



Affidavit of Fact and Research Support

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives
Office of Enforcement Programs and Services



ATF Safety and Security Information for Federal Firearms Licensees

For Theft/Loss Reporting Procedures,
See Back Cover



Prepared for Client: Jason Smith dba Subtract, Inc

Date: June 23, 2021

Address: 20 Welfare Road, Brewster, NY 10509

Project Request:

- a. Provide standards of physical security for federally licensed firearms dealers
- b. Explain findings of recent (5-year) burglaries related to licensed firearms dealers
- c. Discuss specific impact of burglaries at licensed home-based firearms dealers
- d. Provide basic physical security survey assessment of Subtract, Inc to prevent burglaries at client location

Consultant Credibility: refer to profile & credentials listed on page 11

Client Activities: Jason Smith, dba Subtract, Inc

- Jason has qualified under the federal guidelines to receive a Federal Firearms License - Type 10, Manufacturer of Destructive Devices. This process was pursued as a Type 10 FFL simply because it is a cost-efficient method that allows the licensee to legally participate in all of the activities of the lower numbered firearms licenses (Type 1 - Type 9) without duplicating the various license applications, submitting duplicate fees and managing various license-renewal processes.
- Although Subtract, Inc has the federal (ATF) approval or "license" to participate in various regulated activities, Subtract, Inc's primary business planning includes the manufacture of specific parts (of firearms) that are in high demand by firearms manufacturers, gunsmiths and firearms collectors. To participate in the industry of manufacturing or selling parts to a firearm including replacement parts, one must be licensed to do so. In addition, the federal government awards many contracts to small and minority-owned businesses. The business that Jason Smith has discussed with me includes the ability to manufacture "less-lethal" devices as discussed in his prior documents as well as replacement and repair parts for existing law-enforcement equipment including firearms.
- Subtract, Inc may also participate from time to time in the actual commerce of firearms using on-line services currently available and utilized by the majority of the more than 70,000 currently licensed firearms retail and range locations. This process is also typically set-up by the FFL using "drop-ship" programs whereby the firearm dealer does not actually store any of the "for sale" firearms at their place of business but rather have them shipped directly from a firearms distributor. Therefore all commerce occurs via the internet and the physical handling or storage of firearms, in this scenario, would be eliminated. Although this commerce occurs "virtually", a license to do so is still required.
- Subtract, Inc has contracted with myself and the consulting team at FFL Consultants to help him navigate the specific "do's and don'ts" of a start-up FFL business that includes business planning, security assessment and safeguards, best practices for managing a home-based FFL dealership and other support. The FFL Consultants team strives to maintain the highest levels of regulatory compliance, security and integrity for the FFL licensees while minimizing any adverse impact on the community while maximizing public safety.
 - JasonSmith will have 24/7 phone access to our FFL Consultants team of professionals for "anytime support".

FFL Consultants ref: Subtract, Inc

- Subtract, Inc has invested proactively in exceeding the physical standards typically required or suggested by the ATF, state regulators (where statutory) and the recommendations published for the members of the National Shooting Sports Foundation.
- Jason Smith has also engaged me in several hours of discussion around the planning for his home security, actions to manage his business discreetly and safe storage best practices for his business firearms (if any).
 - See my "Assessment of Security Systems" on page 6.
- My discussions with Jason Smith clarified the following business practices which will serve to minimize any public knowledge or visibility to his home based business:
 - Subtract, Inc WILL NOT sell any ammunition at his home based business.
 - Subtract, Inc will not advertise the "sale of retail firearms" at his location.
 - Subtract, Inc will not promote any public offerings to the general public that will initiate unexpected or unscheduled clients / customers visits to his location.
 - As an FFL, Subtract, Inc will be listed in an aggregated list of federal firearms license holders in the Brewster, NY area. As such, FFL Consultants will assist Subtract, Inc in notifying all of the larger "on-line" firearms resellers to NOT SHIP any on-line purchases to his location for final transfer and background checking of customers in his area.
 - Jason Smith has also already coordinated with other local brick-and-mortar firearms dealers with commercial storefronts to receive such firearms transfers if and when they inadvertently occur.
 - Subtract, Inc will use USPS, UPS and Fedex, when necessary to transfer goods to and from his location.

