

**Source:** <http://www.torontopoliceboard.on.ca/minutes/2004/040122pmm.pdf>

The following draft Minutes of the meeting of the **Toronto Police Services Board** held on **January 22, 2004** are subject to adoption at its next regularly scheduled meeting.

The Minutes of the meeting held on December 11, 2003 previously circulated in draft form were approved with the exception of No. P360/03 -the 2004 schedule of meetings - which was amended by approving the three dates originally proposed for the June, August and November 2004 meetings (June 29, August 26 and November 18) and that the Board consider re-scheduling these dates closer to the time, if necessary.

The Minutes of the meeting held on January 06, 2004 previously circulated in draft form were approved by the Toronto Police Service Board at its meeting held on January 22, 2004.

**MINUTES OF THE PUBLIC MEETING of the Toronto Police Services Board held on JANUARY 22, 2004 at 1:30 PM in the Auditorium, 40 College Street, Toronto, Ontario.**

PRESENT: A. Milliken Heisey, Q.C., Chair  
Pam McConnell, Councillor & Vice Chair  
John Fillion, Councillor & Member  
Benson Lau, M.D., Member  
Case Ootes, Councillor & Member

ALSO PRESENT: Julian Fantino, Chief of Police  
Albert Cohen, City of Toronto - Legal Services Division  
Deirdre Williams, Board Administrator

**THIS IS AN EXTRACT FROM THE MINUTES OF THE PUBLIC MEETING OF THE TORONTO POLICE SERVICES BOARD HELD ON JANUARY 22, 2004**

**#P8. USE OF ILLEGALLY IMPORTED FIREARMS IN TORONTO AND RECOMMENDATION TO PROHIBIT PLEA-BARGAINING OF SOME FIREARM-RELATED CRIMES**

The Board was in receipt of **the following report JANUARY 22, 2004 from Julian Fantino**, Chief of Police:

**Subject: USE OF ILLEGALLY IMPORTED FIREARMS IN TORONTO AND COOPERATIVE INITIATIVES THAT MAY BE UNDERTAKEN TO ADDRESS THIS ISSUE.**

## **Recommendation:**

It is recommended that:

- 1) the Board receive the following report.
- 2) the Board send a letter to the Attorney General of the Province of Ontario requesting that a directive be issued to all Crown Attorneys prohibiting the plea-bargaining of firearm related crimes when there is a reasonable prospect of conviction.

## **Background:**

At its meeting of August 14, 2003, the Board requested that the Chief of Police report on the use of illegally imported firearms in Toronto crime; and whether there are initiatives that may be undertaken, in co-operation with the Federal government and possibly weapons manufacturers, to curb the illegal importation of firearms into Canada, from the United States (Board Minute No. P230/03 refer). This report will identify the nature and origin of known firearms used in Toronto crime, and provide a summary of actions currently undertaken by this Service to manage this issue.

The issue of illegally imported firearms, and indeed any firearm being used in the commission of criminal acts in the City of Toronto is of a paramount concern. I have requested the Special Investigation Services Firearms Enforcement Unit to research the issue of illegally imported firearms.

It is apparent, as identified in the attached report Appendix A, that although smuggled firearms have been positively identified as crime guns, there is an emerging trend toward the use of firearms of domestic origin by the criminal element. As set out in page 2 of Appendix A, only 24% of traceable crime guns have been traced to a United States origin. Initiatives developed through the Canada/United States Cross Border Crime Forum (set out on pages 5 - 7 of Appendix A); will assist all law enforcement efforts in reducing the number of firearms entering this country from the United States and help reduce the tragic human toll often associated with them.

This Service must continue to focus investigative efforts on illegally imported firearms, but must also give greater investigative emphasis to domestic crime guns. These firearms are being obtained in increasing numbers from residential and commercial break and enters as well as through diversion from manufacturers and apparent exploitation of the de-registration processes in place within the Canadian Firearms Registry System.

