



**We're out there
for you.**

Police Strategy No. 1:

Getting Guns off the Streets of New York

Rudolph W. Giuliani
Mayor of the City of New York



William J. Bratton
Police Commissioner



1994

TABLE OF CONTENTS

- 4 INTRODUCTION**
- 5 THE PROBLEM**
- 7 CURRENT PRACTICE**
- 11 STRATEGY**
- 13 REFOCUS AND EXPAND INVESTIGATIVE RESOURCES**
 - Precinct Based Detectives
 - Joint Firearms Task Force
 - Warrant Division
- 16 REFOCUS PATROL RESOURCES**
 - Street Crime Unit
- 16 REVISE AND EXPAND TRAINING**
- 17 OBTAIN AND DEPLOY TECHNOLOGICALLY ADVANCED EQUIPMENT**
 - Computerized Ballistics
 - Gun Tracing
 - Automated Pistol License Records Management
- 18 SECURE COMMITTED SUPPORT**
 - From the Public
 - From the Transit and Housing Police
- 20 EVALUATION**

INTRODUCTION

Getting Guns Off the Streets of New York is the first of a number of major police strategies to be designed and launched by the Giuliani administration. In the coming weeks, similar strategies will be put in place in the areas of school safety and youth violence, narcotics, quality-of-life violations, domestic violence, and auto-related crimes. The first two of these will also deal with illegal firearms as both cause and effect of other crimes.

Taken together, these police strategies must work in concert to reduce violent crime, disorder, and fear in New York. This is part of Mayor Giuliani's larger commitment to make the city an economically vibrant center where people of all races, creeds, and ethnic origins feel free to raise and educate their children and to live in an atmosphere of civility.

Illegal guns—particularly handguns—are an unrelenting and growing plague in New York. In 1960, there were 75 homicides committed in the city with handguns, representing a quarter of the total number of murders for the year. In 1992, there were 1,500 homicides (a 1,900% increase in number) committed with handguns, representing three quarters of the total number of murders (a 200% increase in proportion). In 1960, handgun possession and use by young people was virtually unknown. Today, it is pervasive.

With 90% of the illegal guns in New York flowing into the city from other states, this is clearly a problem that transcends any one city's boundaries. Federal legislation and federal enforcement action are imperative. The Mayor's proposal for a national uniform licensing system

for firearms, similar to that required by each state for those wishing to have a driver's license, is but one example.

But the purpose of Police Strategy No. 1 is to discuss what local efforts can and will accomplish—and why local efforts have failed to do what they could have done in the past.

There must be far greater certainty among all citizens that illegal activity will lead to apprehension and jail. For success to be achieved in reaching this goal, it is necessary that arrests, convictions, and jail time for perpetrators increase. It is also necessary that the entire criminal justice system work together diligently to achieve this.

This will be a reassurance to some and a threat to others. Both are necessary if we are to restore civility as a hallmark of life in New York.

THE PROBLEM

When the final crime reports for 1993 are completed, we may find that reported crime in New York City declined to its lowest level since 1985.

Yet, according to *New York Newsday* (December 16, 1993), a substantial majority of city residents remain afraid—for themselves and their children—of violent crime.

They are afraid for a reason, and that reason has mainly to do with handguns.

- In 1960, 75 homicides were committed with handguns in New York City.
- In 1992, 1500 homicides were committed with handguns.

FACT: Between 1960 and 1992, census figures indicate the population of New York City declined by 6%. Yet, between 1960 and 1992, homicides committed with handguns increased by 1,900%.

And city residents complained more and more about hearing shots fired in the streets, outside their windows.

- Between 1983 and 1993, the number of 911 calls about shots fired outside nearly quadrupled.

And increasingly, gunshots are hitting human beings. While 1,541 people died in 1992 from gunshots, almost 4,000 more people were wounded.

- During the last fiscal year, patients treated for gunshot wounds cost city hospitals nearly \$12 million.

And this dollar figure does not begin to capture the grief, worry, and expense suffered by the individuals who were shot and their families.

Handguns are streaming into New York from outside the state's borders.

- Over 90% of firearms seized in New York City were originally purchased in other states.

Estimates of the number of handguns in circulation on the streets of New York vary widely—from 1-2 million. No one knows the exact number. But we do know one thing:

Whatever we are doing to reduce violent—especially handgun-related—crime is not working.

CURRENT PRACTICE

Until now, despite good intention, a number of new programs, and a series of orders emanating out of One Police Plaza, gun arrests in New York City have largely been viewed in a vacuum: the simple confiscation of a piece of hardware that may, or may not, have been used in another crime.

Rarely have gun confiscations been used to attack a series of related crimes: the trafficking and purchase of the gun in the first instance, other crimes committed with the weapon, or the crimes of accomplices who have not been systematically pursued once the arrest of one defendant is made.

