

Violent Crime and Firearms Prosecutions Fact Sheet

General Details

The Department of Justice has made violent crime and gun violence reduction a key priority.

Under federal law, it is illegal to possess a firearm if you fall into one of nine prohibited categories, which include being a convicted felon, an illegal alien, an unlawful user of a controlled substance, those convicted of a misdemeanor crime of domestic violence, and those subject to a current domestic violence order.

It is separately unlawful to possess a firearm in furtherance of a drug trafficking offense or a violent crime.

It is also illegal to purchase – or even to attempt to purchase – firearms, if the buyer is a prohibited person or is illegally purchasing a firearm on behalf of others. Lying on gun purchase forms (ATF Form 4473), which are required to lawfully purchase a firearm from certain sellers, is also a federal offense.

Our focus is keeping people safe. By prosecuting firearms related offenses, and keeping firearms out of the hands of people who are not supposed to have them, we are preventing violence before it happens.

Two signature DOJ initiatives aimed at reducing violent crime and gun violence are Project Safe Neighborhoods and Project Guardian.

Project Safe Neighborhoods is a nationwide initiative that brings together federal, state, local and tribal law enforcement officials, prosecutors, and community leaders to identify the most pressing violent crime problems in a community and develop comprehensive solutions to address them.

The foundations of the PSN strategy are:

- **Community-Based** – Each local program is contoured to fit the specific violent crime problem in that geographic district.
- **Targeted** – Utilizes law enforcement and community intelligence, along with cutting-edge technology, to identify and target the most violent offenders for enforcement action.
- **Comprehensive** – Directs United States Attorneys to couple enforcement efforts with support of prevention and reentry strategies to truly combat violent crime in a lasting way.

Project Guardian focuses on investigating, prosecuting, and preventing gun crimes, and is based on five principles:

- **Coordinated Prosecution.** Federal prosecutors and law enforcement coordinate with state and local law enforcement and prosecutors to consider potential federal prosecution for new cases involving a defendant who: a) was arrested in possession of a firearm; b) is believed to have used a firearm in committing a crime of violence or drug trafficking crime prosecutable in federal court; or c) is suspected of actively committing violent crime(s) in the community on behalf of a criminal organization.
- **Enforcing the Background Check System.** United States Attorneys, in consultation with the Special Agent in Charge of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) in their District have placed a renewed emphasis on the investigation and prosecution of federal cases involving false statements (including lie-and-try, lie-and-buy, and straw purchasers) made during the acquisition or attempted acquisition of firearms from Federal Firearms Licensees.

Particular emphasis is placed on individuals convicted of violent felonies or misdemeanor crimes of domestic violence, individuals subject to protective orders, and individuals who are fugitives where the underlying offense is a felony or misdemeanor crime of domestic violence; individuals suspected of involvement in criminal organizations or of providing firearms to criminal organizations; and individuals involved in repeat denials.

- **Improved Information Sharing.** ATF coordinates with state law enforcement fusion centers a report listing individuals for whom the National Instant Criminal Background Check System (NICS) has issued denials, including the basis for the denial, so that state and local law enforcement can take appropriate steps under their laws.
- **Coordinated Response to Mental Health Denials.** Ensuring that whenever there is federal case information regarding individuals who are prohibited from possessing a firearm under the mental health prohibition, such information continues to be entered timely and accurately into the United States Attorneys' Offices' case-management system for prompt submission to NICS. ATF should engage in additional outreach to state and local law enforcement on how to use this denial information to better assure public safety.
- **Crime Gun Intelligence Coordination.** Federal, state and local prosecutors and law enforcement work together to ensure effective use of the ATF's Crime Gun Intelligence Centers (CGICs), and all related resources, to maximize the use of modern intelligence tools and technology. These tools can greatly enhance the speed and effectiveness in identifying trigger-pullers and finding their guns, but the success depends in large part on state, local, and tribal law enforcement partners sharing ballistic evidence and firearm recovery data with the ATF.

PSN and Project Guardian are complimentary efforts, **both based on strong partnerships** with state and local law enforcement and aimed at reducing gun crime and violence.

