



## Agency Priority Goal Action Plan

# Violent Crime Reduction, Specifically Gun Violence

### Goal Leader:

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# Overview

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## Goal Statement

- Strengthen and recommit our efforts to reduce gun violence through the launch of Project Guardian. By September 30, 2021, the Department will provide to state law enforcement fusion centers biweekly reports 100 percent of the time on NICS denials that are reported to ATF, and increase the number of USAO federal firearms prohibitor records submitted to NICS by 10 percent.

**Milestones:** As part of Project Guardian, the United States Attorneys, in consultation with the ATF Special Agent in Charge (SAC) in their Districts, will complete certain activities by September 30, 2020 and others by September 30, 2021.

## • Challenges

- The law enforcement community has long recognized the clear link between the availability of criminally possessed firearms and violent crime. Firearm violence threatens citizens' safety while eroding the quality of life in American cities.
- Domestic violence is a recurring source of firearm crime. Research shows that abusers with a gun in the home are more likely to kill their partners than abusers who don't have that same access to a firearm.
- Information concerning persons prohibited from possessing firearms under the mental health prohibition needs to be entered timely and accurately into the NICS system. Districts must evaluate the feasibility of early engagement with mental-health-prohibited individuals who attempt to acquire a firearm.

# Overview Cont.

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- **Opportunities**

Working with our law enforcement partners across the country, we have seen our combined efforts to fight violent crime pay off, as the violent crime rate fell 3.9 percent between 2017 and 2018, after troubling increases in 2015 and 2016. Even with these positive results, gun violence still plagues many communities, and it is particularly traumatizing when it impacts our schools, houses of worship, workplaces, and public gatherings. This Department is committed to decreasing vigorously, effectively, and immediately the gun violence that deprives too many communities of the safety and security they need to flourish.

The Department will fully implement Project Guardian by:

- enhancing prosecution coordination with all law enforcement partners,
- enforcing federal firearms laws and background checks,
- improving information sharing with state, local, and tribal partners regarding the National Instant Criminal Background Check System(NICS) denials, and coordinating responses to address mental health issues,
- using NICS results to reduce future gun violence, and emphasizing the prosecution of prohibited persons who attempted to obtain firearms unlawfully.

# Leadership and Partners

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## Core Leadership Team:

- Office of the Deputy Attorney General (ODAG)
- U.S. Attorney's Office (USAO)
- Executive Office for U.S. Attorneys (EOUSA)
- Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF)

## Other Participating Components:

- Federal Bureau of Investigation (FBI)
- Drug Enforcement Administration (DEA)
- Criminal Division (CRM)
- Office of Legal Policy (OLP)
- United States Marshals Service (USMS)
- Organized Crime Drug Enforcement Task Forces (OCDETF)
- Office of Justice Programs (OJP)
- Community Oriented Policing Services (COPS)
- Office of Violence Against Women (OVW)
- Civil Rights Division (CRT)
- Office of Tribal Justice (OTJ)

## Stakeholders:

- State, local and tribal law enforcement communities

# Goal Structure & Strategies

STRATEGIES	GOALS	RISKS <i>(External Factors that may affect goal achievement)</i>
<p><b>Strategy 1:</b> Coordinated prosecution.</p> <ul style="list-style-type: none"> <li>Federal prosecutors will coordinate with state, local, and tribal partners to review new cases in specific categories of conduct indicating a high risk of gun violence, and will ensure prosecution occurs in the most appropriate forum to protect public safety.</li> </ul> <p><b>Strategy 2:</b> Enforcement of federal firearms laws and background checks.</p> <ul style="list-style-type: none"> <li>United States Attorneys, in consultation with the ATF Special Agent in Charge (SAC) in their district, will create new, or review existing, guidelines for intake and prosecution of federal cases involving false statements made during the acquisition or attempted acquisition of firearms from Federal Firearms Licensees.</li> </ul>	<p><b>Strategy 1:</b></p> <ul style="list-style-type: none"> <li>Milestone Activity: Each U.S. Attorney’s Office will appoint a Project Guardian point of contact.</li> <li>Milestone Activity: Each U.S. Attorney’s Office will develop a District-specific plan to reduce gun crime, incorporating Project Guardian principles.</li> </ul> <p><b>Strategy 2:</b></p> <ul style="list-style-type: none"> <li>Milestone Activity: Each U.S. Attorney’s Office will consult with the ATF Special Agent in Charge (SAC) in its district and create new or revise existing guidelines for intake and prosecution of Federal cases involving false statements in connection with the purchase of firearms and cases involving the unlicensed dealing of firearms.</li> </ul>	<ul style="list-style-type: none"> <li>In certain jurisdictions, state, local or tribal prosecuting offices may be reluctant to defer to proposed federal prosecution.</li> <li>Federal prosecutors will need to work closely with State prosecutors to formulate discovery plans that account for an increase in anticipated state-local information sharing.</li> <li>Federal firearm crime prosecutions have recently increased substantially, following the re-invigoration of Project Safe Neighborhoods. This may affect the degree of future increases in this area.</li> </ul>

