



**Office of the District Attorney**  
**County of Westchester**

**MEMORANDUM**

**42631**

October 8, 2014

TO: Board of Acquisition and Contract

FROM: Janet DiFiore  
District Attorney

RE: Resolution authorizing the County of Westchester, acting by and through the Westchester County District Attorney's Office, to enter into a Memorandum of Understanding ("MOU") with the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives, pursuant to which the County will be given access to and use of a paperless firearm trace submission system known as "eTrace," for an unspecified term commencing upon execution of the MOU by both parties

Authority is hereby requested for the County of Westchester (the "County"), acting by and through the Westchester County District Attorney's Office (the "DA's Office"), to enter into an MOU with the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"), pursuant to which ATF will provide the DA's Office with access to and use of a paperless firearm trace submission system and trace analysis module known as "eTrace." The eTrace application will provide the DA's Office with the necessary utilities for submitting, retrieving, storing and querying firearms trace related information. The term of the MOU will commence upon execution thereof by both parties and will remain in effect for an unspecified time period, subject to termination at any time by either party. There will be no cost to the County under the MOU.

The MOU will serve a public purpose by providing the DA's Office with an additional tool to enhance firearms tracing, thus reducing gun crime in the County.

The goals and objectives of the MOU are to establish an interagency agreement governing access to and utilization of eTrace, thus enabling local law enforcement agencies to solve individual cases, maximize the investigative information available for use in identifying potential illegal firearms traffickers, and to supplement the analysis of crime gun trends and trafficking patterns in the County.

The goals and objectives are in the best interests of the County in terms of public safety because eTrace will provide an additional tool to reduce gun crimes in the County.

The goals and objectives will be tracked and monitored by the DA's Office.

The MOU is exempt from application of the Westchester County Procurement Policy pursuant to section 3(a) iii thereof which exempts “transactions or contracts with the United States of America, any State, and any political subdivision, agency or instrumentality thereof.”

I recommend your favorable consideration of the annexed proposed Resolution.

JD/PK/jpg

Attachment

APPROVED BOARD OF ACQUISITION & CONTRACT - 10/30/2014 - JOMARY VIEIRA, SECRETARY

## RESOLUTION

Upon a communication from the District Attorney of Westchester County, be it hereby

**RESOLVED**, that the County of Westchester (the “County”), acting by and through the Westchester County District Attorney’s Office (the “DA’s Office”), is authorized to enter into a Memorandum of Understanding (“MOU”) with the Federal Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”), pursuant to which ATF will provide the DA’s Office with access to and use of a paperless firearm trace submission system and trace analysis module known as “eTrace” for an unspecified term commencing upon execution of the MOU by both parties, subject to termination at any time by either party, at no cost to the County; and be it further

**RESOLVED**, that the County Executive or his authorized designee is authorized and empowered to execute and deliver all instruments and take all actions necessary or appropriate to effectuate the purposes hereof.

Account to be Charged/credited	Fund	Agency	Capital Project Or Org	Object/ Sub Object	Trust Account	Activity	Dollars
	N/A	37		N/A			N/A

Budget Funding Year(s) \_ Start Date \_\_\_\_\_ End Date \_\_\_\_\_

(Must match resolution)

Funding Source            Tax Dollars \_\_\_\_\_

State Aid \_\_\_\_\_

\$ \_\_\_\_\_ Federal Aid \_\_\_\_\_

Other \_\_\_\_\_