

U.S. Department of Justice

Bureau of Alcohol, Tobacco, Firearms and Explosives

National Tracing Center



ATF

FIREARMS TRACING GUIDE

Tracing Firearms to Reduce Violent Crime



Introduction

This booklet will help you understand the firearms trace process. It contains instructions on requesting a trace; understanding trace results; capabilities of comprehensive firearms tracing; and, how to establish a tracing program.

Background

Firearms-related violence threatens public safety throughout the world. To address criminal misuse of firearms, it is imperative that agencies identify the means by which firearms move from lawful commerce into the hands of criminals.

In 1968, the Gun Control Act recognized the importance of firearms tracing in criminal investigations and established mandatory record keeping requirements for persons and entities engaged in the business of dealing in firearms. The Act led to the establishment of the Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF) National Tracing Center.

Law enforcement agencies now had a resource to trace the origins of firearms imported into, or manufactured in, the United States (U.S.-sourced) in support of their criminal investigations. ATF uses firearms trace information to identify the sources of firearms to criminals and firearms trafficking schemes.

Firearms tracing is an integral tool in law enforcement's efforts to reduce firearms-related violence.

The tracing of U.S.-sourced firearms is a service ATF provides to law enforcement agencies at no cost. Firearms tracing is the single most important strategy in determining the sources of crime guns, linking suspects to firearms in criminal investigations, and developing strategies to address firearms-related violence. ATF supports law enforcement's efforts by providing this Firearms Tracing Guide to assist agencies in understanding, establishing, and exploiting the investigative information firearms tracing can provide.

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Chapter 1: UNDERSTANDING FIREARMS TRACING

Why are firearms traced?

Firearms are traced to link a suspect to a firearm in a criminal investigation; to identify potential traffickers, whether licensed or unlicensed sellers; and, when sufficiently comprehensive tracing is undertaken by a given community, to detect in-state, interstate, and international patterns in the sources and kinds of crime guns. Tracing can assist in developing potential witnesses, determining the sources of firearms used in crimes, proving ownership, and producing invaluable investigative leads.

A firearms trace is the first step in determining how a firearm has moved from lawful commerce into a crime scene, criminal act or other event that brought the firearm into law enforcement custody. Tracing serves to define the illegal gun problem in a given community.

What information is on an individual firearms trace summary?

A firearms trace result summarizes the trail, through lawful commerce, taken by an individual firearm until its purchase by a non-licensed individual or entity in a retail sale. A successfully completed trace includes the identifiers of the requesting agency; the firearm description; the identifiers of the purchaser, possessor and associates (if applicable); the recovery address; a computation of the time between retail sale and law enforcement recovery; an explanation of the trace finding; and, the Federal Firearms Licensees (FFLs) in the distribution path.



What specific benefits are provided by tracing firearms?

The benefits of firearms tracing come from individual trace results, linking trace results, and from the sum total of trace results.

A. INDIVIDUAL TRACE RESULTS

A single firearms trace can help determine or provide:

- **Origin** - To determine how the firearm moved from lawful commerce into a crime scene.
- **Ownership** - To answer the question, “Who was the original purchaser?”
- **Criminal Involvement** - Purchase and trace information are invaluable in interviewing and effective prosecution.
- **Potential Witnesses** - The purchaser may not have any criminal involvement, but can prove to be a valuable witness and can lead to the development of new witnesses.

B. LINKING TRACE RESULTS

A single firearm trace may be linked to other traces conducted by the requesting agency, and to firearms traces requested by any law enforcement agency that traces firearms. A link exists when other firearms traces are found to have common purchaser, possessor, retail firearms dealer and/or recovery location.

A search to determine if links exist can be done by using the referral list feature found in eTrace (see Chapter 5). Links that are identified using the referral list provide the potential to identify parallel and pre-existing investigations in common with other law enforcement agencies and open the possibility of a greatly expanded list of potential witnesses and evidence.

For common links, the requesting agency will be provided the other agencies’ names, contact numbers, and trace ID numbers. They will not be able to view the other agency’s traces but can contact them to request copies or to determine if a joint investigation might be warranted.

C. CUMULATIVE TRACE RESULTS

The sum total of a law enforcement agency's firearms traces can identify and define the crime gun problem, even if only a few firearms have been recovered. Comprehensive firearms tracing (see Chapter 5) yields invaluable information including: types of firearms being recovered; sources (purchasers, retail sales locations, out of State sources, etc.); individuals (possessors and associates); recovery locations; patterns in firearms related crimes; and, trends.

Can a firearm trace always identify the first retail purchaser?

