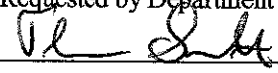


RESOLUTION CITY OF SAINT PAUL, MINNESOTA

Presented by _____

- 1 WHEREAS, The National Bomb Squad Commanders Advisory Board has selected the Saint Paul Police
 2 Department (SPPD) to participate in the testing and evaluation of a new distributor, the Chemring RE 12-
 3 12; and
 4
 5 WHEREAS, this distributor, the Chemring RE 12-12 has no inherent cost except shipping by standard
 6 ground freight to our location. . This equipment will be ours to keep and;
 7
 8 WHEREAS, the value of the attachment is \$25,000; and
 9
 10 WHEREAS, the public purpose of this donation is in the best interest of the police department's bomb
 11 disposal unit and will provide the department with a cutting edge tool for our technicians; and
 12
 13 BE IT RESOLVED, that the city council accepts this donation and extends its sincere thanks to the
 14 National Bomb Squad Commanders Advisory Board

	Yeas	Nays	Absent
Bostrom			
Brendmoen			
Carter			
Lantry			
Stark			
Thune			
Tolbert			

Requested by Department of:

 By: _____
 Approved by the Office of Financial Services
 By: _____
 Approved by City Attorney
 By: _____
 Approved by Mayor for Submission to Council
 By: _____

Adopted by Council: Date _____
 Adoption Certified by Council Secretary
 By: _____
 Approved by Mayor: Date _____
 By: _____



National Bomb Squad Commanders Advisory Board
4643 South Ulster Street, Suite 800, Denver CO 80237
www.nbscab.org

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DHS-TSA

Joe Dempsey
WPSTC

Martin Hutchings
IAB & NIST-OLES

Tom Lynch
NTOA

Bomb Squad Commander,

Your bomb squad applied for an RE 12-12 disrupter through the NBSCAB web page. The Board is pleased to announce that the disrupters are now ready for distribution from the Colorado storage site. The disrupters have been classified as tools for bomb squad use only by the BATF (see attached letter).

Your agency is responsible for the shipping costs. Please send an e-mail identifying the address the disrupter is to be shipped to, your preferred shipping company and your account number for the company to:

joe.dempsey@nlectc-rm.org

The approximate weight of the RE 12-12 disrupter and the container is, 42 lbs. If you have any questions about the shipping process e-mail, or contact Joe Dempsey at (720) 490-1376.

I am glad we are finally able to bring the distribution of the disrupters to fruition. Please contact me at 720-913-6236 or markerd@ci.denver.co.us if I can assist you.

David Marker
David Marker
NBSCAB Chairman



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Martinsburg, West Virginia 25405

www.atf.gov

903050:MCP

3311/2011-1037

OCT 06 2011

Mr. Joseph M. Dempsey
University of Denver
4643 S. Ulster Street, Suite 800
Denver, Colorado 80237

Dear Mr. Dempsey:

This refers to your correspondence to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Firearms Technology Branch (FTB), which accompanied your submitted sample of a cartridge-operated disrupter/de-armor kit. Specifically, you requested an evaluation and classification of the submitted device, which was manufactured by Richmond EEI, LTD, Norfolk, England.

As background, the amended Gun Control Act of 1968 (GCA), 18 U.S.C. § 921(a)(3), defines the term "firearm" to include *...any weapon (including a starter gun) which will or is designed to or may be readily converted to expel a projectile by the action of an explosive... [and] ...the frame or receiver of any such weapon....*

Further, the National Firearms Act (NFA), 26 U.S.C. § 5845(f), defines "destructive device" to include the following:

...(1) any explosive, incendiary, or poison gas (A) bomb, (B) grenade, (C) rocket having a propellant charge of more than four ounces, (D) missile having an explosive or incendiary charge of more than one-quarter ounce, (E) mine, or (F) similar device; (2) any type of weapon by whatever name known which will, or may be readily converted to, expel a projectile by the action of an explosive or other propellant, the barrel or barrels of which have a bore of more than one-half inch in diameter, except a shotgun or shotgun shell which the... [U.S. Attorney General]... finds is generally recognized as particularly suitable for sporting purposes; and (3) any combination of parts either designed or intended for use in converting any device into a destructive device as defined in subparagraphs (1) and (2) and from which a destructive device may be readily assembled. The term "destructive device" shall not include any device which is neither designed nor redesigned for use as a weapon; any device, although originally designed for use as a weapon, which is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device; surplus ordnance sold, loaned, or given by the Secretary of the Army pursuant to the provisions of 10 U.S.C. § 4684(2), 4685, or 4686, or any other device which the... [Attorney General]... finds is not likely to be used as a weapon, or is an antique or is a rifle which the owner intends to use solely for sporting purposes.

Mr. Joseph M. Dempsey

The submitted device incorporates the following features and characteristics (see photo enclosure)—

- Chemring EOD, Model RE 12-12 M2 recoilless disruptor and de-armor:
 - Bore: two-part, 12 gauge barrel; used for propelling water charges, solid projectiles, and frangible projectiles.
 - Action: single shot.
 - Rate of fire: one round per firing.
 - Percussion ignition.
 - Device length: 670mm.
 - Device weight: 6.5 kg.
- Cartridges:
 - Percussion-ignited 12 gauge blank cartridges.
- Projectiles (12 gauge disruptor ammunition – not designed for use in a firearm):
 - 50g, 12 gauge hardened steel slug.
 - 50g, 12 gauge hardened steel chisel.
 - 50g, 12 gauge high-density polyethylene body filled with mix of clay and copper powder.
 - 80mm, metal blade.

Provided that the submitted RE 12-12 M2 disruptor/de-armor kit is designed, intended, and used solely in the capacity of destroying improvised explosive devices or unexploded ordnance as a bomb-disposal tool, it is not a “destructive device” as defined in the NFA. Further, since it is not designed as a weapon, it is not a “firearm” under the GCA. It is therefore FTB’s determination that the RE12-12 M2 is an industrial bomb-disposal tool.

However, we caution that if the submitted device or similar launcher was used as an offensive or defensive weapon—being loaded to expel nails, rocks, or flaming projectiles—or used in an inappropriate way (fired at a person, group, building, or car, or generally used in an act of violence or destruction)—it would qualify as a “destructive device” subject to NFA and GCA provisions.

Also, because possession and use of “disruptors” or “de-armers” may be restricted under State laws and local ordinances, we suggest that you contact local law enforcement authorities for further information.

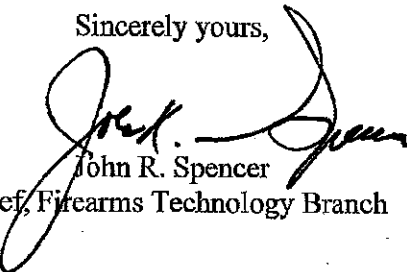
Finally, we caution that these findings are based on the sample as submitted. If the design, dimensions, configuration, method of operation, or materials used were changed, this classification would be subject to review.

Mr. Joseph M. Dempsey

To facilitate return of the submitted kit, please provide FTB with an appropriate FedEx or similar account number within 60 days of receipt of this letter.

We trust that the foregoing has been responsive to your request for an evaluation. If we can be of any further assistance, please contact us.

Sincerely yours,



John R. Spencer
Chief, Firearms Technology Branch

Enclosure

Enclosure
2011-1097-MCP

Submitted RE 12-12 disrupter kit

9 30

