



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www.CityofSacramento.org

Consent
November 3, 2009

**Honorable Mayor and
Members of the City Council**

Title: MOU with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) for the Collection of Images of Ballistic Evidence and Test Fires of Firearms

Location/Council District: Citywide

Recommendation: Adopt a **Resolution 1)** authorizing the City Manager or designee to enter into a memorandum of understanding with The U.S. Department of Justice (DOJ) Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). The partnership between ATF and SPD will result in an ATF National Integrated Ballistic Information Network (NIBIN) system installation, operation, and administration for the collection, analysis and dissemination of crime gun data.

Contact: Dave Johnson, Lieutenant, 808-0652

Presenters: Not applicable

Department: Police

Division: Office of Investigations

Department ID: 11001221

Description/Analysis

Issue: On average, only 40 percent of all firearms seized by the Sacramento Police Department qualify for ballistics analysis under Sacramento County Crime Lab criteria. The BrassTrax 3D acquisition system, which the City Council authorized the Department to purchase in July, will enable the Department to test fire and directly enter casing information from all firearms obtained into the NIBIN System for analysis. Only those reported by NIBIN as "high-confidence" hits will be sent to the Crime Lab for additional analysis and verification. The ballistics analysis equipment and partnership with The Bureau of Alcohol, Tobacco, Firearms and Explosives will enable us to analyze 100 percent of all firearms seized. The end result will be a faster turnaround of gang related and violent crime cases and the arrest and prosecution of those responsible for those crimes.

Policy Considerations: This memorandum of understanding is consistent with the goals of the Sacramento Police Department as well as the City of Sacramento's strategic plan for public safety.

Environmental Considerations:

California Environmental Quality Act (CEQA): This activity is not subject to CEQA because it does not constitute a "project" and is therefore exempt from the California Environmental Quality Act (CEQA) according to Section 15601(b)(3) of the CEQA guidelines.

Sustainability: Not applicable

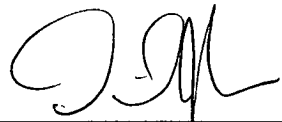
Other: Not applicable

Commission/Committee Action: Not applicable

Rationale for Recommendation: On July 14th, 2009 Council adopted a resolution authorizing the City Manager or designee to accept the California Emergency Management Agency's Project Safe Neighborhood/Anti-Gang Initiative Program Grant and enter into an agreement for the purchase of ballistics analysis equipment. As a result of the grant, SPD was able to purchase ballistics analysis equipment from Forensic Technology WAI, Inc. In order to partner with and operate the ballistics system, a memorandum of understanding with The Bureau of Alcohol, Tobacco, Firearms and Explosives is required. The MOU will allow SPD to collect images of ballistic evidence and test fires of firearms taken into law enforcement custody and enter these images into the NIBIN System for analysis.

Financial Considerations: The ballistics analysis system is entirely grant funded. There is no impact to the general fund.

Emerging Small Business Development (ESBD): Not applicable

Respectfully Submitted by: 
Dave Johnson, Lieutenant

Approved by: 
Rick Brazier, Chief of Police

Recommendation Approved:

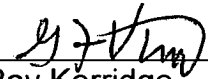


for  Ray Kerridge
City Manager

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Attachment 1

Background

Currently, the Sacramento County Crime Lab is the sole agency responsible for the submission of evidence into the ATF National Integrated Ballistic Information Network (NIBIN) in Sacramento County. However, limiting criteria has been established by the crime lab which reduces the types of guns an agency may submit. This precludes submission of approximately 60% of the guns seized by the Police Department, and eliminates a large number of potential cases for investigation and subsequent prosecution. Increasing the number of guns analyzed will increase the chances of identification and prosecution of those responsible for gun-related violent crimes.

RESOLUTION NO.

**Adopted by the Sacramento City Council
MOU with Alcohol, Tobacco, Firearms and Explosives**

BACKGROUND

- A. The California Emergency Management Services' Project Safe Neighborhood/Anti-Gang Initiative Program provides funding to local law enforcement agencies for public safety purposes. The Sacramento Police Department used this funding to purchase ballistics analysis equipment.
- B. In order to partner with and operate the ballistics system, a memorandum of understanding with The Bureau of Alcohol, Tobacco, Firearms and Explosives is required. The MOU will allow SPD to collect images of ballistic evidence and test fires of firearms taken into law enforcement custody and enter these images into the NIBIN System for analysis.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

- Section 1. The City Manager, or designee, is authorized to enter into a memorandum of understanding with The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) for the purpose of collecting images of ballistic evidence and test fires of firearms taken into law enforcement custody and entering these images into the NIBIN System for analysis.