Interdicting these sources for domestic crime guns is within our capacity as a Canadian law enforcement agency. The collaborative initiatives set out in Appendix A, undertaken in partnership with all levels of government and other stakeholders will aid in restricting the opportunity for lawful Canadian firearms to fall prey to the criminal intention to convert them for use against citizens of the City of Toronto. Further, the plea-bargaining of firearm related crimes (set out on page 9 of Appendix A), must be discontinued in an effort to reaffirm the commitment of the criminal justice system to the protection of the public and therein re-establish public confidence and sense of safety and security.

Acting Deputy Chief David Dicks, Policing Support Command will be in attendance to respond to any questions.

**The Board approved the foregoing.**

## **Appendix A**

### **Illegal Importation of Firearms**

In order to respond to the Board's request with respect to the use of illegally imported firearms in Toronto crime, a clear definition of what constitutes a crime gun must be attained. For the purposes of this report, a crime gun is defined as any firearm that has been used in a crime, or due to the circumstances surrounding its seizure had the potential to be used in a crime, or for which the serial number has been obliterated.

It has been historically held that the majority of firearms used in criminal acts in Toronto were smuggled into Canada from the United States. Recent investigations by the Toronto Police Service have indicated that an equal number of these firearms were of a lawful Canadian origin prior to their use in a criminal act.

Although there are a number of firearms reportedly used in various criminal acts each year in the City of Toronto, these firearms do not routinely come into the possession of the police for examination and origin determination. Handguns are the preferred weapons for use in the commission of criminal acts. This preference is clearly represented in Toronto Police Service records for the period of 1998 to August 30, 2003, wherein there have been 325 homicides in Toronto, 133 involving the use of a firearm. Of this total, 124 murders, or 93% of firearm involved homicides, involved the use of a handgun. Nine homicides involved the use of a rifle or shotgun.

Toronto Police Service records show that **in the period of January 01st to September 9th, 2003 a total of 1468 firearms** have been submitted to the Property Evidence Management Unit for a variety of reasons, including evidence, held for investigation, safekeeping and destruction. Of these, **183 have been determined to meet the definition of a crime gun.**

**It is this number, one hundred and eighty-three (183) crime guns, that presents the only opportunity for analysis to determine how many smuggled firearms are actually used in Toronto crime.** The Gang and Gun Task Force have determined that one hundred and thirty-nine (**139**) of these crime guns fall into the following categories:

- **26** long barrelled firearms
- **11** firearms registered in Canada
- **5** reported as stolen
- **4** firearms were never issued a serial number by manufacturer
- **16** were too old to be traced for ownership
- **32** had their serial numbers obliterated
- **45** are still under investigation

Investigative experience of the Gun and Gang Task Force and the Firearms Enforcement Unit has established that long barrelled firearms are primarily of Canadian origin. Long barreled weapons are historically stolen from private citizens and converted for use in criminal acts. For this reason, long barrelled crime guns are not automatically submitted for tracing. Firearms with obliterated serial numbers have been historically believed to be of United States origin. A recent Provincial Weapons Enforcement Unit (PWEU) investigation has shed light on this historical assumption and it is now believed that these types of firearms may also be of Canadian origin. Local investigations suggest that

many of the 32 crime guns with obliterated serial numbers are of Canadian origin. Investigations have identified that criminals are well aware of the absence of legislation requiring the registering of firearms in the United States. Armed with this knowledge they have developed a sense of confidence that the firearm will not be successfully traced back to them so there is less concern over removing the serial number.

Efforts are currently underway to determine the origin of some 26 firearms seized in relation to a recent investigation. It is suspected that the majority of these firearms will be traced to a Canadian source.

The remaining forty-four (44) of the one hundred and eighty-three (183) crime guns have been submitted for tracing to the United States Bureau of Alcohol Tobacco and Firearms and Explosives (BATFE). To date 30 of the 44 submitted guns have been traced to a United States based first retail purchaser. Therefore, **assuming that all 44 submitted guns are successfully traced to a United States origin, only 24% of traceable known crime guns, as previously defined, have been smuggled into Canada.** The origin of all other firearms that have been used in reported criminal acts but have eluded recovery is subject to conjecture.

