



Department of Justice

STATEMENT OF
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BEFORE THE
SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE, AND
RELATED AGENCIES
COMMITTEE ON APPROPRIATIONS
U.S. HOUSE OF REPRESENTATIVES

FOR A HEARING ENTITLED
GUN VIOLENCE PREVENTION AND ENFORCEMENT

PRESENTED

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**Statement for the Record of Christine Halvorsen
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Good morning, Chairman Serrano, Ranking Member Aderholt, and members of the subcommittee. I am pleased to be with you this morning to discuss the Federal Bureau of Investigation's (FBI) efforts to stem the flow of gun violence facing our communities.

Perhaps some of the most troubling threats currently facing law enforcement are mass casualty events, including attacks within, and violent threats against, our schools. I cannot fathom the agony, horror, and anger of the parents of these young people robbed of their futures. We remain committed to doing whatever is necessary to prevent such tragedies and are leading several initiatives aimed at providing our law enforcement partners with the tools they need to effectively respond to ongoing threats but, more importantly, to identify and mitigate threats before they occur.

National Instant Criminal Background Check System

Chief among these initiatives remains the National Instant Criminal Background Check System (NICS). NICS is a computerized system designed to aid in determining if a person is disqualified from possessing or receiving firearms. In addition to state law and state firearm prohibitions that vary greatly across the nation, there are 10 federal firearm prohibitions. When a requesting business that is designated as a Federal Firearms Licensee (FFL) initiates a NICS transaction, a name check is conducted to search three national databases for possible matches. These databases are the National Crime Information Center (NCIC), which contains information on wanted persons, protection orders, and other persons identified as relevant to the NICS searches; the Interstate Identification Index (III), which accesses criminal history records; and the NICS Indices, formerly known as the NICS Index, which contains information on prohibited persons as defined in the Gun Control Act of 1968, as amended. The NICS Indices include individuals who have been determined to be prohibited from possessing or receiving a firearm when disqualifying information may not be available through the NCIC or III databases, such as those that have been dishonorably discharged from the military.

Nearly 70 percent of NICS transactions handled by the FBI result in no descriptive matches or hits to the potential transferee against information contained in the three national databases. In these instances, the FFL is advised to proceed with the transfer. If, however, there are any potentially prohibiting records returned, the FBI must undertake a manual review to determine if the record demonstrates a prohibition to firearms possession. There are three possible outcomes from this review: proceed (i.e., the record does not establish a prohibition and the transaction can proceed), deny (i.e., the record demonstrates a firearms prohibition), or delay. A delay response indicates the information supplied by the prospective firearm transferee has matched a record searched by the NICS and requires additional research before a final determination can be made. Following a delay decision, if the transaction is not resolved within the allowed three-business-day time frame, it is at the discretion of the FFL whether to transfer the firearm.

Notwithstanding, the FBI Criminal Justice Information Services (CJIS) Division NICS Program continues to work on the case in an effort to resolve it. When additional information is required on a matching record but cannot be found, the transaction remains open until either the information is provided or 88 days have passed. If prohibiting information is provided following the passage of the three-business-day time frame, the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) is notified for retrieval of the firearm. If 88 days pass, then the transaction is purged from the NICS, as required by federal regulation 28 C.F.R. § 25.9(b)(ii).

Since 2010, the NICS has experienced substantial increases in the volume of background checks. This past Black Friday was among the highest volume days in the NICS history. In that one day, the NICS processed over 182,000 transactions. In calendar year (CY) 2018, the NICS processed 26.2 million transactions with only CY 2016 exceeding that volume with 27.5 million transactions.

Despite the increased demands, NICS staff provides exceptional customer service around-the-clock to firearms dealers across the country, while striving to achieve an “immediate determination” rate of 90 percent to the firearms dealer that permits the dealer to immediately transfer the firearm.

National Threat Operations Center

Since 2012, the National Threat Operations Center (NTOC), (formerly known as the Public Access Line), has received more than two million calls that have resulted in thousands of actionable tips and leads for special agents and intelligence analysts. The NTOC is part of the Bureau’s Criminal Justice Information Services (CJIS) Division in Clarksburg, West Virginia.

Whether it’s a tip on a missing child, a bomb threat, or financial fraud, the access line is responsible for receiving and vetting information from the public, then disseminating it to the field. In addition to the Boston Marathon bombing in 2013, the unit has been essential in other major events—like the mass shootings in San Bernardino, California, in 2015 and at the Pulse Nightclub in Orlando, Florida, in 2016. For major cases such as these, the FBI uses a dedicated tip line, “1-800-CALL-FBI,” as a primary means to collect nationwide leads and tips.

Prior to 2012, field offices handled their own calls, which placed a heavy burden on Bureau resources. The access line was born out of the necessity to streamline investigations by centralizing how public information is gathered. Today, the unit vets every tip and complaint that is made to FBI field offices. And it doesn’t stop at a phone call. Threat Intake Examiners also process online tips that are captured through the FBI’s web portal, tips.fbi.gov.

In CY 2018, the NTOC’s personnel answered more than 655,000 calls and processed in excess of 755,000 online tips. Their efforts have saved countless hours of investigative work for FBI field offices.

