

Truro Police Department

FIREARMS STORAGE/TRANSFER

Policy Number: OPS-6.25

Effective Date: June 24, 2003

REFERENCE:

Revised Date:

Accreditation Standards:

Mass. Gen. Law:

Other: TPD Intent of Firearms Transfer Letter

I. GENERAL CONSIDERATIONS AND GUIDELINES

In order to better manage space in the Truro Police Department armory, the following policy will be used in order to achieve this goal. The owner of any seized weapon under the provisions of G.L. c. 209A and being held for safe keeping will be notified that the weapons are subject to G.L. c. 140 s. 129D regarding bonded firearms storage. The Truro Police Department will hold any such weapon for a period of thirty days to allow the opportunity to have a court hearing on the G.L. c. 209A matter. After that time, the weapons may be transferred to a bonded firearms warehouse or storage facility under the provisions of the law. The owner will be notified that he/she will be responsible for the fees associated with the transfer and storage.

II. POLICY

A. It is the policy of the Truro Police Department that:

1. Officers shall take and secure firearms that come into our possession
2. Department Armorers may cause firearms that come into our possession to be transferred to a bonded firearms facility after thirty days of possession where the owner of such firearm is known.
3. A report is generated every time a firearms in taken into our possession.
4. Firearms will be checked through NCIC, CJIS and other databases if available to ensure firearms are not stolen, wanted or used in a crime.

5. The Chief of Police, or his designee, determines the disposition of any firearm taken into our possession without a known owner.
6. We do not take possession of firearms for “safekeeping”.

III. DEFINITIONS

- A. Domestic/Restraining Order Situation:* Any situation in which a firearm is taken into Truro Police custody in accordance with the provisions of any restraining order, and/or provisions of G.L. c. 209A.
- B. Found Property:* When an Officer or a Citizen finds a firearm and causes the firearms to be taken into custody.
- C. Storage Pending Transfer of Ownership:* When a Citizen turns in a firearm they no longer don't have a license for and they wish to transfer ownership to the police.
- D. Storage Pending Destruction:* When a firearm in our possession is no longer safe to use, cannot be sold or used, is in disrepair or has no identification numbers.

IV. PROCEDURES

A. Taking Firearms into Possession with Owners Known:

1. Responsibilities of Contact Officer:

- a. When an officer takes into possession a firearm:
 - i. Check to ensure the weapon(s) are safe, unloaded and locked. Have another officer check to confirm.
 - ii. Ensure that all contact (mastercard) information is obtained, and any relevant information about the firearm is obtained.
 - iii. A log entry and incident report shall be made concerning the possession. Detailed information shall be entered concerning the firearm, owner, and circumstances of possession.¹

¹ If the Truro Police come into possession of a firearm through any provision of G.L. c. 209A, a separate report does not need to be completed. Officers shall include the circumstances of the possession in the initial report from the incident.

- iv. The firearm shall be entered into (PAMET) property record management system, and a label shall be printed.
- v. The Telecommunicator on duty shall check NCIC, CJIS and other databases as needed to ensure that the firearm is not stolen, wanted or otherwise evidence of a crime.
 - 1. If the firearm is found to be evidence of a crime, wanted, stolen, etc., said firearm will be treated as evidence and secured in a temporary evidence locker. See TPDM OPS - 7.02 Evidence Control, Custody and Submission.
- vi. A property label shall be affixed to a paper tag found in evidence supplies, and secured to the firearm.
- vii. Firearms shall immediate be taken to the armory where it shall be secured.
- viii. The officer handling this transaction shall leave a printed copy of his/her generated report, including all relevant date concerning the firearm to the Armorer.

B. Taking Firearms into Possession with Owners unknown:**1. Responsibilities of the Contact Officer:**

- a. When an officer takes into possession a firearm:
 - i. Check to ensure the weapon(s) are safe, unloaded and locked. Have another officer check to confirm.
 - ii. Ensure that all contact (mastercard) information is obtained, and any relevant information about the firearm is obtained.
 - iii. A log entry and incident report shall be made concerning the possession. Detailed information shall be entered concerning the firearm, finder, potential owner(s) and circumstances of possession.
 - iv. The firearm shall be entered into (PAMET) property record management system, and a label shall be printed.