No. Many factors can make the trace of a firearm impossible. The most common among these is the incomplete or inaccurate description of the firearm (see Chapter 3 for more information). Other prohibiting factors include obliterated markings; damage or loss of firearms transaction records; a manufacturing date prior to 1968; and, trace requests for firearms that were not manufactured in, or lawfully imported into, the United States.

Can a firearms trace tell me if a firearm is stolen?

To determine if a law enforcement agency has reported a firearm to be stolen, a search of the Gun File in the National Crime Information Center (NCIC) system should be conducted by the agency that recovers the firearm.

Only in limited circumstances will a firearm trace result indicate that the firearm was reported lost or stolen. This only occurs when the traced firearm was either previously reported lost or stolen to ATF by a Federal firearms licensee or from a party involved with an interstate shipment of firearms.

Federally licensed firearms importers, manufacturers and dealers must report the theft of firearms from their inventory, directly to ATF. ATF also accepts voluntary reporting of the theft or loss of firearms from interstate shipments. For more information on these programs visit www.atf.gov to view ATF Publication 3317.2, "Safety and Security for Federal Firearms Licensees."

Chapter 2: TERMS USED IN FIREARMS TRACING

What is a “firearm”?

Title 18, USC, Chapter 44, Section 921(a)(3) defines a “firearm” as (A) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (B) the frame or receiver* of any such weapon; (C) any firearm muffler or firearm silencer; or (D) any destructive device. Such term does not include an antique firearm.

The term “firearm” under Federal law, as used in the context of tracing, does not include objects such as toys, inoperable replicas, and “antique firearms”. When the term “gun” appears in regard to tracing, as in the term “crime gun,” that term includes only firearms as defined under Federal law.



Receiver



Frame

** Although the terms are interchangeable, “frame” is typically used to describe a handgun and “receiver” to describe a long gun.*

What is an “antique firearm”?

Title 18, USC, Chapter 44, Section 921(a)(3) defines “antique firearm” as “(A) any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898; or (B) any replica of any firearm described in subparagraph (A) if such replica—(i) is not designed or redesigned for using rimfire or conventional centerfire fixed ammunition, or (ii) uses rimfire or conventional centerfire fixed ammunition which is no longer manufactured in the United States and which is not readily available in the ordinary channels of commercial trade; or (C) any muzzle loading rifle, muzzle loading shotgun, or muzzle loading pistol, which is designed to use

black powder, or a black powder substitute, and which cannot use fixed ammunition. For purposes of this subparagraph, the term “antique firearm” shall not include any weapon which incorporates a firearm frame or receiver, any firearm which is converted into a muzzle loading weapon, or any muzzle loading weapon which can be readily converted to fire fixed ammunition by replacing the barrel, bolt, breechblock, or any combination thereof.”

What is a “crime gun”?

“Crime gun” includes any firearm used in a crime or suspected to have been used in a crime. This may include firearms abandoned or otherwise taken into law enforcement custody that are either suspected to have been used in a crime or whose proper disposition can be facilitated through a firearms trace.

What is a firearms trace?

A firearms trace is the systematic tracking of the movement of a firearm recovered by law enforcement officials, beginning with its importation into, or its manufacture in, the United States through the distribution chain of Federal firearms licensees to the point of its first retail sale.

What is the firearms trace process?

The firearms tracing process is focused research, using records required to be kept by federally licensed firearms dealers, to determine the origin of a firearm recovered by law enforcement. The process ends when the first retail purchaser of the firearm is identified.

ATF does NOT maintain a national data base of ownership for conventional firearms (i.e. pistols, revolvers, rifles and shotguns). Absent a national registration, Congress enacted laws in 1968 designed to assist law enforcement in determining the origins of firearms recovered in crime. In particular, businesses licensed to deal in firearms were required to maintain records of their firearm transactions at their place of business and to provide information from their records to ATF pursuant to a firearms trace request.

Firearms manufacturers, importers, wholesalers, and retail dealers in the United States and foreign countries cooperate in tracing by providing specific information on manufacture, importation, or sale of firearms. ATF is the Federal agency designated with the responsibility of tracing firearms for law enforcement agencies.

What is a report of “Multiple Sale”?

“Multiple Sale” describes the sale or other disposition to an unlicensed person, at one time or during any five consecutive business days, of either: two or more pistols or revolvers, or any combination of pistols and revolvers, totaling two or more; or, two or more semiautomatic rifles capable of accepting detachable magazines and with calibers greater than .22 (including .223/5.56).

