



# Colorado Springs Police Department

## General Order

### 1120 National Integrated Ballistic Information Network

#### Section 1100 – Investigative Functions

Effective Date: 12/1/2022

Supersedes Date: 2/24/2021

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## .01 Purpose

To specify procedures for the collection and submission of spent shell casings and firearms for NIBIN entry. To outline procedures for processing and necessary laboratory analysis of shell casings, firearms and test-fires.

## .02 Cross Reference

[GO 1400 Collection of Physical Evidence](#)

[GO 1415 Evidence Office Procedures](#)

[DL-1056-01 Extreme Risk Protection Orders](#)

## .03 Discussion

The National Integrated Ballistics Information Network (NIBIN) is a database system that captures, stores, and correlates digital images of spent shell casings recovered from crime scenes and from test-fired firearms. The purpose of NIBIN is to assist law enforcement agencies in solving firearms related crimes through case linkage via automated electronic image comparisons. The NIBIN program is administered by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

It is the goal of the Colorado Springs Police Department to ensure NIBIN entry, or submission for entry, of all suitable ballistic evidence within 20 business days of reception in accordance with MROS. Further, it is the goal of the Colorado Spring Police Department to ensure that all leads developed as a result of NIBIN entries are disseminated to the appropriate investigative personnel in the timeliest manner possible for appropriate follow up.

## .04 Policy

GO 1400 Collection of Physical Evidence should be read in conjunction with this policy to ensure the proper packaging and submission of shell casings and firearms.

Qualifying firearms will be processed, and test fired by the Metro Crime Laboratory. Firearms will be swabbed prior to test firing to preserve potential trace biological evidence. A representative test fired shell casing will be entered into BrassTrax™/NIBIN in a timely manner.

Evidence shell casings may be entered into BrassTrax™/NIBIN by the Metro Crime Laboratory, or they may be forwarded to a NIBIN Partner Site for NIBIN evaluation/entry.

NIBIN entry/submissions of qualifying firearms and evidence cartridge cases will occur automatically (will not require a request from an Officer/Detective) except for evidence in Homicide cases. Due to the potential need for additional lab processing (Prints/DNA), evidence collected in homicide cases will require an investigator/supervisor assigned to the case to submit a Metro Crime Lab Request or a written request to the Evidence Unit to forward the evidence to a NIBIN Partner Site for NIBIN evaluation/entry.

If additional laboratory testing of firearms/cartridge cases evidence recovered in other offense categories is desired, a laboratory request must be submitted as soon as possible and a note indicating a pending request should be included in the EoQ submission. This will halt the automatic processing of the item for NIBIN purposes. The Request submitted should include a request for NIBIN to be completed at the culmination of the additional testing.

Firearms recovered as property with a known owner that are not associated with a crime will not be processed for NIBIN unless permission is given by the owner or at the request of a supervisor. These firearms may be tested if they are unclaimed after all notification and timeframe requirements have been met per CRS §13-14.5-109.

## **.05 Definitions**

*Qualifying Shell Casings:* Recovered shell casings from semi-automatic/automatic handguns, some semi-automatic/automatic rifles, and 12-gauge shotshells. Common calibers include but are not limited to the following: .22LR, .25Auto, .380Auto, 9mm, .40, and .45Auto (aka .45ACP), .223/5.56mm, 7.62x39mm, and .308. *Revolver shell casings, other shotgun shells, and other rifle caliber casings may be considered on a case-by-case basis after consulting with the Metro Crime Lab Firearms Unit.*

*Qualifying Firearms:* Qualifying firearms are defined as semiautomatic or automatic handguns and some shotguns and rifles/carbines. Test firing will be determined by the Metro Crime Lab Firearms Unit. *Revolvers and other rifle calibers may be considered on a case-by-case basis after consulting with the Metro Crime Lab Firearms Unit.*

**TAMPER EVIDENT SEAL:** All packages shall be properly sealed, taped and marked for identification by the submitting officer. When marking a taped package, the officer will initial/IBM and date the tape seal, so the writing partially covers both the tape and the package. This creates a tamper-evident seal.