While the use of smuggled firearms is a continuing concern, the aforesaid numbers identify an emerging issue for law enforcement agencies and that is the trafficking in domestic firearms and their subsequent use in criminal acts. The Firearms Enforcement Unit of Special Investigation Services, in partnership with the Provincial Weapons Enforcement Unit, recognize this emerging issue and have directed significant attention toward it in conjunction with efforts to curtail the smuggling of firearms. Examples of some of these collaborative efforts are detailed under the INITIATIVES section of this report.

The nature and scope of firearms trafficking, domestic and international, is beyond the investigative capacity of any one particular agency. In order to provide a more co-ordinated investigative effort in the Province of Ontario the Provincial Weapons Enforcement Unit (PWEU) was formed. This unit was established in 1994 to identify and take enforcement action against persons involved in the illegal movement of firearms, ammunition and explosives. The PWEU is comprised of forty-one representatives drawn from the Royal Canadian Mounted Police, Ontario Provincial Police, Toronto Police Service, Canada Customs and Revenue Agency and a number of other municipal police services in Ontario.

The formation of PWEU has allowed for enhanced information sharing between investigators with respect to trafficking in firearms. This unit has the resources and structure necessary to investigate a suspect firearm, determine its origin and the means by which a person came to be in possession of it. This type of investigative analysis allows law enforcement to continuously examine the existing regulatory environment in place at all levels with respect to firearms, and identify any areas of concern that may need to be brought to the attention of the applicable level of government. One such concern is the issue of de-registration of firearms which will be discussed later in this report.

The S.I.S. - Firearms Enforcement Unit adopted the mandate of the PWEU for the City of Toronto. Recognizing that additional resources were required, a Gun Task Force was created within Special Investigation Services. This new unit was tasked with investigating the possession of the firearm while the Firearms Enforcement Unit focused on the smuggling, trafficking and origin tracing of the firearm. This internal co-ordination of effort allows the Firearms Enforcement Unit to continue to work in collaboration with an assortment of stakeholders in both Canada and the United States to curtail the trafficking of firearms.

Although the creation of the PWEU has aided in the investigation of firearms, there is still a need for a dedicated centrally co-ordinated body to monitor firearm related incidents across the Province and to report accurate and timely information to police agencies. The co-ordination and strategic analysis of all firearm incidents and seizures would allow investigators to clearly understand all aspects of the illicit firearms market and give investigative direction to special projects. The financing of such an endeavour is one of the primary obstacles to its successful implementation and therefore relegates the task of information co-ordination to the respective police agencies operating in Ontario. This type of fractured environment does not allow for an optimal useage of policing resources and may allow investigative links to go unseen.

## **Initiatives To Address Firearms Smuggling**

### **Firearms Tracing and Enforcement Program**

In 1994, Criminal Intelligence Services of Ontario, in response to policing standards mandating that all police services in Ontario trace seized firearms not registered in Canada, created the Firearms Tracing and Enforcement Program (FATE). The purpose of this program is to identify the sources of illegal firearms and to provide an investigative tool to the police services of the Province in identifying potential firearm traffickers. The program operates through the PWEU and works in a voluntary partnership, called the Collateral Investigations Program, with the BATFE to identify and prosecute persons involved in the illegal movement and trafficking of crime guns. There is no formal agreement in place between the respective agencies for the tracing of firearms. This partnership has been very successful given that it is solely based on good will and a solid spirit of teamwork and public protection on both sides of the border.

The tracing of a firearm can be quite complex. In Canada a firearm can be traced to the last registered owner as recorded by the Canadian Firearms Registry System (CFRS). There is no requirement in the majority of American states to register firearms. Therefore, the BATFE rely upon access to records that may only identify the first retail purchaser of that firearm. Any transactions subsequent to the original retail purchase in the United States are extremely difficult to account for. Agents from the BATFE must spend countless hours conducting investigations, locating documents and interviewing persons in order to provide investigators in Ontario with trace information.

Understanding the complexity and demands of tracing a firearm in the United States, investigators in Ontario must exercise good judgement in determining whether or not to submit a firearm for tracing and weigh the costs against any perceived investigative value that would result. The constitutional rights of American citizens with respect to the lawful possession of firearms, supported by political powers and special interest lobbying groups, present significant obstacles to be overcome in any effort to enhance investigative tracing abilities in the United States.