The current practice of the NYPD, described largely in Interim Order 24 (April 9, 1992), is summarized as follows:

When uniformed and non-uniformed members of the Patrol Services Bureau make arrests for crimes in which a gun was involved, they are instructed to:

call, in cases where both drugs and guns are involved, the Narcotics Division to check its computer-

ized NITRO (Narcotics Investigative Tracking of Recidivist Offenders) database to see if the suspect has a prior conviction on a firearms-related charge; if so, a member of the NITRO unit is supposed to respond to the precinct, augment the case (by pursuing and interviewing witnesses, vouchering additional evidence, etc.), and inquire about the seller of the firearm; or

- call, in cases where drugs are not involved, the Career Criminal Investigation Unit of the Detective Bureau to determine if the suspect has a prior conviction on a firearms-related charge; if so, a member of CCIU is supposed to respond to the precinct, augment the case, and inquire about the seller of the firearm; or
- prepare a Firearm Arrest Enhancement Worksheet, in those cases where CCIU or NITRO is not responsible, and ask the suspect who sold him or her the gun, the seller's address, the caliber of weapons the seller provides, and the method of transporting firearms; and, if appropriate,
- refer the suspect to the joint Organized Crime Investigative Division (NYPD) and Bureau of Alcohol, Tobacco and Firearms (US Department of Treasury) Task Force (known as the Joint Firearms Task Force), if the suspect indicates a willingness to cooperate.

How has this system worked?

In 1993, 11,222 arrests were made for crimes in which a firearm was confiscated, and 13,134 guns were taken off

the streets by the NYPD.

Of these arrests, 8,920 were made by uniformed and plainclothes members of the Patrol Services Bureau.

- In addition to its other work, the CCIU of the Detective Bureau augmented 500 firearms-related cases last year and referred 22 cases to the OCID/ATF Task Force.
- In addition to its other work, the NITRO unit of the Narcotics Division found 28 names in its computerized files last year and augmented 14 cases.
- The Joint Firearms Task Force responded to precincts and other elements of the criminal-justice system a total of 66 times to interview potential confidential informants. A total of 10 confidential informants were developed from this list. These informants contributed to a total of 11 arrests (with a dozen more pending), and 105 firearms seized.

FACT: During 1993, the combined efforts of specialized units referenced in Interim Order 24 yielded 4 confidential informants from precinct-based activity, 10 arrests, and 48 guns.

FACT: Firearms-related arrests have been declining since 1991.

FACT: Not all accomplices and gun traffickers who may have been connected to the 11,222 arrests in which firearms were confiscated in 1993 were systematically pursued by the field units of the Detective Bureau.

This is due to the fact that even though firearms-related cases are referred to detectives, they may be cleared and closed with one arrest—even when more suspects are involved.

FACT: In many firearms-related cases, suspects are not routinely interviewed by detectives, the department's personnel who are experienced and have been trained in case-enhancement and debriefing techniques.

This has been due to the fact that members of the Patrol Services Bureau, who had not received formalized training in these techniques, were the personnel instructed to fill out the Firearm Arrest Debriefing Worksheet.

There is anecdotal evidence that lack of training for Patrol in making and presenting gun cases is weakening firearms-related cases, resulting in unnecessary dismissals and acquittals.

FACT: Based on the conviction rates achieved for felony weapons charges between 1981 and 1992 (43-55%), it appears that only half of the suspects arrested primarily on a felony weapons charge are convicted.

But training in the area of firearms-related crimes is not the department's only deficiency. Equipment is another.

FACT: Each year on average, only 15 searches are run at the request of detectives trying to connect two or more crimes by examining a small selection of the tens of thousands of guns, bullets, and

shells which have been taken in all evidence cases.

This has been due to the fact that all such test comparisons are done by hand, and it has not been the policy of the NYPD to run such tests on confiscated weapons, except where an investigator has made a hypothetical connection between specific weapons in two or more pending cases.

STRATEGY

As of Monday, March 7, 1994, it will be the policy of the New York Police Department to:

REFOCUS AND EXPAND INVESTIGATIVE RESOURCES

- to identify and pursue all accomplices involved in the commission of violent crimes;
- to identify and pursue gun traffickers inside and outside New York whenever an illegal gun is used in this city;
- to utilize detectives in the precincts to strengthen every gun arrest made by uniformed and plainclothes police officers; and

- to assign case responsibility at the precinct level to encourage results-oriented police and investigative work;

REFOCUS PATROL RESOURCES

- to refocus and expand the Street Crime Unit of the Patrol Services Bureau to attack specific high gun-violence areas;

REVISE AND EXPAND TRAINING

- to teach detectives case development of gun investigations, apprehension of illegal firearms traffickers, confidential-informant registration, and search warrants; and
- to teach police officers to better recognize the signs of weapons possession and to make better cases against individuals they arrest;

OBTAIN AND DEPLOY TECHNOLOGICALLY ADVANCED EQUIPMENT

- to match guns used in more than one outstanding crime; and
- to trace guns to illegal sellers throughout the country;

SECURE COMMITTED SUPPORT

- from the public, to identify and help locate all those who possess, use, or sell illegal firearms in their neighborhoods;
- from the Housing and Transit Police, to pursue a parallel gun strategy.

