



CITY OF PHILADELPHIA

OFFICE OF THE CONTROLLER
1230 Municipal Services Building
1401 John F. Kennedy Boulevard
Philadelphia, PA 19102-1679
(215) 686-6680 FAX (215) 686-3832

REBECCA RHYNHART
City Controller

Wednesday, November 17, 2021

Via email

Honorable Rochelle Bilal, Philadelphia Sheriff
City of Philadelphia
100 South Broad Street, 5th Floor
Philadelphia, PA 19110

Sheriff Bilal,

I want to thank you for your cooperation this summer regarding the follow up to my office's investigation and review of the Sheriff's Office gun inventory, which was released in November 2020. I truly appreciate you and your team allowing my staff to conduct this follow up and evaluate changes to Sheriff's Office's management of its gun inventory since last year's report. After reviewing the information shared with my office visiting your office's armory, I wanted to follow up to reiterate our understanding of the progress made on the recommendations from our investigation.

The Sheriff's Office has accepted many of our recommendations and appears to be making a good faith effort to implement various policy and operational changes aimed at addressing the issues identified in our report. Specifically, we recognize the progress in areas such as improving the organization and security of the armory, developing written policies and procedures for the management of the Sheriff's Office gun inventory, and participating in official gun burns to destroy eligible weapons. It also appears that several of the guns noted as missing have been found since my office's review.

However, in following up on our investigation, we identified several areas that require additional attention and information from your office. As such, my office is requesting information from the Sheriff's Office on the status of implementing the following recommendations from our report no later than the close of business on Wednesday, December 1, 2021:

"This one"

1. Due to the inherently dangerous nature of the property, the Controller's Office recommends the Sheriff's Office work with the City to develop a process for asset tagging firearms, regardless of if they meet the \$750 property tagging threshold.
2. The Controller's Office recommends the Sheriff's Office work with the City to develop a process for maintaining a detailed inventory of its service firearms as an additional safeguard.
3. For additional accountability in tracking PFA weapons, the Sheriff's Office should work with the City to develop a process for maintaining a detailed inventory of abandoned PFA weapons.
4. The City Controller's Office recommends that the Sheriff's Office provide copies of all PFA weapon property receipts to the Controller's Office in compliance with section 8-411 of the Philadelphia Home Rule Charter. *Amir*
5. The Controller's Office recommends the Sheriff's Office should attempt to locate the missing PFA weapons through tracking of court dockets and other information provided in the logbook. PFA weapons that are located and considered abandoned should be disposed of in accordance with the PFA Act and established City protocols for City property. — *9.1.1*
6. The Controller's Office recommends that the Sheriff's Office enter into a memorandum of understanding with the PPD to formalize the delegation of responsibility for custody of PFA weapons.
7. The Controller's Office recommends the Sheriff's Office use the PPD's established protocols to create its own written policies and procedures on how to conduct gun buy-back events. Specifically, the Armorer should meet with the PPD to submit the guns from the gun buy-back for appropriate review and documentation and to establish procedures for future gun buy-back events.

One recommendation in particular I would like to draw your attention to is the memorandum of understanding with the Philadelphia Police Department to formalize the delegation of responsibility for custody of PFA weapons. The following language from the November 2020 report provides insight into this recommendation and why it is necessary:

The PFA Act states that weapons are required to be relinquished to "the sheriff or the appropriate law enforcement agency." In a city of the first class, like Philadelphia, the law defines "sheriff" as the head or chief of the police department. Despite this definition, the Philadelphia Sheriff has acted as the designated custodian of PFA weapons for decades instead of the PPD Commissioner. The City's Law Department was unable to locate any documentation as to when or how the Philadelphia Sheriff assumed this responsibility.

As you are probably aware, domestic violence has been on the rise since the start of the COVID-19 pandemic. While any act of domestic violence is deeply concerning, the PFA Act plays an important role in ensuring the safety of families and individuals from potential abusers. This is why it's crucial that the policies that govern those responsible for enforcing aspects of a PFA order be clear and well-documented. An MOU between the Sheriff's Office and the PPD will help improve the way Philadelphia handles PFA weapons, giving the Sheriff's Office full authority to carry out this responsibility and protect vulnerable Philadelphians.