History & Background:

Proper firearm storage for firearms businesses is paramount to insure safety and limit liability. In recent years, federal firearms licensees (FFLs) nationwide have seen a decrease in the number of firearms stolen from their businesses when they have been the victim of a burglary or robbery. The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) tracks the number of FFL burglaries and robberies each year.

I, John Bocker, have also been assigned as the primary support analyst for the NSSF (National Shooting Sports Foundation) to track and respond to FFLs who have been burglarized dating back to 2016.

FFL Consultants ref: Subtract, Inc

As a daily practice, I am traditionally the first (and only) non law-enforcement person who interacts with the firearms shop / gun range owner after reporting a burglary, and sometimes in the middle of the night immediately following the incident. I regularly work hand-in-hand with the business owner to help them manage the crisis (remotely), to efficiently navigate the ATF / regulatory process that is initiated, and then through the recovery process to rebuild and reinforce the licensed premises to prevent any recurrence or a secondary burglary. Through this process, I have closely monitored the behaviors and techniques of burglary-involved criminals to implement tactics to deter and prevent FFLs from becoming a "soft target" for crime.

The results of this intense focus resulted in a 41% decline in burglaries from 577 in 2017 to 343 in 2019.

Additionally, over the course of my recent 5 years acting as the primary monitor and supporter of tracking these incidents, only ONE FFL burglarized was a home-based firearms dealer. The ATF DOES NOT publish thefts /burglaries by "category" or "type of licensee" but I do maintain similar data and can support this confirmation.

According to ATF's data, FFL burglaries peaked in 2017 at 577, a 71 percent increase from 2013. In 2019, the number dropped to 343, a 41 percent decrease from 2017, showing a positive trend of decreased FFL burglaries year over year. According to the ATF, 4,691 firearms were stolen from FFLs in burglaries and robberies nationwide in 2019, a drop of 73% compared to the peak in 2017.

****Although still a target, a firearms dealer, especially a home-based firearms dealer, is not a typical target for a mid-evening burglary. This is because burglars typically DO NOT want to encounter an individual during the crime, and in the case of a home-based gun dealer, the assumption is that the business owner will be armed.***

Even at the peak of 577 FFL burglaries across America in 2017, there was an average of 10.7 burglaries per week and an average of only 6.5 per week in 2019.

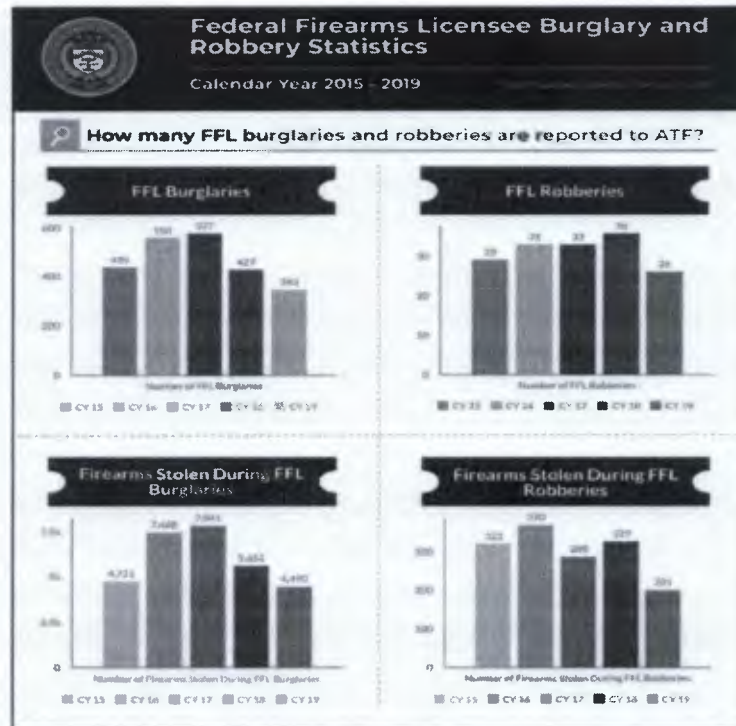
With more than 70,000 locations that do store firearms overnight, less than 0.49% (less than one half of one percent) were actually pilfered. This is a very small number BUT any gun store burglary will make the news and any illegal firearm "on the street" is a high-priority public safety concern - and that is why the industry trade association is providing so much guidance and support for "prevention" of burglaries at FFL businesses.