## **.10 Shell Casing Evidence Collection and Submittal**

All shell casings recovered from the scene of a criminal investigation, a call for service, or from a private citizen will be collected and packaged as indicated below:

All shell casings require a Case/Accident # for tracking and **must** be submitted as “evidence”.

Shell casings will be sealed, with a tamper-evident seal, inside a manila coin envelope or larger manila envelope, if necessary, with the evidence barcode label adhered to the outside of the envelope. Shell casings are often located in groupings and each grouping often includes multiple casings which may be packaged together as one item. If there are multiple groupings at a scene, each grouping should be packaged separately. Shell casings of different calibers should be packaged as separate items. Submitting officers should not make any markings on shell casings as any markings will be completed by lab personnel as needed. Shell casings should never be packaged with live ammunition, bullets/bullet fragments, or other items of evidence.

When shell casings are entered by a NIBIN Partner Site, an evidence technician will complete the required documentation for submission. For the evidence technician to correctly complete the lab request, the officer must complete the EvidenceOnQ fields appropriately as indicated below:

<b>EvidenceOnQ Entry Field</b>	<b>Required Information</b>
“Item Type”	“Firearm- Shell Casing” (select the most appropriate type: “HG fired”, “Revolver”, “LG Fired”)
“Caliber”	Include caliber for lab to review submission qualifications
“Description”	Briefly describe any other pertinent information regarding the shell casing condition, location or circumstances surrounding recovery
“Case/Accident” or “Summons” #	All Shell Casings shall be submitted as “evidence” and require a Case/Accident or Summons # for tracking
“Property Type”	“Evidence”

### **Collecting shell casings with possible latent prints or blood evidence**

Generally, shell casing evidence will not be processed for latent fingerprints or for trace DNA. Exceptions include shell casings with visible suspected bloodstains and shell casings believed to have been picked up and moved or otherwise manipulated after firing. If a shell casing has been

moved or has obvious suspected blood evidence, it needs to be collected and packaged in a manner to preserve for further processing.

All shell casings with suspected blood or fingerprints shall be packaged separately from all other items. These items should never be placed into a plastic bag or container, but instead should be placed individually in a manila coin envelope.

## **Other Lab Processing**

If additional laboratory testing is needed, the submitting officer must submit a “Request” for laboratory analysis in EvidenceOnQ at the time of submission, indicating the reason for the testing (e.g., “suspected blood on casing please swab” or “need testing for prints”). This request will halt the NIBIN process until the additional testing is conducted. In these instances, NIBIN entry may be performed by the Metro Crime Laboratory or a NIBIN Partner Site depending on circumstances and available resources. The Evidence Unit will coordinate with the Metro Crime Lab Firearms Unit to make provisions for NIBIN submission.

Failure to submit a timely request for additional laboratory testing may result in the loss of potential evidence and render the laboratory unable to conduct the requested testing.

It is the responsibility of the evidence or lab personnel to ensure all qualifying shell casings are entered by the Metro Crime Lab or submitted to a NIBIN Partner Site for NIBIN entry. The Evidence Unit is responsible for the subsequent retrieval and storage of this evidence from the lab after examination. The evidence supervisor, in agreement with the Investigations Commander, will determine the way the shell casings will be transported, secured and accounted for.

## **.20 Firearms**

All firearms require a Case/Accident number for tracking, whether submitted as “property” or “evidence”.

All NIBIN qualifying firearms coming into the custody of CSPD which are **not** part of a homicide case, not identified by detectives for special consideration, and not property with known owners recovered for the purposes of safekeeping will be forwarded to the Metro Crime Laboratory’s Firearms Unit for test-firing at the request of the Firearms Unit personnel. The firearm and an associated magazine if necessary, will be forwarded to the laboratory by the Evidence Unit.

A test fired shell casing will then be collected and entered into BrassTrax™ at the Metro Crime Lab in a timely manner for entry into NIBIN.

