

Assignment and Report

1. OPERATING NAME AND ADDRESS (INCLUDE ZIP CODE AND COUNTY) Turners Operations, Inc. TURNERS OUTDOORSMAN 1932 N. Tustin Ave. Orange, CA 92865, Orange	2. U.I. NUMBER (ORG. SEG. CODE, ASSIGNMENT NO., P.P.C.) <p style="text-align: center;">784060-2015-0236-B1B</p> 3. PERMIT/LICENSE NUMBER 4a. TARGET DATE 4b. TARGET HOURS <p style="text-align: center;">933059015J03154 9/30/2015 30.00</p> 5. REQUESTED BY (SIGNATURE, TITLE AND DATE)
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6. ATF OFFICER(S) ASSIGNED

(b)(6)/(b)(7)(C)	Assigned Investigator
(b)(6)/(b)(7)(C)	Lead Investigator
(b)(6)/(b)(7)(C)	Assigned Investigator

7. ASSIGNED BY (SIGNATURE, TITLE AND DATE)

(b)(6)/(b)(7)(C)

 Area Supervisor, 06/01/2015

8. PURPOSE/SPECIAL INSTRUCTIONS

Conduct full scope firearm compliance inspection. Please utilize trafficking detection strategies from the disposition emphasis inspection program and additional strategies unique to the southwest border. Please ensure that your investigation is conducted in alignment with the requirements established by the Industry Operations Handbook (ATF H 5030.2C).

In addition, this assignment is part of the domain assignment, inspection of chain sporting goods stores. Chain sporting goods stores are now the primary source of large ammunition sales. Recent trends show that people buy ammunition when they see it even if they don't need it. Please coordinate and review the SA II domain assignment with Area Supervisor prior to inspection.

9. INSPECTION RESULTS			<input type="checkbox"/> CHECK IF NO VIOLATIONS, ADJUSTMENTS, ETC	10. TRAVEL EXPENSES (OPTIONAL)	
NO. OF VIOLATIONS	1	NO. OF REFERRALS		2111 - PER DIEM	
NO. OF TECS CHECKS	66	NO. OF TECS HITS		2112 - P.O.A.	
NO. OF TAX ADJUSTMENTS		\$ VALUE OF TAX INCREASES		2113 - COMM. AIR	
		\$ VALUE OF TAX DECREASES		2114 - RENTAL CAR	
NO. OF ASSESSMENTS		\$ VALUE OF ASSESSMENTS		2115 - GPV EXPENSES	
NO. OF CLAIMS		\$ VALUE OF CLAIMS		2116 - MISC.	
NO. OF TAX PERIODS		\$ VALUE OF TAXES VERIFIED		TOTAL \$ FOR INSP.	

11. ATF OFFICER'S RECOMMENDATION

Submitted by (b)(6)/(b)(7)(C) Industry Operations Investigator

Submitted on: 08/31/2015
 Violation of 27 CFR 478.126a, the licensee failed to file reports of multiple sale in instances involving pistols and/or revolvers. The severity of the violation, more than instances, merits a warning conference. Overall, the licensee's recordkeeping is meticulous. The current inspection disclosed no errors or omissions in the Acquisition and Disposition record or on the executed ATF Forms 4473. New procedures were immediately put into effect by the licensee that will prevent the violation from occurring in the future.

Viols WC with WL and Recall

12. TIME ACCOUNTING DATA			
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)			(b)(6)/(b)(7)(C)
JUL 0	5.00		
ATF OFFICER'S SUBTOTAL	5.00	ATF OFFICER'S SIGNATURE	
ATF OFFICER'S NAME (MONTH, YEAR, HOURS)			(b)(6)/(b)(7)(C)
JUL 0	60.00		
AUG 0	14.00		
ATF OFFICER'S SUBTOTAL	74.00	ATF OFFICER'S SIGNATURE	

Report of Violations

Instructions

Please write firmly with a ball point pen when completing this form. ATF officers will prepare this form in triplicate. The original copy will be given to the proprietor or a responsible representative. The remaining copies will be submitted with the completed inspection report. Supervisors will detach one copy from the completed report for their files.

