

Moving Toward a More Effective NIBIN

Introduction

A recent report evaluated the current state of NIBIN and its organizational aspects, performing a critical evaluation of outcome.¹ In sum, the report concluded that while the potential for NIBIN positively impacting shooting investigations is high, it is been widely ineffective in combating shooting crime. The reason for this is not necessarily a lack of desire but rather a lack of appreciation for an effective strategy that would allow for a more outcome-based approach. History has demonstrated that a piecemeal approach to NIBIN is very ineffective. Furthermore, determining a site's level of success by the number of acquisitions it performs and hits it produces is a very poor measure of effectiveness and efficiency. The NIBIN Branch is committed to developing a much more effective strategy focused on the identification, targeting and prosecution of shooters and their sources of crime guns.

The purpose of this document is to highlight the factors key to a successful NIBIN program, regionally and nationwide. It will then focus on those factors that are within the purview of the NIBIN site. The purpose is to identify how a site may be better able to achieve success in each of the factors so as to optimize their position in the totality of the NIBIN program. Furthermore, this discussion will include options based on the classification of the site as municipal, county and state, as they each have different resources and expectations. It must be understood that this has to be viewed with two things in mind. First, it may not be able to achieve all of what would be needed immediately. Therefore, it is expected many sites would develop a strategy and plan that would be incremental in nature. Second, these factors and success are positively correlated. But, it is not a 1 to 1 ratio. Simply, if there is only a 50% implementation, it will lead to a more successful NIBIN but not to a 50% level. It will be far less because these factors are so closely inter-related.

Key Factors

There are four factors that have been identified as being keys to a successful NIBIN Program. Those factors are:

- Comprehensive data collection - the non-fatal/injury shootings previously having low priority are as important as the fatalities/injuries because they represent “misses” more often than not

¹ King, W.; Wells, W.; Katz, C.; Maguire, E.; Frank, J. Opening the Black Box of NIBIN: A Descriptive Process and Outcome Evaluation of the Use of NIBIN and Its Effects on Criminal Investigations, Final Report. US Department of Justice Award Number 2010-DN-BX-0001, October 2013.

- Timeliness - NIJ report demonstrated that value of output drops precipitously after only one week delay; in this instance timeliness turns into a quality issue because delays = less useful intelligence
- Investigative follow-up – actively following up on NIBIN leads for the purpose of identifying and targeting active shooters; can also include analytics to help facilitate the work of investigators freeing them up to focus on doing actual interviews
- Feedback - reduces frustration of sites who wonder whatever becomes of their efforts and also provides fuel to motivate increased funding

Comprehensive data collection begins at the scene. Every shooting scene has to be processed and any shooting-related evidence collected, packaged and submitted in a timely fashion. Once collected, all firearm-related evidence has to be entered into NIBIN. This includes test fires and representative cartridge cases from all shooting scenes. For purposes of comprehensive data collection, all firearm-related evidence is to be seen as having the same priority. The reason is that until it is demonstrated that it is not connected to any other shootings, each piece of firearm-related evidence is potentially the key in helping to solve a no-suspect shooting.

Timeliness refers to the time between the incident and notification of acquisition and correlation review. Considering that it has been demonstrated that the value of notifications drops precipitously after only one week delay, the actual quality of the information being provided is directly linked to the timeliness of that information. Simply, in this case, timeliness is a factor of quality control. There are many potential barriers to timeliness. Many if not most of these can be overcome by the individual sites.

Investigative follow-up is needed on each NIBIN lead provided by the site. In these instances, the previously low priority shootings that now are linked to a homicide investigation become as potentially critical as that homicide investigation. This is because potential witnesses to those low priority shootings could have information leading to the successful identification of suspects in homicides where witnesses are less inclined to share. This factor would also include timely analytical processing of the associated reports and investigations so that the investigators can focus on actual interviews as opposed to pulling the information together.

Feedback refers to a communication loop including everyone in the process. While sites, especially those based in forensic laboratories, may balk at being informed of the usefulness of the information they were provided in helping to lead to the arrest of a suspect, this information is critical to continued morale and funding of the program. What feedback there is, often anecdotal, allows little substantive information for budgetary-deciding officials to make an intelligent decision on the allocation of limited resources. Therefore, it is possible that a program will have tremendous success and yet be underfunded because there is no documentation of that success.

Evidentiary Mapping

There is a generalized evidentiary map that can be conceptualized for purposes of identifying areas that can have a negative impact on the four critical factors of comprehensive data collection, timeliness, investigative follow-up and feedback. This generalized evidentiary map is illustrated in Figure 1.