Federal firearms licensees (FFLs) are required to report these transactions using either ATF Form 3310.4, Report of Multiple Sale or Other Disposition of Pistols and Revolvers, or ATF F 3310.12, Report of Multiple Sale or Other Disposition of Certain Rifles. These forms can be found at <http://www.atf.gov/forms>, or by calling the ATF Distribution Center at 202-648-6420.

What does “Time to Crime” mean?

“Time to Crime” refers to the period of time (measured in days) between the first retail sale of a firearm and a law enforcement recovery of that firearm during a use, or suspected use, in a crime.

What does “Comprehensive Tracing” mean?

When a law enforcement agency traces all of the firearms that they have recovered during a specific period of time, they are performing comprehensive tracing. Comprehensive tracing is the single most effective tool for identifying crime gun problems. The purpose of comprehensive tracing is to build a robust database of recovered gun information. Tracing also allows law enforcement agencies to share common recovered firearms information with other law enforcement agencies. Agencies do not need to create a separate database for firearms traces because their trace information can be studied and downloaded electronically at no cost using eTrace.

Chapter 3: REQUESTING A FIREARMS TRACE

Who may trace a firearm?

Any Federal, State, county, local, tribal, or foreign law enforcement agency that recovers a U.S.-sourced firearm (i.e., manufactured or imported into the United States) in the course of a criminal investigation or prosecution, may submit a trace request to ATF.

How can a firearms trace be requested?

A firearms trace can be requested in three ways:

1. Submitting a request electronically through ATF's paperless firearms trace submission system, eTrace, at www.atfonline.gov.
2. Manually completing a National Tracing Center Trace Request form, ATF F 3312.1, and either mailing the completed form to: ATF National Tracing Center, 244 Needy Road, Martinsburg, WV 25405; or faxing it to: 1-800-578-7223. This form can be found at <http://www.atf.gov/forms/download/atf-f-3312-1.pdf> or requested from the ATF Distribution Center (202-648-6420).
3. Requesting an "urgent" trace via telephone by dialing 1-800-788-7133. Telephone traces will only be accepted in circumstances involving a sensitive or violent crime wherein the need for trace results is immediate.

How are firearms trace results received?

Requestors who have an eTrace account will receive their trace request results electronically through eTrace. Requestors who do not have an eTrace account will receive their trace results by mail at the address assigned to their Originating Agency Identifier (ORI) assigned by the Federal Bureau of Investigation. Urgent trace results can be communicated by telephone when requested.

What information is required to trace a firearm?

To fully complete a firearms trace request, the recovering agency will be requested to provide:

- Complete and accurate description of the firearm;
- Requestor name, agency name, address and ORI;
- Possessor and Associates Names and Identifiers (if applicable);
- Firearm Recovery Location/Address; and,
- NCIC Crime Code.

How are firearms marked?

The marking requirements for any firearm manufactured in, and for firearms imported into, the U.S. after the passage of the Gun Control Act of 1968, can be found in Title 27, CFR, 478.92 , and are paraphrased in the following:

Firearms Manufactured in the U.S.

1. Serial Number

- *Must be on the frame or receiver*
- *A Manufacturer may not duplicate any serial number on any other of **their** firearms*

2. Manufacturer's Name

3. City and State of Manufacturer

- *Recognized abbreviations may be used*

4. Model

- *If assigned*

5. Caliber or Gauge

Manufacturer _____

City & State _____

Serial Number _____

Caliber _____

Model _____



Firearms Imported into the U.S.

1. Serial Number
 - *Must be on the frame or receiver*
 - *An Importer may not duplicate any serial number on any other of **their** firearms*
2. Manufacturer's Name
3. Country of Origin
4. Model
 - *If assigned*
5. Caliber or Gauge
6. Importer's Name
7. City and State of Importer (recognized abbreviations may be used)
 - *Recognized abbreviations may be used*

Why are all markings on firearms important?

The combinations of markings on firearms are integral in uniquely identifying a single firearm from hundreds of millions of other firearms. The following section briefly discusses the significance of each category of marking:

- **Serial Number:** A firearm cannot be traced without a serial number. However, the serial number has to be accompanied by the model name and the name of the manufacturer or importer. Serial numbers are not issued by ATF. Duplication of numbers is common between manufacturers and importers and many firearms manufactured prior to 1968 were not marked with a serial number at all.

