



MYRTLE BEACH POLICE DEPARTMENT

ADMINISTRATION REGULATIONS AND OPERATING PROCEDURES

Subject: *Crime Gun Intelligence Center*

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I. PURPOSE

Establish guidelines for the timely collection of information, evidence and intelligence regarding illegal firearm use in the City of Myrtle Beach.

II. DEFINITIONS

- A. **Crime Gun Intelligence (CGI):** will include, but not be limited to, information collected and/or developed from seized firearms and ballistics evidence, incident and investigative reports, field interviews, surveillance, seized firearm tracing, laboratory examinations (including IBIS/NIBIN results and trace evidence), and social media monitoring, which are related to illegal firearm use in our jurisdiction.
- B. **IBIS:** The Integrated Ballistics Identification System (IBIS) is a brand of technology equipment that captures digital images of fired ammunition components, so they can be correlated (compared) in an electronic database (NIBIN) for possible matches in an effort to link firearm recoveries and/or shooting incidents.
- C. **NIBIN:** The National Integrated Ballistic Identification Network (NIBIN) program is a specialized computer network, administered by the federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), in partnership with other federal, state, and local law enforcement agencies, that uses automated ballistic imaging technology to link firearm related crimes.

- D. **NIBIN Lead:** A possible linkage of two or more firearms-related crimes (shooting or firearm recovery) through the utilization of NIBIN technology. Information from a NIBIN Lead must be confirmed (i.e. NIBIN Hit) if it is to be used as probable cause for an arrest or search warrant, or as evidence in court.
- E. **NIBIN Hit:** A confirmed linkage of two or more firearms-related crimes (shooting or firearm recovery) made by two (2) certified firearms examiners.
- F. **Seized Firearm:** Any Firearm that is lawfully taken into the custody of the Myrtle Beach Police Department, that has been, or will be, checked in to MBPD's Property/Evidence Unit.

III. PROCEDURE

- 1. The Myrtle Beach Police Department will identify, analyze and investigate Crime Gun Intelligence with the goal of producing actionable intelligence to assist in identifying, arresting, and prosecuting offenders who unlawfully possess and/or use firearms in Myrtle Beach, SC. We will also attempt to identify illegal sources for our crime guns. In the investigation of these cases, the Myrtle Beach Police Department will partner with other local, county, State and federal law enforcement agencies, and prosecutors to further its mission.
 - 1. Comprehensive Collection of shell casings and crime guns
 - a. MBPD personnel will continue to seize fired cartridge/shell casings, ammunition, and firearms pursuant to the execution of their lawful authority and existing MBPD regulations.
 - b. These items will be collected, documented, preserved, and transferred to the Property/Evidence Unit in accordance with MBPD policy.
 - c. The MBPD Property/Evidence Unit will identify seized firearms and fired cartridge/shell casings that are eligible for entry into IBIS/NIBIN.
 - 2. NIBIN Entry/Correlation and Gun Tracing
 - a. MBPD specified personnel will test-fire all IBIS/NIBIN eligible seized firearms.

- b. Test-fires are to be done at the dedicated/secured indoor bullet trap area at the MBPD Annex by NIBIN personnel authorized by the Chief of Police, or their designee.
- c. MBPD Crime Scene and NIBIN personnel will be responsible for controlling access to the secured indoor bullet trap area and will also be responsible for maintaining the bullet trap.
- d. External law enforcement agency requests to utilize the MBPD bullet trap must be approved by the Chief of Police or their designee. If the request is approved, the external agency personnel will be provided a safety briefing by an on-site authorized MBPD Training or NIBIN personnel, who must be present when the test-firing occurs. The external agency personnel must abide by all MBPD safety procedures, including the wearing of safety equipment.
- e. All persons present for the test-firing at the indoor bullet trap secure area must wear safety equipment (to include eye protection, hearing protection, gloves, respirator masks and bullet resistant vest all of which are provided), and all must review the safety warning which is posted at the entrance to this area.
 - i. When the test-firing of IBIS/NIBIN eligible seized firearms is conducted at a site other than the MBPD indoor bullet trap (e.g. at the MBPD indoor firing range or another law enforcement firing range), all applicable policies will be followed regarding the transfer and handling of evidence, as well as firing range rules and procedures.
 - ii. If the assigned NIBIN personnel determines that an IBIS/NIBIN eligible seized firearm is inoperable (unable to be test-fired), then it will be marked as inoperable and returned to the appropriate evidence custodian. Such firearms will be referred to the SLED Firearms Lab for further examination.
- f. NIBIN and/or Crime Scene Personnel are responsible to transport NIBIN eligible firearms as well as NIBIN eligible seized fired cartridge casings (evidence collected at crime scenes), to our designated IBIS/NIBIN site for entry into IBIS/NIBIN within 48 hours of collection.
 - i. NIBIN or Crime Scene personnel will transport/return the test-fired and seized firearms and cartridge casings from

the IBIS/NIBIN site to the MBPD Evidence/Property Unit after they are entered into IBIS/NIBIN.

- ii. Other MBPD personnel may transport ballistic evidence directly to an IBIS/NIBIN site for entry or additional processing on an as-needed basis.
- g. All IBIS/NIBIN seized firearms will be traced through the ATF National Tracing Center.

