



DEPARTMENT OF JUSTICE | OFFICE OF THE INSPECTOR GENERAL

## INVESTIGATIVE SUMMARY | 22-004

### **Investigative Findings Related to the Theft of Firearms, Firearms Parts, and Ammunition from the Alcohol, Tobacco, Firearms and Explosives' National Firearms Destruction Facility**

The Department of Justice (DOJ) Office of the Inspector General (OIG) initiated an investigation upon the receipt of information from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) Office of Internal Affairs that the Philadelphia Police Department (PPD), during a traffic stop in February 2019, recovered a firearm with a slide and barrel that had serial numbers that traced back to the ATF's National Firearms and Ammunition Destruction facility (NFAD). According to ATF records, the recovered slide and barrel had been part of a former ATF duty firearm that supposedly had been destroyed in December 2018 at NFAD. The OIG conducted this investigation jointly with the ATF and the Department of Homeland Security (DHS) OIG.

The joint investigation led to two criminal convictions. On April 24, 2019, Christopher Lee Yates, a DHS Federal Protective Service contract security guard assigned to NFAD, pleaded guilty in the U.S. District Court for the Northern District of West Virginia to possession of a stolen firearm and theft of government property. On August 26, 2019, Yates was sentenced to 14 years in prison, followed by 3 years of supervised release, and ordered to pay a \$300,000 money judgment. According to the factual statement in support of the guilty plea, Yates stole firearms, thousands of firearm parts, and ammunition from NFAD and then sold many of these stolen items to Richard Adam Schreiber, a nongovernment individual. On March 5, 2020, Schreiber pleaded guilty in the U.S. District Court for the Western District of Pennsylvania to conspiracy, sale of stolen government property, dealing in firearms without a license, possession and sale of stolen firearms and ammunition, and receipt and possession of an unregistered firearm. On February 3, 2021, Schreiber was sentenced to 40 months in prison, followed by three years of supervised release, and ordered to forfeit \$41,961 and all weapons, weapon parts, and ammunition in his possession.

The OIG also examined the conduct of other ATF personnel and federal contract employees at NFAD and did not find evidence that other ATF personnel or federal contract employees either colluded with or assisted Yates or Schreiber in committing the crimes described above.

The OIG found that there were vulnerabilities at NFAD that enabled Yates to commit his crimes undetected and without assistance from others. For example, the OIG found that DHS contract security guards worked night and weekend shifts when NFAD employees were not present. During these times, the contract security guards had unfettered access to

secured areas at NFAD where firearms, firearm parts, and ammunition were stored. In addition, ATF employees told the OIG that they did not shred firearm barrels, slides, or cylinders. Instead, they used a shredder to destroy only firearm frames and placed intact barrels, slides, and cylinders into unsecured bins to be sent to the scrap yard. The OIG also was told that there was a period when NFAD sent intact weapons to a private contractor for destruction because the shredder was broken. During this period, the private contractor sent multiple shipments back to NFAD, resulting in intact weapons remaining for days in unsecured boxes and unlocked containers at NFAD.

After the discovery of Yates's crimes, ATF took steps to recover the stolen property nationwide and enhance security at NFAD (now known as the National Disposal Branch or NDB). In addition, ATF created a working group and updated its standard operating procedures to address many of the vulnerabilities at NDB. To reduce the risk that the type of criminal conduct identified in this investigation happens again, the ATF must ensure that its procedures for the secure, accountable, and safe destruction of firearms are sufficient and effective. The OIG will monitor the ATF's firearm destruction processes and, as appropriate, conduct any necessary investigations, audits, inspections, or reviews. The OIG has completed its investigation and provided its report to the ATF and DHS.



Unless otherwise noted, the OIG applies the preponderance of the evidence standard in determining whether DOJ personnel have committed misconduct.