Appendix A
ASSOCIATE
Any person or persons who can be linked to the possessor of the crime gun at the time of its recovery by law enforcement.

ATF FORM 3310.4, MULTIPLE SALES REPORT
A form completed by all Federal Firearms Licensees (FFLs) whenever they transfer two or more handguns within 5 consecutive business days to the same individual. The completed form contains full identifying information concerning the purchaser, the firearms, the date of transfer, and the FFL. FFLs are required by Federal law to forward this form to the National Tracing Center either by fax or mail by the close of business on the day on which the sale occurs. 18 U.S.C., Chapter 44, Sec 923 (g)(3).

ATF NATIONAL TRACING CENTER DIVISION (NTC)
The Division includes the National Tracing Branch (NTB) and the Crime Gun Analysis Branch (CGAB). The NTB works with law enforcement entities and the firearms industry to trace the origin and initial sale history of a firearm recovered by law enforcement officials in the United States or abroad. In some instances, the NTB traces crime guns that are sold as used guns by FFLs. The NTB is also the repository for all FFL out-of-business records and multiple sales records. The CGAB provides investigative leads to ATF field personnel, houses the FFL lost and stolen firearms reports, supports the worldwide law enforcement community by identifying firearms traffickers who supply firearms to criminals and juveniles, and prepares maps, trends, and pattern analyses, including the annual Crime Gun Trace Reports.

CALIBER
The diameter of a projectile intended to be expelled from a firearm or the dimension of the bore of a given firearm.

COLLECTOR
Any person who acquires, holds, or disposes of firearms as curios or relics.

COMPREHENSIVE TRACING
The tracing by law enforcement of all recovered crime guns in a geographic area (e.g., town, county, metropolitan area, or State). Trace information is used to maximize investigative leads for use in identifying illegal firearms traffickers and violent criminals, and to analyze crime gun trends and patterns.

CRIME GUN
A crime gun is any firearm that is illegally possessed, used in a crime, or suspected to have been used in a crime. An abandoned firearm may also be categorized as a crime gun if it is suspected it was used in a crime or illegally possessed.

DEALER
Any person engaged in the business of selling firearms at wholesale or retail, or any person engaged in the business of repairing firearms or of making or fitting special barrels, stocks, or trigger mechanisms to firearms, or any licensee who is a pawnbroker.

ELECTRONIC TRACE SUBMISSION SYSTEM (ETSS)
ETSS can be a stand-alone or part of a networked, multi-user system that enables ATF Field Offices and other law enforcement organizations to capture firearm trace related data. This data is exported from ETSS and the batch file is then electronically sent for processing to the National Tracing Center (NTC).

ENGAGED IN THE BUSINESS
A person is engaged in the business as a dealer in firearms if he or she devotes time, attention, and labor to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of firearms. The term does not include a person who makes occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or who sells all or part of his or her personal collection of firearms.
FEDERAL FIREARMS LICENSEE (FFL)
Any persons, including a partnership, corporation, or business entity, holding a valid license issued by ATF that allows them or their employees to engage in the business of dealing, manufacturing, importing, repairing or pawnbrokering firearms. By law, all FFLs must keep records of their firearms transactions and forward all their records to ATF upon going out of business.

FIREARM SERIAL NUMBER
The Gun Control Act of 1968 requires that an individual serial number be affixed to firearms manufactured or imported into the United States. This unique serial number is one of several key elements used in accurately identifying a firearm and tracing it to the FFL who first sold it to an unlicensed purchaser.

FIREARM TRACE
The systematic process of tracking a recovered crime gun’s history from its source (manufacturer/importer) through the chain of distribution (wholesaler/retailer) to the individual who first purchases the firearm.

FIREARM TRACE REQUEST
Information submitted to the NTB by the law enforcement community to solve individual crimes and acquire illegal trafficking information. Requests may be submitted by telephone (high priority/urgent), facsimile, mail, or as an electronic file through several different formats. ATF trace request forms require specific information to include, but not limited to, a description of the firearm, the individuals possessing or associated with the firearm, the recovery location, and the underlying offense that brought the crime gun to the attention of law enforcement.

FIREARM TYPE
The NTC categorizes firearms into a number of types that include, but are not limited to, pistols, revolvers, derringers, shotguns, rifles, combination firearms, machine guns, destructive devices, and unknown gun type. Firearms are generally described by identifying the firearm type, manufacturer, and caliber. This information, together with additional data such as the serial number and model, are used to accurately trace a firearm.

SEMIAUTOMATIC PISTOL
Any repeating pistol which utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round, and which requires a separate pull of the trigger to fire each cartridge.

PISTOL
A weapon originally designed, made, and intended to fire a projectile (bullet) from one or more barrels when held in one hand, and having (a) a chamber(s) as an integral part(s) of, or permanently aligned with, the bore(s); and (b) a short stock designed to be gripped by one hand and at an angle to and extending below the line of the bore(s).

REVOLVER
A projectile weapon of the pistol type, having a breechloading chambered cylinder so arranged that the cocking of the hammer or movement of the trigger rotates it and brings the next cartridge in line with the barrel for firing.

DERRINGER
The term “derringer” has no legal definition, but for the purposes of this report it is interpreted as any one of a variety of small pocket or palm size pistols having one or more barrels.

RIFLE
A weapon designed or redesigned, made or remade, and intended to be fired from the shoulder, and designed or redesigned and made or remade to use the energy of the explosive in a fixed metallic cartridge to fire only a single projectile through a rifled bore for each single pull of the trigger.

SHOTGUN
A weapon designed or redesigned, made or remade, and intended to be fired from the shoulder, and designed or redesigned and made or remade to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of ball shot or a single projectile for each single pull of the trigger.
COMBINATION GUN
A multi-barreled firearm designed or redesigned, made or remade, and intended to be fired from the shoulder having two or more different caliber barrels. Such firearms generally exhibit some combination of rifled barrels and smoothbore shotgun barrels.

MACHINEGUN
This term includes, in part, any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term shall also include the frame or receiver of any such weapon.

DESTRUCTIVE DEVICE
This term includes, in part, any type of weapon by whatever name known which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter.

IMPORTER
Any person engaged in the business of importing or bringing firearms or ammunition into the United States for purposes of sale or distribution. The term shall include any person who engages in such business on a part-time basis.

INVESTIGATIVE TRACE
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. Further information regarding the crime gun’s trail is obtained by ATF field personnel and/or other members of the law enforcement community.

MANUFACTURER
Any person engaged in the business of manufacturing firearms or ammunition for purposes of sale or distribution. The term shall include any person who engages in such business on a part-time basis.

MARKET AREA
An area where firearms acquired in one or more source areas are possessed by individuals from whom they are later recovered.

OBLITERATED SERIAL NUMBER
Some individuals obliterate or attempt to obliterate the firearm serial number to make it more difficult to trace. ATF and local law enforcement agencies can restore the serial numbers of many of these crime guns. Obliteration of a serial number is a felony under Federal law, as is the possession of a firearm with an obliterated serial number.

PAWNBROKER
Any person whose business or occupation includes the taking or receiving, by way of pledge or pawn, of any firearm as security for the payment or repayment of money.

POSSESSOR
The individual in possession of a crime gun at the time of its recovery by law enforcement.

ONLINE LEAD
ATF’s information system designed to produce investigative leads concerning illegal firearms trafficking. The system compiles trace information in order to identify recurring trends and patterns that may indicate illegal trafficking. Online LEAD is an investigative tool provided to ATF field offices for use by local and State task forces.

PURCHASER
The individual who purchases a firearm from an FFL. A firearm trace seeks to identify the FFL who first sold the crime gun and the first individual who purchased the firearm. This information can assist law enforcement officials in investigations and in understanding the sources of illegal trafficking in firearms.

SOURCE AREA
A geographic area where illegal firearms traffickers obtain firearms that they acquire and transport to other locations for unlawful resale and/or transfer.

SOURCE STATE
The State in which the FFL that first sold the crime gun at retail is located. The source State can only be determined if a trace identifies the FFL who sold the firearm.

STRAW PURCHASE
The acquisition of a firearm(s) from a Federally licensed firearms dealer by an individual (the straw purchaser) for the purpose of concealing the identity of the true intended receiver of the firearm(s).
STRAW PURCHASER
A person illegally purchasing a firearm from a Federally licensed firearms dealer for another person, including for unlicensed sellers, criminal users, juveniles, and other prohibited possessors. Straw purchasers may be friends, associates, relatives, or members of the same gang.

TIME-TO-CRIME
The period of time between a firearm's acquisition by an unlicensed person from a retail licensee and law enforcement's recovery of that firearm during use, or suspected use, in a crime. A short time-to-crime suggests the firearm will be easier to trace. This measure can be an important indicator of illegal firearms trafficking. In those instances where the date of recovery is not provided, the date of the trace request is utilized to calculate time-to-crime.
Appendix B
1. Interpreting Information in National Tracing Center Records from Participating Jurisdictions

This note discusses limitations in using this information to compare one participating jurisdiction with another and to track the same jurisdiction from 1 year to the next.

The Youth Crime Gun Interdiction Initiative (YCGII) began in 1996. It is an emerging collaboration among Federal, State, and local law enforcement officials, ATF field offices, the ATF National Tracing Center, and ATF contractors from the academic community to improve enforcement of the Federal firearms laws, especially those relating to illegal firearms transfers to youth offenders, felons, juveniles, and other prohibited persons.

