FIREARMS UNIT

EVIDENCE SUBMISSION & TESTING INFORMATION

Firearms Examination

The Unit will apply its forensic expertise to select the most appropriate evidence and test methods, limiting the scope of the examination to answer the relevant forensic questions for each case.

The Section does not accept or perform:

- Examinations of black powder guns, bb / pellet guns, paint ball guns or air soft guns
- Non-ballistic toolmark examinations (e.g. pry marks on door moldings, marks on cut copper wire)
- Tests for the presence of gunshot residue (shooter's hands, clothing)
- Cartridge case to projectile comparisons
- NIBIN on projectiles

Requests for Pre-Submission Consultation

The Firearms Supervisor and FIC Case Management are available to consult with an agency prior to submission of evidence. The purpose of this consultation is to determine the most probative evidence to submit. Agencies are requested to email FICCMR@troopers.ny.gov with a case synopsis including offense type and a list of evidence. The subject of the email should be "Case Review". **Consultations are required in advance of submission of evidence for all homicide cases.**

Evidence Submission & Testing Limits by Case Category

Test Method	
Operability	One gun for the first round of testing to establish the charge. Submit with recovered ammunition, if applicable. A maximum of two (2) magazines and ten (10) live cartridges should be submitted. Submit ammunition separately from firearms; firearm in one package and ammunition and magazines in a separate package. When possible, package the firearm zip-tied to the bottom of the box with the action open and the serial number facing the top of the box. Please refer to the *Crime Gun Evidence Processing Information Fact Sheet* for guidance on the proper order of collection and analysis of potential evidence related to the firearm (i.e. latent print processing and collection of DNA swabs). It is imperative for these steps to be followed to prevent loss or compromised forensic evidence. The Firearms Unit accepts submerged / heavily rusted guns or *modified* starter/air/flare guns. Guns recovered in water should be collected, stored, and submitted submerged in the same water. **Do not disassemble guns.**

NIBIN	**Record the <u>make, model, caliber, and serial number</u> of the test fired gun on the submission form. This information is <u>required</u> for NIBIN.** NIBIN acquisition is **required** for **all NIBIN eligible** operable firearms that were unlawfully possessed, abandoned, recovered from a crime scene, or reasonably believed to have been used in or associated with a crime. The NYSP FIC **routinely** accepts the following NIBIN eligible firearms for NIBIN acquisition: all semi and full automatic pistols and rifles and 12 gauge shotguns. NIBIN acquisitions are **routinely** made on NIBIN eligible suitable fired cartridge cases and shotgun shells recovered by law enforcement including .22 caliber and larger and 12 gauge shotshells. NIBIN acquisitions are **<u>NOT</u>** routinely made on: revolvers, single-shot or bolt-action rifles, shotguns in gauges other than 12 gauge, guns that have never been fired, inoperable or incomplete guns, guns that have been deemed unsafe, revolver calibers, other centerfire rimmed cartridge cases, and shotshells other than 12 gauge. Police Officers' duty guns are also not acquired into NIBIN. Automatic NIBIN correlations are run against all active and decommissioned NIBIN sites in New York, New England States, Mid Atlantic States, South Atlantic States, Ohio, and proxy acquisitions in NIBIN Zone 1 NE, Zone 2 SE, and Zone 5 MW **. **This list may not be all inclusive; a full list of states/sites is available upon request. Proxy Acquisitions are acquisitions completed by either an ATF National Lab, transportable or mobile unit, or the FBI in Quantico, Virginia, on behalf of a law enforcement agency that does not have a NIBIN Acquisition Station. **For questions regarding special and exigent circumstances or other NIBIN submission questions please contact the NYSP FIC Firearms Unit or refer to the NIBIN Eligibility Flowchart.**
Microscopic Comparison	Microscopic comparisons can be conducted on all test fired or recovered: - Expended (fired) bullet to expended (fired) bullet(s) - Expended (fired) cartridge case to expended (fired) cartridge case(s) - Expended (fired) shotshell to expended (fired) shotshell(s) - Cycling marks on intact cartridges or shotshells NIBIN confirmations following a NIBIN Lead can be done by request. Consult with the Firearms Unit in cases with a large number of exhibits.

Serial Number Restoration	Submit the gun to the lab in a safe condition **(action open)**, zip-tied to the gun box. Do not attempt restoration prior to submission. Oftentimes the Unit restores partial serial numbers. Do not resubmit a gun to the lab for a second round of restoration. The Firearms Unit does not accept non-firearms items for serial number restoration (vehicle VIN, electronics).
Caliber / General Rifling Characteristics	In the absence of a gun the Unit will attempt to determine caliber or caliber class, suitability for comparison, and provide a list of possible manufacturers of the gun that fired the projectiles.
Shotshells and Shotshell components	All shotshell components (wadding, pellets, slugs, sabots, etc.) can be submitted for examination. Analysis can include: gauge/shot size determination, manufacturer and/or design. It is preferred to submit any intact suspected shotshells if pellet, slug, and/or wadding examination is requested.
Gun destruction (NYSP TROOPS ONLY)	Contact the Firearms Unit to schedule an appointment to submit guns for destruction. A file check record must accompany each submitted gun. A maximum of 25 guns can be submitted on a given day. All accessories submitted with the gun (e.g., scope, sling) must be listed on the submission paperwork.

Contact information:

Firearms Unit Direct Line: (518) 485-8365

Victoria O' Connor
Firearms Unit Supervisor- Casework
(518) 485-8365 |(518) 257-6518 (cell)
Victoria.Oconnor@troopers.ny.gov

Andrew M. Jaouen
Firearms Unit Supervisor- NIBIN/ Gun Destruction
(518) 485-8365
Andrew.Jaouen@troopers.ny.gov

New York State Police
Forensic Investigation Center
1220 Washington Ave. Building 30
Albany, NY 12226

To obtain Laboratory submission forms/Section Fact Sheets, Policies or informational Videos please visit the Crime Laboratory System web page of the New York State Police public website at https://troopers.ny.gov/crime-laboratory-system-sections.