



**NATIONAL RESOURCE & TECHNICAL ASSISTANCE CENTER**  
**FOR IMPROVING LAW ENFORCEMENT INVESTIGATIONS**

# **Crime Gun Intelligence Center Practices: Lessons Learned from the Field**



**BJA**  
Bureau of Justice Assistance  
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**NATIONAL POLICE  
FOUNDATION**



# Crime Gun Intelligence Center Practices

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# Recovered Ballistic Evidence: Best Practices for Crime Gun Intelligence Centers

Mark Kraft | June 2019

The mission of a Crime Gun Intelligence Center (CGIC) is to prevent gun violence through the consistent production of timely, precise, and actionable intelligence concerning gun crimes to identify armed violent offenders for investigation and targeted enforcement. Timeliness of crime gun intelligence is the key to how actionable the intelligence is and therefore, its ability to be used to prevent future gun violence. The timeframe from the recovery of ballistic evidence (crime guns and cartridge cases) to the notification of a NIBIN lead to all affected investigators should ideally occur within 24 to 48 hours.

Utilizing the National Integrated Ballistic Information Network (NIBIN), IBIS compares the image of a test-fired cartridge cases from a recovered crime gun or recovered cartridge cases from a crime scene to previously submitted images of cartridge cases recovered from crime scenes. By comparing the correlated images, it is possible to link one or more separate shooting incidents (e.g., homicides, attempted homicides, gunshot detection alerts with cartridge cases recovered, and other incidents involving the discharge of a firearm) from the same jurisdiction, neighboring jurisdictions, or even from another state to the same firearm.

Likewise, by tracing a recovered firearm through ATF's National Tracing Center, CGICs can determine when and where the firearm was initially purchased and by whom. This information can provide leads to additional witnesses, associates, and even additional crimes and coconspirators.

Entry into NIBIN and eTrace is dependent upon having timely and efficient procedures for processing recovered ballistic evidence. While ATF's Minimum Required Operating Standards allow more time, the CGIC goal should be to have all recovered crime scene cartridge cases and test fired cartridge cases entered into BRASSTRAX within 24 hours of being recovered by law enforcement. For a recovered crime gun this would include procedures to make sure the firearm is unloaded and safe to test fire, that it has been completely and accurately identified for tracing, and having a trained individual test fire the gun and enter the resulting cartridge case in BRASSTRAX within 24 hours of the crime gun's recovery.

The process for accomplishing the goal of 24-turn around time for ballistic evidence processing is dependent upon each jurisdiction's resources and should be established in consultation with all CGIC components, especially crime laboratory personnel and prosecution partners. This paper highlights critical steps that all CGICs should incorporate into their crime gun processing, as well as processes currently used by highly effective CGICs.

## Processing Crime Guns

The first critical steps for processing a crime gun are documenting the recovery for tracing and getting the crime gun to personnel to perform necessary functions. In establishing a CGIC program each jurisdiction needs to assess their current process for the documentation and processing of crime guns. Adjustments may need to be made to these procedures in order to facilitate getting the crime gun to the appropriate personnel for examination, test firing, and entry of the cartridge case into the NIBIN network, as well as tracing the crime gun, all within 24 hours of its recovery.

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It is critical to understand that although test firing, NIBIN entry, and correlation review have traditionally been done by highly trained firearms examiners at a crime laboratory, these steps do not need to be performed by firearm examiners, nor do they necessarily need to be performed at a crime laboratory. Instead, these tasks can be performed in a controlled and secure location by sworn officers, laboratory technicians, NIBIN contractors, or ATF personnel who are appropriately supervised and have received appropriate training. Not only does this free up firearm examiners to focus their time on confirming the NIBIN leads as “hits,” something that only they can do, but expanding the pool of personnel available to conduct these tasks also helps ensure that they can be accomplished within the 24-hour window.

Protocols and standards for examining firearms and cartridge cases for DNA and latent fingerprints should be established; however, these processes should not inhibit the timely processing of firearms and cartridge cases for NIBIN entry within 24 hours of recovery. This process of establishing protocols should begin with candid conversations and consultation among law enforcement, crime laboratory personnel, and prosecutor partners regarding prosecutorial requirements, jury expectations, realistic probability of obtaining additional evidence, and the cost of and requirements for the collection and storage of DNA evidence.

*Although test firing, evidence processing, NIBIN entry, and correlation review have traditionally been done by highly trained firearms examiners at a crime laboratory, these steps do not need to be performed by firearm examiners, nor do they necessarily need to be performed at a crime laboratory.*

## Tracing Crime Guns

In order to trace a crime gun, it is critical that whenever officers recover firearms they provide all available data associated with the crime gun recovery as part of the recovery and submission process. This data is captured by completing the ATF’s National Tracing Center Trace Request form and includes:

- A full and accurate description of the firearm (manufacturer, model, caliber/gauge, serial number, as well as country of origin and importer if of foreign manufacture)
- Possessor of the firearm (if known)
- Any criminal associates who were with the possessor
- Crime(s) associated with the firearm’s recovery
- Recovery location
- Date of recovery
- Suspect vehicle description

Many departments have worked with ATF to develop a *firearm recovery form* (<https://crimegunintelcenters.org/cgic/>) that both serves as a property form for the police department and captures all of the information needed to complete a trace request in eTrace — ATF’s web-based firearms trace request submission system that allows police departments to submit trace requests, monitor the progress of their traces, retrieve trace results, and make queries of their trace data. Officers who recover firearms need to be trained to fully and accurately identify firearms and complete the requisite paperwork as part of the standard recovery process. ATF has developed posters that depict the markings on firearms and show where each of those markings is recorded on the trace request or firearms form. These posters can be prominently displayed at police department locations where personnel are entering firearms into property or evidence.

During the process of test firing the crime gun, the ATF trace or department firearm recovery form should be reviewed to ensure that the crime gun is accurately identified and that all known information is properly documented (e.g., possessor, recovery location, suspect vehicle description, possessor associate). Review of the trace/firearm recovery form should take place during the test-fire process so that the description of the crime gun provided can be compared to the actual markings on the crime gun and any necessary corrections to the form can be made. Crime guns should be entered into eTrace within 24 hours of recovery and a system should be in place to ensure that the trace results are forwarded to the officer investigating the case as well as the CGIC analysts and investigators reviewing NIBIN leads. It should be noted that ATF has expanded the justification for urgent traces to include recovered crime guns that have been linked by NIBIN to prior shootings. Urgent traces are usually completed within 24 hours.



# Recovered Ballistic Evidence: Best Practices for Crime Gun Intelligence Centers

## Current Crime Gun Processing and Tracing Practices

In the Denver CGIC a NIBIN contractor generates a list of all firearms recovered in the previous 24 hours and requests that the Central Property Section pull all of those firearms daily. He subsequently retrieves them and transfers them to the Denver Crime Laboratory for examination and test fire. By contrast, officers at other departments, such as the St. Louis Metropolitan Police Department (SLMPD) submit all recovered firearms directly to the Police Department's Crime Laboratory before the end of each shift.