Lexington Update 2020

- In FY 2020, District-wide we prosecuted **184 PSN** defendants.
- Of those, **148 defendants** also fell under **Project Guardian** and were charged with firearms offenses.
- For the Lexington court docket, which encompasses 22 counties in central Kentucky including Fayette County, we prosecuted **119 PSN** cases.
 - Of those 119 cases, 101 were also classified as Project Guardian.
 - 24 cases resulted directly from the partnership with the **Fayette County Violent Crimes Task Force**.
 - The Task Force prioritizes the investigation and prosecution of significant armed violent offenders in the city of Lexington.
 - The Task Force was constituted in 2018, and includes participation from the Lexington Police Department, the Fayette County Sheriff's Office, the Fayette County Detention Center, Kentucky Probation and Parole, the Fayette Commonwealth's Attorney, the Fayette County Attorney, the U.S. Attorney's Office, ATF, DEA, FBI, and other federal law enforcement.

Examples of Task Force Cases Investigated and Prosecuted During 2019-2020

Tyzon Edwards

Facts: On October 1, 2019, Lexington Police officers attempt to conduct a traffic stop on a vehicle in which they observed Tyzon Edwards. Officers knew Edwards had an active arrest warrant for a parole violation. After a short pursuit, the vehicle stopped and Edwards fled on foot. While running from police, Edwards placed a satchel he was carrying inside a recycling bin next to a house. Officers recovered the satchel and discovered over 90 grams of fentanyl and a loaded .40 caliber pistol. Edwards was discovered hiding in a utility shed in the back yard of a nearby home.

Sentence: Edwards pleaded guilty to possession with intent to distribute over 40 grams of fentanyl and possession of a firearm in furtherance of drug trafficking. He was sentenced to 11 years, 6 months in prison and 5 years supervised release to follow. (*Lexington Criminal Action Number 19-196-DCR*)

Tru Braddock

Facts: On October 2, 2019, Lexington Police officers observed Tru Braddock outside the Fayette Mall, and confirmed he had an outstanding warrant. Officers followed Braddock into Macy's and placed him under arrest. During a search of Braddock's person, officers located a loaded firearm with an extended magazine, two larger bags of a substance believed to be heroin and/or fentanyl, scales, and almost \$800 in cash, mostly in \$20 bills. A subsequent check of the firearm serial number revealed that the firearm had been reported as stolen in March of 2018.

Sentence: Braddock was charged, pleaded guilty, and on June 30, 2020, was sentenced to 70 months for possession with intent to distribute fentanyl and possession of a firearm in furtherance of a drug trafficking crime. He will be on supervised release for 5 years upon leaving prison. (*Lexington Criminal Action Number 19-166-KKC*)

Lawrence Westbrook III and Ronald Mark Harrison

Facts: On June 23, 2018, Westbrook was traffic stopped by LPD officers in Lexington and found in possession of a firearm originally purchased by Ronald Harrison, as well as 158 grams of methamphetamine and \$1741 cash. After his arrest, Westbrook made bond and was released from custody.

On August 31, 2018, Westbrook was again encountered by LPD. During this arrest, Westbrook was found in possession of 7 grams of methamphetamine and \$1170. Westbrook admitted that there was another firearm in his vehicle which officers located underneath an additional \$11,200 in cash. This firearm was also confirmed stolen.

After his arrest, a forensic exam was conducted of Westbrook's phone. Several images of firearms in Westbrook's possession were found as well as a video of Westbrook showcasing approximately 27 firearms including a Micro Draco 7.62x39mm caliber pistol.

Based on Westbrook's consistent possession of a firearms, ATF interviewed Ronald Harrison, the purchaser of the firearm found in Westbrook's possession in June. During the interview, Harrison openly admitted to being a straw purchaser for Westbrook, purchasing several firearms over the past year and a half in exchange for narcotics and confirmed that several of the firearms were purchased on behalf of Westbrook.

Sentence: Westbrook was convicted at trial of drug trafficking, possessing firearms in furtherance of drug trafficking, and illegal possession of firearms. In December 2019, he was sentenced to 25 years in federal prison. Harrison pleaded guilty to making false statements to ATF regarding the acquisition of firearms and was sentenced to nearly 3 years in prison. (*Lexington Criminal Action Number 19-50-DCR*)