The National Shooting Sports Foundation (NSSF), FFL Consultants, and members of the firearm industry are concerned about these trends and are working to support further declines. That's why NSSF, as the trade association for the firearm industry,

has also created in 2018, in cooperating with ATF, the widely-acclaimed and publicized prevention training and awareness program for firearms dealers called **Operation Secure Store® (operationsecurestore.org)**.

Supplementing the training programs provided by Operation Secure Store, the NSSF matches ATF reward offers for information regarding FFL-related burglaries. Additionally, NSSF is helping to educate FFLs on steps they can take to reduce the chance guns will be stolen from them during a burglary or robbery.

I am also one of the primary presenters for the NSSF, in cooperation with ATF, and conduct live retailer store security seminars around the country and now virtually. As a separate part of this initiative, NSSF independently assists retailers by offering in-depth security audits of their premises and endorses the use of security products such as protective window film and smash-resistant display cases. While presenting options for FFLs to choose, it is important to keep in mind that every store/business is different and there is no "one size-fits-all" approach.



Source: ATF Infographic, <https://www.atf.gov/infographics/federal-firearms-licensee-burglary-and-robbery-statistics-calendar-year-2015-2019>



FFL Consultants ref: Subtract, Inc

See my list below of the actions Jason Smith has already (and will) implement based on approval of the **conditional use permit** applied for.

Review of Current Security and Actions Already Implemented with Subtract, Inc;

- Discussed how to conduct periodic "self-assessments" of building/home premises and internal processes.
- Strategies for improved security and risk management as business activities change or local crime statistics change.
- A comprehensive review of current security systems "layering" to ultimately prevent access to firearms if/when a breach occurs
- Access Control - reviewed and upgraded doors, hinges, garage, locks and windows
- Alarm system, devices and back-up power supply - currently installed
- CCTV System Reviewed, inclusive of camera type, digital recording and storage, and future additions pending approval.
- CURRENT SECURITY SYSTEMS INSTALLED:
 - SAFES: Fort Knox Protector 7241 safe - lagged into the concrete garage floor. 3/16 inch steel all around. 1/2 inch steel door. Weight is 1,495 l.b.s. Fire rating 1680/120 mins. Cost (inc. shipping and installation): \$6,900.00.
 - This safe is "above standard" and exceeds the safe storage required by any federal or state statutes and rates "much higher" than I typically find during any site security assessments.
 - SURVEILLANCE: 3 internet connected surveillance cameras currently run digital motion software to detect motion. The cameras are high-resolution and have night-vision capabilities.
 - ORDERED: Awaiting delivery of Ubiquiti Networks (system) that includes a 4k PTZ camera with 22x optical zoom for the outside of the dwelling. The high-end bullet cameras are back-ordered and will be added / installed upon receipt.
 - Includes 290 days of video storage with one single 4k camera, and plans to add 4 additional 4k cameras and 2 regular HD cameras which will drop the storage capacity down to approximately 50 days. This is ABOVE AVERAGE implementation as most states do not specify security camera requirements and storage is typically limited to ranges from one week of digital storage to 30 days. The minimum recommendation is 14-30 days of storage for investigative purposes.