Bearing in mind the aforesaid complexity of tracing a firearm in the United States, the majority of firearms seized by the Toronto Police Service do not warrant tracing through the BATFE as an investigative aid. These firearms fall into one of the following categories:

- The firearm is registered in Canada and the lawful owner is known.
- The firearm may be too old to trace. Firearms that were manufactured prior to the United States Arms Control Act of 1968 were not required to have certain markings and are nearly impossible to trace.
- Long Guns (rifles) seized in Canada usually originate in Canada and may be very old. Prior to the

- new legislation in Canada there was no requirement for them to be registered.
- Serial numbers may be removed or obliterated making them impossible to trace.

The FATE program is an invaluable aid in the investigation of certain crime guns and must be sustained into the foreseeable future. A formal memorandum of understanding or other such instrument, between the Province of Ontario and the Bureau of Alcohol Tobacco Firearms and Explosives may eventually be required as a means of ensuring the continuation of this investigative tool.

### **Collateral Investigations Program**

This voluntary program utilizes the information obtained from the FATE Program to conduct collateral investigations between the U.S. BATFE, the PWEU and other law enforcement agencies in Ontario to aggressively pursue the sources of crime guns arriving in Ontario from the United States. These investigations have identified several patterns and trends, which identify the methods of obtaining crime guns in the United States and smuggling them into Canada. The following are some recent trends:

- United States resident receives a licence as a Federal Firearms Licensee (FFL), lawfully acquires inexpensive firearms and then sells them for a large profit into the illicit crime gun market.
- Cross border truckers acquire firearms in the United States and smuggle them into Canada.
- Firearms are purchased at gun shows (secondary markets) in the United States and then smuggled into Canada.
- Canadian citizens obtain U.S. identification, purchase firearms and then smuggle them into Canada.
- STRAW purchases of firearms by U.S. residents, which are then smuggled into Canada.

A STRAW purchase occurs when a person such as a convicted felon or a non-resident of the United States or one who is not otherwise entitled to lawfully purchase a firearm in the United States enlists the aid of a third party to lawfully purchase a firearm. This is done in order to conceal the identity of the true purchaser. Firearms so purchased are often smuggled into Canada.

### **Canada/United States Cross Border Crime Forum**

The Canada/United States Cross Border Crime Forum is a standing body involving the United States Department of Justice and the office of the Solicitor General of Canada. This body meets annually and invites stakeholders to participate in topical discussions. The following agencies participated in discussions focused on the methodologies employed in illegally trafficking firearms between the United States and Canada, issues related to removing guns from criminals and to put forward recommendations to curtail firearms trafficking:

#### **CANADA**

Canada Customs and Revenue Agency (CCRA)  
Criminal Intelligence Service of Canada (CISC)  
National Police Service (NPS)  
National Weapons Enforcement Support Team (NWEST)  
Royal Canadian Mounted Police (RCMP)  
Provincial Weapons Enforcement Unit (PWEU)

#### **UNITED STATES**

Department of Justice (DOJ)

Department of State (DOS)  
Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE)  
U.S. Customs Service (USCS)

As a result of these discussions an exhaustive report, titled Canada and United States Firearms and Explosives Threat Assessment, was prepared in May 2003 for the Canada and United States Cross-Border Crime Forum. This report reinforced the value of some existing initiatives and recommended some new initiatives. Set out below are some of the initiatives discussed in this document:

- Cross-Border Tracing Co-Operation.

FATE (Firearms Tracing Enforcement Program)

- Integrated Border Enforcement Teams (IBET).

Tasked to co-ordinate land based border enforcement initiatives between Customs authorities and law enforcement agencies.

- Project Safe Neighbourhoods.

Community partnerships with law enforcement.

- Intelligence Collection and Analysis Team.

Tasked to collect intelligence for enforcement measures within the United States and Canadian ports.

- Operations Pipeline, Convoy and Jetway.

