# 07-006 Crime Guns

Los Angeles County Sheriff's Department

**FIELD OPERATIONS DIRECTIVE**

Field Operations Support Services

**CRIME GUNS**

## PURPOSE

The purpose of this Field Operations Directive is to provide policy, guidelines and procedures for entering crime guns into the California Law Enforcement Telecommunication System (CLETS).

## BACKGROUND

Penal Code §11108.3(a) requires the Sheriff's Department to report to the Department of Justice (DOJ) all information necessary to identify and trace the history of all recovered firearms that are illegally possessed, have been used in a crime or are suspected of having been used in a crime. All firearms classified as "Crime Guns" shall be entered into CLETS via the Justice Data Interface Controller (JDIC). This only applies to firearms that are in our physical custody (i.e. recovered, found or evidence) and does not apply to those being held solely for safekeeping.

A found firearm should be entered as a "Found-Crime Gun" when there is a reasonable belief that the firearm may have been discarded by a criminal or attached to possible criminal activity.

Crime gun information can be utilized by investigators by accessing the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) "eTrace" firearms tracing system. "eTrace" is an internet based application of the National Tracing Center Division (NTC) and is managed by the ATF. "eTrace" allows instant web access to NTC's searchable database containing information regarding nationwide "Crime Gun" records. "eTrace" can track the movement of a firearm from its first sale by the manufacturer or importer through the distribution chain to the first retail purchaser.

The "eTrace" application provides utilities for submitting, retrieving, storing and querying all firearm trace related information. The data can be obtained as text documents or can be used within the website to generate maps which can reveal gun crime trends such as crimes related to certain gangs or illegal firearms trafficking.

Investigators wishing to access this database should call the Sheriff's Department's contact person at the Southern California Regional Crime Gun Center at [REDACTED TEXT] or contact the NTC "eTrace Customer Service Group, Law Enforcement Support Branch at [REDACTED TEXT]

## POLICY AND PROCEDURES

When a firearm is recovered and has been used in a crime or is suspected of being used in a crime, a crime gun entry shall be made via CLETS. The following fields are mandatory for a gun entry and should be found on the firearm:

- Manufacturer of the firearm
- Type of firearm (pistol-semi auto, shotgun-pump, rifle-bolt action, etc.)
- Model
- Serial number
- Caliber
- Barrel length
- Finish (stainless steel, blued steel, etc.)
- Importer (required if firearm is a foreign make)

If the firearm was obtained during the arrest or detention of a suspect, the following possessor information shall be obtained prior to the crime gun entry into CLETS:

- Name
- Date of birth
- Driver's license or identification number
- Complete address
- Recovery location (complete address or intersection)
- Was the firearm reported stolen and/or illegally possessed
- Crime involved (Code violation)

The following additional information for the possessor shall be included if applicable:

- Any gang affiliation (Full gang name, no abbreviations)
- Associate information (if detained with the possessor)
- Name, DOB, sex, race, address, CDL or ID #, gang affiliation.

Note: Gang affiliation, associate information, additional firearm descriptors and crime involved must be entered into the miscellaneous section on the bottom of the "GUN1" form, as there are no specific entry areas for these details. There are only three lines available in this field.

**Patrol Deputies' Responsibility**

When deputy personnel seize, confiscate or take possession of a firearm during the course of an investigation, they must ascertain if the weapon should be classified as a crime gun.

A firearm would be considered a crime gun under the following circumstances:

- Illegally possessed
- Used in a crime
- Suspected of being used in a crime
- Any found firearm suspected to be connected to possible criminal activity

If the firearm meets the criteria as a crime gun, the deputy shall complete a Crime Gun Supplemental Information form. The form has the fields necessary to complete the GUN1 screen in accordance with PC § 11108.3 (a). Station evidence programs have also been updated to include these fields for the data entry process.

Prior to booking the firearm into the station evidence/property room, the deputy should input the above information onto the GUN1 screen of the JDIC. After obtaining a return on the firearm, conduct an inquiry on the return to verify the information is correctly entered (Evidence-Crime Gun, Found-Crime Gun, etc.). The firearm should then be entered into evidence via CLETS. A copy of the Automated Firearm System (AFS) printout, a copy of the evidence entry for the firearm and a copy of the crime gun supplemental information or an evidence computer firearm entry form shall be included with the firearm when placed in evidence.

**Watch Sergeant / Field Sergeant Responsibility**

In any incident where a firearm is seized, confiscated or found, the Watch Sgt/Field Sgt., shall review the report to ensure that the firearm has been correctly identified as a crime gun. The report shall include a printout reflecting that the crime gun was entered into CLETS as a Crime Gun. A copy of a Crime Gun Supplemental form or an evidence computer generated Firearm Entry Form shall be attached to the report.

**Affected Directives/Publication**

FOSS Newsletter 02-01 - Crime Gun/Firearm Entries

**Cites/References**

U.S. DOJ, Bureau of Alcohol, Tobacco, Firearms and Explosives, National Tracing Center Division-eTrace - Internet based firearms tracing system.

**Attachment**

*NCIC Crime Codes, Crime Gun Supplemental Form, and Crime Gun Supplemental Continuation Form*