At the SLMPD Crime Laboratory, firearms turned in within the previous 24 hours are first sent to the Firearms Section, which ensures the guns are unloaded and safe to handle. Because they are physically in possession of the firearms, they also compare the description of the firearm provided by the submitting officer on the paperwork to the markings on the firearm, making any corrections needed if the firearms are inaccurately or incompletely described. The firearms are then transferred to other sections of the laboratory where they are expedited through the Biology/DNA Section for DNA swabbing and the Identification Section for fingerprint examination and then returned to the Firearms Section for test firing.

Once again, it is key to understand that DNA swabbing does not have to be done by laboratory personnel or technicians, so long as it is done by appropriately trained and supervised personnel and is properly documented. Denver combines several steps of the process, all captured at their laboratory, utilizing trained personnel (non-firearm examiners) who examine the firearm for any sign of fingerprints (making detailed notes about the presence or absence of visible prints), swab the textured surfaces of the firearm for DNA (making notes detailing the surface areas swabbed), and test fire two rounds from the firearm remotely on a gun cart. As part of the process, because they are physically in possession of the firearm, they also examine the markings on the actual gun to ensure the description of the firearm provided is both accurate and complete, making any correction needed. They then enter the firearms into eTrace. NIBIN contractors subsequently examine the two test-fired cartridge cases to identify which has the most sufficient characteristics for comparison and enter it into BRASSTRAX. Although all of these tasks are performed at the Denver Crime Laboratory, it is worth noting that this "one-stop shopping" approach could just as easily be conducted within the property section or elsewhere in a police department where a secure space that meets the safety requirements for those tasks exists or can be established.

## Processing of Recovered Cartridge Cases

The processing of cartridge cases recovered from crime scenes requires the same sense of urgency for entry into NIBIN within 24 hours. Although in some ways less complicated than processing a recovered crime gun, cartridge cases present challenges of their own. Cartridge case recoveries are often associated with gunshot detection system alerts or calls for shots fired where no victims, witnesses or suspects are identified. The recovery of cartridge cases, while crucial to the success of NIBIN, can take an officer out of service for a substantial period of time. In the case of a gunshot detection system alert, it is likely that the officer will be out of service in an area with a high volume of calls and likely during the time of day or night when calls for service are high. SLMPD created a partial remedy for this problem by creating an abbreviated reporting process for cartridge case recoveries in cases where there is no associated victim, witness or suspect, reducing the officer's time out of service to a mere 15 to 20 minutes rather than an hour or more.

Just like recovered crime guns, recovered cartridge cases from crime scenes need to be delivered to trained personnel who can triage them to determine how many different firearms the recovered cartridge cases represent. If the recovered cartridge cases are two 9mm, one .40 caliber and one .45 caliber, it is easy to see that they are from multiple handguns. However, upon examination a firearm technician may determine that the markings on the 9mm cartridge cases indicate they were fired from two different firearms, meaning the four cartridge cases recovered represent four separate firearms, not three. Cartridge cases from each firearm must be triaged to select the best representative for each firearm for entry into BRASSTRAX. Finally, the cartridge cases must be entered into BRASSTRAX. Once the



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cartridge case has been entered, NIBIN provides a list of candidates ranked by correlation score from highest to lowest. A correlation review, an on-screen comparison of the digital images, must then be conducted to determine the potential for two cartridge cases to have been fired from the same weapon. Just as with firearms, these tasks can be performed by a variety of properly trained and supervised personnel in a safe and secure environment. In some departments these tasks are performed by a NIBIN contractor at the lab; in others these tasks are performed by a firearms technician assigned to the CGIC.

## Conclusion

When establishing a NIBIN process, police departments and crime laboratories should be flexible in their thinking about who will carry out processes and where they will be carried out. Departments should consider the most efficient and effective approach to tasks, as long as there is no decrease in the quality and accuracy of the work, in the safety and security of the environment, or an erosion of the evidentiary value (such as a break in the chain of custody). As described above, the cast of participants for many tasks can be greatly expanded beyond fully trained firearm examiners, whose time can be freed up to perform the confirmation of hits and other tasks that only they are uniquely qualified to perform. It takes two years or more to fully train a firearm examiner, but only weeks to train technicians on BRASSTRAX entry or MATCHPOINT correlation. A number of tasks, such as confirming the description of the firearms provided by the recovering officer and swabbing the firearm for DNA, can be performed as part of the test-firing process by a firearm examiner, NIBIN technician, or other appropriately trained and supervised personnel. The objective should be to eliminate inefficiencies and streamline the processing of crime guns and recovered cartridge cases in the NIBIN process.

The key is timeliness. NIBIN leads that are generated months after the recovery of the crime guns or cartridge cases are often useless as investigative leads or intelligence, and therefore will have minimal, if any, impact on curbing future gun violence or closing cases. NIBIN does not seek to merely provide evidence for court linking a recovered firearm to a particular crime; it seeks to link together otherwise unassociated shootings to target armed and currently active “trigger pullers” for identification, investigation, arrest, and successful prosecution.



# The Strategic Use of Crime Gun Tracing and Its Relation to NIBIN

Mark Kraft | June 2019

*Identify and Target Shooters and Their Sources of Crime Guns for immediate disruption and/or prosecution of violent criminals.  
- ATF NIBIN Mission Statement*

## Introduction and Background

Just as the National Integrated Ballistic Information Network (NIBIN) allows law enforcement to link a recovered crime gun to cartridge cases recovered from seemingly unrelated crime scenes, gun tracing can link traced crime guns to other recovered crime guns, whether it was recovered by the same police department or another law enforcement agency. When combined with NIBIN intelligence,<sup>1</sup> the origin of the firearm and its potential relationship to other crime guns provide a more complete picture of the firearm's history. Additional victims, witnesses, suspects, and even previously unidentified crimes and coconspirators are frequently identified using this process. Absent investigative happenstance, recovered crime guns that share common origins will rarely be connected unless they are traced.

A key factor that makes NIBIN and tracing such powerful tools is that a disproportionate number of shootings are committed by a limited number of violent offenders. Many of these offenders are prohibited persons<sup>2</sup> or juvenile offenders who cannot lawfully obtain or possess a handgun. They are left with a limited number of alternatives to acquire a firearm. Coercing or paying a friend or relative to purchase a firearm for them in a "straw purchase," stealing firearms, or obtaining a firearm from traffickers<sup>3</sup> are all common methods of illegally obtaining firearms that tracing can uncover.

## Firearm Trace Process

To effectively utilize crime gun tracing, officers who recover firearms must provide all data associated with a crime gun recovery. This data is captured by completing the ATF National Tracing Center Trace Request form and includes the following where available:

- A full and accurate description of the firearm
- Possessor of the firearm
- Any criminal associates who were with the possessor
- Crime(s) associated with the firearm's recovery
- Recovery location
- Date of recovery

<sup>1</sup> The shootings in which a firearm is known to have been used.

<sup>2</sup> Defined under Title 18 U.S.C. § 922(g) as convicted felons, persons subject to restraining orders, or persons previously convicted for domestic violence.

<sup>3</sup> Persons who divert firearms out of lawful commerce and into the hands of criminals.