Cross border vehicle interdiction (trucks, automobiles, airplanes, buses, trains)

- Multiple Sales Reporting.

U.S. requirement for Federal Firearms Licences to report all purchases of two or more handguns that occur within 5 consecutive business days.

- Education and Training.

Since 1996, the U.S. BATFE (ATF) and the PWEU have sponsored a joint firearms trafficking school for law enforcement officers on both sides of the border.

- Project North Star.

A joint frontline enforcement management tool protecting border integrity.

- National Integrated Ballistic Information Network and the Integrated Ballistics Identification System.

This program allows for a digital image of a bullet or cartridge from a “crime gun” to be compared and matched to the same firearm.

- U.S. Customs Container Security Initiative.

Engages the ports sending large volumes of containers into the U.S. to proactively monitor in a way that will facilitate the earliest possible detection of potential problems.

- High Intensity Drug Trafficking Area Program (HIDTA).

U.S. law enforcement partnerships providing resources to respond to drug trafficking problems and disseminating information on drug and weapons trafficking to Canadian law enforcement agencies.

- Border Blitzes.

The PWEU in partnership with the Canada Customs and Revenue Agency and the police agency

holding jurisdiction in the area of the targeted border crossing, continue with enforcement blitzes and investigative training.

### **Domestic Crime Guns**

Outside of the lawful purchase and registration of a firearm, there are three (3) primary domestic sources of crime guns in Canada.

- **Firearms acquired through thefts, reported missing following robberies, lost by owners and break & enters**
- **Diversion (from manufacturers)**
- **De-registration (deactivation)**

### **Missing/Stolen Firearms**

All stolen or missing firearms in Canada are required by law to be reported to the police. The police are required to report this information to the Canadian Police Information System (CPIC). Many of these firearms end up in the hands of the street criminal to commit crimes, provide protection, demonstrate status and intimidate or inflict violence on their peers, law enforcement, the community and innocent victims. According to the RCMP Annual Firearms Report to the Solicitor General of Canada, since 1978 over 97,000 firearms have been recorded on CPIC as stolen or missing, a large portion remain unrecovered, with more than 50% of this total being restricted firearms such as handguns. While annual reported incidents have slowly declined since 1997, these incidents still account for 2000 - 3000 firearms per year potentially entering the illicit market.

### **Diversion from Manufacturers**

There are only three (3) manufacturers of firearms in Ontario. These companies do not sell directly to consumers. The PWEU identified employees of one such manufacturer that were engaged in the smuggling of firearms or parts thereof from the points of manufacture. The serial numbers were removed and these fully functional semi-automatic handguns were then sold on the street.

In the early 1990's these handguns were appearing on the streets with no serial numbers and then in the late 1990's with the serial numbers milled off (removed) in direct violation of federal statute. The investigation concluded in 2001 with the arrest of seven (7) persons charged with a variety of firearm offences and the seizure of over one hundred (100) semi-automatic handguns and over five hundred thousand (500,000) rounds of ammunition. There have been an additional fifty (50) of these handguns seized by police across Canada that were involved in a variety of crimes, including murder and attempted murder. These handguns will continue to surface indefinitely.

### **De-registration (Deactivation)**

The Firearms Act requires that all firearms be registered on the Canadian Firearms Registry. If a firearm is deactivated (rendered inoperable) according to regulation, it is de-registered and removed from the Canadian Firearms Registry. This means that CPIC will not provide law enforcement with a previous registration. For all intent and purposes CPIC will show that there is no record found in response to an inquiry on a firearm coming into possession of police. The CPIC return does not reflect that this firearm has been de-registered. The criminal exploitation of this process has come to light in an investigation conducted by the PWEU.

This investigation identified a group of persons that were involved in the illegal possession and trafficking of firearms, restricted/prohibited handguns, ammunition and the unauthorized importation of parts exclusively for use in the manufacturing of automatic firearms.

The group were able to divert lawfully owned and registered firearms into the illegal crime gun market by exploiting the de-registration process of the Canadian Firearms Registration System. Once the firearm has been de-registered, the group would remove the serial number of the firearm and sell it as a crime gun. It is estimated that over 450 firearms reached the street via this process. There is currently no government agency that verifies the deactivation of firearms.

