

WRITTEN TESTIMONY OF PETE GAGLIARDI
IN FAVOR OF BILL H5130,
AN ACT RELATING TO CRIMINAL OFFENSES-- WEAPONS

My name is Pete Gagliardi, and I am writing today in **favor** of Bill H5130.

I am currently a consultant on matters related to Crime Gun Intelligence (CGI). My experience in both the public and private sectors with ballistics information-sharing networks spans 30 years - from “day one” of the creation of the ATF NIBIN program - to similar programs established in other countries, including a multi-country-oriented program at INTERPOL.

I believe that Bill H5130 can help to improve the identification and apprehension of armed criminals by setting a state-wide policy directing all law-enforcement agencies (LEAs) to fully utilize currently available technology and criminal information systems to deter and solve firearm-related violent crimes.

The National Integrated Ballistic Information Network (NIBIN) is a national crime-fighting and prevention resource. NIBIN technology captures images of ballistic evidence, including fired cartridge cases from shooting investigations and test-fired cartridge cases from recovered crime guns. These images are stored in the NIBIN for automated analysis and expert review. The system identifies potential matches between evidence from different crime scenes and test-fires from recovered guns, which are then reviewed by trained forensic personnel. NIBIN routinely links crimes across cities, counties, and states and provides its federal, state, and local law enforcement partners with investigative leads to solve murders, assaults, and other firearm-related crimes. Over its 26-year history, NIBIN operators across almost 400 NIBIN sites have generated over 1 million investigative leads.

For example, a NIBIN lead played a key role in helping police arrest a man named Pinkerton for the murder of Miya Brophy-Baermann, during a drive-by shooting in Providence in August of 2021. For more than a year, no one was arrested for the murder. Pinkerton was charged with murder and firearm offenses and was later convicted after a jury trial. He received two life sentences plus 50 years.

The comprehensive collection of test fires from all NIBIN-suitable crime guns and fired evidence from all unlawful discharges of firearms, even the seemingly insignificant ones, across the entire State of Rhode Island, is a crucial requirement for NIBIN to be most effective. Because it is evidence-led, NIBIN can also help law enforcement determine with impartiality that a series of firearm-related crimes are connected.

The Major City Chiefs Association and the National Police Foundation identified NIBIN and the ATF National Tracing Center (NTC) to be the most useful tools in preventing firearm-related violence through the expedited identification and arrest of criminal shooters and gun traffickers. [4](#)

Moreover, among the many findings of the 2020 Report of the President’s Commission on Law Enforcement and the Administration of Justice⁴⁴ was this: *“Law enforcement agencies should collect and quickly process ballistics evidence in all shootings and gun recoveries, regardless of whether there is an immediately identifiable offender or victim.”*

Rhode Island would not be alone should it pass a NIBIN law. Thus far, 8 states have passed laws similar to H5130: New Jersey, Delaware, Nevada, Illinois, Indiana, New York, Connecticut, and Massachusetts.

By way of background, I have over 50 years of experience extracting useful investigative information from crime guns and related evidence in both the public and private sectors.

Thirty of those years were in law enforcement - most of which was focused on the investigation of firearms and explosives-related crimes with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). As a street agent, I have conducted firearm investigations in Massachusetts, Maine, Rhode Island, and Connecticut.

I have served as a first-line task force supervisor in Boston and as the Resident Agent in Charge for the State of New Hampshire.

As a manager assigned to ATF Headquarters in Washington, DC, I have served as ATF's principal liaison to Congress, the Deputy Assistant Director of Science and Technology, the Deputy Assistant Director of Law Enforcement Programs, and the Chief of Strategic Planning. I was one of the primary developers of ATF's National Integrated Ballistic Information Network (NIBIN) Program.

In 1999, I retired from ATF as the Special Agent in Charge of the New York Field Division.

Following my retirement, I spent 16 years as the Senior Vice President with Ultra Electronics Forensic Technology Inc. and its predecessor Forensic Technology Inc., the developers of the Integrated Ballistics Identification System (IBIS).

As a consultant today, I provide thought leadership and strategic planning support to help governments develop sustainable solutions aimed at bringing justice to the victims of gun violence, resolution to their loved ones, and peace to their neighbors. I have conducted over one hundred workshops across the U.S. and abroad, based on my book entitled: *The 13 Critical Tasks: An Inside-Out Approach to Solving More Gun Crime (3rd Edition)*.

I have instructed at ATF's Crime Gun Intelligence Expert Schools and served as an adjunct instructor at the University of the West Indies, in the Firearm Investigations Section of their master's degree program in Forensic Science.

I am a life member of the International Association of Chiefs of Police (IACP) and served for many years on the organization's Firearms Committee.

I have served as a subject matter expert to the ATF National Firearms Commerce and Trafficking Assessment (NFCTA) Team for Volume I and II. Volume II published in 2023 contains two in-depth reports on the ATF NIBIN Program. It can be accessed at: <https://www.atf.gov/firearms/national-firearms-commerce-and-trafficking-assessment-nfcta-crime-guns-volume-two>

I may be contacted by email at: pete@RFfactor.com

^[i] National Police Foundation and Major Cities Chiefs Association, *Reducing Violent Crime in American Cities: An Opportunity to Lead - Full Report* (Washington, DC: National Police Foundation, (2017), P9. Retrieved on 6-7-2022 from: [Reducing Violent Crime in American Cities: An Opportunity to Lead – Full Report - National Policing Institute](#)

^[ii] Executive Office of the President of the United States, Report of the President's Commission on Law Enforcement and the Administration of Justice (Washington, DC: Executive Office of the President of the United States, 2020). Secs. 8.2.2 – 8.2.4. Retrieved on 6-7-2022 from: [President's Commission on Law Enforcement and the Administration of Justice: Final Report](#)