# The Strategic Use of Crime Gun Tracing and Its Relation to NIBIN

The *ATF National Tracing Center* (<https://www.atf.gov/firearms/national-tracing-center>) follows the trail of a firearm through commerce, beginning with the firearm's domestic manufacturer or importer and ending with the first retail purchase of the firearm from a federally licensed firearms dealer. The trace identifies the date of sale, the retail dealer who made the sale, and the identity of the purchaser. In addition, the trace also calculates the "time to crime," measured in days, as the time between the sale of the firearm and the recovery date. Time to crime is often used as an indicator of trafficking because the more rapidly a firearm moves from sale to recovery by police, the greater the suspicion the firearm was purchased with the intention of diverting it for criminal use. In 2016, more than 2,500 firearms were recovered in Georgia with a time to crime of less than one year, and over a third of those had a time to crime of less than 3 months.<sup>4</sup>

Many departments have worked with ATF to develop a firearm form<sup>5</sup> that both serves as a property form for the department and captures all of the information needed to complete a trace request in eTrace. Most major police departments, including all of those who are partners in a Crime Gun Intelligence Center (CGIC), utilize *ATF's eTrace* (<https://www.atf.gov/firearms/docs/form/national-tracing-center-trace-request-atf-form-33121/download>), a web-based firearms trace request submission system that allows police departments to submit trace requests, monitor the progress of their traces, retrieve trace results, and make queries of their trace data. Each police department can grant officers access to eTrace, allowing investigators to proactively utilize trace results in their investigations.

## Tracing Resources

*National Tracing Center Fact Sheet*

*ATF's Police Officer's Guide to Recovered Firearms*

*ATF Firearms Tracing Guide*

*For example: A trace reveals that a recovered firearm with a time to crime of less than six months was purchased from a rural retail dealer in another state. The referral lists reveal that although the purchaser is not associated with any other traces, the retailer is associated with three other traces — one from the police department in the municipality where the gun store is located, and the other two from officers in your jurisdiction in seemingly unrelated recoveries. An examination of these traces in eTrace reveals that all three recovered firearms were purchased by different individuals, but are the same make, model, and caliber. All three had short times to crime. Closer examination of the transactions reveals that all three were multiple purchases of handguns. As there is nothing else linking the three traces together, it is unlikely that the common origins of these three firearms and leads revealing potential firearms trafficking would be uncovered without the association revealed by the referral list.*

## Referral Lists

Referral lists are a key component of the ATF's eTrace system. They are linked to each trace result and list all prior traces submitted by any law enforcement agency in which the purchaser or the possessor appeared in any role (purchaser, possessor, or associate), as well as lists of prior traces associated with the same retail dealer and/or recovery location. If the same police department submitted the prior traces, they can be viewed immediately in eTrace. If they were submitted by another agency, the trace number and point of contact information for that department are provided. By linking to firearm recoveries in other investigations, a more complete picture of both the purchaser and the possessor emerge, expanding the number of potential witnesses, victims, and associates.

<sup>4</sup> See [www.atf.gov/resource-center/data-statistics](http://www.atf.gov/resource-center/data-statistics)

<sup>5</sup> See a sample firearm recovery form developed by the NRTAC based on the Denver Police Department's form: [https://crimegunintelcenters.org/wp-content/uploads/2018/07/FINAL-PF\\_CGIC\\_Firearm-Recovery\\_Form.pdf](https://crimegunintelcenters.org/wp-content/uploads/2018/07/FINAL-PF_CGIC_Firearm-Recovery_Form.pdf)

# The Strategic Use of Crime Gun Tracing and Its Relation to NIBIN

For example, multiple traces associated with the same purchaser can be indicative of straw purchasing or other forms of trafficking, particularly when also associated with multiple sales<sup>6</sup> and short times to crime. However, it can also indicate that the purchaser was actually a victim of a burglary or other theft during which their firearms were stolen. This is important because often persons whose firearms are stolen cannot provide law enforcement with accurate descriptions or serial numbers for the stolen firearms, which enter the illicit firearm market undocumented and undetectable. In these situations, tracing may provide leads in the burglary or theft investigation.

Similarly, multiple traces associated with the same possessor can lead investigators to identify other crimes, witnesses, codefendants, and criminal associates in other firearm-related investigations. This can be particularly helpful when these investigations are in other jurisdictions.

## Crime Gun Intelligence: eTrace and NIBIN™ Together

When information from eTrace and NIBIN are combined, a different picture emerges than when the information is viewed individually.

*For example: A firearm is recovered and, when entered in NIBIN, is ballistically linked to a homicide that occurred five years earlier. A trace of the firearm reveals that a woman purchased it at a local dealer two days prior to the homicide. The purchaser is not associated with any other traces. While neither the NIBIN link nor the trace viewed individually seem to merit follow up (the homicide took place so long ago and the firearm is not linked to any other shootings), when viewed together they suggest that the purchaser likely purchased the firearm for the shooter. The purchaser may likely be a potential witness in an unsolved homicide, as well as a straw purchaser.*

ATF recently established that a firearm with a NIBIN lead is justification for an urgent trace, further emphasizing the relevance of viewing the information together.<sup>7</sup>

When used together, eTrace and NIBIN can alter the significance of time to crime. In the case cited in this section, the traditional measure of time to crime — date of purchase to date of recovery by law enforcement — is 5 years. However, NIBIN reveals that the “true time to crime” — as measured from the date of purchase to the first shooting linked by NIBIN — is only 2 days. This type of analysis can quickly lead investigators to pursue investigative leads that may not have appeared viable without the complete picture provided by both eTrace and NIBIN combined.

## Tracing Studies

In addition to using both eTrace and NIBIN for individual cases, there can be great value in looking at the aggregate data in NIBIN-sensitive trace studies. Trace studies examine trace data for a specific location over a specific period. ATF publishes annual reports summarizing trace data for each of the 50 states. The reports reflect crime gun trends and firearm trafficking patterns for the firearms traced in each state, and they summarize the total number of firearms traced, firearm types (pistol, revolver, rifle), time to crime, and the top 15 source states for firearms recovered in that state. The reports also provide a high-level overview of the types of insights that aggregate trace data can provide.

Comparing the figures between different states reveals staggering differences in trafficking patterns and sources of recovered crime guns. Although almost every state is its own number one source state, there are still great variances among states. For example, in the 2017 Firearms Trace Data report for New Jersey, only 468 of the 2,591 firearms for which a source state could be identified were initially sold in

*Click [here](#) to view U.S. and international ATF firearms trace data from 2013–2017.*

*Click [here](#) to view 2017 U.S. ATF firearms trace data by state.*

<sup>6</sup> The purchase of two or more handguns by the same person on the same day or within five consecutive business days from the same retail dealer.

<sup>7</sup> Urgent traces are given top priority by ATF's National Tracing Center, and results are usually provided within 24 hours.



# The Strategic Use of Crime Gun Tracing and Its Relation to NIBIN

New Jersey, while Virginia and Pennsylvania accounted for 658 combined. In contrast, of California's 27,051 firearms where a source state was identified, 17,397 originated in California. Although these reports are valuable in identifying major trafficking patterns and emerging trends, care should be taken in making inferences, since not all crime guns are traced (indeed, some jurisdictions do not trace firearms) and the purpose of tracing is to assist law enforcement, not to collect a statistically random sample of all crime guns.