Name of Proprietor Turners Operations, Inc. TURNERS OUTDOORSMAN	Street Address 1932 N. Tustin Ave.	City Orange	State CA	Zip Code 92865-	County Orange	Page 1 of 1 Pages
License/Permit/Registry Number <i>(If any)</i> 933059015J03154	Expiration Date 9/15/2015	Date(s) or Period of Inspection 07/14/2014 through 07/15/2015				

Inspection Results

An examination of your premises, records and operations has disclosed the following violations which have been explained to you:

Number: 1

Nature of Violation:

Failure to report the multiple sales or other disposition of pistols and revolvers to unlicensed persons.

The licensee failed to prepare a report of multiple sales or other disposition, ATF Form 3310.4, on at least occasions, involving pistols and revolvers.

Date Corrections to be Made:

(If not corrected immediately)

Corrective Action to be Taken:

(If not corrected immediately)

The licensee immediately prepared the reports and faxed the reports to the ATF National Tracing Center.

The licensee was instructed to prepare a report of multiple sales or other disposition of pistols or revolvers whenever the licensee sells or otherwise disposes of, at one time or during any five consecutive business days, two or more pistols or revolvers, or any combination of pistols or revolvers totaling two or more, to an unlicensed person. The report shall be prepared on Form 3310.4 not later than the close of business on the day the multiple sale or other disposition occurs. The licensee shall forward one copy of the report to ATF, one copy to the local law enforcement agency in which the sale or other disposition took place, and retain one copy. The retained copy shall be attached to the firearms transaction record, Form 4473, executed upon delivery of the pistols or revolvers.

Citation: 27 CFR 478.126a

I Have Received a Copy of This Report of Violations <i>(Proprietor's signature and title)</i>	Date
Signature and Title of ATF Officer	Date

FIREARMS INSPECTION REPORT

Name: Turners Operations, Inc.
Trade Name: TURNERS OUTDOORSMAN

UI#: 784060-2015-0236-B1B
FFL#: 9-33-059-01-5J-03154

Address: 1932 North Tustin Ave.
Orange, CA 92865

1 - Introduction

Inspection Profile:

On July 14, 2015, Senior Industry Operations Investigator (b)(6)/(b)(7)(C) commenced a full scope firearms compliance inspection at Turners Outdoorsman located at 1932 North Tustin Avenue in Orange, California. The period of inspection was July 14, 2014 to July 14, 2015. Due to the number of ATF Forms 4473 (b)(6)/(b)(7)(C) on file for the inspection period, Senior Industry Operations Investigators (b)(6)/(b)(7)(C) assisted with review of the forms (b)(6)/(b)(7)(C) Store Manager, and William Ortiz, Director of Store Operations, were interviewed. Turners Operations, Inc. did not receive prior notification of this inspection. No additional Federal, State or local agencies participated in this inspection.

In addition, as part of the domain assessment inspections of chain sporting goods stores, ammunition sales were reviewed for trends indicating possible diversion of large amounts of ammunition to illegal sources.

Business Profile:

Turners Operations, Inc. operates 18 sporting goods stores named Turners Outdoorsman. All of the stores are located in urban, commercial areas of southern California. Turner's Outdoorsman (FFL #9-33-03154) is designated as Store #3. The Federal Licensing System indicates the Federal firearms license was issued on August 4, 2006. Turners Outdoorsman (FFL #9-33-03154) received Demand Letter 2 and Demand Letter 3. The licensee sells hunting, fishing, and camping merchandise; conducts the retail sale of new handguns and long guns; sells WWII curio and relic rifles; conducts private party transfers, and, occasionally, conducts a consignment sale. In the inspection period, the licensee acquired (b)(4) firearms and disposed of (b)(4) firearms. Approximately (b)(4) percent were handguns. The Type 01-Dealer of firearms license is appropriate for the firearms activity.

