

<p>MESA POLICE</p> <p>Department Policy Manual</p>	<p>NIBIN Program</p>	<p>DPM 3.3.86 Effective 01/28/2014 Revised 02/05/2019</p>
<p>Approved by: Chief of Police</p>	<p>Chapter: Investigations</p>	<p>Page: 1 of 7</p>

1. PURPOSE

This policy provides Mesa Police Department (MPD) members guidelines for the National Integrated Ballistic Information Network (NIBIN) Program.

2. DEFINITIONS

CFC (Candidate for Comparison): An exhibit with apparent significant agreement of potentially individual markings (breech face, firing pin impression, firing pin aperture scrape, ejector mark, etc.) to another database exhibit.

IBIS (Integrated Ballistics Identification System): The instrumentation used to acquire digital images of marks made on fired cartridge cases recovered from a crime scene or test fired from an evidence firearm.

NIBIN (National Integrated Ballistic Information Network): A federally sponsored program designed to facilitate the capture and sharing of ballistic imaging data.

NIBIN Eligible: An overall determination made that evidence is appropriate to be entered into NIBIN based on its suitability and involvement or likely involvement in a crime, particularly a violent crime.

NIBIN "HIT": The identification by a Firearms Examiner of two exhibits previously linked to NIBIN.

NIBIN Suitable: A determination made that a specific evidence type is appropriate for entry into NIBIN.

- **Cartridge cases:** specific caliber is one that is typically used in a semi-automatic firearm (e.g., 22 Long Rifle, 25 Auto, 380 Auto, 9mm Luger, 40 S&W, 45 Auto, 12 gauge, etc.)
- **Firearms:** type of firearm that is likely to leave cartridge cases at a scene (e.g., semiautomatic, fully automatic, pump-action).

3. GENERAL

The Mesa National Integrated Ballistic Information Network (NIBIN) Program is a Forensic Services managed program designed to facilitate the rapid entry of suitable evidence into NIBIN in order to provide timely results to detectives/case agents and assist the MPD in combating violent firearms-related crime.

- A. The NIBIN system is located in and administered by the MPD Forensic Services Division.

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- B. The NIBIN Program is a partnership between the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and the MPD.

3.1 Program Components

As of January 1, 2014 the Mesa NIBIN Program consists of the following components:

- A. Automatic entry of suitable/eligible firearms.
- B. Automatic entry of suitable/eligible cartridge cases.
- C. Requested processing and entry of suitable/eligible firearms and cartridge cases.

3.2 Automatic Test Fire & Entry of Suitable Firearms

As of January 1, 2014 firearms impounded into the Mesa PD Evidence Section are automatically screened for NIBIN eligibility; firearms are considered NIBIN eligible if they are from a suitable firearm type (e.g., semi-automatic pistol, pump action shotgun, etc.) and are crime related (directly used in crime, accessible to someone with a criminal/violent history, or there is a reasonable expectation that firearm was involved in a crime).

- A. All NIBIN eligible firearms (with the exception of those submitted with Homicide, Officer Involved Shooting, or Other Agency Assist event types) will be automatically test fired and entered into NIBIN.
- B. Firearms with Homicide, Officer Involved Shooting, or Other Agency Assist event types will not be test fired and entered into NIBIN without a request.

3.3 Requesting Processing & Entry of Suitable Firearms/Cartridge Cases

- A. Firearms and cartridge cases submitted prior to January 1, 2014 will not be automatically screened/entered into NIBIN.
- B. All firearms must be evaluated for NIBIN eligibility/suitability and entered if required prior to release, auction, destruction, or conversion to Department use.
- C. A [DPM 3.4F1 Request for Forensic Examination](#) should be completed to request NIBIN entry if desired.
- D. For firearms that are suitable for NIBIN entry but are not selected for routine NIBIN entry due to a determination of non-eligibility (e.g., firearm impounded incident to arrest in traffic incident), a [DPM 3.4F1 Request for Forensic Examination](#) may be completed to request NIBIN entry if desired.
- E. For cartridge cases that are suitable but were not selected for routine NIBIN entry due to a determination on non-eligibility (e.g., a fired cartridge case collected during a suicide), a [DPM 3.4F1 Request for Forensic Examination](#) may be completed to request NIBIN entry if desired.