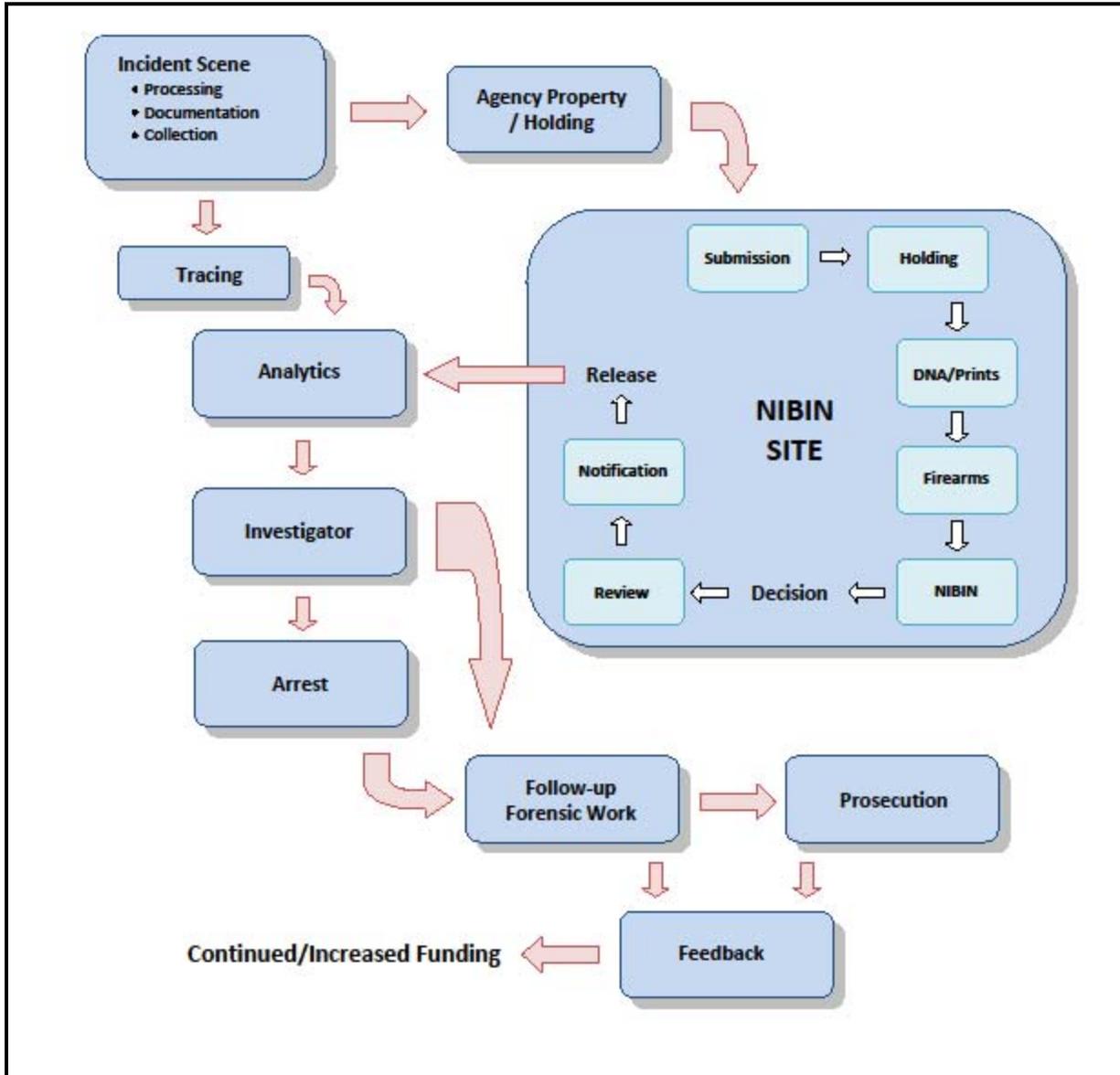


Figure 1: Evidentiary Map

The following is important to understand about this map

1. Items contained within a shadowed box generally depict processes, some rather complex, while those without a box depict decisions that are made
2. The various processes that are depicted may or may not exist depending on the agencies involved and will generally be different
3. The arrows not only depict direction and physical space considerations but, also administrative bureaucracy
4. The NIBIN site can be operated by a municipality, county, state, or federal agency; it may serve multiple agencies at any level; and it may or may not have to deal with accreditation issues and concerns

Reviewing this map the following insights regarding the four key factors are readily evident:

1. Comprehensive data collection begins at the scene
2. In order for adequate timeliness to be achieved, everything between the Incident Scene and the Investigator has to be minimized as much as possible
3. Investigative follow-up can lead to arrest being made and more forensic services being requested, either prior to the arrest or, definitely, prior to prosecution
4. Continued or increased funding is not possible without feedback