All firearms purchased by Turners Operations, Inc. are received at the Turners

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Central Distribution Center located at 11738 San Marino Street in Rancho Cucamonga, California (FFL #9-33-03145). All inter-store transfers go through this distribution center. No other off-site storage is maintained. No sales are conducted at gun shows. Mr. Ortiz stated that Turners did participate at a local gun show in 2015 and will begin regularly participating at gun shows in southern California in 2016. Turners does not conduct firearms sales via the Internet. Turners does have a website advertising in-store merchandise: www.turners.com.

No other business is conducted on the Turners Outdoorsman (FFL #9-33-03154) premises. No other business is conducted by this licensee. No additional ATF licenses or permits are held by this licensee. Smokeless powder is sold. No black powder is acquired or sold. No NFA activity, importing or manufacturing of firearms takes place. Therefore, no additional ATF licenses or permits are required. Turners Outdoorsman (FFL #9-33-03154) is in compliance with local zoning ordinances. All required State and local firearms licensing is active (**Exhibit 1**).

Ownership and Control:

There have been no unreported changes in ownership or control of Turners Operations, Inc. No new responsible persons were identified by interview with William Ortiz. Turners Operations, Inc. refuses to list individual store managers as responsible persons. However, Turners Operations, Inc. has added the District Managers as responsible persons. The responsible persons' information listed in the Federal Licensing System is correct for Gene Gilbert Lumsden, President/CEO; Bryan David Harris, Vice President; William Anthony Ortiz, Director of Store Operations; and Brian Joseph Taylor, District Manager.

Variance:

(b)(3) (112 Public Law 55 125 Stat 552)

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(b)(3) (112 Public Law 55 125 Stat 552)

2 - Recommendation

Violations, Warning Conference, Warning Letter and Recall Inspection

The severity of violation 27 CFR 478.126(d) (b)(3) (112 Public Law 55 125 Stat 552) instances, of failure to report the multiple sales or other dispositions of pistols and revolvers to unlicensed persons, merits a warning conference. Overall, the licensee's recordkeeping is meticulous. The violations cited as a result of the 2008 inspection have not reoccurred. The current inspection disclosed no errors or omissions in the Acquisition and Disposition record or on the executed ATF Forms 4473. Also, new procedures were immediately put into effect that will prevent the violation from occurring in the future.

3 - Inspection History

Date and Type of Inspection: April 18, 2011, Full Scope Firearms Compliance inspection

UI#: 784060-2011-0064-B1B

Inspection Results: No Violations, No Further Action, No Referrals

Cited Violations: No violations disclosed

Date and Type of Inspection: August 12, 2008, DE VCIT Compliance inspection.

U.I.: #784060-2008-0058-B1B

Inspection Results: ROV, Warning Conference, Warning Letter, Recall Inspection

Cited Violations:

1. **27 CFR 478.21(a)** failure to record required information on ATF Forms 4473: (b)(3) (112 Public Law 55 125 Stat 552) instances of failure to obtain the Certification Date and or Signature; (b)(3) (112 Public Law 55 125 Stat 552) instances of failure to obtain the Recertification Date or Signature; (b)(3) (112 Public Law 55 125 Stat 552) instance of failure to indicate the type of firearm to be transferred; (b)(3) (112 Public Law 55 125 Stat 552) instances of a "No" answer to "Are you the actual buyer of the firearm listed on the form?"
2. **27 CFR 478.124(c)(1)** (b)(3) (112 Public Law 55 125 Stat 552) instances of failure to obtain required information on Forms 4473
3. **27 CFR 478.124(c)(3)(i)** (b)(3) (112 Public Law 55 125 Stat 552) instances of failure to verify and properly record

