The process simply involves the user extracting the data the NTC requires to initiate a firearms trace, creating a formatted data file, and then sending that "batch" of data via a modem to the NTC. This system was designed to decrease the turnaround time for routine traces, report the trace results faster, cut down on the number of errors, and offer a user-friendly alternative to manual trace request submission.

In 1999, the NTC made ETSS available to all ATF Field Offices by downloading the software from the NTC page on the ATF Intraweb. Upon request, law enforcement agencies can upload ETSS by CD-ROM. Currently 62 State and local law enforcement agencies, including agencies in 35 of the 38 YCGII cities, have ETSS access.

Access 2000: Firearms Industry Cooperation. Access 2000 is an ATF produced system that allows a manufacturer, importer, or wholesaler to download a subset of their firearms data into a stand-alone personal computer. ATF tracers can then dial up and query on a specific serial number in order to obtain a disposition on the firearm. Access 2000 also allows 24-hour access to manufacturer, importer, or wholesaler records and is, therefore, particularly useful for urgent traces. The system speeds the trace process from 1 to 3 days by eliminating the step of calling or faxing the manufacturer, importer, or wholesaler and waiting for the results of the crime gun's disposition, while also reducing firearms industry trace-related costs. In 1999, use of Access 2000 increased from 6 to 10 manufacturers and/or wholesalers, and now includes 9 manufacturers: Beretta U.S.A. Corp., H&R 1871 Inc., Smith & Wesson, Taurus, Heckler & Koch, Marlin, Mossberg, Colt, and Glock G.m.b.H.; and two major wholesalers: RSR Wholesale Guns and Davidson's Supply Company.

Multiple Sales Records and Crime Gun Tracing. The NTC continues to use multiple sales records to speed crime gun tracing. FFLs are required by law to report multiple sales transactions of handguns and to forward those records to the NTC. To facilitate crime gun tracing, the NTC began maintaining multiple sales information in a Multiple Sales Database linked to the FTS. When a crime gun trace request is received, the serial number is entered into the FTS. If the serial number entered matches a serial number in the Multiple Sales Database, the crime gun trace request can be closed immediately with the multiple sales purchaser information without time-consuming telephone calls to FFLs. In 1999, approximately 3 percent of 1999 YCGII traces were completed with purchaser information from a multiple sales transaction. Because the Multiple Sales Database was established in November 1998, and there may be a delay of several years before a crime gun is traced, the NTC anticipates resolving more traces through the multiple sales database in the future.

Out-of-Business Records Imaging and Crime Gun Tracing. The NTC is also using FFL Out-of-Business records to speed crime gun tracing. When an FFL discontinues business, the FFL is required by law to forward business records within 30 days to the Out-of-Business Records Center (OBRC) located at the NTC. OBRC receives and microfilms the acquisition and disposition records and ATF Form 4473's from all firearm transactions completed by FFLs who have discontinued business. OBRC processed records for 6,356 FFLs from January 1, 1999 to December 31, 1999. In this time period, over 8 percent of all crime gun traces were completed with information from an out-of-business dealer. To speed and increase traces completed through out-of-business records, the NTC is shifting from a microfilm to an imaging system that can link firearm serial numbers to the FTS. When a crime gun serial number is entered into the FTS, the serial number automatically will be checked against the Out-of-Business records as well as the Multiple Sales Database and previously entered crime gun trace information. If there is a match on the imaged serial number, NTC personnel can immediately pull it from the microfilmed Out-of-Business records to complete the firearm disposition to either an FFL or a final retail purchaser. The NTC expects this improvement to speed tracing and enable the completion of additional older crime gun traces, including used firearms re-sold by out-of-business FFLs.

5-4 Future Developments

Investigative Tracing for Juvenile Crime Guns. ATF is instituting a new investigative policy requiring special agents in all YCGII cities to conduct investigative traces on all crime guns recovered from juveniles and youth up to age 21. Investigative traces are traces that go beyond the first retail purchaser through the chain of possession until the crime gun reaches the crime gun possessor. After its initial retail purchase, a crime gun may be transferred repeatedly before being used in a crime. For instance, it may be re-sold by an unlicensed seller, stolen, and then re-sold to an

FFL, and re-sold again. In an investigative trace, special agents attempt to track the full chain of possession to determine how the juvenile obtained the firearms, to build a case against any illegal suppliers. Analysis of juvenile investigative trace information will increase our understanding of how juveniles obtain crime guns.