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3.4 NIBIN Entry Criteria

NIBIN entries can only be made for firearms used in an actual crime, accessible to someone with a criminal/violent history, or when there is a reasonable expectation the firearm was used in a crime should be consistent with the MOU (refer to 2004 MOU NIBIN-ATF attached in reference section of this policy). Usage of NIBIN, which provides, in part, that the MPD “shall enter all crime gun firearms evidence recovered by law enforcement into the NIBIN system, particularly firearms evidence recovered from violent crime scenes.”

- A. Semi-auto firearms that eject fired cartridge cases at crime scenes are candidates for NIBIN entry.
 1. Revolvers are typically not entered because the fired cartridge case is not ejected.
 2. Firearms used in suicide investigations would not normally qualify as a NIBIN candidate, unless it was associated with an individual having a criminal/violent history.
- B. If circumstances surrounding the location of a “found” firearm suggest the firearm was abandoned in the course of a crime, it should be submitted for NIBIN testing.
 1. A found firearm has the potential of having been used in a crime and a search of recent area activity for crimes of violence may be appropriate.
 2. Conversely, a firearm “found” in the personal effects of a law-abiding deceased person would not qualify as a NIBIN candidate.
- C. The following items should be entered into NIBIN:
 1. Semi-auto pistols.
 2. Semi-auto rifles.
 3. Semi-auto shotguns.
 4. Pump action shotguns.
 5. Cartridge cases from crime scenes.
- D. The following items are NOT typically suitable for NIBIN entry:
 1. Firearms used in suicides.
 2. Revolvers, bolt-action, and lever action firearms.

3.5 NIBIN Requests

For NIBIN requests, complete [DPM 3.4F1 Request for Forensic Examination](#).

- A. If NIBIN processing is desired without any further firearms examination and the evidence was not automatically selected, include details for eligibility and indicate as NIBIN only.
- B. If any firearms examination other than NIBIN processing is desired (e.g., function testing, firearms comparison, serial number restoration, etc.) check the Firearms box only and describe what examinations are needed.

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- C. If NIBIN processing and a Firearms examination are desired, check both the firearms and NIBIN boxes.
- D. If additional information is needed to clarify the analysis request(s), a member of the Firearms Unit may contact the requesting member for clarification prior to analysis.

3.6 NIBIN Searches

- A. By default, searches are made only against Arizona entries.
- B. Searches against other states must be specifically requested in the narrative of [DPM 3.4F1 Request for Forensic Examination](#), as outlined in [FSQA-M2-7.12 Forensic Services Case Acceptance Criteria](#).
- C. By searching in an automated environment either locally, regionally, or nationally, NIBIN partners are able to discover links between crimes more quickly. This includes links that may not have been identified absent this technology.
- D. If a candidate for comparison (CFC) for a match emerges, firearms examiners may compare the original evidence and confirm the CFC as a NIBIN “hit”.

3.7 NIBIN Hit Process

- A. Once the image(s) have been uploaded into NIBIN, they are compared against other images. These images become part of the NIBIN database and are used in future search correlations.
 - 1. If a candidate for comparison is found, the Major Crimes Unit Sergeant or designee will follow-up to determine if confirmation is required.
 - 2. If confirmation of the CFC is needed, a comparison request will be submitted to Forensic Services using [DPM 3.4F1 Request for Forensic Examination](#).
 - 3. If the comparison results in a hit the Firearms Unit will notify appropriate parties.
- B. Upon completion of forensic testing the Firearms Unit finalizes the report in LIMS, the RMS counterpart used by Forensic Services.
 - 1. LIMS will automatically notify the original requestor of the forensic work by email and forward a copy of the report to the Department’s Document Management System (DMS/KwikWorks).
 - 2. The CAN (CODID, AFIS, NIBIN) database polls the LIMS system weekly and posts the new hit in the weekly CAN report. This CAN report is then forwarded out to the investigative units.
- C. In the event the hit is from one Mesa case to another:
 - 1. The related firearms report will be added to both cases in DMS/KwikWorks.
 - 2. The same hit will appear on each case in the CAN database as outlined in [INV 4.2 Forensic Hits Case Management](#).