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- the identification used by the transferee in Section B of Forms 4473
4. 27 CFR 478.124(c)(3)(iv) [redacted] instances of failure to properly record the NICS/DROS information on Forms 4473
 5. 27 CFR 478.124(c)(4) [redacted] instances of failure to record the required firearm description on Forms 4473
 6. 27 CFR 478.124 (c)(5) [redacted] instance of failure to date the Form 4473 in "Date Transfer is Completed"
 7. 27 CFR 478.126a [redacted] instances of failure to report the multiple sales of handguns
 8. 27 CFR 478.99(c) [redacted] instance of transferring a firearm after receiving a "Yes" answer to question 11-D "Are you a fugitive from justice?"
 9. 27 CFR 478.125(e) [redacted] hundred instances of failure to properly record required information in the Acquisition and Disposition record

4 - Acquisition & Disposition (A&D) Record - Inventory

On July 14, 2015, a full inventory was conducted. Six hundred twenty-nine (629) firearms were in the physical inventory. There were [redacted] open entries in the A&D record. No theft/loss reports were submitted in the inspection period or as a result of this inspection. The computerized firearms A&D record is in the proper format and contains the proper information. Entries were accurate and timely made. [redacted] firearms were traced through the records from acquisition to final disposition. No discrepancies occurred. ATF Forms 4473 corresponding to each of the [redacted] firearms were compared to the disposition information recorded in the A&D record. No errors or omissions were disclosed. There were no indicators of firearms trafficking. [redacted] sales were reviewed. The recorded purchaser information disclosed no indications of firearms trafficking. There were no firearms with altered serial numbers in the inventory. No illegal firearms (short barreled rifles, short-barreled shotguns, silencers, or firearms not compliant with California firearms laws) were in the inventory.

The store manager and firearms manager enter acquisition and disposition information into the record for the store. Oversight and review is conducted by Turners Corporate personnel. There were no reoccurrences of the A&D recordkeeping violations found during the 2008 inspection.

5 - ATF Forms 4473 – NICS & Other Dispositions

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All of the ATF Forms 4473 for the inspection period were reviewed. Approximately [redacted] forms were reviewed with the assistance of ATF Senior Industry Operations Investigator [redacted] (b)(6)/(b)(7)(C) [redacted]. Minor errors in Section D on twelve forms, omission of calibers, were immediately and properly corrected by the store manager. The licensee was not cited.

Occasionally there is a transfer of a firearm to another firearms licensee outside of the Turners chain. The dealer's information is properly recorded in the A&D record and a copy of the dealer's FFL is maintained in the store's records. The majority of firearms acquired by Turners (FFL #9-33-03154) and transferred to another Turners store are transferred through the Turners Distribution Center. If a firearm is transferred directly to another Turners, the information is recorded in the A&D record. A list of Turners stores' FFL numbers is maintained on the premises. Transfers to law enforcement are done properly either by receipt of a letter as described in 27 CFR 478.134 or as required for non-licensees (Completion of the ATF Form 4473 and adhering to the California 10 day waiting period).

(b)(3) (112 Public Law 55 125 Stat 552) ATF Forms 4473 for the period of April 1, 2015 to April 30, 2015 were compared to the Dealer Record of Sale information on DROS forms. No errors or omissions occurred. Turners (FFL #9-33-03154) is conducting the required NICS checks through the California Department of Justice (DOJ). The date the transferee's identifying information is transmitted and the transaction number issued by California DOJ were properly recorded on the ATF Forms 4473. The response initially provided by California DOJ is properly recorded. Additionally, disposition information of (b)(3) (112 Public Law 55 125 Stat 552) ATF Forms 4473 for the months of April 2015 [redacted] forms) and May 2015 [redacted] forms) was compared to disposition information recorded in the A&D record with no discrepancies.