FFL Consultants ref: Subtract, Inc

- Camera placement was reviewed and all points of entry and storage are or will be monitored with the additional cameras.
- The entire surveillance system will be available 24/7 via the internet for live remote viewing with enhanced incident and alarm and "alert" monitoring. This is essential for monitoring the business when away from the location.
- Installed secure garage door releases and removed emergency release pulls/latches to prevent unauthorized entry utilizing the door emergency release.
- Installed garage door deadbolt latches. *Engaged when the location is vacant.
- Disabled the remote opener/keypad switches on the garage door wall buttons. *Disable each night and whenever premises are unattended.
- Also discussed:
 - Testing the burglar alarms, security camera systems, digital recording and back-up power supplies regularly.
 - Purchase of additional chains, security cables and commercial-grade padlocks for extra security on doors when appropriate (leaving the premises) as well as secure storage of complete firearms in approved "gun safes".



FFL Consultants ref: Subtract, Inc

Additionally,, a survey of local firearms business conducted in June 2021 revealed the following;

- Tri-County Sporting Goods located at 2656 NY-22, Patterson, NY 12563. Owner stated they have never had a burglary or attempted burglary.
- Adaptive Shooting Sports located at 529 NY-22 Suite 2A, Pawling, NY 12564. Has never had any burglaries / attempted burglaries.
- DJS Firearms LLC located at 4 Nicholas Square, New Milford, CT 06776. Owner stated they have been in business for well over 30 years and never had a burglary / attempted burglary.
- New York Firearms Solutions (NY FireSol) located at 1004 NY-22, Brewster, NY 10509. Owner stated he has been burglarized (this is a retail store-front location, unattended after hours). He suspects that juveniles from Danbury come and commit brazen burglaries and he needs to constantly reinforce his security and it's obvious the store is vacant after hours. It's difficult for police to aid his efforts. This location is easily accessible off two major interstates.

Assessment and Conclusion

In my professional opinion, Jason Smith has exceeded the standards for providing a safe, discreet and secure location at which he would operate a home-based firearms manufacturing business. I also reviewed his property via blueprints provided and Google tools to view proximity to adjacent properties, street view and access as well as conditions that may endanger the public in any way.

As Mr. Smith will not be conducting a traditional firearms retail business that sells completed firearms and / or ammunition to the public, limiting any true danger regarding the unsafe use, carry or transport of "loaded" firearms, and visitation by unfamiliar pedestrian traffic / visitors should be minimized. There will not be any visible business signs or placards on the property and therefore will not be "inviting" to criminals or the curious public.

As far as premise and firearms (parts) security is concerned, all firearms under the control of the business will be stored and secured behind several layers of "above average" security layering including the physical home, reinforced garage and home "higher-security" commercial grade locks, burglar alarm and security surveillance video systems and finally a high-grade safe for completed (working) firearms.

It is my hope and recommendation that the Planning Committee considers all of the "above average" effort and investment Mr. Smith has provided in preparation for his Conditional Use application.

Profile & Credentials - John Bocker

ph: (720) 514-0609 email: JB@FFLConsultanst.com

John Bocker has a long and successful career spanning more than 30 years in building proven risk management programs that safeguard communities, private and public organizations and the general public. His approach to creating risk, safety and security-related programs includes a prudent evaluation of empirical data, a historical review of previously created and implemented programs and practices, as well as the acceptance of any new changes or adaptations by those directly impacted including the supporting community.

Beginning in 2016, John has worked with the National Shooting Sports Foundation, the firearms industry trade association, as a primary liaison to the Bureau of Alcohol, Tobacco, Firearms and Explosives as well as the Federal Bureau of Investigation in creating results-driven educational, audit, and training programs for the firearms dealer community that resulted in a 41% decline in overall burglaries at licensed firearms dealers between 2017 and 2019. This improvement prevented the theft of more than 3,300 firearms pilfered during FFL burglaries specifically.

As of this writing, John continues as a recognized and active expert for firearms dealers across America, focusing specifically on preventing firearm thefts from federally licensed firearms retailers, range operators and manufacturers. Although focused primarily on "prevention", John continues to hold the primary support role as the Crisis Manager for any FFL burglary reported, providing real-time support to supplement criminal investigations and the recovery of firearms stolen. As the primary crisis-manager for burglaries for more than 10,000 members of the National Shooting Sports Foundation, John will be presenting his programs and resources at the National Pawn Broker Expo in July 2021 and at the SHOT Show national firearms convention in January 2022.

