INVESTIGATIVE RESPONSIBILITY:

The Investigating Officer (IO) Detective II Ross Nemeroff, Serial No. 31679, Special Operations Division (SOD), can be reached at telephone number (323) 276-7114. Any request for a supplemental investigation must be approved by the Commanding Officer (CO), SOD, by way of an Intradepartmental Correspondence, Form 15.02.00.

STATUTE ISSUES:

The case was referred to the Los Angeles County District Attorney's Office protocol for the allegations of criminal misconduct.

BACKGROUND:

Pursuant to my current criminal investigation, I recently spoke with various federal investigators from the United States Department of Homeland Security and Department of Justice, specifically officers/agents assigned to Homeland Security Investigations (HSI), Custom Border Patrol (CBP), and Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), regarding an influx of non-regulated firearm suppressors entering the United States via foreign sources. According to CBP officers, they are working to combat the flow of these suppressors into the United States and have intercepted thousands of suppressors, or parts of suppressors, being shipped into the United States from various senders based out of China.

The intercepted packages are often mislabeled and incorrectly manifested, thus giving the impression that the item contained in the shipping package is something else. Senders have often identified the contents of the packages as "filters," "machine filter nozzle," "motorcycle filter," "fuel filter," other items with the word "filter," or "solvent traps" in the commodity description. Additionally, I toured CBP's Los Angeles International Mail Facility where international mail is screened and inspected by CBP officers. I witnessed how suspected contraband is detected and identified utilizing a dedicated X-Ray machine.

I have further read Technical Bulletins published by the ATF (Technical Bulletins dated April 20, 2017 and October 30, 2019) regarding the detection and identification of firearm silencers, which have been marketed as "inline filters" and "solvent traps" (Addenda 1 and 2). The Technical Bulletins also referenced that legitimate solvent traps are devices attached to the muzzle of a firearm barrel designed to catch or "trap" dirty cleaning solvent pushed through the barrel from the chamber end and out through the muzzle. The front end-cap of a solvent trap must be solid and have no hole that will allow a projectile to pass-through. Devices that have a hole in or index mark for a hole in the front end-cap are classified as a "firearm silencer" under the National Firearm Act (NFA), which the United States enacted in 1934.

Purchasers may modify these devices into unregistered silencers by simply coring a hole in the closed end which would prevent the device from trapping dirt or solvents. Some devices marketed as "solvent traps" and "fuel filters" have index markings showing where to drill a hole that would modify the trap into a silencer. Some also include silencer baffles, which are

common in firearm suppressors but which serve no legitimate purpose in a solvent trap or fuel filter.

Additionally, I researched Title 18, United States Code, Section 921 (a)(24), which defined a firearm silencer or "suppressors" as "any device for silencing, muffling, or diminishing the report of a portable firearm, including any combination of parts, designed or redesigned and intended for the use in assembling or fabricating a firearm silencer or firearm muffler, any part intended only for use in such assembly or fabrication." The State of California defined the term "silencer" as a device that reduces the sound of a gun when the gun is fired. California Penal Code section 33410 makes it a felony for a person, firm, or corporation to possess a silencer.

Federal investigators informed me that in order to legally possess a suppressor, an individual must apply for and receive advanced approval from the ATF. A silencer must also have a registered serial number and bear that serial number. An individual who had obtained ATF approval to receive and possess a silencer would appear on the National Firearms Registration and Transfer Record.

The NFA prohibits the importation of suppressors unless they are for the use by the United States, for scientific research, for testing by a registered manufacturer, or to be used as a sample by a registered importer. Similarly, the Gun Control Act (GCA) of 1968, confided at Title 18, United States Code, Chapter 44, requires that firearms imported into the United States bear a serial number and restricts importation to firearms "generally recognized as particularly suitable for or readily adaptable to sporting purposes."

Lastly, I conducted numerous searches on the internet, specifically YouTube, which revealed numerous videos of "fuel filters" and "solvent traps" being used as firearm suppressors. As a result of my investigative research into silencers and conversations with federal investigators, I gained a general understanding of how people attempt to unlawfully purchase, smuggle, and use silencers.