More detailed trace studies can be done to drill down and look at multiple factors simultaneously by analyzing the trace data behind the numbers. Trace studies can be accomplished by working with ATF to get trace data for guns recovered in a specific jurisdiction and traced during a specific period of time (12–36 months is recommended) in a spreadsheet format where the data can be manipulated (filtered and sorted) and analyzed.

By adding additional data to indicate which traces have NIBIN links (hits or leads), the difference between all crime guns recovered and those with NIBIN links can be seen. Commonalities or similar origins can be identified for firearms used in shootings, and priority can be given to trafficking leads where there is a NIBIN link associated with one or more firearms suspected of having been trafficked. If the goal is to identify illegal sources of crime guns, wouldn't it be wise to start with the sources of the guns known to be used in shootings?

## The Importance of Documentation

Every solution brings with it its own set of challenges that can be mitigated and even eliminated if they are recognized and addressed up front. ATF states that the number one reason traces cannot be completed is not lost records or out-of-business dealers, but the recovering officer's failure to accurately or completely describe the firearm — a skill that is rarely taught and far more complex than usually acknowledged.

In the case of a foreign manufactured firearm, the trace begins with the domestic importer of the firearm. A firearm cannot be traced without the import information, yet it is frequently omitted on trace submissions. While the manufacturer's name is usually very prominent, an importer's mark, which is frequently placed on the firearm using abbreviations<sup>8</sup>, is often overlooked. For example, the marking for Kraft Gun Group, Falls Church, Virginia (a fictional entity), might merely appear as "KGG FC VA" in a small font. Similarly, revolvers chambered for .38 S&W (as opposed to .38 Special) are often misidentified as having been manufactured by Smith and Wesson. These errors can be overcome with training, and the benefits of accurately describing a firearm extend well beyond tracing, all the way into the courtroom.

In order for investigators to begin focusing on and prioritizing cases involving the violent criminal misuse of firearms they will need to learn about firearms and the benefits of firearms tracing. They will also need to be trained on exploiting the eTrace system. When adopting this new technology, it is vital for police departments to develop a strategy for how the technology will be used to enhance investigations and how appropriate personnel will be trained to apply it.

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<sup>8</sup> See ATF's guidance on proper firearm identification for tracing: <https://www.atf.gov/firearms/properly-identify-firearm-purpose-tracing>



# Considerations for Federal and Local Prosecutors

Kristine Hamann | June 2019

*The key to the success of a Crime Gun Intelligence Center (CGIC) is the collaboration of its members, the timely entry of shell casings into the National Integrated Ballistic Information Network (NIBIN), the sharing of crime gun intelligence, and the unity of strategy. Prosecutors play a critical role in the CGIC process both before and after arrest.*

## Pre-Arrest

**CGIC Prosecutor Liaison:** Local and federal prosecutors should each assign a prosecutor to be the CGIC liaison. The prosecutor liaison should be experienced in investigating and prosecuting violent crime and should be familiar with the existing crime drivers in their jurisdiction. The liaison should participate in various CGIC activities. The following recommendations apply equally to federal and local prosecutors.

- **Attend Regular Meetings:** The liaison should attend regular meetings with the CGIC team to learn about NIBIN leads and active investigations, share intelligence, and coordinate investigative strategies.
- **Provide Advice:** The liaison should be actively involved in providing guidance on the cases most amenable to prosecution and on the prioritization of cases.
- **Develop Protocols for Case Assignment:** Federal and local prosecutors should work with their CGIC partners to develop protocols for deciding which cases will be prosecuted federally and which will be handled by the local office. Considerations should include an analysis of available resources, local and federal statutes, sentencing guidelines, ability to do long-term investigations, pre-existing prosecutions, community needs, and the judiciary. In some instances, the case may begin in the local prosecutor's office and be subsequently moved to the federal prosecutor. An example of this is when a NIBIN case is handled by original case investigators who make an arrest. That case would go to the local prosecutor so that the suspect can be held locally while the venue decision is made. If the U.S. Attorney decides to take the case, it will be transferred to federal court and the local case can be dismissed, where appropriate.
- **Unify Strategy and Targets:** State and federal prosecutors should work with their CGIC partners to identify and target the most prolific shooters in their community. Pre-existing target lists should be coordinated so that law enforcement priorities are not in conflict.
- **Track NIBIN™-Related Leads and Cases:** The federal and local liaison should develop protocols, both in the prosecutor's office and in the CGIC, to track NIBIN-related cases from NIBIN lead development through conviction. This will require an analysis of the case management systems of the CGIC partners, including prosecutors, police, and the laboratory, to determine how best to capture, share, and report on all information critical to each case. It is essential that the mechanism used to track NIBIN-related cases provide consistent, actionable data to all CGIC partners. Some CGICs have created an Excel spreadsheet or stand-alone database system for tracking NIBIN leads; however, this requires manual data-entry from the various CGIC partners. The prosecutorial data collected should include charges, the bail/bond set, disposition, and sentence. If a case is rejected by the prosecutor, the reason for rejection should also be captured.

*The NIBIN lead tracking system should track not only NIBIN-related cases that are investigated by CGIC investigators, but those handled by local investigators as well.*



# Considerations for Federal and Local Prosecutors

## Post-Arrest

Intelligence developed by the CGIC can result in arrests by CGIC investigators, or it may be relevant to arrests made by original case investigators following up on NIBIN leads. In both instances, an arrest will be brought to a prosecutor's office for review, charging, and prosecution. Useful CGIC intelligence, including additional NIBIN leads, may become available at any time during the pendency of a criminal case. Even after an arrest, the prosecutor must continue to coordinate with the CGIC, so that relevant information continues to flow to the prosecutor. Here are various post-arrest considerations for prosecutors.

