

FIREARMS THEFT AND LOSS REPORTING PROCEDURES

On September 13, 1994, the Violent Crime Control and Law Enforcement Act was signed into law. This law requires FFLs to report any theft or loss of firearms from their inventory or collection to ATF and the appropriate local law enforcement authorities within 48 hours after the theft or loss is discovered.

FFLs should follow these procedures to report the theft or loss of firearms:

- 1** If you have had a firearms theft, you must report this incident to your local law enforcement authority. Obtain and maintain for your records an incident or report number from your local law enforcement authority. Further, while it is required that you also report the incident to the ATF Firearms Theft Hotline as detailed in step 2 below, it is also recommended that you report this theft to your local ATF office.

✓ **IMPORTANT NOTE:** *Rapid notification to law enforcement and quick response time to a crime scene are often important factors in the successful solution of a firearms theft, especially in cases of robbery and burglary.*

- 2** Within 48 hours of discovering a theft or loss, you must report the incident to ATF Headquarters by telephoning the ATF Firearms Theft Hotline at 1-800-800-3855. This hotline is operational 24 hours a day, 7 days a week. When you call, be prepared to provide your name, address, telephone number, the date and location of the theft, and your license number. Also be prepared to write down an ATF Theft Hotline Incident Number that you will need to place in your records and on the ATF Form 3310.11, Federal Firearms Licensee Theft/Loss Report. A copy of this form appears at the back of this brochure.

✓ **IMPORTANT NOTE:** *It is very important that you properly distinguish between firearms that have been stolen and firearms that are lost or missing. DO NOT report lost or missing firearms as stolen firearms. If firearms are found to be lost or missing be sure to report them as such to the ATF Theft Hotline and when completing the ATF Form 3310.11, check the "other" block under the "description of incident" section to indicate missing or lost.*

Firearms designated as stolen are entered into the National Crime Information Center (NCIC) system so that law enforcement all over the country will know if a firearm they recover from someone is stolen. If a firearm is inaccurately reported as stolen rather than missing, a police officer may arrest someone or retain a

firearm from someone based on the belief that the firearm he/she possesses is stolen when in fact it may have been lawfully purchased. To prevent this situation from occurring, only report firearms as stolen when you have been the victim of a robbery, burglary, larceny, or when you have strong reason to believe that firearms turning up as missing during an inventory were actually stolen as opposed to lost or overlooked in the record keeping process. If you have reported a firearm(s) as stolen or lost and later locate the firearm(s), please contact and advise ATF and your local law enforcement agency of this discovery immediately so that the firearm(s) can be removed from NCIC. Further, always complete required paperwork, maintain proper records, and conduct frequent inventories to prevent discrepancies and errors that may result in giving the appearance of missing firearms when in fact the firearms were lawfully sold or out on loan. Frequent inventories can also assist in detecting employee theft.

- 3** Follow-up your telephone call to the ATF Firearms Theft Hotline by completing and mailing ATF Form 3310.11, Federal Firearms Licensee Theft/Loss Report to ATF at the following address:

**Bureau of Alcohol, Tobacco and Firearms
Tech World Post Office
Post Office Box 50220
Washington, DC 20226**

When completing ATF Form 3310.11, be sure to follow the completion instructions appearing on the back of that form. It is important to include a complete description of all firearms that were stolen or are missing, and the description of these firearms should be identical to their description in your Record of Acquisition and Disposition as required by 27 CFR part 178 subpart H. If more firearms have been stolen than can be listed on the form, please use ATF Form 3310.11A, Continuation Sheet, to list the additional firearms. It is also important to place the ATF Theft Hotline Incident Number on ATF Form 3310.11. After a theft, if you need assistance in conducting an inventory to determine which firearms have been stolen, contact your local ATF office and request the assistance of an ATF Inspector.

- 4** In your Record of Acquisition and Disposition, reflect the theft or loss of each firearm by entering the ATF Theft Hotline Incident Number, local law enforcement agency incident number, and whether the firearm was lost or stolen, as the disposition of the firearm.
- 5** If any of the firearms are recovered and returned to you, they should be re-entered in your Record of Acquisition and Disposition as a new acquisition entry.

Interstate carriers who choose to voluntarily report firearms stolen from their custody during transit (interstate carriers are not required to report this information by law) should follow these reporting procedures:

1 If you have had a firearms theft, report this incident to your local law enforcement authority and local ATF office as soon as possible. Obtain and maintain for your records, an incident or report number from your local law enforcement authority.

✓ **IMPORTANT NOTE:** *Rapid notification to law enforcement is an important factors in the successful solution of a firearms theft.*

2 After discovering a theft or loss, complete ATF Form 3310.6, Interstate Firearms Shipment Report of Theft/Loss, and forward this form to ATF at the following address;

**Bureau of Alcohol, Tobacco and Firearms
Tech World Post Office
Post Office Box 50220
Washington, DC 20226**

When completing ATF Form 3310.6, be sure to follow the completion instructions appearing on the back of that form. It is important to include a complete description of all firearms that were stolen or are missing. If you have any questions concerning the reporting of this information or the completion of this form, please contact ATF at 1-800-424-9555.

INVESTIGATIONS OF FIREARMS THEFTS: ATF investigates thefts of firearms from FFLs and interstate carriers. The following are two of the primary Federal statutes applicable to criminals who commit these types of firearms thefts:

18 U.S.C. § 922(u): It is unlawful for any person to steal or unlawfully carry or take away from the person or premise of any licensed firearms dealer, manufacturer, or importer, and firearms in the licensee's business inventory that have been shipped or transported in interstate or foreign commerce.

18 U.S.C. § 922(j): It is unlawful for any person to receive, possess, conceal, store, barter, sell, or otherwise dispose of any stolen firearm or ammunition which has been shipped or transported in interstate or foreign commerce, before or after they were stolen, when the person has knows or has reasonable cause to believe the firearms or ammunition were stolen.

NOTE:

- **Additional copies of all ATF forms may be obtained through the ATF Distribution Center, Post Office Box 5950, Springfield, Virginia, 22150-5950, 703-455-7801.**
- **From time to time your business may be contacted by representatives of the ATF National Tracing Center (NTC). This contact may involve a request for firearms disposition or records information in order to complete the trace of a recovered crime gun or a recovered stolen gun. Please be as cooperative, accurate, and timely as possible when responding to this request as the information you provide may assist in the solution of a serious crime or the return of a stolen firearm to its' rightful owner. Should you have any questions concerning a request, or should you want to verify that a caller is with the ATF NTC, you may call the NTC at 1-800-788-7133 with your questions.**

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