This is the fourth report published by ATF that uses information from trace requests submitted from YCGII jurisdictions to describe crime guns recovered by law enforcement agencies in those jurisdictions. This information improves the knowledge base for the enforcement of Federal and State firearm laws and regulations. It is, however, subject to several limitations. These arise out of three basic factors:

First, the program is undergoing constant change. Over the first 4 years of the YCGII program’s operation, for United States cities with populations over 250,000 inhabitants, the percent of the population covered by participating YCGII jurisdictions increased from 28.5 percent to 80.4 percent (see Table B1). Over this period, the number of cities in the over 250,000-population group also increased from 11 to 44 cities (or from 16.7 to 66.7 percent of this group). These improvements in program coverage are important because achieving comprehensive tracing in cities with populations of over 250,000 inhabitants has been a primary objective of the YCGII program. However, because of YCGII’s rapid increases in program coverage, year-to-year comparisons for aggregate population group of cities over 250,000 are inappropriate.

Second, the extent of program implementation varies from one jurisdiction to another based on each one’s size, extent of agency computerization, information intake procedures, firearms-focused law enforcement activity, and the nature of its crime gun problem. At this stage of development, it is not appropriate to attempt to impose a single standard on all participating jurisdictions.

Third, the program is still developing. ATF and local law enforcement agencies are still learning from each other how to best implement this program and to utilize the information obtained. This report and others to be produced by the Crime Gun Analysis Branch (CGAB) of the National Tracing Center are part of that developing process.

These factors result in data limitations, among them changing law enforcement procedures to obtain all crime guns from all agencies does not happen immediately or consistently throughout a particular agency. In such jurisdictions, the lag in reporting recovered firearms to ATF will generate data on fewer firearms than law enforcement agencies actually recovered.

The data reported here also reflects the behavior of law enforcement agencies whose policies and practices, including when and how firearms are recovered and how those recoveries are recorded, are changing in response to local attention to firearms crimes. These changes could increase or decrease the number of firearms trace requests made to the National Tracing Center.

Crime rates are changing. Changes in the number of trace requests could reflect changes in the number of crime guns that come to the attention of law enforcement agencies.

While the 50 participating jurisdictions represent a wide spectrum of American life, they do not represent a national sample of law enforcement agencies or crime guns recovered by law enforcement agencies. Participation in this program is voluntary, and jurisdictions included were not selected to be representative of the nation as a whole, rather they were included primarily because of a focus on youth gun crime. In 2000, however, 44 of the 50 jurisdictions had a population over 250,000. The population of these 44 jurisdictions represents more than four-fifths of the population of all U.S. cities combined with
populations of 250,000 or more. This made it appropriate to generate summary data for these large cities as a group.

For these and other reasons, the available data from the participating jurisdictions does not yet constitute a fully developed statistical series from which reliable comparisons can be made from one reporting period to the next or from one participating jurisdiction to another. The data is used in this report as descriptive of the trace requests of particular jurisdictions during the past year. The nature of these limitations is similar to those initially encountered by the Federal Bureau of Investigation's Uniform Crime Reports program (UCR). Begun in the 1930's as a voluntary program by a few large jurisdictions, the UCR program has been developed over the past 70 years to include consistent definitions and standards, detailed reporting procedures, and nearly uniform participation by law enforcement agencies. The purpose of YCGII is to assist law enforcement by providing a detailed description of crime guns recovered in a given jurisdiction during the past year, and that is the most appropriate use of the data in this report.

<table>
<thead>
<tr>
<th>Table B1: Percent of Cities and Percent of Population of Cities over 250,000 Inhabitants Participating in the YCGII Program by Year</th>
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<tr>
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<tr>
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<td>1997</td>
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<td>Percent of Cities over 250,000 in YCGII Program</td>
<td>16.7</td>
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<tr>
<td>Percent of Population in Cities in YCGII Program</td>
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</tr>
</tbody>
</table>
2. National Analysis Based on 80.4 Percent of the Population of Cities with 250,000 or More Inhabitants
This percentage is sufficient for this report to constitute a national report on crime guns in cities of this size. ATF is providing the analysis on a population basis in order to permit use of crime gun trace information in conjunction with the FBI’s Uniform Crime Reports, which publish the crime statistics submitted by law enforcement agencies by size of the jurisdiction’s population.

3. Classification of Traces Based on Time and Geography
In order to include all crime guns traced from each city during the calendar year period of this report, the Crime Gun Analysis Branch employed the following criteria. If the recovery date on the trace fell within 2000, the trace was included. If no recovery date was given, but the trace was received by the National Tracing Center during 2000, the trace was also included. A careful analysis of recovery State, recovery city, tracing agency ORI Code, tracing agency name, local ATF office codes, and tracing agency city was conducted to determine which traces were from recoveries in each of the 50 cities. The ORI code is used to identify law enforcement agencies in the Firearms Tracing System database. If the recovery city and State fields included either a known city name or the name of a known sub-unit of a YCGII city (for example Bronx, NY), the trace was included in the analysis. If no recovery city was given, but the tracing agency was identified as the YCGII city’s main police department or an agency whose jurisdiction was only within the city, the trace was also included.

4. Calculation of Percentages
The tables and figures in this report were prepared using the Statistical Package for the Social Sciences (SPSS) or Microsoft Excel software. We have chosen to report all percentages as these programs calculated them. It is occasionally possible, using a calculator or different software, to produce percentages that differ by as much as 0.1 percent from the reported percentages.

5. Possessor’s Age

Table B2: Age of Possessor from Figure 1

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<td>45</td>
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6. Distance to Recovery Location
Distance to crime gun recovery location is defined as
distance in miles between the business location of the
Federally licensed firearms dealer that sold a crime
gun recovered by a law enforcement agency and the
recovery location of the firearm. Distance-to-Recovery
is calculated as the distance between the centroids
of the zip code of the Federally licensed firearms
dealer that sold the crime gun and the zip code of the
location where the gun was recovered by a law
enforcement agency. Distance-to-recovery is calculated
for crime guns, 1) that were traced to a first time
retail purchaser, 2) where a zip code is available for
the business location of the FFL that sold the gun or
where a zip code could be derived from the business
address of the FFL, and 3) where there is a zip code
for the location where the crime gun was recovered or
where the a zip code could be derived from the street
address of the recovery location.

7. Time-to-Crime Estimation
In previous reports to estimate the percentage of
crime guns rapidly diverted from retail sale at Feder-
ally licensed firearms dealers, ATF produced high and
low estimates of the proportion of guns rapidly
diverted to crime gun status. These estimates were
derived because resource limitations did not allow the
National Tracing Center to trace many older crime
guns. Since 1999, however, additional resources
have enabled the National Tracing Center to initiate
traces on all recovered crime guns without respect to
the age of the gun. The only exception to this stan-
dard is for crime guns that were manufactured prior
to 1969 or crime guns that were sold by a manufac-
turer, wholesaler, or retail gun dealer more than 20
years prior to the gun’s recovery by a law enforce-
ment agency. (FFLs are not required to maintain
firearm sale and purchase records beyond 20 years.)
However, firearms in these latter two categories are
still traced by ATF if records of their sale and pur-
chase can be located in ATF’s FFL out-of-business
records files.

These changes in ATF’s tracing procedures have
greatly reduced or eliminated the utility of ATF’s high
and low estimates of time-to-crime, because the
percentage of firearms traces not initiated due to the
age of the firearm has dropped to approximately ten
percent of all trace requests from approximately 30
percent of all trace requests in 1997 and 22 percent in
1998. In addition, there are other categories of crime
guns trace requests for which traces are not initiated
(e.g., crime guns with obliterated serial numbers)
which if they could be traced would yield lower not
higher estimates of time-to-crime.
Appendix C
**DEPARTMENT OF THE TREASURY**  
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS  
NATIONAL TRACING CENTER TRACE REQUEST

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**PART I - TRACE INITIATION INFORMATION**

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**PART II - CRIME CODE INFORMATION**

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**PART IV - OTHER AGENCY REQUESTING TRACE**

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**PART V - FIREARMS INFORMATION**

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**PART VI - POSSESSOR INFORMATION**

<table>
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**PART VII - ASSOCIATE INFORMATION**

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**PART VIII - FIREARM RECOVERY INFORMATION**

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**Additional Information**

ATF F 3312.1 (3-2000) PREVIOUS EDITION IS OBSOLETE.
INSTRUCTIONS FOR COMPLETING ATF F 3312.1 - REQUEST FOR A FIREARMS TRACE

GENERAL INSTRUCTIONS - *Required Data Entry Fields And **Available Options/Codes Listed For Reference

The information requested on this form is needed to initiate a trace request. All fields marked with an asterisk (*) indicate required data entry fields. All areas so marked must be completed in order to effectively and expeditiously execute the trace request. Fields marked with a double asterisk (**) indicate areas of required data entry with available options and codes listed for reference (refer to lists below to determine the appropriate entry and correct nomenclature).

REQUIRED ENTRY FIELDS INCLUDE:

- Question 1b** - (Justify Urgent Trace) See Priorities listed below
- Question 2b & 2c** - Include Project Code and list NCIC Code
- Question 3a** - Office Organizational Code (for use by ATF Request Only)
- Question 4a* - ORI - NCIC Originating Requester Identifier
- Question 5a*, 5b*, 5c*, 5d*, 5e*, 5f*, 5g*, 5h* & 5i* - Verify data
- Question 8a*, 8b* & 8h* - Confirm Recovery data to be submitted

QUESTION 1B - TRACE PRIORITY (Entered Numbered Qualifier to Justify Urgent Trace Request)

NOTE: An urgent trace is deemed necessary when the violation are significant and circumstances warrant or require that the firearm be traced without undue delay. Examples of this are: to hold a suspect, provide probable cause, officer and public safety, etc. The following are examples of significant violations.