Where a serial number is present, always include any letter prefix, suffix, code numbers, or letters over that serial number. Some firearms will bear more than one string of letters and numbers. Always take the serial number from the frame or receiver. If unsure of the correct serial number, note each one and specify its location on the firearm.
- **Manufacturer:** A domestically manufactured firearm cannot be traced without knowing the maker of the firearm, nor can it be

uniquely identified. The manufacturer (and importer if applicable) possesses the records needed for tracing firearms. They must be correctly identified to prevent a trace of the wrong firearm.

Often, manufacturer information appears in abbreviated form. Although recognized abbreviations are often used, they can be confusing. Firearms also frequently possess brand names and trade names, which are not manufacturer designations. If the manufacturer of the firearm is not readily apparent to the requestor, all markings that appear on the firearm should be listed on the firearm trace request. Requestors using eTrace (see Chapter 4) can access a list of recognized manufacturers and can also submit electronic images of the firearm to enhance the identification process.

- **Importer:** A firearm of foreign manufacture that is imported into the United States cannot be traced without identifying the importer. The importer possesses the records needed for tracing that firearm.

Importer information often appears in abbreviated form. If the firearm bears the name of a foreign manufacturer, the requestor must identify the name of the importer. When that information is not readily apparent to the requestor, all markings that appear on the firearm should be listed on the firearm trace request. Requestors using eTrace (see Chapter 4) can also submit electronic images of the firearm to enhance the identification process.

- **Type:** ATF recognizes four broad categories of firearms - pistols, revolvers, rifles, and shotguns. All firearms trace requests should include notation of firearm “type” to ensure accurate identification of the firearm.
- **Model:** Because serial numbers are often duplicated, the requestor must include the model designation in a trace request. The model designation can appear as a name, a letter or numerical designation, or may incorporate the caliber designation.
- **Caliber or Gauge:** Caliber designations are required markings. They appear on most firearms so that the correct ammunition will be used. The full caliber designation should be used. For example, for .22 caliber, always specify .22 short, .22 LR, .22 Magnum caliber,

etc. The same would apply to 9mm, as in 9x17, or 9mm Parabellum caliber. Also be sure to include any names or abbreviations that appear with the caliber. For example, 9mm Kurz specifies 9x17 and 9mm Parabellum specifies 9x19.

- **Country of Origin:** This information may appear on the frame or receiver, under the grips, or other hidden locations. If the country of origin is not the United States, the requestor should look for and identify the importer.

Chapter 4: ELECTRONIC TRACING WITH eTrace

What is eTrace?

ATF's eTrace is a paperless firearms trace request submission system and interactive trace analysis module that facilitates firearms tracing and assists ATF's efforts to combat firearms trafficking. eTrace provides the electronic exchange of crime gun incident data in a Web-based environment with a portal to the Firearms Tracing System (FTS) database. The system provides real-time capabilities that allow law enforcement agencies to submit electronic firearms trace requests, monitor the progress of traces, retrieve completed trace results, and query firearms trace-related data in the FTS database.

How do I request an eTrace account?

A Memorandum of Understanding (MOU) must first be established between your law enforcement agency and ATF in order to open an account. If this MOU has not yet been established, go to www.atfonline.gov/etrace and click on "Request an eTrace Memorandum of Understanding." Upon filling out the request and submitting it, the National Tracing Center will generate a hardcopy MOU and mail it to your agency's head law enforcement official for signature. Upon receiving the signed MOU, ATF will authorize a primary and alternate agency Point of Contact (POC) to manage your agency's user access.

What are some of the firearms related reports eTrace can create?

eTrace is a relational database and provides the user with a powerful tool through which they can review and sort their trace information. Reports can be printed out and/or downloaded electronically.

eTrace also produces six standard summary reports, specific to their respective agencies, in graph form to assist users in determining their crime gun problems based on their firearms trace submissions. The reports are:

- Total Firearms Traces Requested (by year)
- Status of Firearms Traces Requested (Completed, In –Progress, etc.)
- Most Frequently Traced Firearms
- Crimes Most Commonly Associated with Firearms Traces
- Top Firearms Retailers to Whom Firearms are Traced
- Ages of Possessors of Recovered and Traced Firearms

Chapter 5: ESTABLISHING A TRACING PROGRAM

What resources are needed to trace firearms?

For assistance, contact your local ATF office. Agencies can also call 1-800-ATF-GUNS or the National Tracing Center (800-788-7133) for assistance.

What resources are available to support a tracing program?

The following publications are available from the ATF Distribution Center (202-648-6420) at no cost: ATF P 3312.12, Police Officer's Guide to Recovered Firearms; and ATF P 6320.1, Firearms Identification and Tracing Procedures.

U.S. Department of Justice

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For more information about ATF visit:

www.atf.gov



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