- **Arrest Alerts:** An arrest alert system should be developed to notify all CGIC partners when any arrest has been made of a CGIC target or when an offender has been arrested based on a NIBIN lead. The federal and local prosecutor liaison should receive these alerts and forward them to the prosecutors in their offices who are handling the new case and any related pending cases. This will facilitate continued coordination of intelligence.
- **Prosecutor Priority Stamp:** Once a CGIC target or an offender identified through a NIBIN lead has been charged by the prosecutor's office, there should be a special stamp on the prosecutor's paperwork, and/or in the prosecutor's case management system, to highlight that the case involves a CGIC target or NIBIN offender and warrants priority treatment. This will alert anyone in the prosecutor's office — from prosecutors to nonlegal staff — to the significance of the case. The stamp/flag is especially important if the case is being handled by a prosecutor who is not a designated CGIC prosecutor or is not handling the case vertically. The stamp/flag should indicate that the case has received special attention from the CGIC and that there may be more resources available from the CGIC.
- **Prosecutor Liaison and Case Prosecutor:** The CGIC prosecutor liaison should contact the prosecutor who has been assigned a CGIC/NIBIN-related case to explain the CGIC process, the relevance of the NIBIN lead, the CGIC resources available, and the priority of the case. The liaison should also maintain a list of the CGIC/NIBIN-related cases that are being prosecuted in their offices. This will allow the liaison to facilitate the flow of intelligence to the assigned prosecutors and to oversee the collection of necessary case tracking data.
- **Vertical Prosecution:** Having one prosecutor handle a case from arrest through disposition is called "vertical prosecution." Vertical prosecution can benefit a case since information and relationships with witnesses are not lost as the case is transferred from one prosecutor to another. This is standard practice in a U.S. Attorney's Office, but it is less common in a local prosecutor's office. In serious and complex cases involving CGIC targets or NIBIN offenders, vertical prosecution is recommended.
- **CGIC Prosecutors:** Some prosecutor offices may wish to designate special CGIC prosecutors, so that all CGIC/NIBIN-related arrests are sent to this group. These prosecutors should receive specialized training and participate in CGIC meetings. Pre-existing prosecutor units that deal with gun crime could be appropriate for handling CGIC/NIBIN-related cases.
- **CGIC Coordination of Post-Arrest Intelligence With Prosecutors:** The CGIC should develop a way to coordinate arrests of CGIC targets and NIBIN offenders with newly developed information, so that the new information can be forwarded to the assigned prosecutor. This information could be beneficial at every phase of prosecution, including arraignment, bail, pleas, and sentencing. New NIBIN leads that connect to a pending prosecution are an example of post-arrest intelligence that is relevant to a prosecution.
- **Discovery Considerations:** New NIBIN leads and hits may be matters that must be disclosed to the defense as possible Brady/Giglio material. Because a prosecutor may be sanctioned for failure to disclose the information, it is imperative that the prosecutor be notified of new leads related to pending cases.
- **Post-Arrest Prosecutor-Generated Intelligence:** Some prosecutors have their own crime analysts who may uncover additional intelligence that can be of assistance to the CGIC. Once there is an arrest, the prosecutor's crime analyst should coordinate with the CGIC and share information. The crime analyst should also assist with enhancing CGIC/NIBIN-related cases for trial.
- **Witness Intimidation/Cooperation:** Witness intimidation is a significant issue in the violent crime prosecutions that are the essence of CGIC/NIBIN-related cases. Victim advocates from a prosecutor's office can be extremely helpful in working with victims and witnesses to ensure they are safe and willing to cooperate with the prosecution. Some police departments have their own victim advocates, and if so, they should coordinate with the prosecutor's victim advocates to develop a strategy for keeping victims and witnesses safe and engaged in the process.



# Considerations for Federal and Local Prosecutors

## Additional Considerations

In addition to the development of cases, a number of other issues should be addressed by prosecutors during the formation and implementation of a CGIC. These issues include:

### **Training:**

- **Prosecutors:** Federal and state prosecutors should be trained on the significance of NIBIN and on methods to develop viable cases based on the CGIC process.
- **Judges and Defense Counsel:** CGIC leadership and CGIC prosecution partners should develop a strategy to educate local and federal judges, as well as defense counsel, on NIBIN and the CGIC mission and philosophy. Some judges may resist training from prosecutors and police, but may be more amenable to training from a forensic scientist who can discuss the science behind NIBIN. Alternatively, judges may be open to a CGIC class during a judicial training conference or joint training with defense attorneys.

**Analysis of Cases Not Accepted for Prosecution:** The CGIC should develop a consistent feedback process for CGIC/NIBIN-related cases that are not accepted for prosecution by federal or local prosecutors. The process should clarify why a case was rejected and what course of action can be taken in the future to enhance the likelihood of acceptance. The assessment may also provide insight into improving the allocation of cases between federal and local prosecutors.

**Community Outreach:** Local and federal prosecutors should develop a community outreach program that explains the role of the CGIC and the leveraging of local and federal partnerships. If the prosecutor's office has a public information officer and/or a community outreach coordinator, then these members of the office should be familiarized with the CGIC program. Community outreach programs should publicize cases where people associated with numerous shootings or serious crimes were identified, arrested, and prosecuted based in part on the CGIC approach, making the community safer. The program should highlight the objective nature of the CGIC process in identifying those who are the most prolific trigger pullers. These programs should also explain the importance of witness cooperation and the resources available to keep witnesses safe.

## Conclusion

Prosecution collaboration throughout the CGIC process is essential to building stronger cases that will contribute significantly to public safety. CGICs will greatly benefit from having a liaison prosecutor who can provide advice on investigations, coordinate with the assigned prosecutor, and assist with trainings and community outreach. The sharing of intelligence and coordination of investigative work is the hallmark of a successful CGIC.



# Crime Gun Intelligence Center (CGIC) Implementation Checklist

Kris Hamann | Mark Kraft | June 2019

*The checklist below provides agencies seeking to establish a CGIC or enhance an existing CGIC with key training topics to improve their CGIC process, considerations for personnel involved in each step of the process, and guidance on assessing CGIC effectiveness.*

## Comprehensive Collection of Cartridge Cases and Crime Guns

All recovered ballistic evidence (crime guns and cartridge cases) should be submitted for NIBIN regardless of the circumstances under which they are recovered.

**Personnel:** Officers, investigators, and crime scene technicians. Gunshot detection analysis is performed by a crime analyst.

- Written Policy:** Formal written policy regarding the collection of ballistic evidence should be updated or drafted. Policy should specifically address the importance of searching for, recovering and documenting cartridge cases when responding to calls of shots fired or gunshot detection alerts.
- Ballistic Evidence Recovery Training<sup>9</sup>:** All patrol personnel receive in-service and periodic roll-call training on policies and procedures relating to the recovery of cartridge cases and crime guns. Incorporate similar training into basic recruit academy training.
  - Gunshot Detection Alert Response:** If a department utilizes a gunshot detection system, all patrol personnel receive training on department policy on responding to gunshot detection alerts.
  - Firearms Identification:** Training is provided to all personnel recovering firearms to ensure crime guns are described accurately and completely (manufacturer, caliber, model, serial number and country of origin and importer if it is a foreign manufactured firearm) in all paper work and reports and that all information associated with the recovery is fully documented (possessor name, DOB and address; crime associated with recovery; location of recovery, vehicle information, associates with possessor at time of recovery, etc.).
  - Cartridge Case Recovery:** Training is provided to address the importance of searching for, recovering, and documenting the recovery of every cartridge case at a scene, emphasizing that it is recovered shell casing evidence that drives the success of the NIBIN program by linking cases together.<sup>10</sup>
- Evidence Submission:** Submit all crime guns and recovered cartridge cases to a centralized location to enable laboratory/NIBIN personnel to obtain the evidence within 24 hours. Consider the use of a courier process to transport all crime guns and cartridge cases to a location easily accessible to laboratory/NIBIN personnel.
- Crime Gun Trace Form:** Upon entering any crime gun into evidence, department personnel should complete an agency firearms identification form or ATF Trace form (ATF E-Form 3312.1).

<sup>9</sup> Recommended training can be combined or broken down to accommodate training opportunities, for example roll call or in-service training.

