



# **Universal Background Checks:**

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Background checks save lives

# Introduction

Though more than 90% of the American public supports background checks for all gun sales, a dangerous and deadly loophole in federal gun laws still exempts unlicensed sellers from having to perform any background check whatsoever before selling a firearm. With this loophole, guns easily find their way into the hands of illegal buyers and gun traffickers, dramatically increasing the likelihood of gun murders and suicides.

A number of states, frustrated by congressional inaction on this issue, have passed state laws to close the background check loophole.

Expanding background checks will have no impact whatsoever to vast majority of law abiding gun owners, the majority of which not only support universal background checks, but who also buy their firearms from licensed dealers.

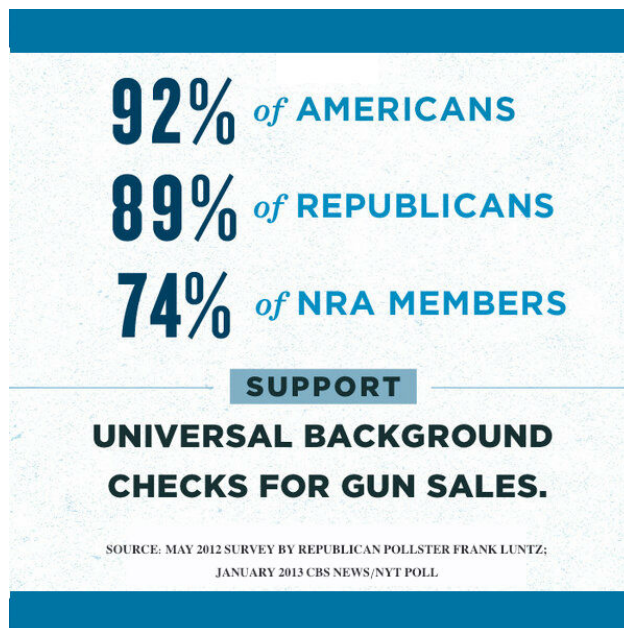
In a time where so many in our country and our state find themselves divided on issues, universal background checks are overwhelmingly supported by Americans and Tennesseans of both political parties. And support is only rising. Polling data shows that support for expanding background checks has continued to increase, due in large part to the mass shooting massacres plaguing our nation as well as the every day gun violence impacting our communities.

Considering the life-saving potential of background checks and the fact that so many voters want to see them passed, Safe Tennessee is recommending that our state join others in passing this legislation.



*Polling data from  
Quinnipiac, 11/17*

SOURCE: QUINNIPAC UNIVERSITY POLL, NOVEMBER 2017



*Polling data from  
Frank Luntz, 5/12;  
CBS/NYT 1/13*

SOURCE: MAY 2012 SURVEY BY REPUBLICAN POLLSTER FRANK LUNTZ;  
JANUARY 2013 CBS NEWS/NYT POLL

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Major Cities Police Chiefs Call for Universal Background Checks - Police One

Major Cities Chiefs Release Firearms Violence Policy - Major Cities Chiefs' Press Release

Semi-Automatic Weapons Without a Background Check Can Be Just a Click Away - NPR

Chattanooga Shooting Highlights Online Gun Sales - Wall Street Journal

Why I'm for The Brady Bill - Op-ed by President Ronald Reagan - New York Times

Gun Death Rates and Gun Laws

The Safe Tennessee Project is a grassroots organization dedicated to addressing the epidemic of gun-related injuries and gun violence in Tennessee through education, advocacy, and outreach. Safe Tennessee is made up of physicians, academics, legal experts, and concerned citizens who view gun violence as a public health issue and seek evidenced-based policies and interventions to reduce the number of Tennesseans injured and killed with firearms.

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# Overview: Universal Background Checks

The most dangerous gap in federal firearm laws today is by far the background check loophole. Although federal law requires licensed firearm dealers to perform background checks on prospective purchasers, it does not require unlicensed sellers to do so. **A 2017 study estimated that 22% of US gun owners acquired their most recent firearm without a background check—that translates to millions of Americans acquiring millions of guns, no questions asked, each year.**<sup>1</sup>

According to the US Department of Justice, because federal law fails to require background checks by every person who sells or transfers a gun—a policy known as universal background checks —“**individuals prohibited by law from possessing guns can easily obtain them from private sellers and do so without any federal records of the transactions.**”<sup>2</sup> In addition, because federal law does not require private sellers to inspect a buyer’s driver’s license or any other identification, there is no obligation for such sellers to confirm that a buyer is of legal age to purchase a firearm. “The private-party gun market,” one study observed, “has long been recognized as a leading source of guns used in crimes.”<sup>3</sup>

Although this loophole is sometimes referred to as the “gun show” loophole, because of the particular problems associated with unlicensed sellers at gun shows, it applies to all private firearm sales, regardless of where they occur. In fact, of growing concern are internet gun sales, which have substantially increased illegal buyers’ ability to find sellers willing to sell guns without a background check. For instance, one analysis found that purchasers from Armslist.com, a major online gun dealer, were nearly four times as likely to have a firearm-prohibiting criminal record than people attempting to buy guns from licensed dealers.<sup>4</sup>

**When unlicensed sellers don’t run background checks, people looking to commit violence can easily obtain guns, often with deadly consequences.** For example, in 2014, a gunman killed four people, including his ex-girlfriend, in a shooting spree in Morgantown, West Virginia. Although the shooter was prohibited from purchasing firearms due to multiple felony convictions, including kidnapping, he was able to buy a gun from a seller on Facebook, who was not required to run a background check under West Virginia law.<sup>5</sup> Other recent shootings have shown the deadly consequences of loopholes in the existing system. The shooter who killed 26 people at First Baptist Church in Sutherland Springs, Texas, was able to buy four guns because the record of his disqualifying domestic violence conviction was not input into NICS, the federal background check system. The gunman who murdered nine people at Emanuel AME Church in Charleston was able to obtain a handgun, even though he should have been prohibited because of a previous arrest, because federal law allows sales to proceed by default if a background check isn’t completed within three days.