## **Officer/Detective Responsibility**

Firearms associated with a homicide case do not undergo automatic NIBIN testing and require either permission given to the Evidence Unit, or a “Request” made to the Metro Crime Lab for NIBIN testing.

All NIBIN qualifying firearms that come into the custody of CSPD **and** are part of a homicide case, or identified by a detective for special consideration, will be submitted to the Metro Crime Lab at the request of the investigating officer/detective.

The investigating officer/detective must submit a “Request” in EvidenceOnQ (EoQ) for laboratory analysis, which may include Latent Print Processing, DNA Collection, NIBIN and Firearms – All Services. These requests shall be made in a timely manner, so NIBIN testing is not delayed.

If no additional laboratory testing is needed in Homicide cases prior to NIBIN testing, written authorization may be given to the Evidence Unit or the Metro Crime Lab’s Firearms Unit to proceed with NIBIN testing. The evaluation of these firearms should be conducted in a timely manner so as not to unnecessarily delay the NIBIN submission.

## **Latent Prints/DNA**

Firearms submitted for NIBIN testing are not automatically processed for latent prints. A “Request” for laboratory analysis in EoQ is required, at the time of submission, for latent print processing to be conducted. Once the firearm has been processed for NIBIN, the firearm is no longer suitable for latent print processing.

Magazines packaged in the box with the firearm are typically handled during NIBIN testing. Most separately packaged magazines are preserved (not handled during NIBIN processing) and can be submitted for latent print processing/DNA collection as an alternative to the firearm if NIBIN testing has been completed.

All NIBIN qualifying firearms will be swabbed for the collection of DNA evidence by Firearms personnel during NIBIN testing, prior to test firing. The swab will be packaged within the sealed firearm box and returned to the Evidence Unit. If DNA analysis is needed, an officer/detective must submit a “Request” for laboratory analysis in EoQ. The proper Lab Service Code is “DNA Analysis”.

Prior to submission to a lab for DNA analysis, the DNA swab must be packaged and entered separately from the firearm. The Evidence Unit will separate the swab envelope from the gun box and enter it as a separate item with a new barcode in EoQ before the item is transferred to the Metro Crime Lab or CBI.

## **Metro Crime Lab or CBI Request**

DNA analysis requests are only accepted by the Metro Crime Lab in certain cases; Homicide, Stranger Sex Assaults, Sex Assault on Child, select Robbery cases, and cases of exceptional need which require prior approval by the Crime Lab Manager. All other cases must be submitted to the Colorado Bureau of Investigations (CBI). Personnel who are not certain where to submit the request should consult with the Crime Lab Manager or a DNA analyst prior to submission.

The officer requesting DNA analysis should submit appropriate victim/suspect standards and include these with the request for processing. When submitting a lab request for DNA processing of the swab by the Metro Crime Lab, the proper Lab Service Code is “DNA Analysis”. DNA analysis will **not** be conducted without this lab request and a cover letter. **Swabs submitted to CBI for analysis should follow current CBI submittal guidelines.**

## **Firearms as Property**

All firearms submitted require a CSPD Case/Accident number and face sheet, regardless of whether they are held as “evidence” or “property”. Firearms that are either found by officers or turned in by citizens should be submitted as “property” in EoQ. The case number is important for tracking and submitting the firearm for NIBIN entry and must be included in EoQ. If there is no criminal investigation, the appropriate Occurred Incident Type is “Incident – Non-Criminal”.

Personnel entering found firearms should obtain as much information about the recovery location and circumstances regarding the found firearm, including finder contact information, to include in the case report and EoQ.

The following information should be included in EoQ:

- Location recovered from (general description and address)
- Recovering citizen and contact information
- Circumstances surrounding the found firearm
- Any known/possible ownership information
- Any originating agency information for stolen firearms
- Description including firearm type, make, model and caliber
- Include any unique identifiers about the firearm in the “Additional Description” field (e.g., unique grips/coloring, engravings, city/state/country designators, etc)

### *NIBIN Processing – Found Property Firearms*

Found “property” firearms with unknown owners and those with a destruction request will automatically be processed for NIBIN. “Property” firearms involved in the investigation of a crime (whether “evidence” or “property”) may be processed for the purposes of NIBIN testing at the request of an officer/detective.