<sup>10</sup> Provide the general percentage of leads that shell casings result in vs. crime guns



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- ❑ **Gunshot Detection Alert Response:** If a department utilizes gunshot detection technology, a gunshot detection alert is dispatched as a call for service requiring a patrol response and a written report when cartridge cases are recovered.
  - ❑ Responding officer(s) make a thorough search for cartridge cases and conduct an area canvass, unless circumstances such as nighttime hours make a canvass impractical. Utilize gunshot detection alert door hangers during an after-hours canvass.
  - ❑ Deploy explosive detecting canines to gunshot detection alerts where no cartridge cases are recovered, particularly alerts that consist of multiple shots fired.
  - ❑ Re-canvass the area within 24 hours of the incident. Recanvassing can result in the recovery of additional cartridge cases and community members may be more willing to speak with officers after the incident is no longer active.
  - ❑ Develop an abbreviated recovery and reporting process when cartridge cases are recovered, but no witnesses or victims are identified to reduce officer's time out of service and promote ballistic evidence recovery.
- ❑ **Gunshot Detection Information Analysis:** CGIC analysts analyze the gun shot detection data.
  - ❑ Conduct analysis of gunshot detection alert data in each of the covered areas to determine the number, location, and frequency of alerts that do not generate corresponding citizens' calls for shots fired. This is an indicator that the gunfire has become an accepted norm in those communities and may warrant additional community outreach.
  - ❑ Conduct analysis of the percentage of NIBIN leads generated from alerts in each of the covered areas and the number of those leads that result in a positive outcome, such as an arrest or case closure.<sup>11</sup>

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<sup>11</sup> This can be used to demonstrate the value of the gunshot detection system in your city.



# Crime Gun Intelligence Center Implementation Checklist

## NIBIN Entry/Correlation & Crime Gun Tracing

All recovered crime guns and cartridge cases should be processed within 24-48 hours of recovery. In order to meet this goal crime guns and cartridge cases recovered as evidence should be delivered to the crime laboratory or secure alternate location where these tasks will be performed on a 24 hour cycle. Protocols and standards regarding examining crime guns and cartridge cases for DNA and latent fingerprints should be established.

**Personnel:** Sworn officers, laboratory technicians, NIBIN contractors or ATF personnel. Confirming NIBIN 'hits' must be performed by two firearm examiners.

- Retrieval of Crime Guns and Cartridge Cases:** Either recovered ballistic evidence is submitted directly to the crime laboratory or alternate location or a search of the police department's records management system (RMS) or evidence/property database is conducted every 24 hours to identify all recovered crime guns and cartridge cases entered as evidence. The crime gun and cartridge case evidence is retrieved and immediately transported to the Crime Laboratory or the location where crime gun processing, test firing, cartridge case triage and BRASSTRAX entry will take place.
- Crime Gun Processing:** All crime guns are inspected by trained and qualified personnel (e.g. trained NIBIN contractor, sworn officer/investigator, firearm examiner) to ensure the firearm has been unloaded and is safe for test fire.
  - Qualified personnel inspect the firearm for the presence of latent prints, blood/biological material, or trace evidence.
  - If blood or other biological material is detected on the firearm, and depending on case circumstances, the firearm is not test fired, but immediately sent to the appropriate section in the crime laboratory for further processing.
  - Based on established procedures DNA swabbing of textured surfaces is taken prior to test firing. Notes should reflect those areas of the firearm swabbed for DNA, observations regarding the presence of fingerprints or lack thereof, and any other unique observations regarding the condition of the firearm.
- Crime Gun Test Firing:** All crime guns are test fired and two expended cartridge cases are recovered for NIBIN entry. All test fired cartridge cases and recovered cartridge cases are triaged to identify which cartridge case from each firearm is most suitable for NIBIN imaging.
- NIBIN Entry and Correlation:** Trained personnel enter the identified cartridge cases into BRASSTRAX. Once the cartridge case has been entered into NIBIN a correlation is automatically compared using an algorithm that is designed to provide the NIBIN technician with a list of candidates ranked by correlation score from highest to lowest. A trained NIBIN technician conducts a correlation review on a MATCHPOINT to determine the potential for two cartridge cases to have been fired from the same weapon.
- Leads for Analysis:** NIBIN leads should be immediately forwarded to Investigative/Analyst personnel for analysis, lead development and investigative follow-up. It should be noted that the NIBIN lead is not a confirmed hit and cannot be used as probable cause, but can still be of significant investigative value.
- Confirmation of NIBIN Leads:** Confirmation of a NIBIN lead as a NIBIN hit requires microscopic confirmation by two firearms examiners, making it suitable not only as information/intelligence, but also for investigative and court purposes. Agencies should develop protocols, based upon available resources, as to whether they will confirm all distributed NIBIN leads as a matter of routine, or if they will only confirm NIBIN leads upon the request of an investigator or prosecutor.
- Crime Gun Tracing:** ATF trace or police department firearm recovery forms are reviewed to ensure that the firearm is accurately/ completely identified and that all information is properly documented and entered into eTrace within 24 hours of firearm recovery.
  - Review of Trace/Firearm Form:** Review of the trace/firearm form takes place during the processing or test fire process so that the description of the firearm provided can be compared to the actual markings on the firearm. Necessary corrections to the form should be made prior to entry into eTrace.
  - eTrace Results:** eTrace results are forwarded to the CGIC Investigations/Analyst Unit.



# Crime Gun Intelligence Center Implementation Checklist

## Crime Gun Intelligence Analysis

Based on correlation results, a NIBIN lead report is sent to the CGIC Investigative/Analysis Unit from the laboratory or by personnel conducting NIBIN correlations. After analyzing the lead, a NIBIN lead referral sheet is developed to summarize pertinent case information from each investigation associated with the NIBIN lead and forwarded to the current case investigators for follow up investigation within 24 hours. All NIBIN leads should be recorded and tracked using an existing or specially developed case management system.

**Personnel:** sworn officers, police department crime analysts, NIBIN contractors, ATF intelligence research specialists (IRs) or industry operations investigators (IOIs)

- ❑ **NIBIN Lead Analysis:** CGIC crime analyst reviews all NIBIN leads and develops and disseminates a NIBIN lead referral sheet to investigators within 24 hours of receiving the lead. Lead referral sheets include case information summarizing each event linked shootings, including information on any suspects and victims; linkage chart and map depicting the location of each of the events. If available, eTrace data should be included on the referral.
- ❑ **NIBIN Case Tracking:** To achieve accountability for investigative follow-up and documentation of case disposition, a CGIC Investigative/Analysis Unit supervisor or crime analyst records and tracks all NIBIN leads using an established case management system or a NIBIN-specific database.
- ❑ **Perceived Firearm List:** CGIC crime analyst develop a list of “perceived firearms”<sup>12</sup> with the largest number of recent shootings associated. This identifies the firearms that are the most active crime guns currently being used in gun crimes and, therefore, the most prolific and currently active shooters for identification and targeting by CGIC or case investigators.
- ❑ **Analysis of eTrace Data:** eTrace data associated with NIBIN is evaluated to identify additional leads, witnesses, or co-conspirators for NIBIN lead referral sheets as well as additional potential criminal violations for firearms trafficking or straw purchasing. Results are forwarded to CGIC investigators and case investigators for further investigation.
- ❑ **Trace Studies:** CGIC crime analysts and/or ATF personnel conduct a trace study of all recovered firearms and those with a NIBIN link over the past 12-36 months. The study includes a comparison of NIBIN trace results to all firearms recovered over the same period and a calculation of true time to crime for NIBIN guns (time of purchase to time of first NIBIN lead). As these firearms are known to have been used in shootings, the unique associated trace patterns can prove very insightful (identifying common sources of firearms used in shootings; etc.). Requests for assistance from ATF’s Violent Crime Analysis Branch can be made through the local ATF field or division office.
  - ❑ **GIS Street Level Mapping:** The trace study includes GIS street-level mapping of all crime guns with NIBIN guns highlighted. This mapping is especially useful in determining proactive patrolling and targeted investigations (focused deterrence) strategies in the areas where firearms crimes are most prevalent.
  - ❑ **Investigative Support:** NIBIN leads will often result in complex investigations involving multiple crimes, multiple associated firearms and multiple suspects/defendants. The analytical component of the CGIC will need to provide additional support (suspect, witness and victim profiles; cellular phone exploitation; social media exploitation; as well as I2 charting, mapping, timelines and other graphic aids for investigators and prosecutors).

