

CHIEF OF DETECTIVES

NOTICE

1.8

February 25, 2021

TO: All Concerned Personnel

FROM: Chief of Detectives

SUBJECT: ARMED PROHIBITED PERSONS SYSTEM (APPS) COORDINATORS' DUTIES AND RESPONSIBILITIES

This Notice explains the Armed and Prohibited Persons System (APPS) and defines the duties and responsibilities of the units assigned to handle APPS cases. Proper use of the APPS database will assist investigating officers (I/O) in identifying individuals who are prohibited from possessing a firearm, and to seize any firearm(s), registered or not registered, from prohibited persons.

BACKGROUND

The California Department of Justice (DOJ) APPS database utilizes firearm ownership records from the Automated Firearms System (AFS) and the Consolidated Firearms Information System, and cross-references registered owners against other databases which identify firearm prohibition of an individual. Those databases include the Automated Criminal History System, Domestic Violence/Restraining Order System, Mental Health Firearms System, and Wanted Persons System. The result is a list of California residents who are prohibited from owning or possessing firearms.

Note: Until January 2014, the State of California did not maintain records of ownership for long guns, such as shotguns and rifles in AFS. If someone in the APPS is found to be in possession of or has access to, a long gun that weapon must be confiscated. In addition, if the violator attempts to register such firearms through any means, the violator will be flagged and placed on the APPS list again until those weapons are seized.

The APPS database is not absolute. Once a person is identified in the database, an investigation is required to determine whether the person is still in possession of the firearm. Although the APPS database provides law enforcement with the subject's name, date of birth, residence, and reason for being prohibited, the I/O must complete a thorough background check of the individual prior to attempting to make contact. It is not uncommon for an I/O to discover multiple addresses, some of which may be outside of the Department's jurisdiction. Investigating officers shall pursue the recovery of, illegally possessed weapons via voluntary compliance. In circumstances where a prohibited possessor refuses to voluntarily surrender a firearm, generally and when practical, the I/O should attempt to secure a search warrant for lawful confiscation.

THE ARMED AND PROHIBITED PERSONS SYSTEM DATABASE

The APPS Database information is tracked on the Department's Automated Field Data Report (AFDR)/Incident Tracking, under Prohibited Possessor. It can be accessed from the Department Chief's page by logging in with user ID and LAN Password. The Department's internal system is used to track, assign, review, and reference APPS cases.

The Gang and Narcotics Division (GND), Gun Unit, receives a monthly list of prohibited individuals from DOJ and inputs the data into the APPS database, by corresponding Bureaus/Areas, within the first week of every calendar month. The database identifies a prohibited person's name, driver's license, updated address, date received to DOJ, expiration date, Bureau, Area, violation, case status, case status change date, and the I/O making the notation. All new cases assigned to an Area at the beginning of the month are listed under the status field, "*Initial.*" Other status fields are: *Investigation Continued, Review, DOJ Done, and LAPD Done.*

PROCEDURES

The DOJ is the sole entity authorized to remove persons from the APPS database. The Gun Unit will provide Department status information to DOJ and DOJ will remove a person from the APPS database when all firearms, registered to or in possession of the violator are:

- Recovered and accounted for;
- Transferred to a Federal Firearms License Dealer (FFLD);
- Destroyed in a lawful verifiable manner; or,
- Transferred to another person who can legally possess firearms through a FFLD or by transfer method acceptable to DOJ.

If the violator cannot prove any of the above and requests to be removed from the APPS database, they must complete a California DOJ, *Notice of No Longer in Possession* (NLIP) form. The DOJ will review the NLIP form, verify the information provided and, if satisfied, remove the person from the APPS database.

The Department will consider an APPS case "*LAPD Done*" when all firearms registered to or in possession of the violator, are:

- Recovered and accounted for;
- Transferred to a Federal Firearms License Dealer (FFLD);
- Destroyed in a lawful, verifiable manner;
- Transferred to another person who can legally possess firearms through a FFLD or by transfer method acceptable to DOJ;
- After conducting a thorough APPS investigation, including a physical check of the listed Los Angeles City address, and verifying the violator no longer resides within the Department's jurisdiction; or,
- The investigation reveals an error in the reporting information. These errors include, but are not limited to: a wanted firearm is already in the custody of law enforcement, the serial number provided by APPS for the firearm is incorrect, or the APPS database identifies an incorrect violator.

The Department will consider an APPS case "*Investigation Continued*" under the following scenarios:

- The violator has been located but cannot provide formal documentation to support they no longer have possession of a firearm;
- The investigation reveals the violator is a transient; or,
- Pending contact or contact has been made with the prohibited possessor and a follow-up is necessary to obtain additional information.