Law enforcement groups across the country have called for expanded background check laws, noting that because individuals who fail a background check can easily get firearms from unlicensed sellers, guns sold without a background check often end up being used in crimes and violence.<sup>6</sup> In fact, the International Association of Chiefs of Police recommends that “Congress, as well as state, local, and tribal governments, should enact laws requiring that all gun sales and transfers proceed through” a federally licensed dealer.<sup>7</sup>

**Gun offenders overwhelmingly obtain their guns through private sales. About 80% of all firearms acquired for criminal purposes are obtained through private-party transfers.**<sup>8</sup> In fact, a survey of prisoners convicted of gun offenses revealed that 96% of inmates who were prohibited from possessing a firearm at the time they committed their crime had obtained their firearm from an unlicensed private seller.<sup>9</sup> Other studies identify unlicensed private sellers as major contributors to illegal firearm trafficking within the United States and across the US-Mexico border.<sup>10</sup>

**When background checks are required and enforced, they help keep guns out of dangerous hands.** Since the federal background check requirement was adopted in 1994, over 3 million people

legally prohibited from possessing a gun—mainly convicted felons, domestic abusers, and the severely mentally ill—have been denied a firearm transfer or permit.<sup>11</sup> In 2017 alone, about 181,000 attempted gun purchases were denied because the individual was prohibited from possessing a firearm.<sup>12</sup>

**Background checks are easy, convenient, and impose almost no burden on law-abiding gun purchasers.** In at least 90% of cases, firearm background checks processed through the National Instant Criminal Background Check System (NICS) are determined immediately—in most instances within 90 seconds.<sup>13</sup> Furthermore, background checks are almost always accurate and rarely provide false-positive results. The FBI’s quality control evaluations suggest that background checks are accurate approximately 99.3% to 99.8% of the time; similar findings were found in a survey conducted by the Office of the Inspector General.<sup>14</sup>

**More than a decade of polling data shows that the vast majority of the American public supports laws requiring background checks on all firearm purchases.**<sup>15</sup> In fact, a February 2018 Quinnipiac University Poll found that 97% of Americans—including 99% of Democrats, 97% of Republicans, and 97% of gun owners—support requiring background checks on all gun sales.<sup>16</sup> Strong support for background check laws has also been measured among NRA members, with at least 74% supporting comprehensive background checks.<sup>17</sup>

## SUMMARY OF FEDERAL LAW

**Federal law imposes various duties on federally licensed firearms dealers. Firearms dealers must, among other things:**

- Perform background checks on prospective firearm purchasers.
- Maintain records of all gun sales.
- Make those records available to law enforcement for inspection.
- Report certain multiple sales.
- Report the theft or loss of a firearm from the licensee’s inventory.<sup>18</sup> *Federal law imposes none of these requirements on unlicensed sellers, however.*

The Gun Control Act of 1968 provides that persons “engaged in the business” of dealing in firearms must be licensed.<sup>19</sup> Although Congress did not originally define the term “engaged in the business,” it did so in 1986 as part of the McClure-Volkmer Act (also known as the Firearms Owners’ Protection Act). That act defined the term “engaged in the business,” as applied to a firearms dealer, as “a person who devotes time, attention, and labor to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of firearms.”<sup>20</sup>

Significantly, however, the term was defined to exclude a person who “makes occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or who sells all or part of his personal collection of firearms.”<sup>21</sup> According to a 1999 report issued by the Bureau of Alcohol, Tobacco, Firearms and Explosives, the current definition of “engaged in the business” often frustrates the prosecution of “unlicensed dealers masquerading as collectors or hobbyists but who are really trafficking firearms to felons or other prohibited persons.”<sup>22</sup>

## SUMMARY OF STATE LAW

### **Twenty states and Washington DC have extended the background check requirement beyond federal law to at least some private sales.**

Eleven states (California, Colorado, Connecticut, Delaware, Nevada, New Jersey, New York, Oregon, Rhode Island, Vermont, and Washington) and the District of Columbia require universal background checks at the point of sale for all sales and transfers of all classes of firearms, whether they are purchased from a licensed dealer or an unlicensed seller.<sup>23</sup> (Note, however, that Nevada's background check law, enacted through a voter ballot initiative in 2016, has not yet been implemented).<sup>24</sup>

Two more states, Maryland and Pennsylvania, require point of sale background checks for handguns but not for long guns, like rifles and shotguns.

Instead of a point of sale background check, three states (Hawaii, Illinois, and Massachusetts) require all firearm purchasers to obtain a permit, issued after a background check, in order to buy any firearm. New Jersey requires firearm purchasers to both obtain a permit to purchase a firearm and, if the purchase is from an unlicensed seller, conduct the transaction through a federally-licensed firearms dealer.<sup>25</sup> Four more states (Iowa, Michigan, Nebraska, and North Carolina) have this permit and background check requirement for the purchase of handguns, but not long guns. Illinois also requires a point of sale background check whenever a firearm is sold at a gun show.