# Goal Structure & Strategies (cont.)

STRATEGIES	GOALS	RISKS <i>(External Factors that may affect goal achievement)</i>
<p><b>Strategy 3:</b> Improved information sharing.</p> <ul style="list-style-type: none"> <li>Sharing information regarding attempts by prohibited persons to purchase firearms with our local and state law enforcement partners enhances public safety.</li> </ul> <p><b>Strategy 4:</b> Coordinated response to mental health denials.</p> <ul style="list-style-type: none"> <li>NICS denials based on mental health adjudications described by 18 U.S.C. § 922(g)(4) should command the Department’s increased attention and scrutiny.</li> </ul> <p><b>Strategy 5:</b> Crime gun intelligence coordination.</p> <ul style="list-style-type: none"> <li>Federal, state, local, and tribal prosecutors and law enforcement will work together to ensure effective use of modern intelligence tools and technology to investigate and prevent gun crime.</li> </ul>	<p><b>Strategy 3:</b></p> <ul style="list-style-type: none"> <li>Goal: By 2021, the Department will provide state law enforcement fusion center biweekly reports on NICS denials 100% of the time.</li> <li>➤ Performance Indicator: Biweekly NICS denials to state law enforcement fusion centers</li> </ul> <p><b>Strategy 4:</b></p> <ul style="list-style-type: none"> <li>Goal: By 2021, the Department will increase the number of USAO federal firearms prohibitor records submitted to NICS by 10%.</li> <li>➤ Performance Indicator: Number of USAO federal firearms prohibitor records submitted to NICS</li> </ul> <p><b>Strategy 5:</b></p> <ul style="list-style-type: none"> <li>Each U.S. Attorney’s Office will consult with relevant district stakeholders, including ATF and state or local law enforcement and mental health departments, to assess the feasibility of adopting disruption and early engagement programs or other methods or protocols designed to address mental-health-prohibited individuals who attempt to acquire a firearm and to counter the threat of mass shootings.</li> </ul>	<ul style="list-style-type: none"> <li>Technical and funding limitations may affect the frequency with which information is shared.</li> <li>Resources may limit the implementation of certain practices.</li> </ul>

# Goal Structure & Strategies (cont.)

STRATEGIES	GOALS	RISKS <i>(External Factors that may affect goal achievement)</i>
	<ul style="list-style-type: none"><li data-bbox="714 271 1342 599">• Milestone Activity: Each U.S. Attorney’s Office , in coordination with the ATF Special Agent in Charge (SAC) in its district, will consult with appropriate federal, state, and local partners to facilitate the implementation of crime gun intelligence best practices as published by the National Crime Gun Intelligence Governing Board. These practices may include firearm tracing and the use of Crime Gun Intelligence Centers.</li></ul>	

# Summary of Progress – FY 20 Q3

The FY 2020 – FY 2021 Violent Crime, Specifically Gun Violence Priority Goal tracks two performance measures and key milestones, as part of the Department’s Project Guardian Initiative. The measures and milestone activities track the progress of the five strategies outlined in the previous slides. One of the two measures have met its quarterly target for Q3 FY 2020.

Biweekly reports on National Instant Criminal Background Check System (NICS) denials to state law enforcement fusion centers 100 percent of the time is a new performance measure, that will be reported by the ATF, both quarterly and annually. The FY 2020 targets (50%), are based on the modernization and operational improvements scheduled to be complete by the end of FY 2020. The ATF is expected to provide biweekly reports on NICS denials 100 percent of the time by FY 2021.

- For Q3 FY 2020, the ATF reported that biweekly reports on NICS denials were provided to state law enforcement fusion centers 50% of the time, during the quarter. The ATF met its quarterly targets (50%).

The number of USAO federal firearms prohibitor records submitted to NICS is a new performance measure, that will be reported by the USAO, both quarterly and annually.