Note: It will be the responsibility of the Area APPS Coordinator, with approval from the Gun Unit APPS Coordinator, to determine protocols for what is necessary to complete or IC an APPS case. All due diligence must be documented on the AFDR/Incident Tracking, APPS Chrono, and submitted for review to the Gun Unit APPS Coordinator.

To provide additional guidance while conducting APPS investigations, the *Los Angeles Police Department Armed Prohibited Person System Investigation Checklist* is attached to this Notice.

GANG AND NARCOTICS DIVISION GUN UNIT RESPONSIBILITIES

The Gun Unit is the Department's liaison with DOJ and is responsible for the following:

- Identify and update the list of persons listed in the APPS database and provide Areas with new cases monthly;
- Investigate all mentally ill violators and cross reference with the Mental Evaluation Unit, Detective Support and Vice Division;
- Provide training on the APPS database and AFDR/Incident Tracking APPS System;
- Maintain a database of the APPS cases that have been investigated; and,
- Provide information to DOJ to update the APPS list.

AREA APPS COORDINATOR RESPONSIBILITIES

- Ensure Areas conduct thorough background checks and complete packages on each violator listed in the APPS, including contacting DOJ on Brady violations;

Note: A Brady violation is a California state level charge, an out-of-state charge, a federal charge, or any Immigration and Naturalization Service issue that has caused the violator to lose the right to own or possess a firearm. In most cases, DOJ must be contacted to determine the basis for the violator's Brady violation.

- Forward completed APPS updates via the "Chrono" section of the APPS database under "Review." The Gun Unit APPS Coordinator will review and determine if the case is "LAPD Done" or "*Investigation Continued*." If the case is listed as "*Investigation Continued*," the Gun Unit APPS Coordinator will email the I/O and request additional information;

Note: The Department's objective is to remain committed to the lawful confiscation of firearms from prohibited possessors, with the intent of not making arrests unless appropriate. If an arrest is made, there must be a probable cause to believe that the APPS violator knew that he/she was prohibited from possessing a

firearm. The determination to affect an arrest must be evaluated on a case-by-case basis, with the totality of the circumstances in mind. When the investigation reveals that the prohibited person(s) knew that they were prohibited from acquiring or possessing a firearm and did so knowingly, an arrest may be made.

- Ensure that all firearms recovered are booked into property and that they are properly disposed of, or released, if applicable; and,
- Coordinate enforcement with other APPS Coordinators when an investigation reveals that the violator resides in another Area/Division, in order to determine which unit should handle the case.

Should you have any questions concerning this Notice, please contact Gang and Narcotics Division, Gun Unit, APPS Coordinator, at (213) 486-5360.



KRIS E. PITCHER, Deputy Chief
Chief of Detectives

APPROVED:



DANIEL RANDOLPH, Commander
Chief of Staff
Office of the Chief of Police

Attachment

DISTRIBUTION "D"

LOS ANGELES POLICE DEPARTMENT
ARMED PROHIBITED PERSON SYSTEM (APPS)
INVESTIGATION CHECKLIST

- Obtain access/training for the APPS database from the Gang and Narcotics Division, Gun Unit, APPS Coordinator;
- Open the APPS database in the AFDR/Incident Tracking, log in by using Serial No. and LAN password;
- Access "*Prohibited Possessor*" in the left column and the system will open to a list of names;
- Adjust date field to desired date, indicate corresponding Bureau/Area, in the status drop down indicate "*Initial*," check "*In City*" and search;
- Click on subject name and review all data contained for follow-up;
- Individually run each firearm listed in the "*Weapons*" list for the most current status;
- Run all systems checks for validity of restraining order, criminal convictions, mental health prohibitions, warrants, etc.;
- Conduct a follow-up to subject's listed LA City address (all contacts are to be conducted as "Knock and Talks" unless probable cause is obtained to conduct a search warrant);
- Provide a 10.10 receipt for all firearms and property taken into custody;
- Complete case status notes in the Chrono section of the APPS database and submit for "*Review*";
- Cases submitted for review should be checked for disposition at the end of the first week of every month;
- Cases submitted for "Investigation Continued" should be investigated until closed;
- All APPS information is available in the APPS Database and can be printed in an Excel spreadsheet format.

Note: For any questions or issues regarding APPS investigations, please contact Gang and Narcotics Division, Gun Unit, APPS Coordinator at (213) 486-5360.