SUMMARY:

On April 22, 2021, CBP Officer Marisela Peña was assigned to the Los Angeles International Mail Facility located at 20700 Denker Avenue, Torrance California, 90501. At approximately 12:03 PM, Peña was screening a bin of parcels from the People's Republic of China utilizing a dedicated X-Ray machine. She subsequently identified 13 objects that were consistent with firearm silencers. The objects were contained in 13 separate parcels destined to various recipients throughout California. All of the parcels were declared by the shipping agent as "fuel filters." Through Peña's training and experience, she recognized that firearm silencers are often declared as fuel filters to avoid detection and that most of these firearm silencers were shipped from China. CBP generated a list of the 13 intercepted parcels and contacted various HSI offices for possible investigation. One of the parcels was addressed to Luke Walden, with an address of [redacted] CBP contacted the HSI Office in the San Fernando Valley and the case was assigned to HSI Special Agent Razmik Madoyan.

Note: CBP conducts routine examinations of parcels shipped by foreign mail services before the parcels are prepared for delivery to their final destination. Due to the large volume of cargo that enters the United States on a daily basis, CBP is unable to examine all parcels. CBP uses a variety of methods to select parcels for border search examination, including random and targeted inspections. Pursuant to their authority under Title 19, Code of Federal Regulations Section 162.6, also known as "Border Search Authority", CBP officers and certain other law enforcement officers may conduct examinations of goods entering the United States without a search warrant, probable cause, or individualized suspicion. Additionally, searches at the border do not require probable cause or a warrant. United States v. Ramsey, 431 U.S. 606, 619 (1977).

HSI Special Agent Razmik Madoyan conducted a preliminary investigation of Walden and the parcel that was intended to be delivered. The tracking number associated with the parcel was listed as "LY694058860CN." During his research, Madoyan discovered that Walden was employed by the LAPD and notified his supervisor. The notification subsequently led to my involvement in the case.

Utilizing Department resources, I confirmed that Walden is employed by the LAPD as a Detective II assigned to Gang and Narcotics Division (GND) and is assigned to an office located at LAPD within Olympic Area Community Police Station. According to Department resources, Walden's home address is listed as [redacted]

On April 26, 2021, I responded to the HSI office in the San Fernando Valley and took possession of the parcel. The parcel was purple in color, partially opened, and was contained inside a larger clear evidence bag. A photographer from LAPD's Technical Investigation Division responded to the location and photographed the parcel, its contents, and a control log. Upon inspection of the outside of the parcel, I noted the shipping label was addressed to Luke Walden at [redacted] The sender was labeled as Xu Shi Ming, from Wuhan, China. The description of the item was a "fuel filter" with a weight of .225 kilograms and a value of 10 dollars. The shipping label contained the following characters: 螺旋1/2-28單芯汽車燃油濾清器. A search of those characters on the internet website "Google Translate," interpreted this as "Spiral ½ - 28 single-core automobile fuel filter (6-inch ½"– 28-black spiral P0171289910).

Note: The thread measurement, "½ - 28" appears in the ATF Technical Bulletin 20-21, *Inline Filter Firearm Silencers*, on page 5. A ½ - 28 RH bolt thread can be applied to the following firearms; AR-15, M-16, AR-180, most threaded .223/5.56 rifles, most threaded .22 rifles and pistols, most threaded 9mm pistols, Ruger 10/22 tactical rifle, newer Mini 14 .223/5.56 rifles, MPA57 submachine pistol, and an MPA 9mm submachine pistol.

Upon viewing the contents of the parcel, I noticed a black-colored cylindrical object which had a mono-core baffle with a threaded opening on one end. There was also an outer metal tube, a threaded center marked end cap, a threaded ring, and a plastic tube. On May 12, 2021, I booked the device and its components at Property Division under DR#219913105 (Addenda 3).

Criminalist Fadil Biraimah, Serial No. N3140, Forensic Science Division (FSD), examined the device and its components. Biraimah concluded that the assembly, as received, is a silencer as described in California Penal Code Section 17210 (Addenda 4).

I contacted the California Department of Justice (Cal DOJ) and obtained a list of all firearms that were registered to Walden. According to the list, Walden has 48 registered firearms, many of which are compatible with the ½ - 28 barrel thread sizes. The firearms include 39 handguns, 8 rifles, and 1 shotgun.