1 - Assault
2 - Bank Robbery
3 - Kidnapping
4 - Murder/Suicide
5 - Rape/Sex
6 - Terrorist Act
7 - Terrorist Threat
8 - Other (specify circumstance)

QUESTION 2B - PROJECT CODES (Enter all codes that apply)

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<th>AIS</th>
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<td>Adult In School</td>
<td>Gang Related</td>
<td>Juvenile &amp; School (Ages 17 &amp; under)</td>
<td>Juvenile &amp; Violence (Ages 17 &amp; under)</td>
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QUESTION 2C - NCIC CRIME CODES (For complete listing refer to NCIC Manual)

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<td>Homicide (Street)</td>
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<td>Aggravated Assault (Family)</td>
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<td>7399</td>
<td>Public Offense Crimes</td>
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<td>8100</td>
<td>Escape (Juvenile)</td>
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QUESTION 5C - TYPE OF FIREARM

- C = Combination - A weapon designed to be fired from the shoulder which is fitted with both a rifled barrel 16" or greater in length and a smooth-bore barrel 16" or greater in length with an overall length of 26" or more.

- M = Machine Gun - A weapon of handgun, rifle or shotgun configuration designed to automatically fire more than one shot, without manually reloading, by a single function of the trigger.

- P = Pistol - A weapon which includes single shot and both single or double-action semiautomatic handguns fired with a barrel(s) with an integral chamber design or having a chamber(s) permanently aligned with the barrel.

- PR = Pistol/Revolver - A weapon which includes both single and double-action handguns having a breechloading chambered cylinder designed with a repetitive function based on rotation.

- PD = Pistol/Doublebarrel - A weapon which includes single barrel, superposed (over/under) and multi-barrel configuration handguns based on a hinged or pivoting barrel small frame pistol design.

- R = Rifle - A weapon designed to be fired from the shoulder which discharges a single projectile through one or more rifled barrels 16" or greater in length with an overall length of 26" or more.

- S = Shotgun - A weapon designed to be fired from the shoulder which discharges a single or multiple projectiles through one or more smooth-bore barrels 16" or greater in length with an overall length of 26" or more.

PAPERWORK REDUCTION ACT

This request is in accordance with the Paperwork Reduction Act of 1995. The information collection is used by Federal, State and local law enforcement officials to request that the Bureau of Alcohol, Tobacco and Firearms trace firearms used or suspected to have been used in crimes.

The estimated average burden associated with this collection of information is 6 minutes per respondent or recordkeeper, depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be addressed to Reports Management Officer, Document Services Branch, Bureau of Alcohol, Tobacco and Firearms, Washington, DC 20256.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.
Acknowledgements

The development of a new uniform reporting system to present crime gun trace information from cities across the United States is a great challenge and an exceptional amount of hard work. It can only be accomplished through the commitment and dedication of the people who collect, research, analyze, and publish the data contained in this report. ATF would like to acknowledge the assistance of those who have made pivotal contributions in furthering the expertise and effectiveness of law enforcement and expanding the scope of public knowledge in the unique area of firearms enforcement.

The cornerstone of this effort is the wealth of information on firearms and the crimes in which they are misused. This comes solely from the ATF special agents and their police department counterparts who together have ensured that crime gun traces were submitted timely and accurately. Many worked to improve the comprehensiveness of the information systems and developed new investigative uses for trace information.

Many officials and associates of other agencies and organizations have continued to offer encouragement, practical advice, and outstanding support for this effort in the first 4 years, including the International Association of Chiefs of Police and the Department of Justice, in particular the Bureau of Justice Statistics and the National Institute of Justice.

A number of individuals at ATF provided key support and guidance, especially those employees from the offices of Terrence Austin, Chief, National Tracing Center Division and Michael Bouchard, Director Youth Crime Gun Interdiction Initiative. A special thanks to Robin Shoemaker, Program Manager, Firearms Programs Division.

The heart of this project is a unique partnership between ATF and members of academic institutions. Together, this team is responsible for the insight that this information provides. In addition to those already mentioned, our joint team has included Gary Orchowski, ATF, Chief, Crime Gun Analysis Branch, and from that staff: Dr. John Freeman, Jeff Heckel, Michelle Bennett Darden, Neil Troppman, Robert Burrows, Hilda Guy, Robbi Santore, and Christine Kimes Raposa.

Our academic partners who have contributed immeasurably to this report are: Dr. Glenn Pierce, College of Criminal Justice, Northeastern University; Dr. Anthony Braga, John F. Kennedy School of Government, Harvard University; Dr. Joel Garner, Joint Centers for Justice Studies, Shepherdstown, West Virginia; and Dr. Garen Wintemute, University of California, Davis.

Finally, thanks to Teresa Gayhart, Scott Robertson, LaTyce Watkins, Heather DeHaven, Daniel Pinckney and Carol Beebe of Milvets Systems Technology, Inc. for providing the necessary support and assistance to the Crime Gun Analysis Branch.
Exhibit 38
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ILLINOIS ASSOCIATION OF FIREARMS RETAILERS, KENNETH PACHOLSKI, KATHRYN TYLER, and MICHAEL HALL,

Plaintiffs,

v.

THE CITY OF CHICAGO and RICHARD M. DALEY, Mayor of the City of Chicago,

Defendants

Case No: 10-CV-4184
Judge Edmond E. Chang

DECLARATION OF JOSEPH J. VINCÉ, JR.

I, JOSEPH J. VINCÉ, JR., declare, pursuant to 28 U.S.C. § 1746, the following to be true and correct under penalty of perjury:

1. I am currently the President of Crime Guns Solutions, LLC ("CGS"). CGS is a consultancy that obtains, analyzes and interprets crime-gun data. I founded CGS in 1999. For almost thirty years prior to that, I served as a special agent with the ATF. During my tenure, I held a number of frontline, managerial and policymaking positions, including Chief of the Firearms Enforcement Division and Chief of the Crime Gun Analysis Branch. In this capacity, I worked with members of law enforcement and the firearms industry to research and publish safety and security practices for citizens and industry members.

2. During my career with ATF and now as a consultant, I have been intimately involved in all aspects of the firearms business—manufacturing, wholesaling and retailing. I have visited numerous manufacturing facilities, audited federally licensed dealers, scrutinized
safety and security procedures required of the firearms industry, examined federal, state and local firearms laws, and trained law enforcement and firearms industry personnel.

3. Among other topics, I am an expert in firearms safety and security, including the use and impact of various safety and security measures, *inter alia*, by law enforcement and the firearms industry. I am also an expert in ATF’s processes for inspecting firearms dealers, including the resources necessary and available to perform safety, security and compliance inspections.

4. I have been retained by the Defendants in the above-captioned matter as an expert witness.

5. On August 15, 2011, I disclosed an expert report attached as Exhibit A.

6. In addition to the trigger lock testing disclosed in the attached report, I directed additional testing. I selected the trigger locks used in this additional testing to match the make and model of the trigger locks used by Plaintiffs Michael Hall and Kenneth Pacholski. I initially disclosed the results of this additional trigger lock testing in a September 15, 2011 email. I corrected typographical errors in my report of the results in a subsequent, September 19, 2011 email. I have attached this correspondence (and transmittal emails from counsel for Defendants to counsel for Plaintiffs) as Exhibit B.

7. I stand by the opinions in the attached report and the attached September 19, 2011 email for all the reasons set forth therein. I attest that the attached report and correspondence is a true and correct representation of my expert opinions in this matter and incorporate Exhibits A and B into this declaration as if they were set out here in full.
8. In my experience of both conducting and supervising inspections of federally licensed gun dealers, ATF agents customarily provide at least 24 hours notice before conducting routine compliance inspections.

Dated: February 25, 2012

Further the Declarant Sayeth Not,

By

Joseph J. Vince, Jr.
EXHIBIT A
EXPERT REPORT OF JOSEPH J. VINE, JR.

I have been asked to testify in the matter of Illinois Association of Firearms Retailers, et al, v. City of Chicago, et al, No. 10-cv-04184 (N.D. Ill). My proposed testimony is based on observations, research, and opinions drawn from (i) my training, study, and experience in law enforcement generally and firearms law enforcement in particular; (ii) a review of published studies and other materials relating to firearms security and safe use, and the diversion of guns to criminals; (iii) my training, study, and experience in working with the firearms industry on issues of firearms security and safe use; and (iv) testimony, photographs, and documents relating to firearms-related crimes, self-protection with firearms, and accidental and improper uses of firearms. This report constitutes the essential elements of my opinions in this matter, but I reserve the right to provide additional details or to amend my opinions as additional information becomes available.

I will testify that:

A. Firearms-related violence is a systemic and epidemic problem in the City of Chicago.
B. Chicago Ordinance 8-20-040 does not prohibit individuals from effectively utilizing a firearm for self-defense and provides other gun safety and security benefits. The use of firearm trigger locks, cables and other locking devices are an effective means of providing safety and security of firearms in the home as well as a deterrent to the unlawful use of firearms as a result of theft.
C. The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) lacks the resources and statutory authority to provide sufficient oversight and regulation of gun stores.

Education and Experience

For almost thirty years, I served as a special agent with the ATF. I began my law enforcement career as a deputy sheriff with the Trumbull County Sheriff’s Office, Warren, Ohio, from 1969 to 1971. My tenure at ATF began in May 1971 as a special agent in the Detroit, Michigan, Division Office. I later worked as a special agent in Flint, Michigan, and as the Resident Agent in Charge in Omaha, Nebraska. During this period, I received awards for investigative work, including finalist for Special Agent of the Year, and received ATF’s Gold Star Award for wounds received in the line of duty.