## **STATE LAWS CLOSING THE PRIVATE SALE LOOPHOLE**

### **Background Checks at the Point of Transfer**

The most comprehensive approach to ensuring that guns are not sold to prohibited people is through a requirement for a background check at the point of transfer of any firearm. Processing transfers by private sellers through licensed dealers or a law enforcement agency helps to ensure that a background check will be conducted prior to any transfer.

### **States that Require a Background Check at the Point of Transfer**

California<sup>26</sup>

Colorado<sup>27</sup>

Connecticut<sup>28</sup>

Delaware<sup>29</sup>

District of Columbia<sup>30</sup>

Maryland (handguns and assault weapons only)<sup>31</sup>

Nevada (law not currently enforced)<sup>32</sup>

New Jersey<sup>33</sup>

New York<sup>34</sup>

Oregon<sup>35</sup>

Pennsylvania (handguns only)<sup>36</sup>

Rhode Island<sup>37</sup>

Vermont<sup>38</sup>

Washington<sup>39</sup>

California, Colorado, Delaware, Nevada, New Jersey, New York, Oregon, Vermont, and Washington generally require all firearm transfers to be conducted by or processed through licensed dealers, who conduct background checks on prospective firearm purchasers or recipients. In the District of Columbia, firearms may be sold and transferred only by or to a licensed dealer.

Rhode Island requires all sellers to obtain a completed application form from the prospective purchaser and to submit the form to law enforcement for purposes of conducting a background check. Connecticut requires any person transferring a firearm to either submit a form to law enforcement or conduct the transfer through a licensed dealer, so that a background check is conducted for every sale or transfer.

Maryland and Pennsylvania require a background check for every prospective handgun sale or transfer, and provide that the background check may be conducted either by a licensed dealer or a designated law enforcement agency.

### **State Permit Requirements for Private Purchasers**

Eight states implement firearm background check requirements on private sales primarily by prohibiting private sellers from transferring firearms to purchasers who do not have a requisite state license or permit, and by requiring a background check before issuing the license or permit.

### **States that Require Permits for Private Purchasers after Background Checks<sup>40</sup>**

Hawaii<sup>41</sup>

Illinois<sup>42</sup>

Iowa (handguns only)<sup>43</sup>

Massachusetts<sup>44</sup>

Michigan (handguns only)<sup>45</sup>

Nebraska (handguns only)<sup>46</sup>

New Jersey<sup>47</sup>

North Carolina (handguns only)<sup>48</sup>

Hawaii, Illinois, Massachusetts, and New Jersey require a person to obtain a license or permit before purchasing any firearm from any seller, and require applicants to pass a background check in order to obtain that license or permit. Iowa, Michigan, Nebraska, and North Carolina require a person to pass a background check in order to obtain a license or permit for the purchase of a handgun but not long guns like rifles or shotguns. State licensing requirements are discussed in detail in our policy page on **Licensing**. While these requirements ensure that a background check has been conducted at some point, a person may fall within a prohibited category after the license or permit is issued but before the time the person attempts to purchase a firearm. **As a result, licensing laws do not necessarily prevent prohibited people from accessing firearms as effectively as point-of-transfer background checks.**

### **Gun Show Background Checks**

Illinois<sup>49</sup> requires a background check before the sale or transfer of a firearm at a gun show. Additionally, though Oregon generally requires background checks to be conducted by a licensed dealer at the point of transfer for all firearms, Oregon law also allows a transferor at a gun show who is not a licensed dealer to contact the Department of State Police directly to conduct the background check.<sup>50</sup> For more information about the regulation of gun shows, see our summary on **Gun Shows**.

In 2016, Virginia enacted a law requiring the state police to be available at gun shows in order to facilitate voluntary background checks requested by either party to a transaction if the seller is unlicensed.<sup>51</sup>

