



Violence without Borders

“CSI”-Type System Traces Nine Firearms Per Day Involved in Crimes in the U.S. Police Authorities in the U.S. Review 34,000 Cases Over an Eleven-Year Period, but No Such System in Brazil

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December 22, 2010

Washington, D.C. and Rio de Janeiro

Since the U.S. Bureau of Alcohol, Tobacco and Firearms (ATF) established its National Integrated Ballistics Information System (NIBIS) in 1999, the Bureau has been able to trace an average of nine firearms per day that were used to commit crimes. Through methods worthy of “CSI” – the series portraying forensic police investigations in the U.S. – NIBIS, over this eleven-year period, was able to trace ballistic evidence to a specific firearm in 34,000 separate criminal investigations.

All told, the 156 police forces in the U.S. authorized under NIBIS submitted a daily average of 399 images of projectile or bore markings on bullets and firearms recovered at crime scenes. There are today more than 1,600,000 such images stored in the ATF database.

“The markings on a spent bullet recovered at a crime scene are compared against those in the bore of a suspected firearm,” explains NIBIN supervisor Martin Ols. “When the system alerts us to a possible match, the evidence is microscopically analyzed by experts who try to confirm the markings patterns between the projectile and the suspected firearm. The system helps, but it’s the expert who determines whether there’s a match.”

The ATF successfully traced an average of 942 firearms per day during fiscal year 2009 (October 1, 2008 – September 30, 2009).

“There are three reasons to trace a firearm,” says Charles Houser, Director of ATF’s National Tracing Center. “The first is to link a suspect to a particular crime; the second is to determine how a criminal organization obtains its supply of weapons; and the third is to find the main trafficking routes of firearms into a given city and try to stop it.”

A database of ballistics markings has yet to be established in Brazil. The 2003 Anti-Gun Law mandated that the Federal Police provide a database for markings images for all firearms manufactured in Brazil. A decree-law (5.123) promulgated in 2004 established a 180-day deadline for the Federal Police to announce how the decree would be implemented, but the order has up to now not been carried out.

According to Federal Police Chief of the National Firearms Service (SENARM), “A National Criminology Institute study concluded that, given the statute’s current wording, the database would serve no practical purpose.”

In 2005, a team of experts from the Federal Police paid a visit to ATF to find out what they could about NABIS.

“Once a firearm is worn from frequent use, bore markings are altered to the point that a match to a projectile is impossible,” explains Eduardo Sato of the Federal Police’s National Institute of Criminology. “As such, including ballistics records of all firearms made in Brazil in a database makes little sense. Ideally, the database would include only those weapons recovered at crime scenes, as is the case in the U.S.”

ICCE Experts in Rio Conduct 230 Ballistics Comparisons in One Year

The absence of a national ballistics image database seriously jeopardizes criminal investigations involving firearms. Without this national network, ballistic comparisons are possible only when a projectile and a suspected firearm from a crime scene are examined side by side.

“If we had a database, we would be able to find out, for example, if the weapons seized recently at the Complexo do Alemão slum had been used in crimes,” says criminologist Marcelo Sanches, former Deputy-Director of the Rio de Janeiro Federal Police’s Carlos Éboli Institute of Criminology (ICCE). “It would only have been a matter of comparing markings on the projectiles we have stored against those in the bores of these firearms.”

A few years ago, the government of the State of Rio de Janeiro acquired the Integrated Ballistics Identification System for ICCE. The system, one that stores images of ballistics markings in a database, was never employed and the machine is now in disuse.

The need to constantly have in hand a weapon and its projectile compromises the productivity of crime investigators. In 2009, ICCE carried out only 230 ballistics comparisons, corresponding to fewer than half the number of the 476 homicides committed in the month of December alone in the State of Rio de Janeiro.

Detective Dies from Gunshot Wounds

Detective Joseph Airhart Jr. was leading a joint taskforce of the Chicago Municipal Police and FBI seeking the arrest of David Salley, suspected of robbing banks in the city. On August 28, 2001, as agents closed in on the suspect’s apartment, Salley opened fire striking Officer Airhart in the head. Salley only surrendered after two hours, during which Officer Airhart, gravely injured, had been held hostage.

Salley wielded two firearms while committing this crime, one of which was a .45 caliber semi-automatic pistol made by Imbel, a Brazilian manufacturer.

Officer Airhart, who spent two months in a coma, never recovered from the gunshot. On November 4, 2008, he died at age 53.

Salley, who had been a revenue officer before embarking on a life of crime, was sentenced to life in prison in 2006. During his trial, Salley argued that he had been the victim of a government conspiracy, but the jury did not buy this defense.

In an interview on “Chicago Breaking News“, Len Bajenski, Officer Airhart’s partner on the force, lamented “I lost a great friend, and the world a great man.”

Bajenski and Officer Airhart’s family declined EXTRA’s request for an interview.