3. Crime Gun Intelligence Analysis

- a. MBPD will focus primarily on five (5) core areas for crime gun intelligence, analyzing the persons, locations, property, firearms and ballistic evidence associated with each area to identify criminal patterns, relationships, suspects and witnesses. One of the main goals is to produce actionable intelligence to assist in identifying, arresting and prosecuting offenders who impact gun-related crime in and around Myrtle Beach, SC. The five (5) core areas to be monitored are as follows:
 - i. Firearm related arrests and/or recoveries that occur within MBPD's jurisdiction.
 - ii. NIBIN Leads that are received from IBIS/NIBIN sites.
 - iii. Firearm related arrests and/or recoveries that occur within the 15th judicial circuit.
 - iv. Firearm traces completed by the ATF.
 - v. Stolen Firearm Reports.

4. NIBIN Lead/Hit Assignment and Investigation

- a. A NIBIN Lead is a possible linkage of two or more firearms-related crimes through the NIBIN program. NIBIN sites routinely provide these leads to designated points of contact within each of the law enforcement agencies that are linked via the lead.
- b. A NIBIN Lead is only a possible linkage. If the submitting law enforcement agencies want to use the NIBIN Lead as probable cause for an arrest or search warrant, or as evidence in a court proceeding, they must first request that the "lead" be "confirmed".

- c. A NIBIN Hit is a "confirmed" linkage of two or more firearms-related crimes, made by two (2) certified firearms examiners.
- d. The MBPD program personnel will assist and/or facilitate requests to have a NIBIN Lead reviewed for possible confirmation, with our partnering IBIS/NIBIN sites.
- e. When the MBPD receives NIBIN Leads, they will be triaged to determine investigative potential. This process will include researching the related MBPD cases for assignment, details, location and status, and the solvability factors within each incident. If applicable, the NIBIN Investigator will also initiate contact with external law enforcement agency points of contact, if the external case was linked to a MBPD case.
- f. With the concurrence of the Investigative Division Supervisor, triaged leads will be referred/assigned according to the following protocol:
 - 1. Tier 1: Actionable Lead, which is related to MBPD cases that are currently assigned to MBPD Investigators.
 - a. The lead, and an explanation of the related information and intelligence, will be forwarded to the MBPD Investigators who were assigned the related/linked cases by the NIBIN Investigator.
 - 2. Tier 2: Actionable Lead, which is NOT currently assigned to MBPD Investigators
 - a. The NIBIN Investigator will communicate with the appropriate MBPD Unit supervisor to determine who will be assigned the lead. Once assigned, the lead and an explanation of the related information and intelligence will be forwarded to the assigned investigator by the NIBIN Investigator.
 - 3. Tier 3: Lead Not Actionable (at this time)
 - a. Information related to a Tier 3 lead may be transmitted by the NIBIN Investigator and disseminated for situational awareness and/or officer safety.

- g. If an actionable lead is assigned to the investigative division for investigative follow up, the NIBIN Investigator will assist with the investigation and will be conducted and documented in accordance with existing MBPD policy.
 - h. If an actionable lead is adopted for potential federal prosecution (by MBPD personnel who are deputized federal Task Force Officers), then the investigation will conform to the MOUs that MBPD has with the external agencies and the Federal Rules of Criminal Procedure.
 - i. Tracking: The NIBIN Investigator and personnel will be responsible for tracking all of the leads that are developed and referred.
 - 1. A unique identifying number will be created and used to track the referred leads.
 - 2. NIBIN entry tracking: this is where all entries to NIBIN are tracked. This encompasses all agencies/entries that are completed at MBPD. This is also how the NIBIN stats are tracked.
 - a. This tracking is completed by NIBIN personnel that are entering the items into the NIBIN system. This tracking spreadsheet contains all the pertinent information to track these entries/items.
 - 3. NIBIN lead tracking: this is where all MBPD leads and leads that pertain to MBPD are tracked with detailed information.
 - a. This tracking is completed by NIBIN personnel and the NIBIN investigator. This tracking spreadsheet contains all the information/intelligence that is developed and obtained once the lead is returned through NIBIN. The NIBIN personnel gather this information from the partner agencies and enter it into the NIBIN lead tracking spreadsheet.
 - 4. The Investigative Division Supervisor is made aware of the leads and tracking with the ability to assign new leads as needed.
5. Law Enforcement & Prosecution Collaboration

- a. MBPD will develop criteria and transmittals to refer crime gun intelligence (related to charged offenders) to prosecutors in local, state and federal court, to be used in accordance with established rules of criminal procedure.
 - 1. CGI could potentially expand the scope of a defendant's criminal acts, by associating them, or the firearms they possess, with additional crime gun events

6. State/Federal Prosecution

- a. The deputized Federal Task Force Officers will monitor the prosecution of cases associated to the "leads" referred to them.
 - 1. The prosecutorial status of the leads/cases will be maintained and the executive command staff periodically briefed.

7. CGI Feedback to Process Participants

- a. MBPD will maintain open communication with internal and external partners/stakeholders that are related to the leads that are developed and referred.
 - 1. A process will be developed to periodically transmit Progress Reports to these stakeholders, regarding investigations that were significantly aided by crime gun intelligence.

8. Training

- a. Training will be conducted by a NIBIN authorized trainer (NAT), the Bureau of Alcohol, Tobacco, and Firearms or their approved vendors.
- b. Only officers trained in Acquisition and correlation can perform the respective processes.
- c. Acquisition training is training for successfully acquiring digital images of fired cartridge casings into the database.
- d. Correlation training is training for the purpose of successfully reviewing and comparing digitalized images in an effort to determine whether there is a potential investigative lead. If a lead is developed, the casing/firearm needs to be sent to SLED or authorized firearms examiner for microscopic comparison.

9. Officer Involved Shootings

- a. MBPD's NIBIN program will not be used to process firearms evidence for an officer involved shooting. This evidence will be processed by SLED.