<sup>12</sup> NIBIN links between multiple shootings associated with the same crime gun where the firearm has not yet been recovered.



# Crime Gun Intelligence Center Implementation Checklist

## NIBIN Lead/Hit Assignment and Investigation

Based on a lead triage process and in consultation with CGIC Investigative/Analysis Unit members and current case investigators, a CGIC Investigative/Analysis Unit supervisor determines if the NIBIN lead is simply forwarded to the current case investigator or another field investigator for follow up or whether it will also be assigned to a CGIC investigator for deconfliction, coordination, and investigative follow up. Case coordination and deconfliction are vital and cannot be overstated. Emphasis should be placed on a timely follow up investigation to ensure active gun offenders or “trigger pullers,” are identified and removed from the community as quickly as possible. A NIBIN lead may not provide enough information to facilitate an arrest; however, it can provide enough information to identify a suspected shooter who should be classified as a high priority to disrupt before they commit additional shootings.

**Personnel:** police department investigators, ATF Task Force Investigators, CGIC Investigation/Analysis Unit supervisor

- ❑ **NIBIN Investigator Training:** All agency investigators receive NIBIN/CGIC training to familiarize themselves with the CGIC process and NIBIN, thus encouraging cooperation and coordination between CGIC investigators and current case investigators. This training should occur as early as possible, so all investigators understand the CGIC process, can interpret the NIBIN leads, are aware of the value of timely NIBIN lead follow up and recognize the importance of case de-confliction.
- ❑ **NIBIN Lead Prioritization:** A lead triage process is developed to assist in prioritizing and assigning NIBIN leads. The Investigative/Analysis Unit prioritizes NIBIN leads based, in part, on the following factors:
  - Number of cases associated to each lead
  - Severity of the crimes involved
  - Geographic and chronological proximity of the shootings
  - Age of the leads
  - Established solvability factors (e.g., identified suspects, cooperative victims or witnesses, other evidence such as video, LPR leads or potential DNA)
  - Identified additional investigative steps, such as conducting a photo array.

An Investigative/Analysis Unit supervisor reviews all prioritizations and makes a final determination for classification.

- ❑ **Case Assignment:** A CGIC Investigation/Analysis Unit supervisor ensures all leads are forwarded to the current case investigators. In addition, the CGIC Investigation/Analysis Unit supervisor determines whether or not a CGIC investigator should be assigned the lead to conduct a coordinated parallel investigation of the lead with the current case investigators. It is important for the triage and case assignment process to be timely and occur within 24 hours of a NIBIN correlation review.
  - ❑ **Case De-confliction:** Coordination between the CGIC Investigative/Analysis Unit and the current case investigators should occur before any lead is assigned to a CGIC investigator or any CGIC investigative action is taken, such as offender targeting.
  - ❑ **NIBIN Joint Investigations:** A CGIC Investigation/Analysis Unit supervisor determines if CGIC investigators should conduct joint investigations with investigators assigned to the NIBIN-related cases or coordinate parallel investigations with the goal of identifying, investigating, and arresting offenders, such as those identified by the “perceived firearms list,” to prevent future shootings.
- ❑ **CGIC Offender List:** A CGIC Offender List is developed and maintained to identify active gun offenders who should be deemed high priority suspects and legally removed from the community. This list should be in addition to other department offender lists, such as Project Safe Neighborhood (PSN), Public Safety Partnership (PSP, formerly VRN) lists. Offender lists should be compared or consolidated with highest emphasis placed on NIBIN offenders who are the most active shooters.
- ❑ **Parole and Probation Assistance:** Coordinate with parole and probation agents to facilitate revocation proceedings on CGIC offenders in order to remove them from the community.
- ❑ **Officer Safety Bulletins:** CGIC Officer Safety Bulletins are generated when investigations do not result in criminal charges, but uncover information that is valuable for law enforcement’s situational awareness and officer safety (multiple gunshot detection alerts with no victims or witnesses, associated with the same firearm in the same patrol area).



# Crime Gun Intelligence Center Implementation Checklist

## Law Enforcement and Prosecutor Collaboration and Offender Arrest

CGIC investigators act as a conduit between the local District/State's Attorney's Office and the U.S. Attorney's Office by evaluating cases and suspects based on NIBIN leads and assisting in determining the most appropriate venue for prosecution. The joint focus between investigators and prosecutors is to identify, disrupt and arrest active shooters as quickly as possible. Investigators should routinely communicate with prosecutors when applying for search and seizure warrants and when evaluating probable cause to make an arrest or apply for an arrest warrant. This communication can occur daily as case activity dictates; however, formal discussion should occur at least weekly during CGIC operational team meetings.

**Personnel:** Investigators, Assistant US Attorneys and local prosecutors

- ❑ **Operational Team Meetings:** CGIC operational meetings take place weekly to allow operational team members (e.g. CGIC Investigators, crime analysts, prosecutors, parole and probation agents) and external violent crime investigative unit supervisors to meet, share intelligence, coordinate cases, discuss active NIBIN leads, and develop the CGIC offender list of targeted trigger pullers.
- ❑ **Assignment of Prosecutors to CGIC:** Local and federal prosecutors are assigned to work with the CGIC Investigative/Analysis Unit and investigators on NIBIN-related cases to ensure consistency in prosecution. Where possible, all NIBIN-related cases are prosecuted in the same unit or division as the local or federal prosecutors' offices to ensure consistency in prosecution.
- ❑ **Offender Arrest:**
  - ❑ **Arrest by Originally Assigned Offer (not in the CGIC):** In cases where a CGIC Investigation/Analysis Unit investigator coordinates a parallel investigation, the originally assigned case investigators (prior to the CGIC's Investigation) is offered first opportunity to arrest the suspect or write the arrest warrant. This supports the working relationship between current case investigators and CGIC investigators and ensures case investigators are afforded the opportunity to see the case through to closure
  - ❑ **Arrest by CGIC Personnel:** The suspect is arrested by a member of the CGIC.
  - ❑ **Arrest by Other Personnel:** The suspect can be arrested by other police personnel that are neither the originally assigned officer or from the CGIC. For example, the Police Department's Fugitive Unit or U.S. Marshals Task Force) executes NIBIN-related case arrest warrants in a timely fashion to prevent future shootings.