In 1983, I came to ATF Headquarters in Washington, D.C., first as Operations Officer in the Firearms Division, then as Special Agent In Charge of the Firearms Tracing Branch, and finally as Special Agent In Charge of the Intelligence Branch. By July 1995, I became Chief of the Firearms Enforcement Division at ATF headquarters. In this position, I was an originator and overseer of the Bureau’s Youth Crime Gun Interdiction Initiative (YCGII), a Presidential gun crime-reduction program. From July 1997 through January 1999, I was Chief of the Crime Gun Analysis Branch at ATF’s
offices in Falling Waters, West Virginia, where ATF maintains its crime-gun tracing information. During my tenure as chief, I worked to reduce gun crime violence and used crime-gun tracing to assist in those efforts. I worked closely with the firearms industry to prevent theft and the illegal diversion of firearms to criminals. During my tenure as Assistant Chief and Chief, Firearms Division and Chief, Crime Gun Analysis Branch, I worked with members of law enforcement and the firearms industry to research and publish safety and security practices for citizens and industry members.

During my career with ATF and now as a consultant, I have been intimately involved in all aspects of the firearms business - manufacturing, wholesaling and retailing. In my career I have visited numerous manufacturing facilities, audited federally licensed dealers, scrutinized safety and security procedures required of the firearms industry, examined State and local ordinances, and trained firearms industry personnel.

Presently, I am Director of Criminal Justice Programs at Mount St. Mary’s University in Emmitsburg, Maryland, and President of Crime Gun Solutions LLC, a company devoted to assisting law enforcement in the collection, access, management, analysis, training, and dissemination of crime-gun information. I have served as a facilitator-instructor for, and am a current member of, the International Association of Chiefs of Police (IACP). My instruction to law enforcement officers included gun store security and prevention of firearms acquisition by criminals. I serve on the IACP’s Firearms Committee, which examines firearms-related violent crime and makes recommendations to the IACP’s Executive Committee and members internationally.

I received an M.A. in Criminal Justice from the University of Detroit in 1979, and a B.A. with a major in Criminal Justice from Youngstown (Ohio) State University in 1970. I have received several notable awards, including the Vice Presidential Hammer Award for innovations in Federal Firearms Enforcement in 1996. I was a finalist in 1997 for the Innovations in Government award presented by the Ford Foundation and the John F. Kennedy School of Government at Harvard University for work on a project titled “Disarming the Criminal.” Upon retirement from ATF, I received the Albert Galatin Award, the Treasury Department’s highest award for distinguished government service. I have authored numerous publications, including ATF Crime Gun Analysis Branch reports on the illegal firearms market, and have given numerous lectures, speeches, and presentations training law enforcement groups in the United States and abroad. My curriculum vita is attached as Exhibit 1.

I am sufficiently familiar with the pending action to submit to a deposition concerning the specific testimony, including any opinion and its basis, that I intend to give at trial. My hourly fee for providing deposition testimony is $350.00. My hourly fee for consulting with defendants’ attorneys is $350.00 per hour.

I will note here that I am a strong proponent of citizens’ rights to own firearms for the purpose of self-defense, hunting, and sport shooting. From 2005 until 2008, I was a founding Board Member of the American Hunters’ and Shooters’ Association, Inc. This organization was founded to protect the rights and privileges of gun owners, the
environment, and the heritage of hunting and shooting. This organization strongly believes, as do I, that criminal acquisition and illegal use of firearms diminishes the reputation of true hunters and shooters as well as places our communities in danger.

Substance of Anticipated Testimony

A. Firearms-related violence is a systemic and epidemic problem in the City of Chicago.

Firearms violence is a widespread in the City of Chicago. Headlines from local newspapers detail this horrific problem on a daily basis:

At least 40 shot across city over weekend
June 21, 2010 1:52 PM

At least 40 people were shot over the weekend across Chicago, with eight of them slain, according to police logs.

The toll covers a period from 8:43 p.m. Friday—after violent storms hit the city—to 6:39 this morning.

On Sunday, Chicago Police Superintendent Jody Weis acknowledged a high number shootings over the weekend and attributed more than half of them to the work of gangs.

Teen wounded in West Side shooting
July 29, 2011|Staff report

A teen was found shot in the hand tonight on the West Side in the city's Douglas Park neighborhood, officials said.

The shooting happened about 10:40 p.m. on the 1200 block of South Albany Avenue, said Police News Affairs Officer Hector Alfaro.

4 critically injured in separate South Side shootings
Officials said that four people were critically wounded in three separate shootings.

In the first shooting, a man was shot and critically wounded in a shooting in the Park Manor neighborhood, authorities said.

Robert Freeman, 13-Year-Old Boy, DEAD: Shot 22 Times While Riding Bike
By Boyce Watkins, PhD on Jul 30th 2010 8:59AM

Filed under: News, Politics
Theresa Lumpkin was, until Thursday, the Mother of 13-year-old Robert Freeman Jr. of Chicago. Her tenure as his parent ended when the young boy was shot and killed on the South Side of Chicago in what many believe to be a case of mistaken identity.

Witnesses say, though, that the murder was deliberate, as the gunman shot the young boy multiple times.

Chicago's Schools, Police Work To Stem Violence

David Schaper and Cheryl Corley

March 21, 2011
In Chicago, nearly 700 children were hit by gunfire last year — an average of almost two a day — and 66 of them died.
Law enforcement statistics show the longstanding nature of the problem. The chart below of homicides committed with firearms in the past decade demonstrates the extent of firearm violence in the City of Chicago:

Exhibit 9b

Murder Offenses by Weapon Types, 2000-2009

B. Chicago Ordinance 8-20-040 does not prohibit individuals from effectively utilizing a firearm for self-defense and provides other gun safety and security benefits.

I have been asked to examine section 8-20-040 of the Chicago firearms ordinance as to its effect on personal self-defense in the home.

Chicago Ordinance 8-20-040, Firearms kept or maintained in home, states as follows:

Subject to section 8-20-050, every person who keeps a firearm in his home shall keep no more than one firearm in his home assembled and operable. If more than one person in the home has valid CFP and registration certificate, each person with a valid CFP and registration certificate is entitled to have one such firearm assembled and operable in

---

the home. All other firearms kept or possessed by that person in his home shall be broken down in a nonfunctioning state or shall have a trigger lock or other mechanism, other than the firearm safety mechanism, designed to render the firearm temporarily inoperable.

The provisions of this section shall not apply to peace officers.²

My partners and I in Crime Gun Solutions, LLC (CGS) have over 75 years combined of law enforcement experience in which firearms were a tool of the profession. We have been involved in years of personal training in the use of firearms as well as safety and security measures for their storage and tracking. As both Federal agents and as consultants to law enforcement, CGS partners have recommended security measures for retail dealers, the United States Army, and civilian residences. We have researched numerous best practices and interviewed burglars and thieves in order to make sound determinations of our recommendations.

I have been asked to specifically examine if the use of trigger locks, cable locks and the like (as enumerated in the Chicago Firearms Ordinance) further important safety benefits and whether they thwart self-defense protection by citizens in the home. I have specifically studied the issue of firearms kept and maintained in a home. The literature on this subject matter is extremely broad and extensive. In addition, we found literally a plethora of products that can be purchased by citizens to secure firearms that appear to conform to the provisions of the Chicago ordinance.

In examining the use of firearms in the home for defensive purposes, we first researched protocols and advice from the professionals that utilize a firearm on a daily basis as a tool of their profession: law enforcement officers and the military. As a society, we expect our law enforcement and military professionals to be extensively trained with the firearms they utilize. Both professions are trained in the operation of the weapons they use, safe handling practices and when it is appropriate to use the firearm. Just as important, they are trained in the use of a firearm under stressful life or death situations, and are mandated to receive constant remedial training. As our nation’s first responders to violent situations, both law enforcement (Federal, State and local) and military agencies dictate that their personnel use firearm locking mechanisms of various types to secure their weapons when not in use. On military bases, personnel other than those having law enforcement duties are not armed and their weapons are unloaded, disassembled, and securely stored.

I examined common practices by law enforcement and the courts in dealing with firearms. Firearms that are seized by law enforcement agencies are normally stored with some type of locking mechanism to prevent inadvertent or accidental use. When firearms are transported for laboratory examination some type of locking mechanism is attached. Firearms that are brought to court as evidence are required to be unloaded and have an attached trigger or other type of lock to prevent inadvertent use or

² City of Chicago, Firearms Ordinance, 8-20-040 (added Coun. J. 7-2-10, p. 96234, §4).
accidental discharge. Prior to entering jails, law enforcement officers are mandated to unload their weapons or place them in a gun lock box to prevent unauthorized access and accidental discharges. Firearm policies not properly followed by personnel normally result in penalties from time-off without pay to potential firing. Citizens are strictly prohibited from bringing firearms into courthouses and offices of the court are stationed at entrances to these facilities with metal detectors to insure this prohibition. Both law enforcement agencies and courthouses across the United States have taken a proactive approach toward preventing unauthorized possession, accidental discharge and other misuse of firearms in their facilities.

These practices, similar to those found within the Chicago Firearms Ordinance, are followed by the nation’s military and law enforcement agencies and, therefore, would be prudent practices for citizens.