Support for Additional Law Enforcement Agencies. ATF plans to provide comprehensive tracing support and trace analysis reporting through YCGII to all cities with populations of 250,000 or more and to other jurisdictions with special firearms crime problems. Twelve new cities will be added in 2000. ATF plans to assign additional agents to YCGII sites to follow up on investigative leads. ATF also plans to provide tracing software and training to 250 additional law enforcement agencies.

Electronic Trace Returns (ETR). To reduce trace response time, the NTC in 1999 began development of ETR to provide ATF field offices and law enforcement agencies with electronic trace results in addition to printed trace reports. Currently, Federal, State, and local law enforcement can submit trace requests electronically, but can only receive individual trace responses via a hard copy on paper. (Upon request by law enforcement agencies, the NTC will extract all of a jurisdiction's trace requests from the Firearms Tracing System and provide them on disk.) ETR will apply only to those sites submitting trace request data electronically. ETR is expected to be available by the end of 2000 and will reduce routine trace response time by 2 to 3 days.

Expanded Access 2000. To speed tracing, ATF will dedicate additional resources to sign up more manufacturers, importers, and wholesalers to respond to NTC trace queries electronically through Access 2000, allowing 24-hour access to FFL records. ATF expects an additional 7 to 10 manufactures, importers and wholesalers to join the system by October 2001.

Firearms Identification Guide. To address the problem of unsuccessful traces due to faulty information on the trace request form, the NTC

is developing a CD-ROM that will train the law enforcement community in firearms identification. The CD will contain graphic illustrations, historical data, and specifications on the 100 most frequently traced firearms. The CD is intended to be a stand-alone training aid that can be utilized by everyone from entry level personnel to senior investigators to crime laboratories. The CD can also be used to print hard copy material for handouts and presentations.

Improved Electronic Trace Submission. ETSS Version 2.6, which will be released in the beginning of fiscal year 2001, will afford the users with the capability to link the database to their local server. This will allow ETSS to be installed on numerous machines while at the same time capturing all trace request data in one centralized database. A user's guide for Version 2.6 will be provided.

Regional Crime Gun Centers. To ensure comprehensive crime gun tracing, and to support coordinated investigations that follow a crime gun's history, ATF is planning to increase the number of regional crime gun centers. Equipped with the best information hardware and software, a crime gun center is used by ATF and State and local investigators and analysts to develop investigative leads on armed criminals and gun traffickers and develop local and regional trend and pattern analysis and crime gun mapping to assist in local violence reduction strategies. The New York Crime Gun Center, the first, has sent over 340 viable leads to investigators in over 20 States, many of them resulting in firearms violations investigations and arrests of firearms traffickers. Two additional centers are underway in Chicago and Washington, DC. ATF is reviewing this project to establish models that can be replicated based on the demographics of particular areas, and looks to greatly expand this concept.

Used Crime Gun Trace Information. The NTC in 2000 began requiring certain FFLs who failed to cooperate with crime gun traces as well as those with 10 or more crime gun traces with a time-to-crime of 3 years or less, to report certain firearms transaction information to the

NTC to permit crime gun tracing. For those FFLs, the NTC is now able to trace certain firearms sold used by FFLs that were recovered in crime. This information will be incorporated into crime gun tracing reporting in the future.

Ballistics Identification and Crime Gun Tracing. Many State and local law enforcement agencies have installed ballistics imaging systems as part of the growing National Integrated Ballistics Identification Network

(NIBIN). In some cases, an image of the cartridge case or the bullet can be linked to a serial number and permit a crime gun trace. Such traces are not yet included systematically in the Firearms Tracing System or the annual *Crime Gun Trace Reports*. As this information becomes available, ATF will make related crime gun and ballistics information available in an integrated and accessible investigative information system as well as in related reports.