- v. The Telecommunicator on duty shall check NCIC, CJIS and other databases as needed to ensure that the firearm is not stolen, wanted or otherwise evidence of a crime.
 - 1. If the firearm is found to be evidence of a crime, wanted, stolen, etc., said firearm will be treated as evidence and secured in a temporary evidence locker. See TPDM OPS - 7.02 Evidence Control, Custody and Submission.
- vi. A property label shall be affixed to a paper tag found in evidence supplies, and secured to the firearm.
- vii. Firearms shall immediately be taken to the armory where it shall be secured.
- viii. The officer handling this transaction shall leave a printed copy of his/her generated report, including all relevant data concerning the firearm to the Armorer.

C. Storage of Firearms and Custody:

1. Responsibilities of the Armorer(s):

- a. When the Armorer is notified of a firearm in police custody:
 - i. Check to ensure the weapon(s) are safe, unloaded and locked.
 - ii. Review reports and all contact (mastercard) information obtained, and any relevant information about the firearm.
 - iii. If the owner is known, send the TPD Letter of Intent to Transfer Custody to the owner of the firearm. (See F below)
 - iv. If the owner is unknown, storage shall be maintained at the Truro Police Department. The Chief of Police, or his designee, shall make a determination within a 12 month period of the disposition of the firearm.

D. Final Disposition of Firearms – Transfer of Custody**1. Responsibilities of the Armorer(s):**

- a. After a period of thirty days has passed, the Armorer may, depending on certain variables, contact the bonded firearms storage facility to arrange for transfer of custody.
 - i. Contact the bonded firearms facility and arrange for firearms transfer.
 - ii. Notify the owner of the firearm of the transfer arrangements.
 - iii. Cause the dispatcher on duty to record the property transfer in the (PAMET) computer system, and print a property transaction record.
 - iv. At the time of transfer, ensure that a representative of the bonded firearms facility signs the property transfer record generated from (PAMET).
 - v. A supplemental report shall be made under the original incident

E. Final Disposition of Firearms – Destruction**1. Responsibilities of the Armorer(s):**

- a. After a period of twelve months, the Armorer shall consult with the Chief of Police or his designee to determine if such firearms should be destroyed. If the Chief of Police deems that the firearms should be destroyed:
 - i. The Armorer will cause the firearm to be checked in NCIC, and other databases as necessary to ensure that the firearms is not evidence.

- ii. The Armorer shall draft a letter to the Massachusetts State Police Ballistics Section for each firearm describing the firearm in detail, including all serial numbers and condition. The letter shall contain a reference that the firearm was checked in NCIC and that no record was found.
- iii. The Armorer shall contact the Massachusetts State Police Ballistics Section at 508-358-3180.
- iv. The Armorer will make transfer arrangements.
- v. At the time of actual transfer, cause the dispatcher on duty to record the property transfer in the (PAMET) computer system, and print a property transaction record.
- vi. At the time of transfer, ensure that a representative of the bonded firearms facility signs the property transfer record generated from (PAMET).
- vii. A supplemental report shall be made under the original incident

F. Sample Letter 1

October 12, 2002

Mr. or Mrs. John Doe
2 Main Street
Truro, MA. 02666

Dear Sir or Madam:

Please be advised that the Truro Police Department has received your firearm, XXX
Serial # XXXXXXXXX and or ammunition as a result of

- Abuse Prevention Order (restraining order) whereby you are the listed defendant.*
- A firearm we held for safe keeping*

We are limited to the custody of your firearm for a maximum period of 30 days. Prior to the expiration of the 30 days, you must make arrangements for the transfer of your firearms to a licensed dealer or a bonded storage facility.

If you are unable to make the above arrangements, your firearms may be transferred to a bonded storage facility by this department. You will be billed directly from the facility for their service. If you need assistance in locating a dealer or bonded facility, please contact the Truro Police Department, 508-487- 8730. Thank you for your cooperation in this matter.

Very Truly Yours,

John J. Thomas
Chief of Police

Cc: Case File
Armorer(s)
Lt Lundborn