DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

New York Field Division
241 37th Street
Third Floor
Brooklyn, New York 11232

July 3, 2003

Raymond Kelly
Commissioner
New York City Police Department
One Police Plaza
New York, New York 10038

Dear Commissioner Kelly:

Firearms in the hands of youths are an epidemic, which the law enforcement community through the Youth Crime Gun Interdiction Initiative (YCGII) has been battling together through the sharing of resources. Attached is a Memorandum of Understanding (MOU) between the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and New York City Police Department (NYCPD) which memoralizes our continued commitment to fight the problem of guns in the hands of youths.

Please review the MOU, and if you have any questions do not hesitate to have a member of your staff contact Senior Operations Officer Kitty Yiu at (718) 650-4000. I look forward to the signing of this MOU, and the continuation of the combined efforts of the ATF and NYCPD to stop firearms violence among our young people.

Sincerely,

William G. McMahon
Special Agent in Charge

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

Youth Crime Gun Interdiction Initiative
Memorandum of Understanding

The parties signing this Memorandum of Understanding hereto agree that is to our mutual benefit to cooperate in eliminating the illegal flow of firearms to youth through enforcement efforts involving the investigation and prosecution of illegal gun traffickers and through study focusing on the illegal youth firearms market to determine trends, patterns, and scopes of that market and developing strategies to address the market.

BACKGROUND:

The Department of the Treasury-Enforcement and the Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF) developed the Youth Crime Gun Interdiction Initiative (YCGII) in partnership with the Department of Justice-Office of Community Oriented Policing Services (COPS) and the National Institute of Justice (NIJ). In general, need for the YCGII stemmed from the fact that firearms related youth homicides have nearly tripled since 1985. Importantly, through intervention in the illicit firearms markets, we will try to reduce or stop the upward spiral of youth on youth firearms related homicides.

To accomplish this, the YCGII will not be strictly limited to focusing on illegal traffickers of firearms to the federally defined "juvenile". Rather, participating ATF field offices and police departments will focus on illegal firearms traffickers to youth (those defined under 18 years of age) with flexibility to focus on illegal firearms traffickers who supply young people up to 24 years of age if circumstances warrant.

PURPOSES:

This memorandum will formalize relationships between ATF and the New York City Police Department (NYPD) with regard to policies, procedures, utilization of resources, and planning/training in order to maximize interagency cooperation and coordination.

FOUR NATIONWIDE INTER-RELATED OBJECTIVES:

1. Working with the U.S. Attorneys and New York City District Attorneys to intensify ATF and NYPD efforts to investigate and incarcerate individuals who illegally traffic in firearms to young people and ensure those arrested are prosecuted in the proper venue (to be determined on a case-by-case basis);

2. To ensure that the New York City Police Department trace all crime guns recovered, and in particular, those firearms taken from youths;

3. To combine the efforts of ATF Special Agents, NYPD Police Officers/NYPD Detectives and NIJ researchers to develop new methods of mapping illegal firearms trafficking patterns and practices, especially as this relates to the illegal trafficking of firearms to youths;

4. To provide more ATF support to the New York City Police Department efforts aimed at intervening in the illegal local youth firearms market.

CONDITIONS AND PROCEDURES:

- ATF and NYPD acknowledge their understanding that the operation described in this MOU is subject to audit by ATF; the U.S. Department of Justice-Office of Inspector General, the General Accounting Office, and other auditors designated by the United States Government. Such audits may include reviews of any and all records, documents, reports, accounts, invoices, receipts, or other evidence;

- The parties agree that premature disclosure of certain firearms trace information can reasonably be expected to interfere with pending or prospective law enforcement proceedings. This law enforcement sensitive information includes data that can link a traced firearm to: the location of a crime, the Federal firearms licensee; retail purchaser or possessor of a traced firearm; or to firearms trafficking patterns involving a traced firearm. It is agreed that the law enforcement firearms trace information generated pursuant to this Agreement shall not disclose to a third party without the consent of ATF and the NYPD.

CONCLUSION:

It is the intent of the signatories that this agreement ensures coordination, cooperation and the mutual conduct of enforcement and research activities. The result of this mutual cooperation and coordination will be the successful prosecution of illegal firearms in State and Federal jurisdictions as well as the development of an accurate picture of the illegal youth firearms market and the development of new strategies to effectively interrupt this market and impact on the rate of juvenile related firearms violence. The research findings will be published at the conclusion of the initiative.

Parties to this agreement may terminate their participation at any time upon written notification of their intent to withdraw to the other party in the Agreement. At such time that other Federal government resources may become available, a new Memorandum of Understanding may be initiated.

In witness whereof, the parties have hereunto executed this Memorandum of Understanding.

William G. McMahon
Special Agent in Charge
ATF, New York Field Division

7/28/03
Date

Raymond Kelly
Commissioner
New York City Police Department

7/21/03
Date