This absence of a verification and inspection process for firearms supposedly rendered inoperable must be addressed by all law enforcement agencies through the appropriate channels. The Canadian Firearms Registry have been alerted to the exploitation of the de-registration process. They have requested a formal written notification of this matter. The PWEU are reviewing the matter and will determine the most appropriate response.

### **Domestic Firearms Enforcement Initiatives**

The issue of domestic firearms being used as crime guns is an emerging trend. The successful investigations to date have greatly assisted in identifying opportunities for law enforcement to work collaboratively with other stakeholders to address this issue. The following initiatives are underway at this time:

- Continued joint investigations between the PWEU and its Provincial partners. Giving a higher priority to break & enters where firearms have been stolen.
- Pursuit of legislative changes with respect to the deactivation and subsequent de-registration of firearms.
- Integrated Ballistic Identification System to go on line at the Centre of Forensic Science (CFS) to develop an ongoing link between the TPS and the RCMP.
- Succession planning of highly trained firearm investigators is critical to ensure the Service can continue to deliver effective investigations. A firearms investigators course has been developed for delivery through the Training and Education Unit. The focus is on ensuring that Service members are provided the most up to date information and investigative practices. This will ensure that there is a strong base of knowledge to draw upon in future years to replace existing investigators within the Gang and Gun Task Force or the Firearms Enforcement Unit.
- Utilization of the Crime Stoppers program to reach out to the public for investigative assistance.
- Continue to develop a joint awareness program campaign to educate the public on the importance of ensuring the security of their lawful firearms to prevent them from falling prey to criminals and being used in criminal acts.

### **Challenges**

Part of the challenge in pursuit of successful deterrence for persons engaged in firearm trafficking and other related offences is the issue of plea-bargaining. A report by Toronto Police Intelligence Services, identifies that in the period between January 01st to July 31st, 2003, there were five hundred and fifty-four (554) persons charged with firearm offences. Of this number, fifty-five (55) cases have been concluded with a logged disposition. Thirty-two (32) of these cases, or 58%, were concluded by withdrawal of charges. The report identifies that the charges most often laid are also those that are most often withdrawn, those being Careless Use of A Firearm (Section 86), Unauthorised Possession (Section 91) and Prohibited or Restricted Firearm with ammunition (Section 95).

The withdrawal of such charges may occur not only as part of a plea bargain process but also as a result of other factors taken into consideration by the Crown Attorney in the determination that there is no reasonable prospect of conviction for those matters. Where a firearm charge is considered for withdrawal as part of a process to solicit a guilty plea for other charges, the ultimate arbiter is the Crown Attorney. The merits of such decisions may meet the need of the case at hand, however to the

public, who are enduring a steady onslaught of violent gun crime on a daily basis, such deals are no longer palatable. An unintentional impact of the plea bargaining of firearm related charges is reduced public confidence in the ability of the Canadian Criminal Justice system to protect their fundamental right and need for safety in their communities. This sense of safety and public security must be reaffirmed and clearly established as a priority to ensure the continued well being of the community at large.

The Attorney General of Ontario must re-evaluate the plea bargain process with respect to firearm related crimes. It is recommended that, alongside an internal training program for firearm awareness for Crown Attorneys, a directive be issued from the office of the Attorney General that firearm charges are no longer to be subject to plea-bargaining. Such a directive will serve to recognize firearm related crimes for the serious societal issue that they are, the grave consequences they often result in and the paramount need of the public to be protected from persons who would engage in such criminal activity.

## CONCLUSION

There are two main sources of illegal firearms that are turning up on the streets of Toronto

- **-smuggled firearms from the United States and**
- **-firearms lawfully in Canada but illegally diverted for use as crime guns.**

Both pose a significant threat to the safety of the citizens of the City of Toronto. Investigative resources are being expended to continue to monitor the use and trafficking of firearms in Toronto and across the Province. This report has sought to provide the Board with an understanding of the use of illegally imported firearms in Toronto crime.