## NOTES

1. Matthew Miller, Lisa Hepburn, and Deborah Azrael, “Firearm Acquisition Without Background Checks,” *Annals of Internal Medicine* 166, no. 4 (2017): 233–239. ↗
2. Office of the Inspector General, *Review of ATF’s Project Gunrunner* (US Department of Justice, 2010), <http://www.justice.gov/oig/reports/ATF/e1101.pdf>. ↗
3. Garen J. Wintemute, Anthony A. Braga, and David M. Kennedy, “Private-party Gun Sales, Regulation, and Public Safety,” *New England Journal of Medicine* 363, no. 6 (2010): 508–511. ↗
4. Mayors Against Illegal Guns, *Felon Seeks Firearm, No Strings Attached: How Dangerous People Evade Background Checks and Buy Illegal Guns Online* (2013), [https://everytownresearch.org/reports/felon-seeks-firearm-no-strings-attached/#foot\\_note\\_anchor\\_4](https://everytownresearch.org/reports/felon-seeks-firearm-no-strings-attached/#foot_note_anchor_4). ↗
5. “Appendix: Mass Shootings in the United States, 2009–2017,” Everytown for Gun Safety, Accessed December 20, 2018, <https://everytownresearch.org/documents/2018/12/appendix-mass-shootings-report-2009-2017.pdf>. ↗
6. See, e.g., “Firearms Policy Position Statement,” International Association of Chiefs of Police, accessed December 20, 2018, [https://www.theiacp.org/sites/default/files/2018-08/IACP%20Firearms%20Position%20Paper\\_2018.pdf](https://www.theiacp.org/sites/default/files/2018-08/IACP%20Firearms%20Position%20Paper_2018.pdf); “Major Cities Chiefs Release Firearms Violence Policy,” Major Cities Chiefs Association, June 6, 2018, [https://www.majorcitieschiefs.com/pdf/news/060618\\_mcca\\_press\\_release\\_firearms\\_policy.pdf](https://www.majorcitieschiefs.com/pdf/news/060618_mcca_press_release_firearms_policy.pdf). ↗
7. “Firearms Policy Position Statement,” International Association of Chiefs of Police, accessed December 20, 2018, [https://www.theiacp.org/sites/default/files/2018-08/IACP%20Firearms%20Position%20Paper\\_2018.pdf](https://www.theiacp.org/sites/default/files/2018-08/IACP%20Firearms%20Position%20Paper_2018.pdf). ↗
8. Katherine A. Vitte, Jon S. Vernick, and Daniel W. Webster, “Legal Status and Source of Offenders’ Firearms in States with the Least Stringent Criteria for Gun Ownership,” *Injury Prevention* 19, no. 1 (2013): 26–31. ↗
9. *Id.* ↗
10. Daniel W. Webster, Jon S. Vernick, and Maria T. Bulzacchelli, “Effects of State-level Firearm Seller Accountability Policies on Firearm Trafficking,” *Journal of Urban Health* 86, no. 4 (2009): 525–537; “Following the Gun: Enforcing Federal Laws against Firearms Traffickers,” US Department of the Treasury and the Bureau of Alcohol, Tobacco, and Firearms, June 2000, [http://everytown.org/wp-content/uploads/2014/08/Following-the-Gun\\_Enforcing-Federal-Laws-Against-Firearms-Traffickers.pdf](http://everytown.org/wp-content/uploads/2014/08/Following-the-Gun_Enforcing-Federal-Laws-Against-Firearms-Traffickers.pdf). ↗
11. Jennifer Karberg, et al., “Background Checks for Firearm Transfers, 2015—Statistical Tables,” *US Department of Justice: Bureau of Justice Statistics* (2017), <https://www.bjs.gov/content/pub/pdf/bcft15st.pdf>. ↗
12. “Few Individuals Denied Firearms Purchases Are Prosecuted and ATF Should Assess Use of Warning Notices in Lieu of Prosecutions,” US Government Accountability Office, September 5, 2018, <https://www.gao.gov/assets/700/694290.pdf>. ↗
13. Federal Bureau of Investigation, “National Instant Criminal Background Check System Celebrates 20 Years of Service,” Criminal Justice Information Services, November 30, 2018, <https://www.fbi.gov/services/cjis/cjis-link/national-instant-criminal-background-check-system-celebrates-20-years-of-service>. ↗
14. Office of the Inspector General, “Audit of the Handling of Firearms Purchase Denials Through the National Instant Criminal Background Check System,” US Department of Justice, September 2016, <https://oig.justice.gov/reports/2016/a1632.pdf>. ↗
15. For example, a 2008 poll showed 87% support for background checks on private gun sales. Garen J. Wintemute, Anthony A. Braga, and David M. Kennedy, “Private-party Gun Sales, Regulation, and Public Safety,” *New England Journal of Medicine* 363, no. 6 (2010): 508–511. ↗
16. “U.S. Support For Gun Control Tops 2-1, Highest Ever, Quinnipiac University National Poll Finds; Let Dreamers Stay, 80 Percent Of Voters Say,” Quinnipiac University Poll, February 20, 2018, <https://poll.qu.edu/national/release-detail?ReleaseID=2521>. ↗
17. Colleen L. Barry, Emma E. McGinty, Jon S. Vernick, and Daniel W. Webster, “After Newtown—Public Opinion on Gun Policy and Mental Illness,” *New England Journal of Medicine* 368, no. 12 (2013): 1077–1081; “Gun Owners Divided on Gun Policy; Parkland Students Having an Impact,” Monmouth University Poll, March 8, 2018, [https://www.monmouth.edu/polling-institute/reports/MonmouthPoll\\_US\\_030818/](https://www.monmouth.edu/polling-institute/reports/MonmouthPoll_US_030818/). ↗
18. 18 U.S.C. §§ 922(t), 923(g). ↗
19. 18 U.S.C. § 921(a)(21)(C). ↗
20. *Id.* ↗
21. *Id.* ↗
22. U.S. Department of Justice & Bureau of Alcohol, Tobacco and Firearms, U.S. Department of the Treasury, *Gun Shows: Brady Checks and Crime Gun Traces* 13–14 (Jan. 1999). ↗
23. These states adopted their universal background check laws in this order: Washington D.C. (conducts universal background checks as part of a firearm registration law that was enacted in 1975), Rhode Island (1990), California (1991), New York (2013), Colorado (2013), Connecticut (2013), Delaware (2013), Washington (2014 by voter initiative), Oregon (2015), Nevada (2016), and Vermont (2018). ↗
24. Due to an ongoing dispute between the FBI and Nevada’s Attorney General about which law enforcement agency is responsible for processing background checks in that state, Nevada currently does not prosecute individuals for failing to conduct background checks on private sales of firearms. See Office of the Attorney General of the State of