To achieve a 10% increase in the number of USAO records submitted to NICS by the end of FY 2021, the Department will work towards a 5% increase, each fiscal year.

- For Q3 FY 2020, the number of USAO records uploaded to NICS increased by 1% - just below its quarterly target of 1.25%. From April 1, 2020 to July 1, 2020, the total number of USAO records uploaded to NICS increased from 1,403,085 to 1,415,138. The COVID-19 pandemic has impacted the activities of the USAOs, and therefore the Department’s ability to reach its quarterly target. To date, the USAOs have already achieved a 4.46% increase in records submitted to NICS – 89% of the FY 2020 target (5%).

The Department completed most of its milestone activities, as part of Project Guardian, by February 4, 2020. The remaining activities will be completed in FY 2020.

- *Each USA had appointed a Project Guardian Point of Contact.*
- *Each USA had consulted with ATF regarding these prosecution guidelines.*
- *Each USA had developed a Project Guardian plan.*
- *USAOs met with local ATF offices to devise or review existing plans to maximize crime-gun technology and fully exploit crime-gun intelligence within the USAOs’ districts.*
- *Each USA had consulted with relevant district stakeholders to assess the feasibility of adopting a disruption and early engagement program*



# Summary of Progress – FY 20 Q3

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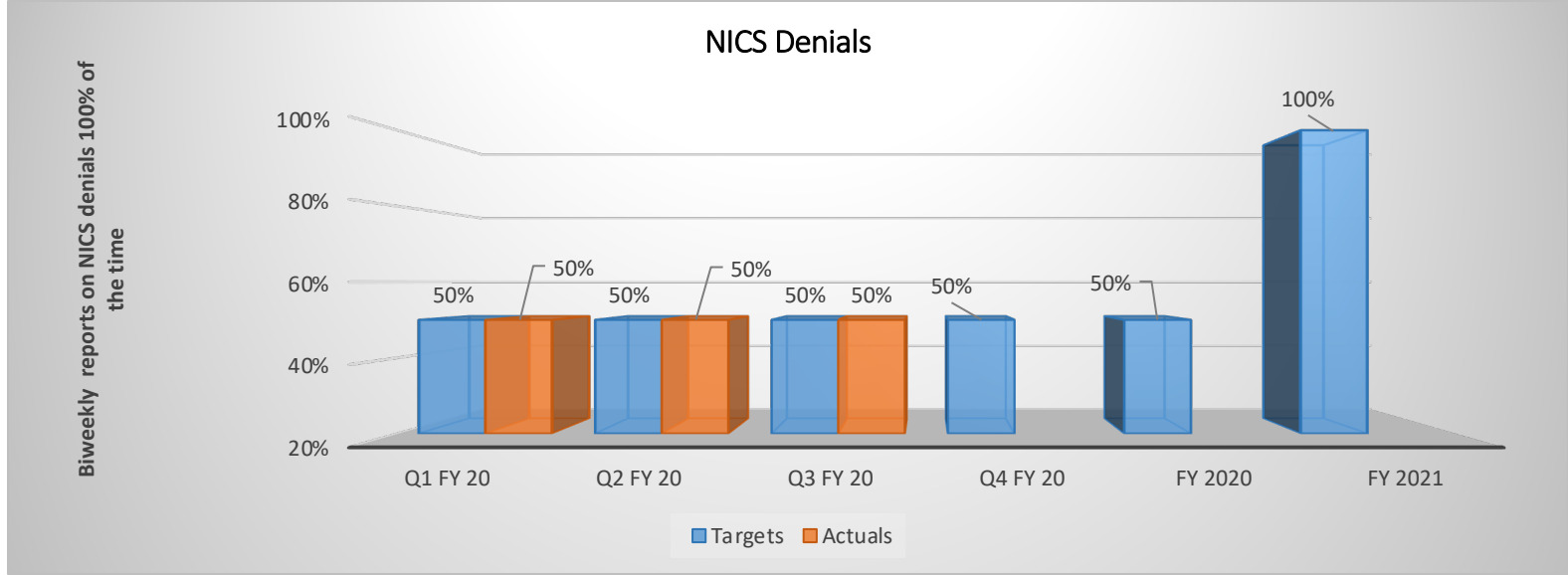
One of the Department's key strategies in reducing gun violence is a coordinated response to mental health denials. As part of the strategy, each U.S. Attorney's Office was supposed to consult with relevant district stakeholders, including ATF and state or local law enforcement and mental health departments, to assess the feasibility of adopting disruption and early engagement programs or other methods or protocols designed to address mental-health-prohibited individuals who attempt to acquire a firearm and to counter the threat of mass shootings.