My office will continue to monitor progress on this issue, as well as the implementation of other recommendations from our report. Thank you for your time and cooperation in these matters.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rebecca Rhynhart', with a stylized, cursive script.

Rebecca Rhynhart
City Controller

CC: Tariq El-Shabazz, Undersheriff, Philadelphia Sheriff's Office
Kellan White, First Deputy, Office of the City Controller



CITY OF PHILADELPHIA

OFFICE OF THE CONTROLLER
1230 Municipal Services Building
1401 John F. Kennedy Boulevard
Philadelphia, PA 19102-1679
(215) 686-6680 FAX (215) 686-3832

CHARLES EDACHERIL
Acting City Controller

May 23, 2023

Honorable Rochelle Bilal, Sheriff
Philadelphia Sheriff's Office
Land Title Building, Fifth Floor
100 S Broad Street
Philadelphia, PA 19110

Dear Sheriff Bilal,

According to recent reports and statements made by the Philadelphia Sheriff's Office, several of the initial 210 missing firearms were "retrieved" by your office. The unaccounted firearms were first reported by the City Controller's Office in a November 2020 review of the Sheriff's Gun Inventory. As part of follow-up reviews conducted by both offices from 2020 through 2022, we were able to identify and account for 19 of the missing firearms, leaving 191 that were still considered missing.

During the April 4, 2023, budget hearing, your office presented testimony that 80 of the missing firearms were "retrieved". This update was followed by an April 17, 2023 press release that indicated 57 of the 80 were "found when [your staff] conducted an inventory and cleaning in the "Armory" and the remaining 23 were "registered to retired deputies of the Sheriff's Office. **As such, we request that your office provide the following information to properly account for the missing firearms that you classify as retrieved:**

Service firearms newly found in the Armory: Please provide details sufficient to identify these weapons located by your office. This information should include the serial number, asset tag number, and the current location or disposition of each weapon. If you have disposed of the weapon via a "burn" or other method, please include the method of disposal, date of disposal, and name and address of the business, person, or facility.

Service firearms registered to retired deputies: Please provide details sufficient to identify each weapon, the name of the person or organization the weapon is now registered to, and the date the new registration occurred. Otherwise, we will continue to consider these weapons as unaccounted-for and will maintain our recommendation that your office should enter the weapons into NCIC as missing.

Still considered missing: With the firearms that have been classified as retrieved, there are still more than 100 that are currently considered missing. Please advise what actions your

office has taken to address this identified issue, e.g., whether these weapons have been checked against NCIC or any other databases, or whether they have been listed as missing in NCIC.

To facilitate your response, please find the attached spreadsheet listing all firearms identified as missing from our original inventory. This includes the make, model, serial number, and asset tag # or property receipt #, as applicable of each weapon, if available. It is critical that every firearm that is in the possession of the Sheriff's Office is properly accounted for.

Without the requested information, we will continue to consider the unaccounted weapons as missing and as such recommend that your office enter the weapons into the National Crime Information Center database (NCIC) as missing.

Please send the requested information by **Friday, June 2, 2023**, to Chief Investigator Jim Gallagher via email at Jim.F.Gallagher@phila.gov. The Controller's Office appreciates your staff's continued efforts and cooperation in promoting transparency and accountability by providing the information necessary to rectify the problems and address the remaining unaccounted-for weapons.

Sincerely,

Charles Edacheril, CPA
Acting City Controller

Attachment: <PSO inventory - missing weapons.xlsx>

CC: Erica Davenport, Chief of Staff, Philadelphia Sheriff's Office
Tariq El-Shabazz, Undersheriff, Philadelphia Sheriff's Office
Lief Erickson, Chief of Staff, Office of Philadelphia Controller
Terri Domskey, Director of Investigations, Office of the Philadelphia Controller