Further, the firearms industry recognizes the safety benefits of proper firearms storage practices and recommends that owners follow them. During my tenure with ATF, my staff at the Firearms Division and I consulted with firearm industry members, law enforcement professionals, and firearm enthusiasts to develop a publication titled Safety & Security Information for Federal Firearm Licensees: Steps for Reducing Your Vulnerability to Theft/Loss and Personal Injury. This publication is available to the general public and can be downloaded from the ATF website free of charge. The safety and security measures outlined in this publication (those devised with input from firearm professionals and aficionados) parallel provisions within the Chicago Ordinance. For example, this publication advises to:

- **Keep display cases locked at all times.**
- **Disable display firearms.** Use trigger locks or plastic ties to ensure that the firearms cannot be loaded or fired while being examined. In some situations, the best practice may be the removal of the firing pin. Another best practice to consider is placing display firearms in a safe at night, a protocol followed by most jewelry stores.
- **Keep ammunition stored separately from the firearms and out of the reach of customers.** This practice can help eliminate shoplifting of ammunition and help ensure that firearms remain unloaded while on display.
- **Recommend safe storage methods.** Federal law requires that firearms safety or locking devices be available for purchase and provided to anyone purchasing a firearm. We recommend that you advertise these to your customers for storing their firearms. Advise customers to take their firearms directly home rather than leave the firearms in their vehicle while taking care of other errands. Remind your customers that firearms should always be unloaded when being stored.4

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4 Ibid.
Obviously, this publication was developed to encourage firearm dealers to institute measures in preventing incidences of theft and possible accidental injuries from happening in their establishments. Law enforcement professionals and gun enthusiasts suggested the procedures in the publication because they found that these precautions worked. The publication advises dealers to take the initiative to examine the stores' physical security and other security measures pertaining to preventing theft/loss or personal injury. In doing so, dealers found that this was not only a prudent practice, but could lower their insurance costs.

My research found that some manufacturers supply trigger lock devices with the purchase of their firearms, some communities provide trigger lock devices free of charge to citizens, and even the National Shooting Sports Foundation (NSSF), a lobbying arm of the firearms industry, has a safety program utilizing trigger locking devices; they report that they have provided over 35 million gun locks and safety kits. This program was even funded through grant money supplied by the Federal government. The following was found on the Internet describing the NSSF program\(^5\) and is copied in its entirety as Exhibit 3:

**Safety Curriculum - Project ChildSafe - Putting A Lock On Safety In Your Home –**

*A nationwide program of the National Shooting Sports Foundation and its community partners to help ensure safe and responsible firearm ownership and storage.*

This firearm industry program recommends the following actions by citizens for proper safe security use and storage of firearms:

- ➤ It is the responsibility of the firearms owner to know how to properly handle any firearm you own and to know how to secure your firearm(s) in a safe manner at home.
- ➤ If a citizen for any reason feels uncomfortable with or unable to accept these responsibilities, the NSSF urges them not to own a firearm.
- ➤ Caution, nearly all firearms accidents in the home can be prevented simply by making sure that guns are kept unloaded and locked up, with ammunition secured in a separate location.
- ➤ Store firearms in a safe manner that provides barriers against unauthorized use.
- ➤ Use of a firearm for home defense requires the owner to have appropriate training and clear understanding of safe handling and storage of firearms.
- ➤ If you must have quick access to a loaded firearm in your home, you need to take special safety measures. Keeping a gun to defend you family makes no sense if that same gun puts your family members or visitors to

your home at risk. Many home firearm accidents occur when unauthorized individuals, visitors, discover loaded firearms that were carelessly left out in the open.

➢ If you choose to keep a firearm for home security, your objective should be to create a situation in which the firearm is readily available to you, yet inaccessible or inoperative to others.

➢ You must exercise full control and supervision over a loaded gun at all times. This means the gun must be unloaded and placed in secure storage whenever you leave the gun in your home or elsewhere. Secure ammunition separately.

➢ Your most important responsibility is ensuring that unsupervised children cannot encounter loaded firearms.

In order to promote this safety program, the NSSF teamed up with law enforcement agencies nationwide including those within the State of Illinois to dispense and tout the safety of gun locks and how they will save lives. In the cited article below (see Exhibit 4 for the entirety), a NSSF spokesperson states that gun locks are “simple but effective devices” and that “a trigger lock is better than nothing at all, but a cable lock is better than a trigger-lock, and a good gun safe is better than just about anything.”

Area police to distribute 700 gun-locks through Project ChildSafe

By Gary Mays, The Journal-Standard

FREERTPORT —
"A trigger-lock is better than nothing at all, but a cable lock is better than a trigger-lock," Still said, a fistful of gun-safety information in one hand and a plastic-wrapped gun lock in the other. "And a good gun safe is better than just about anything."

Still and his organization, Project ChildSafe, are betting the 698,000 cable gun locks they are distributing in Illinois will go a long way toward saving children's lives by preventing accidental gun deaths. Nationwide distribution of the gun locks is funded by a $50 million U.S. Dept. of Justice grant, enough to purchase up to 20 million of the devices.

Grim statistics illustrate the importance of securing guns, officials say. According to U.S. Centers for Disease Control data provided by kidsandguns.org, an online gun-safety group, an average of four children died every day from non-homicide firearm incidents from 1996 to 2001. During that same period, 1,530 children were killed in firearm accidents.

Guns are present in 40 percent of U.S. households with children. And in households with children and firearms, 40 percent had at least one unlocked firearm and 13 percent kept their unlocked firearm loaded or stored with ammunition, according to a 2001 RAND Corp. study.

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"Even though it is unloaded, it is your responsibility to make it safe," Snyders said. "You have got to lock them up."

It should be noted that our research has shown that one of the plaintiffs in this matter is an affiliate of the NSSF.

The Illinois Association of Firearms Retailers is the newest of state-specific organizations created to represent the rights and interests of its federally licensed firearms retailers. Heading the Illinois group as its first president is John Mann, owner of Mann & Son Sporting Goods in Pinckneyville, Ill. ILAFR was formed with the assistance of the National Association of Firearms Retailers (NAFR), the retailer division of NSSF. "NSSF, NAFR and each of the state retailer organizations are working together to protect the rights of retailers and give them a new form of representation at the state level," said Tom Larson, NSSF director of retail partnerships.

The Chicago Firearms Ordinance closely follows the recommendations of the NSSF with regard to safe handling and storage of firearms.

On July 31, 2011 in order to research currently available trigger locks and other mechanisms, CGS Partner Gerald Nunziato and I traveled to Gander Mountain and Dick's Sporting Goods in Niles, Ohio. These are two major retailer establishments dedicated to sporting activities, which include sales of firearms and firearm accessories. Both stores are major Midwest retailers who operate in the State of Illinois. Masterlock Brand trigger locks were among the locks we examined.

We entered each store as two private citizen customers wishing to garner information for safely securing our firearms and yet having the ability to quickly use them for self-defense. Located in each store we found every type of product outlined in the NSSF ChildSafe Program, i.e., trigger locks, gun lock boxes, cable locks, and safes. Prices for these products ranged from slightly over $7 for trigger locks to over $400 for gun safes with extensive fire and heat resistance ratings. In both stores we approached clerks working in the firearms department for assistance who were very knowledgeable of the products and both stated they were avid hunters and owners of firearms. In each store, clerks demonstrated for us the use of trigger locks.

The clerk in Gander Mountain stated that he personally utilized trigger locks on his firearms and kept the key on his person at all times. He stated that he was comfortable with his ability to access a weapon, load it and use it for self-defense. When utilizing trigger locks both the manufacturers as well as this clerk recommend

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8 Note that Gander Mountain was one of the retailers that cooperated with ATF during my tenure as Firearms Division Chief in establishing exceptional safety and security measures with regard to firearms.
having the firearm unloaded before engaging the lock to prevent an accidental
discharge. Both clerks felt that trigger lock devices were a deterrent from unauthorized
access, especially that of minors, as well as from the average burglar. They stated that
the average burglar attempting to pry the trigger lock from the firearm would most likely
damage the firearm to the extent of making it inoperable and this was a plus for
negating criminals from using stolen firearms.

During our visit in both stores we examined the storage practices employed by
each establishment. In both Gander Mountain and Dick’s Sporting Goods, we found
that every firearm racked or in a display case had a trigger lock affixed. We inquired of
both clerks why the companies employed the use of the trigger locks on every firearm
displayed. The simple answer by each clerk was a resounding, “It works!” Each clerk
advised that since instituting the trigger locks, they were not aware of any unauthorized
accesses or thefts of weapons. Each clerk was a strong proponent of securing firearms
in some manner.

Gander Mountain personnel worked with ATF to devise best safety and security
practices for federally licensed firearms dealers. I can recall being told of an incident
involving a young man who was intent on committing suicide with a firearm. The young
man entered a Gander Mountain store, acquired ammunition, and smashed a handgun
display case; but because a trigger lock was affixed to the firearm he could not further
his death wish before being curtailed by clerks. This convinced Gander Mountain
executives that trigger locks were an effective means of securing weapons from
unintended uses and the procedure remains to this day. Simply stated, they found that
trigger locks work.