COVID-19 has impacted progress in implementing disruption and early engagement programs. While every USAO has "assessed," at least preliminarily, the feasibility of adopting disruption and early engagement programs, the COVID-19 crisis has sidetracked the ability of USAOs to progress with further planning. At least one USAO had a productive meeting with stakeholders early in 2020, and were on track to develop some sort of local disruption and early engagement initiative, but the USAO has not been able to meet again since maximum teleworking began in March 2020. Other USAOs were hoping to learn more about disruption and early engagement programs at the National PSN Conference, originally set for April 2020, and had expected to further assess the feasibility of setting up these programs after obtaining additional information at the conference. The PSN Conference was postponed until September 2020, so USAOs have not yet had the opportunity to learn more about disruption and early engagement programs. This information may be appropriate to include in the risk column.

# Performance Measures

Performance Measure: Provide biweekly reports on NICS denials to state law enforcement fusion centers 100 percent of the time [ATF]

Progress Updates – Q3 FY 2020

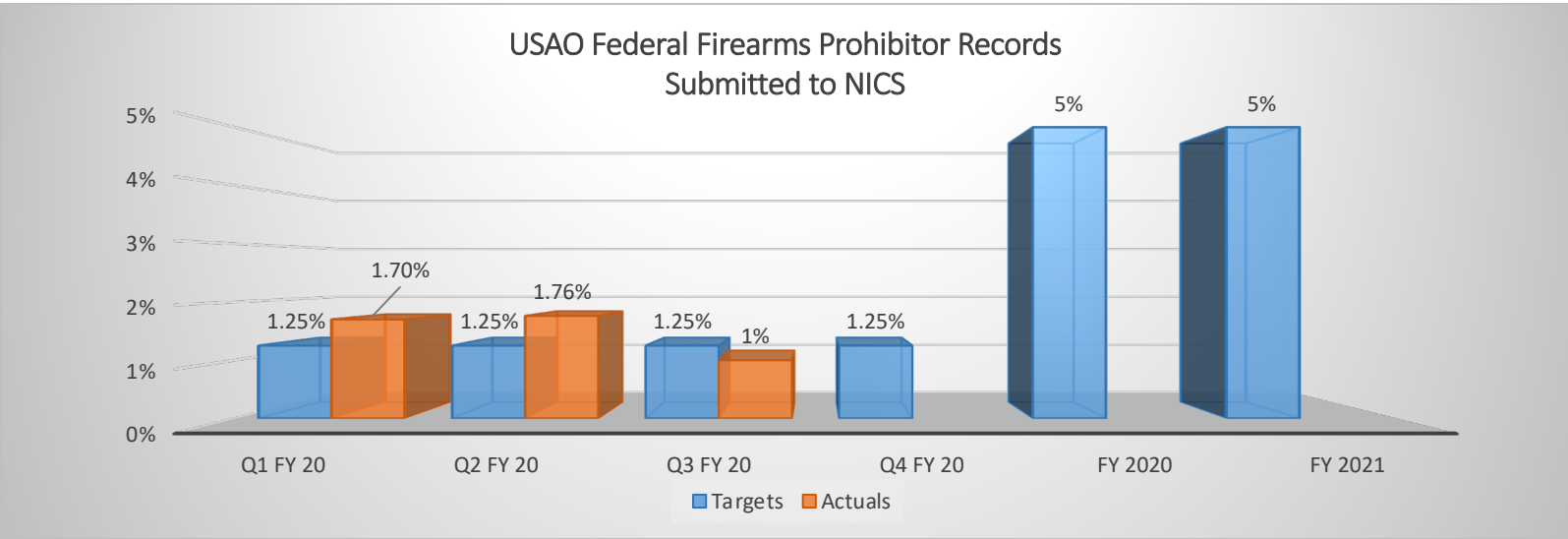


- Biweekly reports on the National Instant Criminal Background Checks System (NICS) denials to state law enforcement fusion centers 100 percent of the time is a new performance measure, that will be reported by the ATF, both quarterly and annually.
- The FY 2020 targets (50%), are based on the modernization and operational improvements scheduled to be complete by the end of FY 2020. The ATF is expected to provide biweekly reports on NICS denials 100 percent of the time by FY 2021.
- Similar to the previous quarters, Q3 FY 2020, the ATF reported that biweekly reports on NICS denials were provided to state law enforcement fusion centers 50% of the time, this quarter.