Currently, the unit has more than 200 members on its staff fielding public leads and tips 24 hours a day, seven days a week. Examiners are not only trained to gather integral information to aid in

potential investigations, they're also taught essential listening and communication skills. This level of training is especially important during times when public assistance is needed the most. In order to improve daily operations, the FBI has increased the total staff in the NTOC by 50 professional and 12 supervisory positions. The NTOC's organizational structure continues to evolve to support expanded functions such as call intake, information analysis, quality management, and appropriate referrals to law enforcement agencies to ensure decisions regarding imminent threat-to-life and terroristic or national security events are handled appropriately.

A number of important IT changes have also been implemented to streamline operations, add critical reporting, create call auditing features, and more. Specifically, the NTOC's intake system was updated to include a button for the examiner to select for immediate supervisory review to help better assess threats and allegations of criminal violations.

The NTOC's Standard Operating Procedure (SOP) has also been modified to ensure standardization of references and resources. The comprehensive electronic SOP receives continuous assessment and revisions by a standalone SOP team. Additionally, the NTOC's employees were provided *Threat to Life* and *Guidance on School Shooting* training, reiterating the NTOC's responsibility to escalate threats to life and ensuring critical information is being relayed clearly, efficiently, and timely.

Training

The FBI continues to provide basic active shooter response training, known as ALERRT, to sworn law enforcement officers within the United States and to foreign partners abroad. This 16-hour course provides law enforcement officers with standard tactical training on how best to isolate, distract, and neutralize an active shooter. In response to threats against schools, the FBI is prioritizing ALERRT training for school resource officers. The FBI also continues to collect active shooter data and will soon publish a biennial report of active shooter incidents that will cover the 2016-2017 time frame.

In response to tragic events like the October 2017 mass shooting in Las Vegas, the FBI is developing the Escape public awareness campaign, which will focus on public awareness messages emphasizing the importance of quick action to escape the scene of an active, violent attack. It is the FBI's hope that these messages will inspire quick action by potential victims that will reduce casualties.

The FBI is also engaging more proactively with its law enforcement partners on school threats. We are compiling and sharing data related to threats of violent attacks against schools, while discussing how best to accurately collect this data in a standard way across the country. Our behavioral analysis specialists at Headquarters and in each field office are actively engaged with field office personnel and local law enforcement who are working school threats, as well as with community members who require greater education on the threat. Recently, our Behavioral Threat Assessment Center (BTAC) provided FBI field coordinators with numerous resources to utilize in outreach efforts, including [*The School Shooter: A Quick Reference Guide*](#). In addition to providing key questions and descriptive statistics and motives, this one-page guide, along with

a corresponding training presentation for use in outreach efforts, identifies concerning behaviors and potential warning signs of a shooter that should prompt further inquiry by appropriate community members or law enforcement. Furthermore, the FBI's BTAC has embarked on an aggressive field-wide threat assessment enhancement effort that will include the provision of advanced training for field office personnel on threat assessment and threat management.

The FBI also intends to address school shootings through the development of a documentary video, *Echoes of Columbine*, which explores the details of past shooting events. This video will examine factors that led to the perpetrator's attack, behaviors and indicators of a potential shooter, and preventive measures that should be considered by schools and law enforcement. This video will be the third in a series created by the FBI to build community awareness of the pathways to violent behavior.

For its part, the Office of Partner Engagement (OPE) implements initiatives and strategies that support engagement, communication, coordination, and cooperation efforts with law enforcement, intelligence, public and private agencies, and partners in a continuous effort to enhance the FBI's capabilities in the domestic information-sharing architecture. The OPE accomplishes this mission by establishing and maintaining methods and practices to enhance engagement, coordination, and information sharing with the U.S. Intelligence Community; intelligence commander groups; federal, state, local, and tribal law enforcement; and public and private organizations and working groups.

Violent Crime Trends

To better understand violent crime trends, the FBI is working closely with several national-level law enforcement associations on programs and initiatives aimed at providing greater awareness and collaboration on priority threats. The FBI is collecting homicide and shooting data for inclusion in monthly and annual reports that are disseminated to participating departments and agencies. These reports provide real-time awareness of relevant data, which inform FBI and national-level strategies to combat violent crime. We also have created the Law Enforcement Watch, which is an FBI product that captures relevant news articles pertaining to executive-level law enforcement issues, school violence, police killed or injured in action, and use of force. This product is produced daily and is distributed broadly to our law enforcement partners for their situational awareness.

In coordination with the Major Cities Chiefs Association (MCCA), the FBI is developing a process to aid police departments in identifying and prioritizing criminal threats within their areas of responsibility, with the ability to then compare their findings with those of departments across other jurisdictions. In response to a request from the MCCA, the FBI developed and delivers the Introduction to Intelligence Theory and Application for Law Enforcement Supervisors course, which is designed to assist law enforcement supervisors who oversee intelligence units to implement and manage intelligence-led policing. The FBI and Major Cities Chiefs also have engaged in an in-depth study to identify national-level best practices to reduce the rise in violent crime across some of America's most violent cities. Additionally, the FBI is in its third consecutive year of conducting studies identifying commonalities among assailants who killed or attacked law enforcement officers. We believe that this research will provide law

enforcement partners with information on assailants' mindset, which may help in identifying additional officer-safety measures.

Conclusion

In short, today's FBI shares more information with our partners than ever before. Our partnerships are strong, and we are continually assessing where the FBI can do better and making changes wherever possible. We are providing training, identifying commonalities, and working shoulder to shoulder with our partners at every level of law enforcement to mitigate the threat. We look forward to continuing this important work and appreciate the support of this committee. Thank you for the opportunity to appear before you today. I am happy to answer any questions.