## Internet Analysis of the Above Data,

# NOT Part of the Above Minutes

### An Analysis of the Data Contained in the Toronto Police Services Board Minutes January 22, 2004

#### [Text of the Relevant Extract from the Minutes]

Toronto Police Service records show that in the period of **January 01st to September 9th, 2003 a total of 1468 firearms** have been submitted to the Property Evidence Management Unit for a variety of reasons, including evidence, held for investigation, safekeeping and destruction. Of these, 183 have been determined to meet the definition of a crime gun.

$$183/1468 \times 100 = 12\%$$

12% of all guns in the Toronto Police Services inventory are classified as "crime guns".  
That's not what I would call a lot.

It is this number, one hundred and eighty-three (183) crime guns, that presents the only opportunity for analysis to determine how many smuggled firearms are actually used in Toronto crime. The Gang and Gun Task Force have determined that one hundred and thirty-nine (139) of these crime guns fall into the following categories:

183 guns is a phenomenally small sample upon which to base a "universal" or even a "definitive" conclusion...

long barrelled firearms	26
firearms registered in Canada	11
reported as stolen	5
firearms were never issued a serial number by manufacturer	4
were too old to be traced for ownership	16
had their serial numbers obliterated	32
are still under investigation	45
Subtotal	139
submitted for tracing to the United States	44
<b>Total</b>	<b>183</b>

Of the 139 crime guns studied only FIVE were on Police Files as having been reported STOLEN (presumably from their Canadian owners):

All stolen or missing firearms in Canada are required by law to be reported to the police. The police are required to report this information to the Canadian Police Information System (CPIC).

These categories are woefully inadequate descriptions. They are confusing, and even seem to be contradictory! The totals given would indicate that each of the guns numbered in each of the categories is a "discrete" gun, ie: there is no duplication of guns across the categories. But, if all guns are required to be reported if stolen, that means that the 11 guns listed simply as "registered in Canada" must not have been reported stolen, since there is a separate category for those. And are we to assume that the 5 guns reported as stolen were in fact properly registered in Canada?

Does this also mean that we are to assume that other than the 26 "long barrelled firearms", all the rest are handguns? You notice that they never really come right out and say one way or the other...

Several of the other categories are troubling, too. How can a gun be "too old" to trace? Handguns have been required to be registered since 1934; there have been several instances since then where gun owners have been required by law to "re-register" all their registerable firearms. Even if the gun wasn't given a serial number by the manufacturer, the Canada Firearms Center is still supposed to be able to "uniquely identify" each and every gun in its inventory, through the issuance of "Firearms Identification Number" stick-on labels.

The remaining forty-four (44) of the one hundred and eighty-three (183) crime guns have been submitted for tracing to the United States Bureau of Alcohol Tobacco and Firearms and Explosives (BATFE). To date 30 of the 44 submitted guns have been traced to a United States based first retail purchaser. Therefore, *assuming that all 44 submitted guns are successfully traced to a United States origin, only 24% of traceable known crime guns*, as previously defined, have been smuggled into Canada. The origin of all other firearms that have been used in reported criminal acts but have eluded recovery is subject to conjecture.

Note the shift in nomenclature: **TRACEABLE KNOWN CRIME GUNS!** Talk about "cherry picking" your statistics! Since they can't trace some 52 of these guns, and another 45 are still "under investigation", they don't really *know* how many guns are actually smuggled! They even include the 26 "long barreled guns" in their calculation, which they admit they don't submit for tracing! Vis:

Investigative experience of the Gun and Gang Task Force and the Firearms Enforcement Unit has established that long barreled firearms are primarily of Canadian origin. Long barreled weapons are historically stolen from private citizens and converted for use in criminal acts. **For this reason, long barreled crime guns are not automatically submitted for tracing.**

In fact, they didn't even bother to submit any of these other guns to the US authorities for them to trace!

The most telling sentence in the entire report, however, might just be this :

**The origin of all other firearms that have been used in reported criminal acts but have eluded recovery is subject to conjecture.**

Now *there's* a news flash for you!