Education;

The Bronx Highschool of Science

CUNY - Herbert H Lehman College

Notre Dame - Mendoza School of Business

Professional Experience - chronological;

Gimbels Department Stores - Security Manager

Neiman Marcus Stores - Security Manager

Trans World Entertainment - Corporate iNvestigator

Britches Retail Stores - Assistant Director, Loss Control

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Balducci's Fine Foods - Director of Risk Management
Circuit City Stores - Division Loss Control and Risk Management Director
Galyans Sporting Goods - Director of Risk Management, Safety & Security
OfficeMax Stores - Territory Director, Loss Prevention and Safety
NEN Corporation - Vice President of Operations
Smashburger Restaurants - Director of Risk Management, Safety and Security
Vail Resorts - Director of Risk Management, Security and Loss Prevention
National Shooting Sports Foundation - Independent Consultants, primary member-support expert, published author, event speaker and presenter for site security, firearms compliance and operational regulatory compliance.
JB Group LLC dba FFL Consultants - Co_Founder & Managing Director providing firearms advice on security, operations and regulatory compliance to firearms manufacturers, importers, retailers and firing range operators nationwide.

Published Papers, Articles & Industry Programs;

Loss Prevention for Firearms Retailers – published 2016
https://www.nssf.org/wp-content/uploads/2017/06/2016_ATFFirearmsLossPrevention.pdf

ATF - Operation Secure Store Brochure - 2018
<https://www.nssf.org/wp-content/uploads/2018/06/FFL-Security-Risk-Assessment-brochure.pdf>

ATF - Operation Secure Store Fact Sheet
<https://www.nssf.org/wp-content/uploads/2020/09/OperationSecureStoreFactsheet.pdf?swpmx=730e092fb99066e291bf36d9e52dab90&swpmxnonce=4b5150a382>

NSSF Store Security Concepts for the Firearms Retailer
<https://www.pathlms.com/nssf/courses/11192>

Operation Secure Store - ATF / NSSF Joint Effort to educate and support firearms dealers
<https://www.pathlms.com/nssf/courses/12660>

PROFILE OF AN FFL BURGLARY
<https://www.nssf.org/articles/profile-of-an-ffl-burglary/>

UPGRADING YOUR SECURITY EQUIPMENT? READ THIS FIRST
<https://www.nssf.org/articles/upgrading-your-security-equipment-read-this-first/>

RETAIL SECURITY: INVESTING IN YOUR GLASS PROTECTION

<https://www.nssf.org/articles/retail-security-investing-in-your-glass-protection/>

Tips on Responding to a Gun Store Burglary

<https://www.ffiunleashed.com/tips-on-responding-to-gun-store-burglary/#:~:text=Tips%20on%20Responding%20to%20a%20Gun%20Store%20Burglary>

Firearms Firing Range Security

<https://mt2.com/blog/11535-firearms-firing-range-security/>

RETAIL SECURITY: HOW TOUGH IS YOUR STORE'S GLASS?

<https://www.nssf.org/articles/retail-security-how-tough-is-your-stores-glass/>

Gun Shop Owners: How to Manage Suspicious Customers

<https://paratusnews.com/gun-shop-owners-how-to-manage-suspicious-customers/>

NSSF Helping Gun Stores Shore Up Security Measures Against Theft

<https://www.thetruthaboutguns.com/nssf-helping-gun-stores-shore-security-measures-theft/>

Preventing Theft Inside and Out

<https://www.buildings.com/articles/28110/preventing-theft-inside-and-out>

This report is respectfully submitted without bias or prejudice and in good faith, based on my professional and industry experience, education, observations and discussions conducted with Jason Smith during June, 2021.

Submitted: June 23, 2021

John Bocker

John Bocker, Managing Director
FFL Consultants
Highlands Ranch, CO