



# NATIONAL POLICE FOUNDATION

## NIBIN LEAD INVESTIGATIVE CHECKLIST

**Apply ATF's "GETS" (Geography, Events, Time, Solvability) strategy to determine investigative potential of the NIBIN lead. Include the purchase, loss, or theft of a linked recovered crime gun as an event in the application of GETS. GETS is used to quickly assess the likelihood that the events reflected on the NIBIN lead involve the same suspect(s); the potential to perfect a criminal case against the suspect(s); and to determine if additional research by criminal intelligence is warranted.**

- Geography – where did the events take place in relation to each other and/or in relation to what is known of the area (gang area, etc.)?
- Events – what are the linked events in light of public safety?
- Time – what are the number of days between events?
- Solvability factors – are there non-ballistic related links that are documented in the incident reports of the events reflected on the NIBIN lead? (suspect vehicle description, modus operandi, etc.)

**Obtain trace information for any recovered crime guns that are linked to shootings and determine their status as stolen or not. Trace results provide the identity of first retail purchaser of a crime gun and should be considered in GETS evaluation of a NIBIN lead.**

- Check ATF's eTrace for trace results or status of an already initiated trace request.
- If no record in eTrace, initiate a trace request using **accurate** identification information from the recovered crime gun.
- Consider ATF's NIBIN Urgent Trace program for NIBIN leads that have great public safety considerations
- Original purchasers reflected by trace results may be valuable witnesses to the violent crime that their firearms were used.

**Initial document review of readily available police incident and supplemental reports relating to the NIBIN linked events.**

- Obtain and review all relevant incident reports related to the events reflected on the NIBIN lead. This should include evidence logs, if immediately available.
- This review provides an initial understanding of the circumstances surrounding each linked event and prepares for assigned detective meetings.

**Meet with the assigned detectives for the events reflected on the NIBIN lead.**

- Meeting with the assigned detectives provides greater context of the linked events and helps determine the current state of the investigation(s) (referred, active, inactive, etc.)
- Additional documentation related to the linked events are obtained.



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### Meet with CGIC or intelligence analyst

- Meeting with the intelligence analyst begins to form the investigative team
- Exploit social media and any available cell phones for any people involved in the NIBIN Lead in any role including the crime gun purchaser, if applicable.
- Use the meeting to start to understand the capabilities of the intelligence analyst and develop a system of daily information sharing
- Collect intelligence information from crime/intelligence analysts
  - Social media history
  - Cell phone analysis
  - Link analysis of associated vehicles/phone numbers/associates/events etc.

**Organize by developing a working case management system. There will be a number of documents relating to the events that will quickly pile up. Developing a case management system early is important.**

- This is outside of an RMS or agency digital case management system.

### Secondary document review of supplemental and associated reports. Obtain and review documents such as:

- CAD/911 reports
- Evidence logs
- Criminal histories of associated people
- Crime scene reports

### Determine potential violations to be investigated.

- The investigator should have a sense from the NIBIN lead, document review, and assigned detective meetings, of potential criminal violations. This goes beyond the immediate, substantive violations such as murder or aggravated battery.
- Continued violent gun criminality by the same person(s) brings to light violations that do not exist in a single event/single suspect violation.
  - Conspiracy
  - RICO



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### **Review statutory elements of proof and pattern jury instructions related to potential violations.**

- Investigative activity should be focused on gaining admissible evidence that goes towards an element(s) of proof of the violation
- Jury instructions, such as those relating to witness credibility, will inform interview strategy and tactics.

### **Visit the scene of each linked event reflected on the NIBIN lead.**

- This is not a neighborhood canvass but rather, an onsite observation of the area where the event took place.
- If available, take accompanying scene sketches and photographs.
- Take your own photographs for documentation.

### **Physical Evidence Review.**

- Examine each item of physical evidence recovered relative to each event. Make note of evidence that has been destroyed or returned.
- Take your own photographs of each piece of physical evidence.
- Obtain, return, or destruct orders, if applicable to any item.

### **Make determination of the investigative hook.**

- The hook of an investigation is a compelling reason to expend resources.
- The hook will be the central event from which all investigation and targets stem.
- The hook provides focus to eliminate investigation expansion and inform prosecution strategy.

### **Pitch the investigation to Assistant District Attorney (ADA) / Assistant United States Attorney (AUSA)**

- Solicit assistance **not** an indictment or formal charging.
- Obtain use of an investigative grand jury.

### **Develop an investigative strategy with assistance from the assigned prosecutor.**

- Objectives for interviews, order of subject interviews, grand jury subpoenas for testimony and documents, proactive techniques, etc.



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### **Create a picture book containing photographs of all associated subjects including potential interview subjects.**

- The picture book contains photographs absent any identifying information for all individuals involved in the investigation.
- The picture book will be shown to interview subjects to identify who they know and how they know them before the interview begins.

### **Begin interviews. Proof of any violations will depend on physical evidence and witness testimony.**

- Include any linked, recovered crime gun purchaser regardless of how long ago the crime gun was purchased.
- Interview with elements of proof and jury instructions in mind.
- Use the grand jury for sworn testimony and to compel uncooperative or recalcitrant witnesses/victims.

### **Draft a prosecutorial playbook to use as a working document to track the admissible physical and testimony evidence you have obtained that go towards each potential violation you anticipate charging.**

- The prosecutorial playbook will reflect, roughly, the way in which the entirety of the case would be presented at a trial.

### **Peer review the prosecutorial playbook with an uninvolved investigator.**

- Fresh eyes on the entirety of the evidence and testimony in light of the elements of proof will help reveal any shortcomings or oversight.

### **Draft charges and indict.**

- Investigative activity should always have in mind what evidence is usable to support eventual charges. Collecting information to submit to a prosecutor to parse through for evidence will not suffice.
- Charge with an eye towards inclusion of all, or as much as possible of a suspect(s)' pattern of violent criminal activity.

### **ADDITIONAL NOTES:**



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