What is not so readily evident but may be inferred by the map

1. While it appears data collection is the sole responsibility of the agency processing the scene, the NIBIN site can *influence* comprehensive data collection by
 - a. Restricting the calibers it accepts
 - b. Restricting the amount of evidence that may be submitted
 - c. Charging for the examination of submitted evidence
2. While it appears that there can be a significant portion of time prior to submission over which the NIBIN site has no control, the NIBIN site can *present obstacles* to timeliness during the Submission process
 - a. Distance from Agency Property/Holding
 - b. Bureaucratic administrative overhead associated with the submission of evidence
 - i. Limitations on when submissions may occur
 - ii. Acceptable methods of submission
 - iii. Paperwork associated with process
3. The NIBIN site can facilitate collection of feedback

Establishing Goals and General Approach

The goals of the NIBIN site have to be established as:

- Promoting comprehensive data collection
- Promoting timeliness and being as timely as possible
- Providing investigative support
- Facilitating feedback as much as possible

The general approach to this includes the following:

1. Reviewing and modifying policies that can negatively influence comprehensive data collection and present obstacles to timely submission
2. Adequately assessing the details of each of the identified processes
3. Determining the key processes in the site's control, making them as efficient as possible
4. Eliminating or re-locating certain processes in the site's control
5. Developing techniques and procedures to help facilitate the successful completion of other processes extant to the site

Achieving the Goals

Depending on the jurisdiction of the NIBIN site, the approach to achieving the aforementioned goals will be different simply because of the jurisdictional issue. As an example, in a city some things are more under the direct control of the site's agency than in a county or state system. Therefore, some changes are easier to make in a city than a county or state. However, no matter the jurisdiction of the NIBIN site, all sites can help to facilitate processes toward achieving the four goals.

Following is a schematic detailing the basic steps necessary toward pursuing a more effective NIBIN Program at any particular site. Details are left to the site to work out. This would be done best by identifying another similar site that is having success and asking for some guidance.

The overall key is to understand that NIBIN is a tool that can be used for timely investigative leads and was never designed as simply an electronic open case file. Therefore, looking at the evidentiary map earlier, it will be important to minimize as much as possible, the processes between submission and acquisition and acquisition and release of notification. Consider NIBIN as a means of triaging firearm-related casework. Provide investigators with immediate intelligence on what shooting events may be related and allow them to provide feedback on what further work may be needed. In this way, firearm examiners are working only the most relevant and critical cases instead of all firearm-related incidents just so the database can be populated.

General

Key – Command staff buy-in is critical. At the same time, it may have to be earned which means you may have to identify a level at which you can succeed with current resources and make a positive impact so that it serve as motivation for further buy-in.

Develop a vision for the site that has specific goals associated with it. (1)

Identify the resources that will be needed to accomplish the vision seeking guidance as needed. (2)

Identify key personnel within the organization that will be able to assist with the vision directly or indirectly through the allocation of resources. (3)

Meet with key people and share vision, desired outcome, basic plan and resources needed.

Obtain initial buy-in to move forward in the development and implementation of the plan.

(1) This is developed with a full understanding of all the principles discussed and includes specific ideas on how to accomplish the vision. This is with the understanding that things can change as needed when other people get involved.

(2) This includes resources such as outside consultants/mentors, personnel and technological.

(3) Look at evidentiary flow map to identify key people within the various processes.

County and State sites (1)

Key – Start small and develop success with one or two agencies before expanding. This allows you to fine-tune processes and have success stories before expanding your scope.

Identify a city/agency or two in jurisdiction with whom to begin. Have a prioritized list of cities/agencies in case the preferred cities/agencies are not interested.

Enter into discussions with command staff of each city/agency, identifying the vision that you are trying to achieve and how you can assist them in reducing shooting crime within their city. (2)

Identify what you are willing and able to do to assist them and timelines they can expect. (3)

Identify what responsibilities they will need to bear to help make this a success. (4)

If no agreement can be reached, table the opportunity for now leaving open the possibility to re-enter into discussions at a later date. Move forward with other cities/agencies until one to two are identified.

(1) Not needed for city.

(2) Command staff buy-in is critical. If not achieved, then table the opportunity with that agency.

(3) A rather detailed plan should be worked out considering the four primary goals as identified in the rest of this checklist.

(4) Focus on the following two ingredients – getting all agreed to items to you in a timely manner, performing follow-up investigations and providing feedback.

Comprehensive Data Collection

Key – Data collection will rarely be complete. Depending on resources may have to begin with two or three calibers instead of a more complete list. Decide what you can succeed with given current resources and collect everything within that caliber range.