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3.8 NIBIN Hit Investigation

- A. Any case involving firearms related evidence that is NIBIN tested which generates a NIBIN hit must be supplemented to document what action was taken on the hit.
- B. All NIBIN hits will be forwarded to the Major Crimes Unit Sergeant or designee for review.
- C. Refer to [INV 4.2 Forensic Hits Case Management](#) for details.

3.9 NIBIN Case Follow-Up

- A. The assigned detective can view the Firearm Unit's technical supplement accessing the specific departmental report (GO) in DMS/KwikWorks.
 - 1. The Scientific Examination Report will document the hit.
- B. It is the assigned detective's responsibility to conduct appropriate investigative follow-up as outlined in [INV 2.3 Investigating Cold Cases](#) with Forensic Evidence.

3.10 Firearms Cases NOT Requiring NIBIN Entry

If the assigned firearms case has no investigative leads and the assigned detective has screened the firearms related and determined it does not qualify for NIBIN testing:

- A. The assigned detective will complete a brief RMS supplement documenting those facts and close out the case.
- B. This documentation is critical for the proper release of the firearms related evidence by the Evidence Section.

4. DISPOSITION OF FIREARMS RELATED EVIDENCE

- A. Upon completion of cases involving firearms related evidence, the assigned detective will complete [DPM 3.2F3 Evidence Disposition Order](#).
- B. In the absence of an assigned detective, the Evidence Disposition Detective (EDD) may be tasked with reviewing a case slated for disposition.
- C. The EDD will document the NIBIN status of firearms related evidence to be disposed of on [DPM 3.2F3 Evidence Detective Disposition Order](#).

5. DETECTIVE/OFFICER RESPONSIBILITIES

- A. Review cases involving firearms related evidence to ensure NIBIN eligible evidence is submitted for NIBIN entry where appropriate.
- B. Respond appropriately to NIBIN hits.

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- C. Evaluate firearms evidence prior to release, auction, destruction or conversion to Department use to ensure NIBIN suitable/eligible evidence has been submitted for entry.

REFERENCES

- [DPM 3.2F3 Evidence Detective Disposition Order](#)
- [DPM 3.4F1 Request for Forensic Examination](#)
- [FSQA-M2-7.12 Forensic Services Case Acceptance Criteria.](#)
- [INV 2.3 Investigating Cold Cases](#)
- [INV 4.2 Forensic Hits Case Management](#)

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U.S. Department of Justice

Bureau of Alcohol, Tobacco,
 Firearms and Explosives

OCT 20 2004

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Chief Dennis Donna
 Mesa Police Department
 130 North Robson Street
 Mesa, Arizona 85201

Dear Chief Donna:

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), National Integrated Ballistic Information Network (NIBIN) Program Office, has enclosed the implemented Memorandum of Understanding (MOU) for your agency's participation in the NIBIN Program. Page 3 contains the required signatures. Please keep this document for future reference and for your records.

If you have any questions, please feel free to contact your NIBIN Regional Coordinator, Mark Rusin at 520-670-4725.

Sincerely yours,

Steven M. Pugmire
 Chief, NIBIN Branch

Enclosure

Cc: Special Agent in Charge Lester Martz
 NIBIN Regional Coordinator Mark Rusin
 NIBIN Coordinator

RECEIVED
 OCT 25 2004
 CHIEF'S OFFICE