[Image]

Officer Joe Airhart killed with a Brazilian-made firearm

A U.S.-made Ruger pistol was used in a robbery at a dental clinic at Saens Pena Square in Tijuca, a Rio de Janeiro suburb. Five patients at the clinic were being held hostage when police arrived and exchanged fire with the suspects. One of the suspects, Felipe Agrícola Morreira, 16, was killed in the exchange and found bearing the Ruger pistol. Alex Correa Muniz, an accomplice, was arrested at the scene.

A witness to the robbery, Perla Halfeld, 62, recalls the events of the day. “I had been robbed before, and after this second incident I got tired of Rio and moved to Macaé. Rio is a mess,” laments Halfeld.

[Image]

Dental Clinic robbed with a U.S.-made firearm Pistols and Revolvers

Practically all of the U.S.-made firearms seized in Rio as well as the Brazilian firearms seized in the U.S. are handguns, or pistols and revolvers.

Of the 77,365 firearms of Brazilian manufacture that were seized by authorities in the U.S. between 1989 and 2001, 47,510 were made by Taurus, a company that sells more weapons to U.S. consumers than to those of any other country. In the case of U.S.-made firearms seized by Rio police between 2007 and May of this year, the Colt brand prevails, followed by Ruger.

Tomorrow’s Report: Brazil to be included in ATF’s electronic firearms tracing system extraonline.com.br

- Video interview: ATF Director Charles Houser on the firearms-tracing process and its importance

INSIDE THE ATF

The Bureau of Alcohol, Tobacco and Firearms of the U.S. Department of Justice is responsible for tracing firearms within U.S. borders. State and local police forces seize firearms, sending tracing requests to ATF.

Firearms Tracing

Tracing a firearm involves investigating its route from factory to retail stores, and then to its last known legal consumer.

What follows is ATF data for fiscal year 2009 (ending 09/30/2009).

[ATF seal]

The ATF's National Firearms Tracing Center traced 343,746 firearms 2009 on behalf of U.S. police authorities and those of other countries around the world

THE NATIONAL INTEGRATED BALLISTICS INFORMATION SYSTEM (NIBIS)

In 1999, the ATF created NIBIS, a program allowing police authorities to provide digital images of markings on bullets and the bores of firearms recovered from crime scenes. The system then compares the projectiles' markings to those in the bore of suspected firearms to determine whether there is a match. When the probability of a match reaches a certain level, experts examine the markings microscopically to confirm a match, according to NIBIS ballistics comparisons standards.

NIBIS currently maintains 1,600,000 images in its database, with 34,000 confirmed matches

The program currently includes a total of 156 separate police departments in the U.S. from 190 jurisdictions. To participate in the NIBIS system, a police department or agency must have access to a ballistics laboratory and enter into an agreement with ATF.

ORGANIZATION

| | |
|-----------|------------------|
| Budget | \$ 1,500,000,000 |
| Personnel | 5,008 |

EFFECTIVENESS

| | |
|------------------|--------------------------------------|
| Indictments | 10,630 |
| Charges | 17,677 |
| Convictions | 8,489 |
| Prison Sentences | 2,987 (Sentence average: 12.9 years) |
| Life Sentences | 30 |
| Death Sentences | 9 |

**BRAZILIAN-MADE FIREARMS SEIZED IN THE U.S.
BY MANUFACTURER (1989-2001)**

| | |
|---------------------------------|---------------|
| Taurus | 47,510 |
| Rossi | 24,265 |
| CBC | 2,673 |
| E.R.A. | 1,226 |
| INA | 901 |
| Imbel | 776 |
| Other | 5 |
| FIREARM TYPE (1989-2001) | |
| Revolver | 51,587 |
| Pistol | 20,064 |
| Rifle | 4,279 |
| Other | 4,335 |
| TOTAL: | 77,356 |

**U.S.-MADE FIREARMS SEIZED IN RIO DE JANEIRO
BY MANUFACTURER (2007-2010)**

| | |
|---------------------------|------------|
| Smith & Wesson | 859 |
| Colt | 491 |
| Ruger | 156 |
| Springfield | 26 |
| Remington | 9 |
| Bushmaster | 6 |
| Other | 5 |

FIREARM TYPE (1989-2001)

| | |
|-----------------|--------------|
| Revolver | 938 |
| Pistol | 165 |
| Rifle | 149 |
| TOTAL: | 1,552 |

FOREIGN-MADE FIREARMS SEIZED IN RIO DE JANEIRO

Firearms made in Brazil are those most frequently seized in the State of Rio de Janeiro, followed by those of U.S. manufacture. From 2007 to 2010, 24,914 Brazilian-made firearms were seized in the state.

- United States
- Italy
- Austria
- Argentina

*Up to May, 2010

Source: Firearms and Explosives Enforcement Department (DRAE) / Civil Police