Review reports and identify the primary calibers being used in the city, should encompass 90%+ of the shooting crimes in the city.

Compile a caliber listing of calibers upon which to focus; all firearm-related incidents within caliber range are to be entered into NIBIN. (1)

Make changes to scene documentation to flag selected calibers so that they can be more effectively pulled for NIBIN. (2)

Identify potential obstacles to timely and comprehensive submission of items for entry into NIBIN.

Make changes to processes (as needed) to minimize administrative bureaucracy that can delay submission of items to site. (3)

(1) As success is achieved with restricted caliber list, increase calibers accepted if needed.

(2) The goal here is for the owning agency to be able to quickly identify the calibers of firearm-related evidence that was recovered. Opening packages to do this is very inefficient.

(3) The general theme when making changes to processes is, “Strive to find a way to say ‘yes’.”

Timeliness

Key – Backlog is not to be prioritized over remaining current. As incoming items are processed in timelier, the backlog can be attacked in reverse order implementing newly modified processes. (1)

Identify current turnaround time (TAT) from time of submission to time of notification.

Identify initial goal of TAT once the plan is implemented, with the ultimate goal being a maximum 72-hour TAT.

Identify potential obstacles to achieving TAT goal using evidentiary mapping. Note that processes pose a greater obstacle than resources. (2)

Seek advice or ideas from other successful sites to see what they have done to achieve TAT. (3)

Make changes to processes (as needed) ensuring they do not conflict with other established processes. (4)

(1) Treating the backlog with any sense of priority ignores the fact that the value of investigative information drops precipitously after only one week. It may be important for other reasons but for active intelligence, it is already too late.

(2) The map clearly shows this. If there are too many processes in between submission and acquisition and then acquisition and release of notification, it does not matter how many personnel resources are available, timeliness can never be achieved.

(3) Sites at all three levels of jurisdiction have achieved remarkable success with comprehensive data collection in a timely manner with limited resources.

(4) Depending on the complexities of one's policies and procedures, internal conflicts can arise if this is not addressed.

Providing Investigative Support

Key – Much of the investigative follow-up is the responsibility of the detectives/investigators assigned to the cases. Sites can help make their jobs easier by not only providing comprehensive and timely information but doing so in a manner that is simplified and as direct as possible.

Ensure command staff of investigator group is involved and active in discussions. (1)

Identify other potential personnel that may be brought to bear to assist the investigators. (2)

Try to establish a single point-of-contact through whom all notifications of potential leads can be funneled. (3)

Identify information needed by investigators to follow-up as efficiently and effectively as possible.

Identify process changes that may be needed to facilitate notification in manner that would be most efficient and effective for investigators. (4)

Follow-up regularly to ascertain the on-going effectiveness of the communication and determine if further changes are necessary.

(1) Accountability is critical. Without the support of the command staff, investigators may not perform the needed follow-up.

(2) This could include analysts to review scene reports and extract the information needed by investigators.

(3) This is considered ideal for communication purposes.

(4) Typically this would include releasing partial, NIBIN-only, results leaving the more extensive comparative examination processes for later as needed.

Feedback

Key – Feedback is critical to expand the program. It could be that the site is beginning with a limited focus to demonstrate success and effectiveness and wants to increase the scope. It could be that additional resources would be needed either in terms of personnel or technology. Feedback showing success and effectiveness will be essential to expanding the program.

Examine various metrics used to measure success of various aspects of the Program. (1)

Develop tools to collect, organize, analyze, and report data. (2)

Provide collection tool to proper agency officials soliciting feedback.

Once received, organize and analyze data to determine what changes may be needed to make the program more effective.

Provide regular reports to command staff and, as changes are made (if any), keep them abreast of the changes. (3)

Once a suitable time frame has elapsed organize a meeting to discuss progress, successes and, potentially, what could be achieved given more resources, identifying what they are. (4)

(1) See the document, Expectations of a Successful Site, Version 1.0 for sample metrics.

(2) Keep the collection tool sent to investigators a simplified survey.

(3) Reports should identify successes as well as obstacles that are continuing and the potential impact of those obstacles.

(4) Four county and state sites, it could be determined that an agreement with a client agency could be discontinued because they are not performing to agreed upon standards.

Resources

King, W.; Wells, W.; Katz, C.; Maguire, E.; Frank, J. Opening the Black Box of NIBIN: A Descriptive Process and Outcome Evaluation of the Use of NIBIN and Its Effects on Criminal Investigations, Final Report. US Department of Justice Award Number 2010-DN-BX-0001, October 2013.