The licensee has a three tier review process for the ATF Forms 4473: the firearms admin person reviews the forms prior to transferring the firearm(s); the store manager reviews the forms prior to transferring the firearm(s); the cashier reviews the forms prior to collecting any monies. In addition, Corporate reviews executed ATF Forms 4473 by two week periods as allowed by the variance dated May 23, 2011.

6 – Multiple Sales

The Violent Crime Analysis Branch processed a request to provide an FFL history query for Turners (FFL #9-3-03154) (**Exhibit 3**). The licensee received Demand Letter 3 requiring licensees who meet certain criteria to report the multiple sale of semiautomatic rifles, with a detachable magazine, in calibers greater than .22 ("Certain" rifles). Turners was associated with [redacted] transfers meeting the above criteria

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involving [redacted] rifles. Review of the records indicated no additional transfers of rifles meeting the requirements occurred. Turners is in compliance with Demand Letter 3.

The FFL history query indicates that the licensee was associated with [redacted] multiple handgun sales or other dispositions involving [redacted] pistols/revolvers. Review of the records indicated an additional [redacted] multiple sales or other dispositions of handguns involving [redacted] pistols/revolvers that were not reported on **(Worksheet 2, Exhibits 4 - 16)**. The licensee was cited under 27 CFR 478.126a **(ROV)**. The licensee immediately filed the reports **(Exhibits 4A- 16A)**. Investigator [redacted] queried eTrace for information on the [redacted] handguns. No hits occurred. The purchasers were queried in NCIC. No hits occurred.

7 – Suspicious/Prohibited Purchasers

Firearms listed on [redacted] ATF Forms 4473 with the NICS response of “Denied” were traced through the records. The firearms were found either in the inventory or verified as transferred to an unrelated purchaser. There were no indications of firearms trafficking. Concerning straw purchasers: when a Turners store identifies a straw purchaser, an email is sent to every store in the chain describing the person and the circumstances of the attempted purchase.

8 – Trace Activity

The Violent Crime Analysis Branch processed a request to provide an FFL history query for Turners Outdoorsman (FFL# 9-33-03154) **(Exhibit 3)**. The licensee was associated with [redacted] firearm trace requests. Each trace request was successfully completed to a purchaser.

(b)(3) (112 Public Law 55 125 Stat 552)

participant in ATF’s Demand Letter 2 program. The licensee is required to report the purchase of secondhand firearms from non-licensees on a quarterly basis. Turners is in compliance with the reporting requirements. Investigator [redacted] requested a list of used firearms purchased from non-licensees for the second quarter of 2015 **(Worksheet A)**. The firearms’ serial numbers were queried in Etrace. No hits occurred.

9 - NFA/Importer/Collector/Manufacturer

Turners (FFL #9-33-03154) does not collect, import, or manufacture firearms. This licensee is not a Special Occupational Taxpayer. No National Firearms Act activity is conducted.

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10 - Referrals

No referrals were generated as a result of this inspection.

11 - Other

Concerning the review of ammunition sales, per interview with William Ortiz and (b)(6)/(b)(7)(C) Turners has not received any requests for large amounts of ammunition in specific calibers. When difficulties arise in acquiring certain calibers, Turners limits quantities purchased to two boxes per customer.

The Youth Handgun Safety Act (YHSA) poster was on display. Investigator (b)(6)/(b)(7)(C) commended Lance Demarco for placing an YHSA notice in every handgun case. Safety devices and locking gun cases are offered for sale. Also, Turners does not sell the Tannerite brand binary targets.

12 - Closing Actions

On July 27, 2015, Investigator (b)(6)/(b)(7)(C) held a closing conference with William Ortiz, Director of Store Operations/Responsible Person, and (b)(6)/(b)(7)(C) Store Manager. The Acknowledgement of Federal Firearms Regulations was reviewed and signed by William Ortiz. Investigator (b)(6)/(b)(7)(C) supplied (b)(6)/(b)(7)(C) and William Ortiz with the Federal Firearms Regulations Reference Guide 2014. (b)(6)/(b)(7)(C) received a supply of multiple handgun reports, ATF F 3310.4, and copies of each form listed on the Acknowledgement of Federal Firearms Regulations. William Ortiz regularly attends the Firearm Dealers Seminars conducted by ATF.