REFOCUS AND EXPAND INVESTIGATIVE RESOURCES

PRECINCT-BASED DETECTIVES

Responsibility for systematically identifying, pursuing, and capturing accomplices involved in firearms-related crimes and the sellers of weapons used in those crimes will now be assigned to the units of the Detective Bureau

REFOCUS PATROL RESOURCES

STREET CRIME UNIT

The 86 police officers and 12 supervisors of the elite, citywide Street Crime Unit will be increased by 25% and deployed in a concentrated approach in one high-crime area at a time, on a 7-day, 24-hour a day basis, to determine to what extent they can increase firearms-related arrests, reduce violent crime in those communities, and address crime displacement into neighboring areas. Precinct resources will then be used to maintain areas taken by the Street Crime Unit.

REVISE AND EXPAND TRAINING

Revised training will move forward on three fronts:

- 1 RIP unit detectives will receive a five-day course which will focus on robbery investigations, case development of gun investigations, and apprehension of illegal firearms traffickers. These detectives will be trained to be more thorough when preparing the pertinent warrant information on the On Line Booking Sheet. They also will be instructed in interviewing and interrogation techniques for debriefing prisoners held in gun-related cases.

This training will be completed by July 15, 1994.

- 2 Precinct Detective Units will receive precinct-based training on case development of gun investigations, apprehension of illegal firearms traffickers, registra-

tion of confidential informants, and search warrants.

This training will be completed by July 15, 1994.

- 3 Uniformed and plainclothes members of the Patrol Services Bureau will receive precinct-based training on the "Anatomy of a Gun Arrest," from the initial street encounter to courtroom testimony. This will enable police officers to find concealed weapons more effectively, safely effect arrests, and help obtain higher rates of conviction by making better presentations to prosecutors, grand juries, and judges.

This training will be completed by July 15, 1994.

OBTAIN AND DEPLOY TECHNOLOGICALLY ADVANCED EQUIPMENT

The technology of the late 20th century must be brought to bear on rapidly proliferating firearms-related crimes.

COMPUTERIZED BALLISTICS

If approved by the New York State Legislature, the Governor's Budget provides approximately \$600,000 to purchase for the New York Police Department its first computerized system for comparing spent bullets and discharged shells.

Bullet Proof is a computerized imaging analysis system used for examining and comparing spent bullets recovered from victims and crime scenes.

Drug Fire is a computer which photographs, through a comparison microscope, the breech face and firing pin impressions of discharged shells.

GUN TRACING

The Federal Bureau of Alcohol, Tobacco and Firearms (ATF) is providing \$20,000 to install a computerized connection to the new ATF tracing center under construction in Martinsburg, Virginia. This information will be used by the NYPD and the ATF in pursuing gun trafficking investigations.

Procurement and installation of this system is targeted for completion by April 1994.

AUTOMATED PISTOL LICENSE RECORDS MANAGEMENT

The New York Police Department will begin automation of all firearm ownership and license records in March 1994 and complete data entry one year later. Individuals in possession of suspected unlicensed firearms or of weapons suspected of being carried in violation of the Department's regulations will be checked against this database.

SECURE COMMITTED SUPPORT

FROM THE PUBLIC

The Crime Stoppers program funded by the New York

City Police Foundation is offering rewards up to \$1,000 for information leading to the arrest of anyone illegally possessing a firearm. Cases not resulting in immediate arrest will be referred to the RIP units and precinct detective squads for follow-up. The Crime Stoppers hotline, (212) 577-TIPS, will be publicized for those who have information about individuals with illegal guns.

WNBC-TV has promised to produce all 30-second spots for airing on their station and all others in the New York market. Negotiations are currently under way with all commercial stations to secure high-visibility slots for broadcasting these spots.

In addition, precinct commanders will work with local community groups to gain information about individuals who possess what may be illegal handguns in their neighborhoods.

Gun-exchange programs, in which people who turn in firearms to the police receive a cash or other kind of reward, will continue to be encouraged. Private donors for rewards of this kind are being sought.

FROM THE TRANSIT AND HOUSING POLICE

Both the Transit and Housing Police will be asked to run parallel and/or joint operations against firearms-related crime in the subway and housing developments of the city.

EVALUATION

After deploying these strategies for a period of six months, a report on their impact will be submitted to the Mayor, with recommendations for strategic and operational adjustments as required.

NOTES