Nevada, Opinion No. 2016-12 on Nevada Revised Statute 228.150, Dec. 28, 2016, <https://www.scribd.com/document/335236577/Read-Nevada-AG-s-opinion-FBI-letter>. ↗

25. N.J. Stat. Ann. § 2C:58-3. ↗
26. Cal. Penal Code §§ 27545, 27850-28070. ↗
27. Colo. Rev. Stat. § 18-12-112; 2013 Colo. H.B. 1229. *See also* Colo. Rev. Stat. §§ 12-26.1-101 – 12-26.1-108. ↗
28. Conn. Gen. Stat. §§ 29-33(c), 29-36l(f), 29-37a(e)-(j). 2013 Ct. ALS 3. *See also* Conn. Gen. Stat. § 29-37g (pre-existing law requiring a background check before a firearm is sold at a gun show). ↗
29. Del. Code tit. 11, § 1448B, tit. 24, § 904A. ↗
30. D.C. Code Ann. § 7-2505.02. ↗
31. Md. Code Ann., Pub. Safety §§ 5-101(t), 5-124. Maryland’s requirement applies to “regulated firearms,” which is defined to include handguns and assault weapons. However, assault weapons are now generally banned in Maryland. ↗
32. In November 2016, Nevada voters approved a ballot initiative to require background checks on private sales of firearms. The New York Times, Nevada Question 1 — Expand Gun Background Checks — Results: Approved, Feb., 2017, at <https://www.nytimes.com/elections/results/nevada-ballot-measure-1-expand-gun-background-checks?mcubz=3>. However, after the FBI announced that it would not conduct background checks in the manner the initiative required it to, the Nevada Attorney General issued an opinion stating that it would not enforce the initiative. Office of the Attorney General of the State of Nevada, Opinion No. 2016-12 on Nevada Revised Statute 228.150, Dec. 28, 2016, <https://www.scribd.com/document/335236577/Read-Nevada-AG-s-opinion-FBI-letter>. ↗
33. N.J. Stat. Ann. § 2C:58-3. ↗
34. N.Y. Gen. Bus. Law § 898. 2013 NY ALS 1. *See also* N.Y. Gen. Bus. Law §§ 895-897; N.Y. Penal Law § 400.00 (pre-existing law requiring a background check before sale of a firearm at a gun show). ↗
35. Or. Rev. Stat. § 166.435. At gun shows, Oregon law allows a transferor who is not a licensed dealer to contact the Department of State Police directly to conduct the background check. Or. Rev. Stat. § 166.436. ↗
36. 18 Pa. Cons. Stat. § 6111(b), (c), (f)(2). ↗
37. R.I. Gen. Laws §§ 11-47-35 – 11-47-35.2. ↗
38. Vt. Stat. Ann. tit. 13, § 4019, enacted by 2017 SB 55, Sec. 6. ↗
39. Rev. Code Wash. § 9.41.113. In 2014, Washington became the first state to enact a law requiring background checks on private sales by voter initiative. *See* Initiative Measure No. 594, available at [http://sos.wa.gov/\\_assets/elections/initiatives/FinalText\\_483.pdf](http://sos.wa.gov/_assets/elections/initiatives/FinalText_483.pdf). ↗
40. This list excludes states, like Connecticut and New York, which require a background check at the point of sale in addition to a license or permit. ↗
41. Haw. Rev. Stat. Ann. §§ 134-2, 134-13. ↗
42. 430 Ill. Comp. Stat. 65/1 – 65/15a, 720 Ill. Comp. Stat. 5/24-3(k). Since 2014, Illinois has required a seller to contact law enforcement and verify the validity of the purchaser’s permit (called a FOID Card) at the time of the sale. ↗
43. Iowa Code §§ 724.15 – 724.20. ↗
44. Mass. Gen. Laws ch. 140, §§ 121, 129B, 129C, 131, 131A, 131E, 131P. ↗
45. Mich. Comp. Laws §§ 28.422, 28.422a. ↗
46. Neb. Rev. Stat. Ann. §§ 69-2404, 69-2407, 69-2409. ↗
47. N.J. Stat. Ann. § 2C:58-3. ↗
48. N.C. Gen. Stat. §§ 14-402 – 14-404. ↗
49. 430 Ill. Comp. Stat. 65/3, 65/3.1. ↗
50. Or. Rev. Stat. § 166.436. ↗
51. Va. Code Ann. § 54.1-4201.2 as amended by 2016 VA H 1386/S 715. ↗

Thanks to the Giffords Center to Prevent Gun Violence for the state data. More information can be found on their website:

[www.lawcenter.giffords.org/gun-laws/policy-areas/background-checks/universal-background-checks/](http://www.lawcenter.giffords.org/gun-laws/policy-areas/background-checks/universal-background-checks/)