# Performance Measures

**Performance Measure:** Increase the number of USAO federal firearms prohibitor records submitted to NICS by 10 percent [USAO]

### Progress Updates – Q3 FY 2020



- Increase the number of USAO federal firearms prohibitor records submitted to National Instant Criminal Background Checks System (NICS) by 10 percent, is a new performance measure reported by USAO, both quarterly and annually.
- USAO will work towards achieving a 5 percent increase in FY 2020, and an additional 5 percent increase in FY 2021 – for an overall 10 percent increase in the number of USAO federal firearms prohibitor records submitted to NICS, by the end of the FY 2020 – FY 2021 Priority Goal cycle.
- For Q3 FY 2020, the number of USAO records uploaded to NICS increased by an additional 1% - growing from 1,403,085 to 1,415,138 records uploaded to NICS in a single quarter. The COVID-19 pandemic has impacted the activities of USAOs, and therefore the Department’s ability to fully achieve its target (1.25%) for the third quarter. USAOs have already achieved 4.46% increase in records submitted to NICS – 89% of the FY 2020 target.

# Key Milestones

- As part of Project Guardian, the United States Attorneys, in consultation with the ATF Special Agent in Charge (SAC) in their Districts, will complete a sequence of activities by September 30, 2021.
- The Department completed most of its milestone activities, as part of Project Guardian, ahead of schedule. The remaining activities will be completed in FY 2020.

## Milestone Summary

Key Milestone	Milestone Due Date	Milestone Status	Comments
100 percent of USAs will appoint a Project Guardian Point of Contact	9/30/20	Completed	By 2/4/2020, each USA had appointed a Project Guardian Point of Contact.
100 percent of USAs, in consultation with ATF Special Agent in Charge (SAC) in their district, will create new or revise existing guidelines for intake and prosecution of Federal cases involving false statements during the acquisition or attempted acquisition of firearms from Federal Firearms Licensees and for cases involving the unlicensed dealing of firearms.	6/30/20	Completed	By 2/4/2020, each USA had consulted with ATF regarding these prosecution guidelines.
100 percent of USAs, working with their counterpart ATF SAC, will develop a plan to reduce gun crime incorporating the Project Guardian principles	9/30/21	Completed	By 2/4/2020, each USA had developed a Project Guardian plan. By 4/30/2020, in response to an additional request from OAG, each USA had developed a written Project Guardian plan providing more detail about their Project Guardian efforts.
Beginning no later than June 30, 2020, USAs, in coordination with the ATF SAC in their districts, will consult with appropriate federal, state, and local partners to facilitate the implementation of crime gun intelligence best practices as	6/30/20	In progress	By 2/4/2020, all USAOs had met with local ATF offices to devise or review existing plans to maximize crime-gun technology and fully exploit crime-gun intelligence within the USAOs' districts. COVID-19 has delayed further training for law enforcement partners and sharing of best practices, but consultations between USAOs and ATF offices are ongoing.

# Key Milestones

## Milestone Summary

Key Milestone	Milestone Due Date	Milestone Status	Comments
published by the National Crime Gun Intelligence Governing Board. These consultations may occur either through an existing forum for broader firearms or anti-violence coordination or through a new forum solely dedicated to crime-gun intelligence coordination.			
Beginning no later than June 30, 2020, USAs will consult with relevant district stakeholders, including ATF and state or local law enforcement and mental health departments, to assess the feasibility of adopting disruption and early engagement programs or other methods or protocols designed to address mental-health-prohibited individuals who attempt to acquire a firearm and to counter the threat of mass shootings	6/30/20	Completed	By 2/4/2020, each USA had consulted with relevant district stakeholders to assess the feasibility of adopting a disruption and early engagement program. Implementation of such programs, however, has been impacted by Covid-19.

# Data Accuracy and Reliability

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EOUSA will gather information annually from U.S. Attorneys Offices concerning their implementation of the principles of Project Guardian. We do not anticipate receiving comprehensive data from U.S. Attorneys Offices more frequently than annual reports.

The ATF provides reports on National Instant Criminal Background Check System (NICS) denials to state law enforcement fusion centers. Its Office of Strategic Intelligence and Information will monitor the frequency with which such reports are provided to state fusion centers.