The Report of Violations was reviewed. Investigator (b)(6)/(b)(7)(C) advised that a problem existed with identifying a purchaser of a firearm who was also involved in a private party transfer within 5 consecutive business days (Forms 4473 completed). Mr. Ortiz recommended a new procedure for flagging those types of transactions.

Concerning the private party transfer of multiple handguns in one transaction, Mr. (b)(6)/(b)(7)(C) recommended a new procedure to complete the multiple sales report, ATF Form 3310.4, on the day the transferee begins the ATF Form 4473 not on the day the transferee picks up the firearms (California 10 day delay).

13 - Violations

FIREARMS INSPECTION REPORT

Name: Turners Operations, Inc.
Trade Name: TURNERS OUTDOORSMAN

UI#: 784060-2015-0236-B1B
FFL#: 9-33-059-01-5J-03154

1. **27 CFR 478.126a Failure to report the multiple sales or other dispositions of pistols and revolvers to unlicensed persons.**

REPEAT OF VIOLATION CITED ON SEPTEMBER 18, 2008.

Nature of the violation:

The licensee failed to prepare a report of multiple sales or other disposition of pistols and/or revolvers, ATF Form 3310.4, on at least [] occasions, involving [] pistols and revolvers (**Worksheet 2, Exhibits** [])

Licensee's response:

[(b)(6)/(b)(7)(C)] Store Manager, was embarrassed by the oversight. He did not attempt an explanation. William Ortiz, Store Operations Manager, stated the error was unacceptable. Discussion ensued on how to "flag" Forms 4473 listing multiple handguns; [(b)(6)/(b)(7)(C)] recommended the report of multiple sales be completed at the beginning of the private party transfer transaction when the California Dealer Record of Sale (NICS) was initiated. Discussion ensued concerning a cancelled transaction where the report was already filed. Investigator [(b)(6)/(b)(7)(C)] recommended that Turners notify ATF by resubmitting the report with CANCELLED SALE NO TRANSFER written across the top of the form.

Corrective action:

Investigator [(b)(6)/(b)(7)(C)] instructed the licensee to immediately prepare the multiple sale reports, ATF Forms 3310.4, and fax the reports to the ATF National Tracing Center (**Exhibits 4A-16A**). The licensee was instructed to prepare a report of multiple sales or other disposition of pistols or revolvers whenever the licensee sells or disposes of, at one time or during any five consecutive business days, two or more pistols or revolvers, or any combination of pistols or revolvers totaling two or more, to an unlicensed person. The report shall be prepared on Form 3310.4 not later than the close of business on the day the multiple sale or other disposition occurs. The licensee shall forward one copy to the local law enforcement agency in which the sale or other disposition took place, and retain one copy. The retained copy shall be attached to the firearms transaction record, Form 4473, executed upon delivery of the pistols or revolvers.

[(b)(6)/(b)(7)(C)]

Signature

SIOI
Title

Aug. 25, 2015
Date of Reports

Index of Worksheets and Exhibits

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- Worksheet workbook including Worksheet 2 – ATF F 4473 Review
- Turners Second Hand Acquisitions for the period April 1, 2015 to June 30, 2015 (Worksheet A)

Exhibits

- California DOJ Centralized List of Firearms Dealers Licensure Submission Acknowledgement dated January 3, 2015
- ATF Variance dated May 23, 2011
- VCAB FFL history query for Turners FFL #9-33-03154

(b)(3) (112 Public Law 55 125 Stat 552),(b)(6)/(b)(7)(C)

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784060-2015-0236

Warning Letter Missing from Production