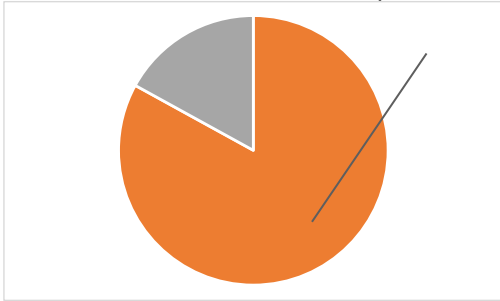
# National Polling: 2016 - 2018

<i>Poll</i>	<i>Date</i>	<i>Question</i>	<i>Percent support/favor</i>
<a href="#">Quinnipiac University</a>	Feb 2018	Do you support or oppose requiring background checks for all gun buyers?	97%
<a href="#">Quinnipiac University</a>	June 2017	Do you support or oppose requiring background checks for all gun buyers?	94%
Washington University American Panel Survey	July 2016	Do you support or oppose requiring background checks for all gun buyers, no matter where the gun is purchased?	84%
<a href="#">CBS News</a>	June 2016	Do you favor or oppose a federal law requiring background checks on all potential gun buyers?	89%
<a href="#">Morning Consult</a>	June 2016	Do you support requiring all sellers to run background checks on anyone who buys a gun?	86%
<a href="#">Public Policy Polling</a>	Mar. 2016	Do you support or oppose requiring a criminal background check of every person who wants to buy a firearm?	84%
<a href="#">CBS News/New York Times</a>	Jan.2016	Do you favor or oppose a federal law requiring background checks on all potential gun buyers?	88%

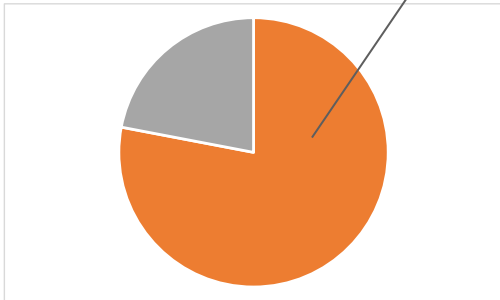
# Tennessee Polling: 2015 - 2018

## MTSU Poll November 11, 2015

83% of Tennesseans **SUPPORT** making private gun sales and sales at gun shows subject to background checks

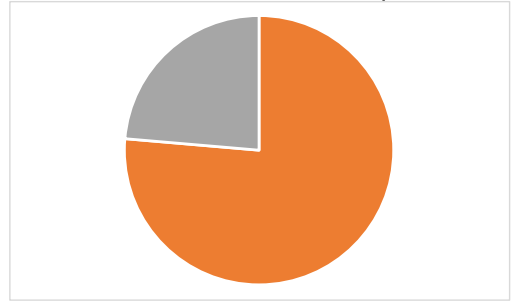


78% of Tennessee gun rights supporters **FAVOR** making private gun sales and sales at gun shows subject to background checks

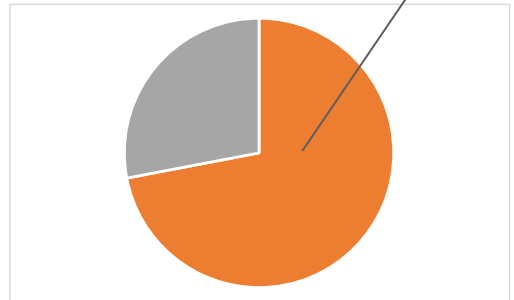


## Vanderbilt University Poll December 4, 2015

84% of Tennesseans **SUPPORT** requiring background checks for ALL gun sales

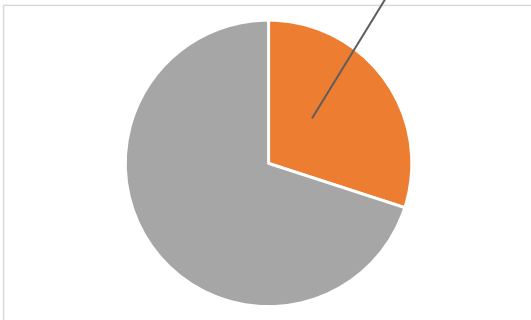


72% of Tennessee Tea Party supporters **SUPPORT** background checks for ALL private sales of guns



## MTSU Polling 2016 - 2018 Support for stricter gun laws

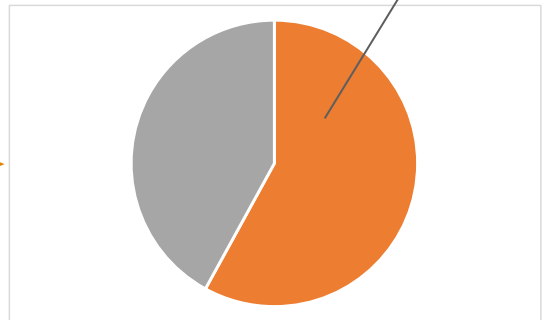
33% of Tennessee support stricter gun laws



+25



58% of Tennessee support stricter gun laws



# Tennessee Background Check Data

When a person in Tennessee purchase a gun from a licensed dealer ( a licensed dealer is an invidal with a federal firearms license, or FFL), the purchaser must undergo a background check. The Tennessee Bureau of Investigation is responsible for processing background checks, Each year, the TBI compiles and publishes this data.

	<b>TOTAL CHECKS PROCESSED</b>	<b>TOTAL FIREARMS PROCESSED</b>	<b>DENIALS</b>	<b>WANTED PERSONS IDENTIFIED</b>
2017	504,540	562,160	20,982	451
2016	541,002	551,305	20,243	551
2015	510,233	566,889	19,880	471
2014	428,017	492,257	17,684	426
2013	418,596	461,635	13,362	308
2012	462,146	509,982	18,023	469
2011	347,792	394,888	13,072	359
2010	298,618	329,965	12,728	313
<b>TOTAL</b>	<b>3,510,944</b>	<b>3,869,081</b>	<b>135,974</b>	<b>3348</b>

Total checks processed indicate the total number of background checks run in a given year.