# Crime Gun Intelligence Center Implementation Checklist

## State and Federal Prosecution

The NIBIN program focuses on armed violent offenders from identification through prosecution with the goal of removing trigger pullers from the street as quickly and effectively as possible. The decision on whether to prosecute a case in state or federal court is informed by the NIBIN leads and other information gathered by the CGIC. Traditional standards for deciding the jurisdiction of prosecution, such as prior criminal history and gang affiliations, are augmented by the number and frequency of shootings associated with the offender through NIBIN.

**Personnel:** Assistant US Attorneys and local prosecutors

- ❑ **Training:** Local and federal prosecutors should receive training in NIBIN and the CGIC processes to learn about the technology and its ability to assist with identifying the most dangerous trigger pullers. Trainings may also be conducted for judges and defense attorneys.
- ❑ **Prosecution Liaison:** Designate a local and federal prosecutor as a liaison to the CGIC. The liaisons will provide advice about investigations, develop protocols for case assignment and coordinate prosecution strategies and targets.
- ❑ **Coordination of Target Lists:** The CGIC and prosecutors should coordinate their high priority targets. Felony gun possession cases should be reviewed by the CGIC to coordinate intelligence and identify high priority trigger pullers.
- ❑ **Post Arrest Prosecution Considerations:**
  - ❑ **Arrest Alert:** Develop an arrest alert in the prosecutor's case management system so that anytime a CGIC target is arrested, the prosecutor liaison will be notified.
  - ❑ **Priority Stamp/Flag:** Create a stamp on the paperwork or a flag in the prosecutor's case management system to identify CGIC targets so that all members of the prosecutor's office are aware of the priority of the case. This will assist with tracking CGIC outcomes as the disposition data can be shared with the CGIC.
  - ❑ **Designated CGIC Prosecutors and Vertical Prosecution:** Where possible, designate experienced prosecutors to CGIC cases and have vertical prosecution for the high priority trigger pullers.
  - ❑ **Discovery Considerations:** Prosecutors have to coordinate with the CGIC to receive updates on NIBIN leads/hits on pending and closed cases. This information can both be helpful in pending cases and can be discoverable as potential exculpatory information. Prosecutors can face professional sanctions for failure to turn over exculpatory information.
  - ❑ **Prosecutor-Generated Intelligence:** Prosecutors should share intelligence that they have uncovered with the CGIC, that is obtained from other witnesses or prosecutor crime analysts.
  - ❑ **Witness Intimidation/Cooperation:** Witness cooperation is difficult in violent crime cases. Prosecutor and police victim advocates should coordinate on witness safety and cooperation issues.
- ❑ **Tracking Prosecution Outcomes:** The prosecutor should track NIBIN-related cases in their case management system from charging through disposition. The information should be shared with the CGIC. The CGIC and the prosecutors should create a definition for "NIBIN-related" case. For example, NIBIN may lead to the identification of a prolific trigger puller, but if there is insufficient evidence to prosecute for the shootings, the trigger puller may be prosecuted on another provable crime, such as tax evasion. The tax case may be classified as a "NIBIN-related" case.
- ❑ **Community Outreach:** Local and federal prosecutors should develop a community outreach program that includes an explanation of the role of the CGIC and the leveraging of local and federal partnerships. The program should highlight the objective nature of the CGIC process in identifying those who are the most prolific trigger pullers. These programs should also explain the importance of witness cooperation and resources available to keep witnesses safe.



# Crime Gun Intelligence Center Implementation Checklist

## Feedback to CGIC Process Participants

All personnel involved in the CGIC process - from the recovery of crime guns and evidence cartridge cases (e.g. patrol officer, investigators, evidence technician), to the evaluation of leads and confirmation of hits (e.g. ATF contractors, police department and ATF analysts) - should routinely be provided with feedback by the original case investigator(s) and CGIC Investigative/Analysis Unit investigators to reinforce the importance of the CGIC program and the critical role each plays in its success. Feedback can be both formal and informal. Feedback takes place throughout the process but is emphasized following arrest and prosecution.

**Personnel:** CGIC supervisors, prosecutors, investigators, and public information officers.

- ❑ **Feedback to Street Level Officers and Evidence Technicians:** A CGIC Investigative/Analysis Unit supervisor sends executive summaries to all CGIC partners, public information officers, affected district/precinct commanders, and current case investigators and their supervisors on cases resulting in a notable arrests and/or successful prosecution. The summary identifies all investigators associated with the case(s) and all patrol officers or evidence technicians who recovered cartridge cases or a firearm in the case, so all are made aware of the successful case closure and are recognized for their efforts on the case. This formal process reinforces the effectiveness of the CGIC process and enhances the sustainability of the CGIC.
- ❑ **Develop and Share CGIC Success Stories with Internal Partners:** The CGIC produces posters or other visual materials, such as flyers or videos, to highlight notable successful NIBIN-related case closures. This visual display of success will reinforce the effectiveness and the success of the CGIC process.
- ❑ **CGIC-Specific Community Outreach:** CGIC leadership, investigators, and local and federal prosecutors attend community meetings to discuss gun violence and the efforts being taken by the CGIC and its partners to identify, investigate, arrest and prosecute persons responsible for local gun crimes, so further violence can be prevented. Successful cases involving crimes that impact the community are highlighted.
- ❑ **Prosecutor Feedback:** Local and federal prosecutors provide follow up to all investigators, patrol officers, evidence technicians, and laboratory personnel following the successful prosecution of cases so all are made aware of the case disposition.
- ❑ **Conduct Analysis of Cases Not Accepted for Prosecution:** Develop a feedback assessment process regarding NIBIN cases that were not accepted for prosecution. The process should clarify why these cases were not accepted and what course of action could be taken in future cases to enhance the likelihood of acceptance.



## CGIC Impact and Outcome Evaluation

The CGIC process requires extensive resources. To secure the resources they need, leaders will have to demonstrate the positive impact the CGIC process is having on their communities. If a CGIC process is being implemented within a larger crime-fighting initiative (such as focused deterrence), there are specific data that all agencies should be collecting to evaluate their success, although some measures may vary slightly across agencies.

CGIC impact and outcome evaluation can be accomplished by CGIC staff; however, developing an academic partnership through a local college or university is recommended. Evaluation of the CGIC is conducted by the CGIC research partner in conjunction with all CGIC staff and partners.

**Personnel:** CGIC analytical personnel and research partners

### **CGIC Impact and Outcome Evaluation Components:**

- Process Evaluation:** Assess all CGIC procedures by documenting the progression of the CGIC process, conducting observations, collecting data, and reporting.
- Impact Evaluation:** Identify both the short- and long-term impact of CGIC efforts. Use an existing RMS or a designated NIBIN case management system to track and measure important outcomes. Critical core data to be collected include calls for service, crime incidents, gun-related arrest information, NIBIN and eTrace data (entries, hits, and leads), prosecutorial information, and desired outcomes.
- Gun Crime and Focused Deterrence:** Contribute to gun violence prevention efforts, and specifically to focused deterrence efforts. Use NIBIN and the CGIC process outcomes to confirm that a small number of individuals commit the majority of violent gun crimes. The CGIC process can be used to enhance focused deterrence programs by providing intelligence information on past and current gun offenders and gang activities within the jurisdiction.



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