I also examined the practices of other firearm industry entities that display
firearms and want to prevent thefts, accidental discharges, and injuries or deaths:

“The Shooting, Hunting, Outdoor Trade Show (SHOT Show) and
Conference is the largest and most comprehensive trade show for all
professionals involved with the shooting sports, hunting and law enforcement
industries. It is the world’s premier exposition of combined firearms, ammunition, law
enforcement, cutlery, outdoor apparel, optics and related products and services. This is
also an event that has a significant participation and presence of the National Rifle
Association (NRA). The SHOT Show attracts buyers from all 50 states and more than
100 countries. The SHOT Show is owned and sponsored by the National Shooting
Sports Foundation." The rules employed by the SHOT Show concerning safe firearm
practices are as follows:

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9 The Shooting, Hunting, Outdoor Trade Show (SHOT Show) and Conference, http://shotshow.org/,
August 3, 2011.
Attendance Rules

Attendance at the SHOT Show is RESTRICTED to the shooting, hunting and outdoor trade and commercial buyers and sellers of military, law enforcement and tactical products and services ONLY. The show is not open to the public, and NO one under age 16 shall be admitted (including infants).

**NO** personal firearms or ammunition allowed. Only firearms on display by exhibitors whose firing pins have been removed (and have been inspected by SHOT Show Safety Advisors) will be permitted on the show floor.

Attendees and their belongings may be searched at any time during the show. Attendees consent to such searches and waive any related claims that may arise. If an attendee refuses such searches, attendee may be denied entry or be removed from show premises without refund or other compensation.\(^{10}\)

Gun shows are another venue where firearms and ammunition are displayed, and such shows are held throughout the United States on a weekly basis. We have found that due to the number of accidental discharges resulting in deaths and injuries at gun shows and flea markets, strict rules requiring firearms to be unloaded and locked in some fashion are the norm. Because individuals wishing to sell firearms bring them to gun shows, all firearms are routinely inspected at a front desk where the firearm is inspected and a flex lock affixed to insure that it cannot be loaded or fired. The partners of CGS are very aware of the dangers that unlocked firearms have at these events because we have been retained to examine practices after a fatal incident occurred. For example, in one such case, a wife was shopping for a firearm as an anniversary gift for her husband at a flea market which had a portion of the floor designated for firearms. As she approached this section, another customer picked a firearm from a table, turned, and pointed the weapon in her direction. The firearm, which was supposed to be unloaded, discharged, striking the women in the heart and instantly killing her. Again, one must ask why industry members and others in the firearms business utilize locking mechanisms to secure firearms, and the only answer is that they work to prevent thefts, accidents and other unauthorized uses.

The plaintiffs in this action may argue that the use of trigger locks imposes a hardship on citizens from using a firearm for self-defense. I do not concur with this argument. First, under the Chicago Firearms Ordinance, citizens are permitted to have a fully loaded and operable firearm for every person in a household meeting the

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\(^{10}\) Ibid.
requirements of the statute. Citizens may choose to carry a loaded weapon from room to room, or place it anywhere in the residence.\textsuperscript{11}

My opinion that being able to possess a single loaded firearm in the home provides sufficient protection for self-defense against an attack by an intruder is also based in part on my law enforcement experience and training.

Law enforcement officers face threats to their personal security much more frequently than the average citizen and are therefore much more likely to need to use a firearm as a defensive weapon when facing situations where their life or the life of another is in danger.\textsuperscript{12} Even so, law enforcement officers almost always carry only a single firearm. And, even then, they are taught to have their weapon properly holstered, with the safety engaged, until it is required for use against a life-threatening situation. Officers and special agents are trained in utilizing that weapon and properly and safely re-loading the weapon if required. They do not need to have immediate access to multiple loaded and ready firearms to do their job. Only in the movies, on television or in novels do law enforcement officers hold and shoot multiple firearms at once. In addition, most shooting incidents involving police officers last for short durations and are at close quarters. Therefore, in the overwhelming number of incidents in which a citizen will need to use a firearm having a single conventional firearm should be more than sufficient to protect life and property.

At the same time, law enforcement agencies expend large sums of monies to purchase locking devices that will secure firearms when they are not being used. While law enforcement personnel may sometimes have multiple firearms present, the additional firearms are securely stored. In police vehicles, for instance, additional firearms other than the officer’s side-arm are kept locked. Also, federal agents may need to use long guns when encountering certain dangerous arrests or raid situations; however, when the enforcement action is concluded, the long guns are unloaded and secured in the trunk of the vehicle until they can be stored in their offices. Law enforcement officers are always fearful of having criminals obtain and use police weapons against them. The repeated occurrence of criminals taking an officer’s weapon from them and using it on the officer has been the bases for examination and perfection of training to prevent this tragedy. The configuration of holsters and other locking type devices to prevent easy access from unauthorized users of an officer’s firearm has seen dramatic changes and improvements over time. The fact that law enforcement officers use safe storage devices and practices while simultaneously facing a more severe security threat than the average citizen is strong evidence that Chicago’s requirements do not impose a hardship on using a firearm for self-defense in the home.

\textsuperscript{11} If the resident has a minor in the house, then they must keep control of the loaded firearm at all times. See Chicago Firearms Ordinance, section 8-20-050.

\textsuperscript{12} Such training includes simulated stressful situations presented via computer simulation of actual events officers have encountered (shoot/don’t shoot scenarios). This type of training is done during initial academy qualifications and is repeated every year.
I believe that having loaded firearms in various areas within a residence may even pose a greater threat to a citizen's ability to defend themselves. If an intruder were to illegally enter a residence and find a fully operable and loaded firearm in one area of the residence, this weapon could then be used against the home owner who is in another area of the residence. Preventing intruders and criminals from access to loaded firearms is the best protection from serious injury or death during a crime.\textsuperscript{13}

Also, I have explored the precise amount of time and effort it takes for an individual to remove a trigger lock from a firearm, load the weapon and use it for self-defense. In this regard, at my direction, CGS partner Nunziato purchased a Remington Trigger Block and a Bellock Keyed Trigger Lock from Dick's Sporting Goods and conducted tests timing the unlocking of the trigger locks on an actual firearm ten times each with the key in his pocket. Mr. Nunziato determined the following:

<table>
<thead>
<tr>
<th></th>
<th>Bellock</th>
<th>Remington</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fastest</td>
<td>2.79 seconds</td>
<td>3.27 seconds</td>
</tr>
<tr>
<td>Slowest</td>
<td>6.62 seconds</td>
<td>8.66 seconds (dropped key)</td>
</tr>
<tr>
<td>Average</td>
<td>4.303 seconds</td>
<td>5.306 seconds</td>
</tr>
<tr>
<td>Median</td>
<td>4.12 seconds</td>
<td>4.505 seconds</td>
</tr>
</tbody>
</table>

Even when dropping the key, it took under 10 seconds to unlock and make the firearm operable. This is within sufficient time to respond to the threat of a home intruder. A citizen who commits to learning how to properly use one of these devices and practices unlocking the device should be able to achieve similar times; indeed, these devices are designed and manufactured to be used by average citizens in home security situations.

Therefore, I must conclude that section 8-20-040 of the Chicago Firearms Ordinance does not impair citizens from effectively utilizing a firearm for self-defense. A citizen may keep one firearm loaded and fully operable at all times. The citizen may also own as many additional firearms as he or she wishes, and the safe storage requirements required as to those firearms do not impair the effective utilization of that firearm for self-defense, and are in accord with guidelines, practices, and recommendations of firearm experts, the United States Military, law enforcement agency experts, court safety rules, and the gun industry itself. The requirements are in the best interest of the public safety of all citizens.

C. The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) lacks the resources and statutory authority to provide oversight and regulation of existing gun stores.

I have been asked to examine section 8-20-100 of the Chicago firearms ordinance and opine as to whether there are valid public safety reasons for barring the sale of firearms in Chicago.

Chicago Ordinance 8-20-100, Permissible sales and transfers of firearms and ammunition, states as follows:

(a) Except as authorized by subsection (e) and Section 8-84-075, no firearm may be sold, acquired or otherwise transferred within the city, except by inheritance.\(^\text{14}\)

We have been asked to comment on why it may not be in the best of interests for firearms to be sold within the Chicago City limits.

I believe that one such reason is that the federal government (acting through the ATF) is not able to properly inspect and monitor firearms stores. Without adequate oversight, firearms stores are a source of firearms entering the illegal market or otherwise falling into the hands of criminals.

Chicago’s restriction on the sale or transfer of firearms can be seen as a preventative strategy. In the more than three decades that CGS partners have personally labored at, researched, and consulted with law enforcement agencies to reduce firearms-related violent crime, it has repeatedly become apparent that only those firearms policies that include a strong prevention element (along with intervention and enforcement) can truly have success in reducing firearms violence for all citizens. If community leaders and enforcement officials merely wait for violent crime to occur, they will be destined to investigate the trail of blood that firearms violence leaves in its wake. It would be utopian to believe that without the existence of laws and regulations aimed at prevention every citizen would take due diligence in the safe handling and use of dangerous items that can cause serious injury or death. An example of the importance of a preventative strategy is the government’s mandating of safe practices involving automobiles. Those mandates have resulted in dramatic reductions in injuries and deaths over time through additions to automobile safety equipment and the mandatory use of seatbelts.\(^\text{15}\) It should be noted that when automobile legislation and regulations were introduced, some individuals within the automobile industry and the driving public strenuously objected as an infringement on personal liberties. However, as we have experienced, the legal use of automobiles as a conveyance has not been adversely affected and lives have been saved. Automobile manufacturers who were the most

\[^{14}\text{City of Chicago, Firearms Ordinance, 8-20-100 (added Coun. J. 7-2-10, p. 96234, §4).}\]

\[^{15}\text{National Highway Transportation and Safety Administration (NHTSA), NHTSA.gov.}\]
ardently opposed to mandated safety equipment are now the same companies that currently advertise with pride that their products have garnered five-star safety ratings.\textsuperscript{16}

Chicago’s restriction on the sale of firearms is a type of preventative strategy that can reduce firearm-related violence. I know from my experience that when firearms sales are allowed to occur, firearms frequently fall into the hands of criminals or others who are not lawfully qualified to possess them. CGS partners have personally been involved in conducting audits of federally licensed firearms dealers (“FFLs”). These audits encompass a full range of governmental licensing functions associated with monitoring and regulating dealers in firearms, including: conducting store inventories, examining dealer records (including initial applications, renewals, and firearm transfer records), scrutinizing zoning ordinance compliance, surveying safety and security measures, and participating in training of dealers. Along with this, my years of experience in tracing and researching crime guns has made me well aware of corrupt or bad business practices of firearm dealers that result in large numbers of firearms entering the illegal market.