On April 28, 2021, I requested that Information Technology Bureau (ITB) conduct an audit of Walden's internet search history on Department computers between January 1, 2020, to April 28, 2021.

ITB produced Excel spreadsheets containing the requested data which included keyword searches for "silencer, fuel filter, solvent trap, China, threaded barrel, firearm, barrel, 33410, and rifle." Walden visited websites that advertised the sale of threaded barrels for weapons that matched several of the handguns that are registered to him, a rifle that is registered to him, and threaded barrels for weapons that are not registered to him.

www.kimberamerica.com website searches

- .45 ACP Stainless Steel Threaded Barrel SKU: 4000005 (Walden has 2 Kimber .45 cal handguns registered to him)
- 9 mm Stainless Steel Threaded Barrel SKU: 4000006 (Walden does not have a Kimber 9mm registered to him)

www.opplanet-trybe.com website searches

- TRYBE Defense Glock 22/31 9mm threaded Conversion Pistol Barrel (Walden has 1 Glock 22 registered to him)
- TRYBE Defense Glock 23/32 9mm threaded Conversion Pistol Barrel (Walden does have a Glock 23/32 registered to him)
- TRYBE Defense Glock 34 9mm match grade threaded Pistol Barrel (Walden has 1 Glock 34 registered to him)
- TRYBE Defense AR Pistol Barrel 9mm (Walden has AR 9mm Pistol registered to him)
- TRYBE Defense Sig Sauer P320 (Walden does not have a Sig Sauer P320 registered to him)

www.pealtier.com website searches

- Aluminum Barrel End Thread Protector for Ruger 1022 10/22 .223 .308 Compensator (Walden has a Ruger .22 rifle registered to him)

The Department computer audit also revealed that Walden visited websites that advertised the sale of "fuel filters." Walden overwhelmingly searched an inner thread size of ½ -28 converting to an outer thread size of 5/8 – 24. The ½ -28 thread size would apply to many of the weapons registered to Walden.

www.pealtier.com website search

- New Fuel Filter Suit for Napa 4003 WIX 24003 5/8"- 24 & ½" Turbo Air Filter Threaded End Cap

www.carid.com website search

- WIX WF10429 Fuel Filter unknown thread size.

www.yhothe.com website search

- Fuel Filter for 4002 WIX ½ -28 5/8 – 24

www.rallyset.com website search

- Napa 4003 WIX 24003 ½ -28 5/8 – 24 fuel filter aluminum solvent trap

www.napa4003solventtraps.com

- Aluminum 12-10-6-extension spiral 12-20-12-28-58-24-m141car fuel filter car solvent trap for Napa 4003 WIX 24003

www.bupuff.com website search

- Napa 4003 WIX 24003 ½ -28 5/8 – 24 fuel filter aluminum solvent trap

www.riorrkids.com website search

- Clearance Price Car Oil Fuel Filter for 4003 WIX ½ -28 5/8 -24

www.kikogift.com website search

- Napa 4003 WIX 24003 ½ -28 5/8 – 24 fuel filter aluminum solvent trap

www.solventtrapfuelfilter.com website search

- Fuel Filter Solvent trap

www.qoopuff.com website search

- Napa 4003 WIX 24003 ½ -28 5/8 – 24 fuel filter aluminum solvent trap

On June 30, 2021, I presented this case to the Los Angeles County District Attorneys Office, Justice System Integrity Division for filing consideration.

ADDENDA

1. A-F ATF Bulletin "Inline Filter" Firearm Silencers, Technical Bulletin 20-01
2. A-H ATF Bulletin "Solvent Traps", Technical Bulletin 17-02
3. Property Report DR#219913105
4. A-C Forensic Science Division Report

SUBMITTED BY:

ROSS NEMEROFF, Detective II
Complaint Investigator
Special Operations Division

APPROVED:

KENNETH CABRERA, Lieutenant
Officer in Charge
Special Operations Division

All information subsequent to this page was obtained in furtherance of an administrative complaint investigation. Pursuant to Penal Code Section 832.7, it is deemed CONFIDENTIAL. The subsequent information herein has not and shall not be used in furtherance of any criminal investigation, unless mandated by applicable law.

