



SUBJECT		AMENDS
Project Ceasefire		
REFERENCE	RESCINDS	
Title 18 U.S.C Section 921 (a)(20)	Department Memorandum 04-13	

I. PURPOSE

In October of 1999, Project Felon was renamed, "Project Ceasefire." This local initiative is now a cooperative effort between federal and local law enforcement agencies, and the Kansas City Crime Commission. The purpose of this project is to target and aggressively prosecute, on the federal level, persons who unlawfully use or possess firearms, also known as "Felon in Possession (FIP)." To date, over 1,596 defendants have been charged, with over 1,454 successfully convicted as a result of this project. Project Ceasefire is coordinated by the Robbery Unit.

II. TERMINOLOGY

- A. **Conviction** – a crime punishable by a term of imprisonment exceeding one year with exceptions for convictions subject to a restoration of civil rights, pardon, expungement of the record, or setting aside, as defined by Title 18 U.S.C. Section 921 (a)(20).
- B. **Prohibited Person** – convicted felons (including persons awaiting trial on felony charges), habitual drug users or addicts, undocumented/unauthorized foreign nationals, persons adjudicated as mental defectives, persons subject to domestic violence restraining orders, persons with misdemeanor convictions for domestic violence, fugitives from justice, and persons dishonorably discharged from the military.

III. GUIDELINES

- A. In order for a person to be prosecuted as an FIP, the following criteria must be met:
1. An indication that the person is a convicted felon or prohibited person. For a conviction to qualify:
 - a. A person need not have served a sentence of imprisonment; although, a sentence must have been imposed.
 - b. A Suspended Imposition of Sentence (SIS) would not qualify as defined by Title 18.
 - c. For a federal prosecution of a FIP in possession of body armor, the felon must have at least one felony conviction for a crime of violence.

2. Evidence the identified felon or prohibited person was in possession of a firearm, ammunition, body armor, or any combination thereof.

B. Filing of Charges

1. When it is believed that the above criteria exist, the Robbery Unit supervisor is to be contacted to determine if an Investigation Arrest Approval, Form 176 P.D. will be obtained. Robbery Unit detectives will then process the case and refer it to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) for submission to the United States Attorney's Office.
2. In the event the above listed criteria exist in conjunction with a gang or narcotic related offense, the appropriate investigative unit supervisor will be notified. Detectives from those units will process the case and forward it to the ATF for filing of federal charges.

C. Recovery and handling of a firearm or ammunition in conjunction with FIP cases.

1. Members will continue to follow current written directives regarding Recovered Property.
2. In addition, members will ensure that the following procedures are completed in recovering a firearm for FIP cases:
 - a. Protect any firearm not recovered directly from a person/suspect; e.g., found under a car seat or trunk, for processing of DNA either at the scene or submitted to the Regional Criminalistics Division (lab) for processing. The investigative element will then be responsible for obtaining the Consent to Search, Form 155 P.D. to collect a DNA Buccal Swab.
 - b. Process the firearm for latent prints or submit the firearm to the lab for processing.
 - c. Ensure all information regarding the firearm(s) description, include the serial number, manufacturer, specific markings, and importer (if manufactured outside of the United States) is complete and accurate. This also applies to all reports completed related to the FIP.
 - (1) This information is necessary to prove that the firearm, at some point, traveled in interstate commerce (a vital component to federal prosecution).
 - (2) A Firearm Description Report (ATF generated form) obtained from the Robbery Unit will be completed and submitted in addition to related reports completed by the reporting member.

3. Recovering only ammunition.
 - a. An accurate description of any and all markings on each type of round recovered including the head stamp markings is imperative in determining where a particular round of ammunition is manufactured. Example: R-P and R•P are both Remington Peters rounds, although they are manufactured in different locations.
 - b. Above information will be included on the back of the Firearm Description Report obtained from the Robbery Unit.
4. All firearms and ammunition recovered relative to a FIP investigation shall be placed in the Headquarters' second floor property box.
5. Members will scan and attach all paper reports relative to FIP investigations and confiscated firearms or ammunition to the Tiburon Incident report.
6. The Robbery Unit should be contacted regarding questions related to Project Ceasefire.

James D. Corwin
Chief of Police

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