It is no secret that this is a problem that plagues Chicago. The number of weapons seized by the Chicago Police Department attests to this (see chart below).

![Exhibit 9a](chart-image)

Firearm Recoveries, 2000-2009 Note: Totals include firearms recovered during annual turn in events, 4,049 in 2006; 6,003 in 2007; 5,739 in 2008; and 1,621 in 2009.\textsuperscript{17}

\textsuperscript{16} Ibid.

\textsuperscript{17} Chicago Police Department, City of Chicago, Illinois – Annual Reports, https://portal.chicagopolice.org/portal/page/portal/ClearPath, August 5, 2011.
Further, in 1998 the Chicago Police Department initiated an enforcement action "Operation Gunsmoke" to stop the flow of guns from licensed dealers outside city limits to criminals within the city. Having identified from the tracing of crime guns seized by the Chicago Police under the YCGII the specific dealers who were the suppliers of crime guns, police officers working in an undercover capacity depicting themselves as criminals or prohibited purchasers attempted to purchase firearms through flagrant 'straw purchases'. Repeatedly, the officers had minimal difficulty acquiring guns with little regard from dealers for the purchaser's ineligibility and/or nefarious reason or purpose.

One significant reason that dealers persist in operating this way is that, as shown by ATF information, media reports, and academic studies, Federal firearm laws are too weak and/or ineffective to adequately and timely police firearms transaction and shut down even the most flagrant suppliers of crime guns to criminals, terrorists, and minors by revoking their license. As has been reported in sworn testimony by former ATF Director Stephen Higgins, it takes on average over six years for ATF to revoke a license from a federally licensed firearms dealer, even under the most egregious circumstances. I will note here that since 1998, Congress has further weakened the licensing revocation authority of ATF (under lobbying by the NSSF), so that even if a licensee is convicted of the most heinous felony crime or has incredibly poor business practices that allow criminals, terrorists, and minors to acquire firearms, the license can be passed to a relative or associate. In other words, Al Capone could relinquish his firearm business and license to Frank Nitti.

For two decades, cities across the country have realized that the Federal government alone cannot do the job of keeping firearms from criminals and they must be responsible for their own public safety. Repeatedly, studies have shown that the vast majority of crime guns acquired by and used by criminals have originated from less than 1% of federally licensed firearms dealers. Even armed with this knowledge of the identity of these dealers, ATF has not been able to curtail the flow of firearms to the criminal element in major cities across the United States. Moreover, even when a city tries to step into the ATF's enforcement gap and take action on its own, those efforts fail to cure the problem. For instance, New York identified suburban dealers supplying large numbers of guns that were used by criminals in the City and tried to bring to light the dealers' activities. CGS was employed by the City of New York to assist in supporting this effort. The City's program resulted in demonstrating through video and

18 Chicago Police Department, City of Chicago, Illinois, Gunsmoke Files and Documents 004562-006830 and Documents City 6831-City7910.


audio undercover tapes that dealers were not abiding by Federal law and/or regulation. Yet, none of the flagrant dealers involved in the enforcement action lost their federal firearm licenses.

My expert experience and direct knowledge is that the lack of proper inspection of gun dealers by ATF, as well as insufficient federal laws and ATF resources to properly monitor these businesses, results in criminals and other ineligible purchasers being able to easily acquire firearms from these businesses.

The Department of Justice, Office of Inspector General has verified this finding in their inspection report of July 2004.\textsuperscript{21} (See Exhibit 5 for full report.) In the DOJ’s Inspector General’s Report they wrote:

\textit{RESULTS IN BRIEF}

"We found that the ATF’s inspection program is not fully effective for ensuring that FFLs comply with federal firearms laws because inspections are infrequent and of inconsistent quality, and follow-up inspections and adverse actions have been sporadic. Specifically, the ATF does not conduct in-person inspections on all applicants before licensing them to sell guns, and ATF compliance inspections of active dealers, including large-scale retailers, are infrequent and vary in quality. Even when numerous or serious violations were found, the ATF did not uniformly take adverse actions, refer FFLs for investigation, or conduct timely follow-up inspections."

"Although the ATF faces significant shortfalls in resources, it must ensure that available Inspector resources are used effectively and efficiently to ensure that FFLs comply with federal firearms laws."

"The ATF Does Not Regularly Conduct Compliance Inspections on Active FFLs, Including Large-Scale Retailers"

"We found that most FFLs are inspected infrequently or not at all. According to the former ATF Director, the agency’s goal is to inspect each FFL at least once every three years to ensure that they are complying with federal firearms laws. However, due in part to resource shortfalls, the ATF is currently unable to achieve that goal. ATF workload data show that the ATF conducted 4,581 FFL compliance inspections in FY 2002, or about 4.5 percent of the approximately 104,000 FFLs nationwide. At that rate, it would take the ATF more than 22 years to inspect all FFLs."

"Our review of FFL inspection files also found that even when FFL compliance inspections identify significant violations of federal firearms laws by the FFLs or by gun purchasers, these violations are not always reported to ATF Special Agents for investigation. We identified several cases in which indications of

potential criminal violations, including gun trafficking, were identified but not referred for investigation."

In order for the City of Chicago to appropriately license and regulate firearm dealers operating within the City limits the following steps, among others, would need to be taken:

a. Enact firearm licensing and regulatory authority legislation.
b. Establish a governmental entity to prepare regulations, enforce regulations, monitor and inspect dealers as well as refer criminal activity uncovered to the appropriate law enforcement authority.
c. Hire and train employees to main the governmental entity established.
d. Publicly disseminate regulations to citizens and dealers alike.
e. Provide training and publications to licensed firearm dealers.

Having been involved in crime-gun reduction research and enforcement efforts for decades, it is obvious to me that in order to provide the needed amount of public safety it would be necessary for the City of Chicago to enact their own licensing and monitoring bureaucracy of retail firearm dealers. This regime would need to be much more extensive and complex than that existing under federal law. The City of Chicago would need to establish procedures and policies for a governmental arm to enact regulations, and criteria governing all aspects of a firearms sales business (including building requirements, storage procedures, record-keeping requirements, sales practices), review license applications, issue licenses, and diligently monitor and inspect dealers, all in order to ensure that dealers were in complete compliance with the City’s Ordinance. This would be an enormous undertaking for the City and would take months, perhaps years, to establish proper protocols and sufficiently train employees. There is also no guarantee that this scheme would be completely effective. In order to demonstrate the difficulty of this task, one need only examine some of the recommendations the Inspector General provided to ATF in the cited inspection report:

**RECOMMENDATIONS**

We recommend that the ATF:

- Develop a standard, streamlined inspection process that includes in-person inspections of all FFL applicants; more efficient inventory and records reviews; automated inspection reporting; and consistent examination of indicators of firearms trafficking.
- Conduct a pilot project to test the streamlined inspection procedures and establish appropriate time standards for conducting these inspections.
- Revise the staffing requirement report using the time standards to reflect the number of Inspectors needed to conduct compliance inspections on a triennial basis, or on an alternative schedule based on the FFL’s compliance history.
- Direct the National Licensing Center to develop an adverse action tracking system to monitor the progress and timeliness of FFL denials and revocations from the time an Inspector makes a recommendation until the proceedings are finalized.
• Develop a model for more accurately identifying potential firearms trafficking through the analysis of an FFL's firearms sales volume and the number of firearms traced to the FFL.\textsuperscript{22}

If the DOJ Inspector General makes such extensive recommendations to an agency that has been issuing Federal firearm licenses, inspecting dealers, and enforcing Federal firearm laws since 1968, it is quite evident what an enormous task this will entail for the City of Chicago.