### *NIBIN Association*

If a NIBIN association occurs with any property firearms, they will be reclassified as “evidence” as outlined below and further investigation will be conducted to determine evidentiary value. A property firearm converted to “evidence” for this review may be released by the investigative authority if it is determined to have no evidentiary value. This may be done through a “Request” in EoQ and does not require an Evidence Release Form.

If no association occurs for a property firearm it will be disposed of in accordance with the policies and laws regarding property.

## **.40 NIBIN Results**

Reports generated subsequent to NIBIN evaluation/entry will be forwarded to the Metro Crime Lab (MCL) Manager for appropriate distribution. Reports will indicate if submitted samples were of value for NIBIN entry, and the results of the search.

NIBIN reports may indicate one of following three results:

- The shell case evidence was entered into NIBIN and searched with no correlations
- The shell case evidence was unsuitable for entry into NIBIN
- The shell case evidence was entered into NIBIN and a search resulted in an associated association/lead

If the report indicates there is an association with a CSPD case, the MCL Manager will forward the report to the NIBIN CCI for further follow up. The NIBIN CCI will distribute and assign the NIBIN association information to the appropriate personnel as determined by the initial follow up.

The NIBIN association report will be sent back to the submitting patrol officer specifying there is no further action needed by the patrol officer and it is for “information only.”

## **Processing NIBIN Results**

The MCL Manager is responsible for ensuring proper and timely distribution of the results of all NIBIN submissions. The MCL Manager will ensure the following tasks are completed:

- All NIBIN results will be scanned into LERMS for the associated case
- All NIBIN leads will be forwarded to the NIBIN CCI
- The NIBIN CCI is responsible for completing the follow up for any item originally submitted as “property”, and now identified as associated with a NIBIN lead
  - Complete a supplement to the associated case for the NIBIN association
  - Transfer the item, as well as any other items in EoQ associated with the item/case, from “property” to “evidence” under the associated case in EoQ

## **.50 NIBIN Leads & Follow-Up**

All NIBIN leads will be evaluated by the Investigations Division NIBIN coordinator and assigned Violent Crimes supervisor for assignment to the appropriate unit for follow-up.

If a follow-up investigation on the NIBIN lead will not interfere with an ongoing CSPD investigation and it is not likely to be worked by the assigned investigators, the lead should be passed to the appropriate investigative unit that can potentially work the lead (CSPD Property Crimes, ATF CGIC, FBI Safe Streets, etc). Communication between units/agencies should be ongoing to ensure best results.

Each detective or federal agent who is assigned a NIBIN lead for follow-up will be responsible for the following:

- Request confirmation of the lead, when appropriate for the circumstances of the investigation, to determine whether the initial association is valid
- Complete supplements to the associated case in a timely manner
- Conduct appropriate follow-up investigation on the lead
- Keep all associated units informed of progress and impact on associated cases
- If it is determined that the lead will not yield investigative additional leads, the unit supervisors and investigators should determine whether it is appropriate to pass the lead to another investigative unit at that time
- If it is determined the casing/test-fires have no evidentiary value related to the lead, the investigative unit shall provide the Evidence Unit with written authorization to convert the item to “property” for proper disposal. This can be completed as a “Request” in EoQ.

## **.60 NIBIN Hit Confirmation**

The NIBIN program is designed to generate real time leads for cases involving the use of firearms. The NIBIN associations are not confirmed by a Firearms Examiner and therefore are considered a preliminary finding until confirmed.

Confirming an association is a time consuming and highly technical endeavor and therefore will be conducted only after careful consideration and supervisor approval. Association confirmation requests will be submitted by the lead detective when appropriate and after consultation with a Metro Crime Lab Firearms Examiner.