Then there is this little tid-bit:

Firearms with obliterated serial numbers have been historically believed to be of United States origin. A recent Provincial Weapons Enforcement Unit (PWEU) investigation has shed light on this historical assumption and it is now believed that these types of firearms may also be of Canadian origin. Local investigations suggest that many of the 32 crime guns with obliterated serial numbers are of Canadian origin. Investigations have identified that criminals are well aware of the absence of legislation requiring the registering of firearms in the United States. Armed with this knowledge they have developed a sense of confidence that the firearm will not be successfully traced back to them so there is less concern over removing the serial number.

**First off, guns must be registered by the manufacturer, for production and inventory, if not legislative, reasons. Secondly, the manufacturers record which Federal Firearms Licensed gun dealers they sell their stock to. Such dealers must keep meticulous and detailed records. No doubt this also includes a "bill of sale" which most likely indicates who bought the guns from them.**

**And failing all that, if guns can't be traced in the United States because of the "absence of legislation requiring the registering of firearms", just how did they trace the "30 of the 44 submitted guns" to a "United States based first retail purchaser", referenced above? I am assuming that a "first retail purchaser" *excludes* FFL gun shops and other dealers...**

**You can't suck and blow at the same time, boys!**

**Efforts are currently underway to determine the origin of some 26 firearms seized in relation to a recent investigation. It is suspected that the majority of these firearms will be traced to a Canadian source.**

**In short, they're just guessing.**

**So, what does all this really mean? It means that out of all the guns they consider to be "crime guns", only a grand total of FIVE handguns were stolen from (presumably) law abiding Canadian gun owners or collectors. That's a whopping 3.6%!  $[(5 / (139 - 26)) \times 100]$**

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**Some other stuff from this report:**

### **Missing/Stolen Firearms**

**All stolen or missing firearms in Canada are required by law to be reported to the police. The police are required to report this information to the Canadian Police Information System (CPIC). Many of these firearms end up in the hands of the street criminal to commit crimes, provide protection, demonstrate status and intimidate or inflict violence on their peers, law enforcement, the community and innocent victims. According to the RCMP Annual Firearms Report to the Solicitor General of Canada, since 1978 over 97,000 firearms have been recorded on CPIC as stolen or missing , a large portion remain unrecovered, with more than 50% of this total being restricted firearms such as handguns. While annual reported incidents have slowly declined since 1997, these incidents still account for 2000 - 3000 firearms per year potentially entering the illicit market.**

**More guesswork. 97,000 guns would arm every crim in the country. Since they don't deteriorate, and they haven't been recovered, then they must still be "in circulation". I think if that were the case, there would be thousands more robberies and homicides than there are now...**

**And when it comes right down to it, whose fault is this? Note that the terminology used is the same old "fall into the wrong hands" crapola. I think we should blame the cops for not rounding up all these criminals and confiscating their guns, and for not keeping us law abiding gun owners safe from having our houses broken into and our property stolen!**

### **De-registration (Deactivation)**

**This investigation identified a group of persons that were involved in the illegal possession and trafficking of firearms, restricted/prohibited handguns, ammunition and the unauthorized importation of parts exclusively for use in the manufacturing of automatic firearms.**

**The group were able to divert lawfully owned and registered firearms into the illegal crime gun market by exploiting the de-registration process of the Canadian Firearms Registration System.**

**Once the firearm has been de-registered, the group would remove the serial number of the firearm and sell it as a crime gun. It is estimated that over 450 firearms reached the street via this process. There is currently no government agency that verifies the deactivation of firearms.**

**If the whole point of the Firearms Registration System was to help police "trace guns", wouldn't it make sense to keep records of "deactivated" firearms, too? It's not like it would take up a lot of space, and if such guns were subsequently used in a crime, as various different kinds of "replica" type guns are, then they could determine where it came from.**

**There's probably a lot more nifty things to dissect in this report, but that will have to wait for another time.**

**"There's no way to rule innocent men. The only power any government has is the power to crack down on criminals. Well, when there aren't enough criminals, one makes them. One declares so many things to be a crime that it becomes impossible to live without breaking laws."**

**- Ayn Rand, "Atlas Shrugged"**