Dated: August 15, 2011

JOSEPH L. VINCE, Jr.
CRIME GUN SOLUTIONS LLC
2214 West Greenleaf Drive
Frederick, MD 21702

\textsuperscript{22} Ibid.
EXHIBIT 1
Education
1979 M.A., University of Detroit, Detroit, MI
Criminal Justice
1970 B.A., Youngstown State University, Youngstown, OH
Major: Criminal Justice
Minor: History and Education

Formal Managerial Training
January 1994 Senior Executive Service Candidate, SES, Washington, D.C.
March 1987 Leadership Development Program, Center for Creative Leadership, Greensboro, NC
August 1981 Executive Development Seminar, OPM, Kings Point, NY
February 1980 Supervision and Group Performance, OPM, St. Louis, MO

Experience
January 1999-Present President Crime Gun Solutions, LLC
May 2002 – Present Faculty Professor, Mount St. Mary’s University, Emmitsburg, MD
2010 – Present Member Board Member, Frederick Community College, C.J. Dept.
January 2002-2004 Member State and Local L.E. Advisory Board to the U.S. Counterdrug Intelligence coordinating Group (CDX)
U.S. Department of Justice
February 2001-2004 Member Government Intelligence Training Initiative
September 2001-Pres. Director The Father Delaney Center for Public Safety Practices At Mount St. Mary’s University

U.S. Bureau of Alcohol, Tobacco and Firearms
July 1997-January 1999 Chief Crime Gun Analysis Branch, falling Waters, WV
Chief Firearms Enforcement Division, Headquarters, Washington,
DC
July 1995-July 1997 Deputy Chief
DC
July 1993-July 1995 Special Agent
March 1991-July 1993 In Charge Division Office, Chicago, IL
October 1986-March 1991 Assistant Special Team Supervisor, ATF Southeast National Response
Agent In Charge Intelligence Branch, Headquarters, Washington, DC
January 1985-October 1986 (NRT); Division Office, Miami, FL
November 1983-January 1985  Special Agent  Firearms Tracing Branch, Headquarters, Washington, DC
June 1983-November 1983  In Charge  Firearms Division, Headquarters, Washington, DC
August 1979-June 1983  Operations Officer  Division Office, Omaha, NE
October 1974-August 1979  Resident Agent  Special Agent, Division Office, Flint, MI
May 1971-October 1974  In Charge  Special Agent, Division Office, Detroit, MI

Other Law Enforcement Experience

June 1969-May 1971  Deputy Sheriff  Trumbull County Sheriff's Office, Warren, OH

Awards

1997  Innovations In American Government Finalist  Presented by the Ford Foundation and the John F. Kennedy School of Government at Harvard for work on the project "Disarming the Criminal"
1996  Vice Presidential Hammer Award  Three awards were presented for innovations in Federal Firearms Enforcement
1997  ATF Gold Star Award  Awarded for wounds received in action

Publications/Research

2004  Evidence Collection Toolbox & Field Guide  Criminal Justice textbook and field guide Published by Jones and Bartlett 2005
1998  Youth Crime Gun Interdiction Initiative  Crime Gun Analysis Reports of the Illegal Youth Firearms Markets in 27 Communities
1997  Youth Crime Gun Interdiction Initiative  Crime Gun Analysis Reports of the Illegal Youth Firearms Markets in 17 Communities
1992  Protecting America: The Effectiveness Of the Federal Armed Career Criminal Statutes  A Study by the Bureau of Alcohol, Tobacco and Firearms, United States Department of the Treasury
1986  The Encyclopedia of Police Science  Contributing Writer
1983  "MERT -- Response for the 80's"  Law Enforcement Periodical
1980  "Achievement Through Cooperation"  Nebraska Law Enforcement Magazine

Authored or managed numerous studies and reports for ATF, which were utilized by The White House, Congress, other law enforcement agencies for policy and strategic matters.

Organizations

Member, International Association of Chiefs of Police
Member, International Association of Chiefs of Police, Firearms Committee Member and Consultant
Member, American Society of Law Enforcement Trainers

Public Instruction
Lectures, Speeches and Presentations
Numerous Law Enforcement Groups
Academies/Universities
Training Seminars
(Both U.S. & Abroad)
In Reference to ATF's Mission, Findings and Accomplishments

**Media Appearances**

Quoted in newspapers as crime gun/law enforcement expert, to include:

Radio and TV appearances commenting on crime and law enforcement issues, to include:
- *60 Minutes, CNN, ABC, CBS, FOX, PBS* as well as local television stations across the U.S.
  and internationally to include: Canada, Great Britain and Japan.
EXHIBIT 2
MATERIALS RELIED UPON
ATF, Government Documents and Other Reports


Bureau of Alcohol, Tobacco and Firearms, U.S. Dep't of the Treasury, Youth Crime Gun Trace Analysis Reports: The Illegal Youth Firearms Markets in 17 Communities (1997).


U.S. Dep't of the Treasury, Crime Guns Trace Analysis Reports: The Illegal Youth Firearms Market in 27 Communities (1999).


The Gun Control Act of 1968, Public Law 90-618, Title 18, U. S. Code, Chapter 44.


Bureau of Alcohol, Tobacco and Firearms, Washington, D.C., State Laws and Published Ordinances – Firearms, ATF P 5300.5.


Chicago Police Department, City of Chicago, Illinois, Gunsmoke Files and Documents 004562-006830 and Documents City 6831-City7910.


EXHIBIT 3
Safety Curriculum

Project ChildSafe
Putting A Lock On Safety In Your Home

A nationwide program of the National Shooting Sports Foundation and its community partners to help ensure safe and responsible firearm ownership and storage.

As a firearms owner, it is your responsibility to know how to properly handle any firearm you own and also to know how to secure your firearm(s) in a safe manner in your home. Project ChildSafe has been created to help you accomplish these very important safety goals.

If for any reason you feel uncomfortable with or are unable to accept these responsibilities, we strongly urge you not to own a firearm.

Handling Firearms in a Safe Manner

Firearms safety begins with understanding and carefully following all the rules of safe gun handling.

Before handling any firearm, you should be familiar with the following safety procedures:

- Be sure you know how the firearm operates. Not all firearms are the same. Know how to safely open and close the action of the firearm and know how to safely remove any ammunition from the gun or from the gun’s magazine. The manufacturer’s name and location are on every gun. Write them for free safety and operating instructions.
- Always keep a gun pointed in a safe direction, even when
handling an unloaded gun. A "safe direction" means that the gun is pointed so that even if it were to fire it would not result in injury.

- Never assume that a firearm is unloaded. Whenever you pick up a gun, the first thing you should do is to point it in a safe direction and make sure it is unloaded. Open the action and look into the chamber(s), which should be clear of ammunition. If the gun has a magazine, carefully remove it before opening the action. Then open the action to be sure the chamber is clear of ammunition.

- Always keep your finger off the trigger, even when handling an unloaded gun. When handling a gun, rest your finger outside the trigger guard or along the side of the gun. The only time you should touch the trigger is when you are at a shooting range or other safe shooting location and you are actually ready to fire.

Remember, nearly all firearms accidents in the home can be prevented simply by making sure that guns are kept unloaded and locked up, with ammunition secured in a separate location.

**Storing Firearms in a Safe Manner**

As a firearms owner, you must make absolutely sure that guns in your home are stored so that they are not accessible to children or other unauthorized persons. Hiding a gun in a closet, drawer or similar location is not safe storage. Children are extremely curious and might find a gun in your home that you thought was safely hidden or inaccessible.

As with most all areas of home safety, your objective as a firearm owner is to put in place a series of simple precautions (multiple safeguards) that together help create a secure environment for firearms in the home. Each of these precautions is designed to prove an additional barrier against unauthorized use.
Key guidelines for safe storage include:

- Unloaded firearms should be stored in a locked cabinet, safe, gun vault or storage case. Be sure to place a locked storage case in a location inaccessible to children.
- Unloaded firearms can also be secured with a gun locking device that renders the firearm inoperable. A gun lock should be used as an additional safety precaution and not as a substitute for lock storage. If firearms are disassembled, parts should be securely stored in separate locations.
- Store ammunition in a locked location separate from firearms.
- Always re-check firearms carefully and completely to confirm that they are "still" unloaded when you remove them from storage. Accidents could occur if a family member has loaned or borrowed a gun and then carelessly returned it to storage while it was still loaded.

**Firearms Kept for Home Security**

The decision to maintain a firearm in the home for self-protection is a serious, personal matter. Unlike passive safety devices, such as alarm systems, firearms used for home protection require significantly more involvement by the owner. Any added safety benefit that may be derived from a firearm depends in large measure on the owner’s commitment to appropriate training and a clear understanding of safe handling and storage rules. Are your security concerns realistic and consistent with local crime rates? Do other adults in your household support the decision to maintain a gun in the house? If they will have access to the firearm, will they join you in a firearms training and safety program? What precautions will be practiced to safeguard children? Do risk factors such as drug and alcohol abuse exist within your household?
In addition, issues such as individual temperament, reaction to emergency situations, and specific family circumstances should also enter in the decision.

If you must have quick access to a loaded firearm in your home, you need to take special safety measures. Keeping a gun to defend your family makes no sense if that same gun puts your family members or visitors to your home at risk. Many home firearms accidents occur when unauthorized individuals, often visitors, discover loaded firearms that were carelessly left out in the open.

If you choose to keep a firearm for home security, your objective should be to create a situation in which the firearm is readily available to you, yet inaccessible or inoperative to others. Special lockable cases that can be quickly opened only by authorized individuals are options to consider.

You must exercise full control and supervision over a loaded gun at all times. This means the gun must be unloaded and placed in secure storage whenever you leave the gun in your home or elsewhere. Secure ammunition separately.

Your most important responsibility is ensuring that unsupervised children cannot encounter loaded firearms. The precautions you take must be completely effective. Anything less invites tragedy and is a serious violation of your responsibility as a gun owner.

**A Message for Your Children**

Young people are naturally curious about firearms and, as a result, may be tempted to "play" with a firearm they find. Make sure young people in your home are aware of and understand the safety guidelines described below.

1. Don't go looking for guns in your house or a friend's house. Don't let other kids look for guns in your house.
2. If you find a gun in your house, or anywhere else, STOP! Leave it alone. Don't touch it. Don't let anyone else touch it. Leave the area and be sure to tell an adult at once.
3. Even if a gun looks like a toy, don't touch it. Some real guns may look like toy guns, so don't take a chance. Leave the area and immediately tell an adult.

**REMEMBER: IF YOU FIND A GUN, DON'T PICK IT UP. JUST LEAVE IT ALONE, AND GO TELL AN ADULT RIGHT AWAY!**

**Options for Securely Storing Firearms**