Penal Code Section 832.7 (a) states, "The personnel records of peace officers and custodial officers and records maintained by any state or local agency pursuant to Section 832.5, or information obtained from these records, are confidential and shall not be disclosed in any criminal or civil proceeding except by discovery pursuant to Sections 1043 and 1046 of the Evidence Code. This section shall not apply to investigations or proceedings concerning the conduct of peace officers or custodial officers, or an agency or department that employs those officers, conducted by a grand jury, a district attorney's office, or the Attorney General's office.

INVESTIGATIVE RESPONSIBILITY

The Investigating Officer (I/O) for this case was Sergeant II John Jizmejian, Serial No. 33615, Special Operations Division (SOD). He can be contacted at (323) 276-7115. Any requests for supplemental investigation must be approved by the Commanding Officer, SOD, via an Intradepartmental Correspondence, Form 15.2.00.

STATUTE ISSUES

This case is tolled due to an ongoing criminal investigation.

SUMMARY

Detective II Ross Nemeroff, Serial No. 31679, SOD, was assigned to investigate alleged criminal misconduct by Detective II Luke Walden, Serial No. 34898, Gang and Narcotics Division. On June 30, 2021, Nemeroff presented his investigation to the Los Angeles County District Attorney's Office, Justice System Integrity Division (JSID), for filing consideration.[1]

This case was assigned to the I/O (Jizmejian) for the purposes of interviewing Walden and conducting the administrative investigation.

ALLEGATION

ALLEGATION 1. The Department alleges that on an unknown date, Detective Walden, while on duty or off duty, attempted to obtain a firearm silencer.

STATEMENT

Walden[2] was assigned to GND since April 2009. He worked various assignments in GND, including an abatement unit, the Buy Team, the Gun Unit, and the Federal Bureau of Investigation (FBI) Gang Task Force for approximately the last three years.

Walden was in the process of re-building two vehicles that he owned; a 1985 and a 1983 Toyota Celica. Walden ordered a fuel filter for the 1985 Celica which never arrived. Walden did not recall the vendor or when he ordered the item. He later ordered another fuel filter from Amazon.com which he received. Walden never ordered or attempted to obtain a firearm silencer.

> **Note:** Walden provided pictures of the vehicles he was working on, a picture of the type of fuel filter he ordered and received, and a bracket for the filter. The I/O verified both vehicles were registered to Walden (Addenda 5-7).

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[1] A filing determination was not made by JSID when this investigation was submitted for review.
[2] The I/O conducted a digitally recorded interview of Walden on January 11, 2022. The recording of the interview was placed on a compact disc and booked at Technical Investigation Division, Control No. 771659.

Walden had some knowledge about silencers which he obtained during his assignments; however, he was not an expert. He knew that firearm silencers were illegal to possess. Walden did not dispute the results of the audit of his internet search history by Information Technology Bureau. Walden explained that he utilized a Department computer to conduct internet searches on silencers only for work related reasons. Walden did not recall when he conducted the searches or what keywords he used. Walden explained that he obtained information from sources provided by the FBI regarding suspects wishing to sell "ghost guns" which possibly led to some of the information captured in the audit. Also, on occasion he obtained information or leads which resulted in internet research that may have been captured in the audit as well.

INVESTIGATOR'S NOTE

1. On April 26, 2021, Nemeroff responded to the United States (U.S.) Department of Homeland Security, U.S. Immigration and Customs Enforcement, Homeland Security Investigations (HSI), office in the San Fernando Valley. Nemeroff took possession of the parcel in question that was addressed to Walden. A photographer assigned to TID responded and photographed the parcel and its contents. The photographs were assigned Control No. D0803173 (Addendum 8).

ADDENDA

5A-D. Pictures of Walden's vehicles, California license plate nos. [redacted] and [redacted].
6A-B. Pictures of the type of fuel filter and bracket Walden ordered.
7A-B. Registration information regarding Walden's vehicles.
8A-F. Photographs, Control No. D0803173.

SUBMITTED BY:

JOHN JIZMEJIAN, Sergeant
Special Operations Division

APPROVED:

2/23/22

AMMON WILLIAMS, Detective
Acting Officer in Charge
Special Operations Division

OMAR BAZULTO, Captain
Commanding Officer
Special Operations Division