Total firearms processed indicate the total number of purchased firearms that underwent a background check. If a purchaser is buying multiple firearms in a single sale, they only undergo one background check. This is why the number of firearms processed is greater than the number of background checks processed

Denials indicate sales that were denied due to the purchaser not being able to successfully pass a background check. While some denials may be overturned on appeal, the vast majority are upheld.

In some cases, a person attempting to person who is wanted by law enforcement may attempt to purchase a firearm. When this happens, the licensed gun dealer notifies the authorities.

Between 2010 and 2017, nearly 136,000 prohibited purchasers were prevented from legally obtaining a firearm. Most of these individuals were domestic abusers, felons, had been adjudicated by a court as being mentally ill. In a state where background checks are not required, it is very easy for those prohibited purchasers to simply log on to a website like Armslist.com and arrange a sale online. Others may have simply gone to a gun show and purchased a firearm from a seller who is not a licensed dealer, while others may just log into a Facebook group or find a seller through other online or print publications.

# Major Cities Chiefs calls for universal background checks on all gun sales

Members of the association recently gathered in Nashville, Tennessee to consider measures to prevent gun violence in wake of recent mass shootings

Jun 8, 2018

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By PoliceOne Staff

WASHINGTON — The Major Cities Chiefs Association recently released an updated and expanded Firearms Violence Policy in light of mass shootings across the country.

The association [announced on Wednesday](#) that police chiefs recently gathered in Nashville, Tennessee to consider measures to prevent gun violence in wake of shootings in [Florida](#) and [Texas](#). After a vote, the chiefs adopted new policy statement that includes calling on Congress to:

- Adopt a Universal Background Check for all gun sales and transfers;
- Expand screening for prohibited buyers to include persons with violent mental health history;
- Seek “Red Flag” measures to prevent guns from reaching persons who threaten violence and murder; and
- Urge legislation that permits court orders barring gun purchases in domestic violence cases.

The association said the new policy “reflects the lessons learned” in recent mass shootings and pleas from parents and youth from Marjory Stoneman Douglas High School, where 17 people were killed in a shooting in February.

“As first responders, we have seen the toll that firearms violence takes on our communities and it is time that we as a Nation take the necessary steps to reduce the risk of such tragic events,” said J. Thomas Manger, Major Cities Chiefs Association President and Montgomery County Police Chief. “Reform to this system is overdue and we must all play a role in keeping firearms off our streets and out of our schools.”

The association, which is comprised of chiefs and sheriffs representing the largest cities in the U.S. and Canada, has been “a strong advocate for sensible gun policy for many years.”

To see the association’s full updated and expanded policy statements, see below:

[060618 Mcca Press Release Firearms Policy](#) by [Ed Praetorian](#) on Scribd



## **NEWS FROM THE MAJOR CITIES CHIEFS**

FOR IMMEDIATE RELEASE

CONTACT: Rick Myers  
Executive Director  
Major Cities Chiefs Association  
719-325-6665

### **Major Cities Chiefs Release Firearms Violence Policy**

**WASHINGTON, June 6, 2018** – On behalf of the largest law enforcement agencies in the Nation, Major Cities Chiefs Association President and Montgomery County Police Chief J. Thomas Manger issued a statement today announcing the release of an updated and expanded Firearms Violence Policy. Chiefs of Police gathered in Nashville, TN, and considered measures to prevent gun violence seen in recent cases in Florida, Texas, and throughout the Nation.

Adopted by a vote of Chiefs at their meeting, the new policy statement includes calling on Congress to:

- Adopt a Universal Background Check for all gun sales and transfers;
- Expand screening for prohibited buyers to include persons with violent mental health history;
- Seek “Red Flag” measures to prevent guns from reaching persons who threaten violence and murder; and
- Urge legislation that permits court orders barring gun purchases in domestic violence cases.

The new policy reflects lessons learned from recent tragic gun murders and pleas of both parents and youth from Marjory Stoneman High School, in Parkland, Florida, who attended the Chiefs’ conference.

Chief Manger said: “As first responders, we have seen the toll that firearms violence takes on our communities and it is time that we as a Nation take the necessary steps to reduce the risk of such tragic events. Reform to this system is overdue and we must all play a role in keeping firearms off our streets and out of our schools.”

Houston Police Chief Art Acevedo said: “The Major Cities Chiefs Association joins with those we are sworn to protect in our commitment to reform that will reduce the threat of gun violence in America, and we will use the strength of our nationwide membership to move these important proposals forward.”

Miami-Dade Police Director Juan Perez said: “As representatives of the largest urban areas in the Nation, where gun violence takes the highest toll, we have seen first-hand the dangers that firearms pose to our cities and urge Congress to do everything it can to eliminate the incalculable risk that these firearms pose to our entire society.”

###



## **Firearms Violence Policy**

Adopted by Membership Vote on May 30, 2018

*The Major Cities Chiefs Association has been a strong advocate for sensible gun policy for many years and has taken these positions on key issues.*

### **Legislative Positions**

- Adopt Universal Background Checks for all gun sales and close both gun show and internet loopholes
- Strengthen NICS definitions of prohibited purchasers to cover all appropriate domestic violence cases, with strict judicial procedures for appeal and reinstatement
- Support “Red Flag” legislation and regulations to preclude gun purchases by mentally disturbed persons with histories of violent behavior
- Ban “bump-stock” devices that replicate fully automatic weapons fire
- Maintain ATF regulations and restrictions regarding silencers
- Reinstate the assault weapons ban and encourage stiffer penalties for illegal guns
- Ban high capacity magazines (10+ rounds)
- Ban internet ammo sales, require in-person transactions, records of sales and licensing of ammo vendors
- Oppose legislation that would require States to recognize any and all concealed carry permits
- Oppose legislation that further erodes ATF authority
- Prevent known terrorists from purchasing firearms and/or ammunition

### **Policy Statements**

- Establish a strong system for universal background checks to cover all firearms purchases, with no exceptions.
- Strengthen the national criminal instant background check system. The background check system does not have complete data and measures should be undertaken to ensure comprehensive reporting. Mental health information, for example, is inadequate, inconsistent and incomplete. The NICS system must be improved.
- Encourage aggressive federal prosecution of violent offenders using guns. Conviction in Federal Court generally results in stronger sanctions, removes the offenders from the streets and serves as a deterrent.
- Encourage mandatory reporting of all purchases, transfers and stolen firearms. This measure would assist law enforcement agencies with identification, criminal investigations and recovery of stolen firearms.
- Establish harsher penalties and aggressively prosecute straw purchasers, who are responsible for putting a substantial number of guns used in criminal acts. More aggressive prosecution with strong penalties would hold them accountable and act as a deterrent.
- Court orders can and should be used to prevent purchase of firearms by persons who pose a threat to public safety.
- Support and strengthen the authorities of ATF, rather than to restrict and handicap enforcement of gun laws.

Major Cities Chiefs is a professional association of Chiefs and Sheriffs representing the largest cities in the United States and Canada. Membership is comprised of Chiefs and Sheriffs of the sixty-nine largest law enforcement agencies in the United States and ten largest in Canada. The Chiefs serve more than 82 million people.

# Semi-Automatic Weapons Without A Background Check Can Be Just A Click Away

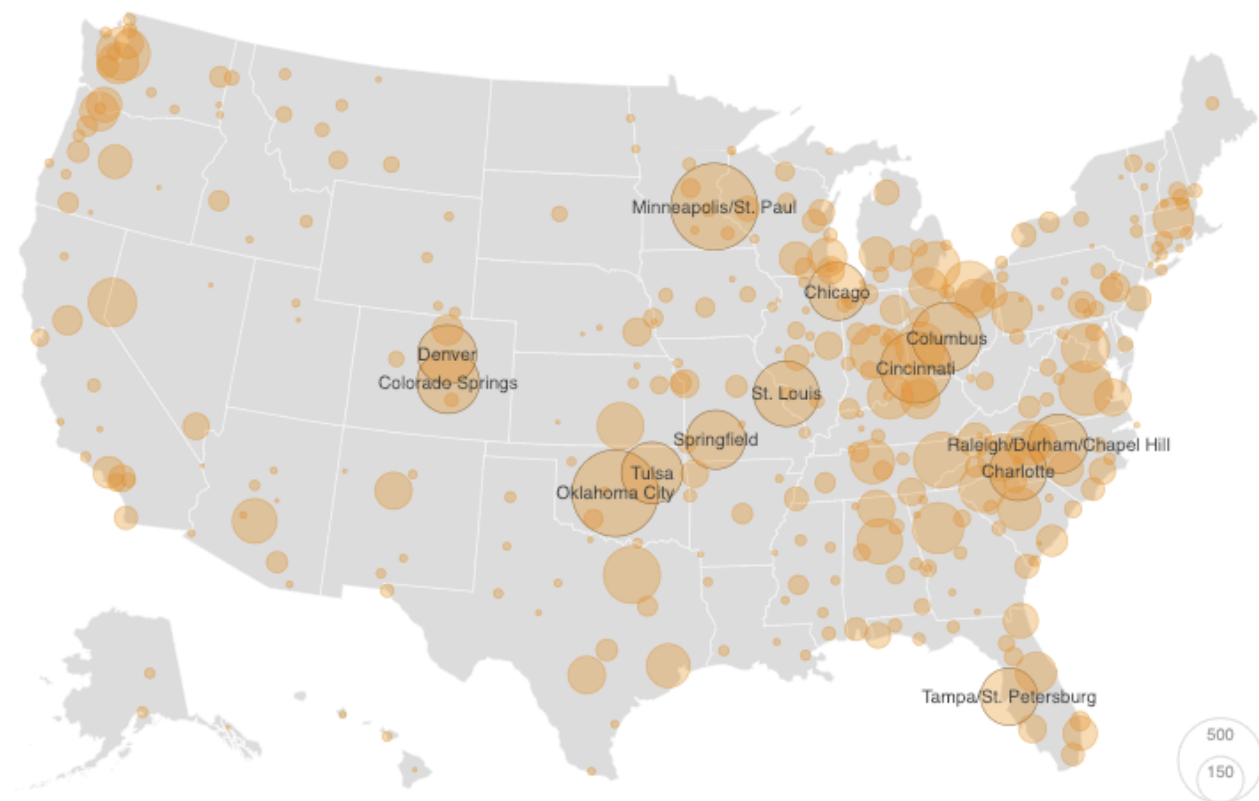
June 17, 2016 2:56 PM ET  
Heard on [All Things Considered](#)

"With recent events and political environment, these weapons will be harder to get a hold of." "This is what your AR-15 dreams it could be when it grows up." "I can meet ... near the FL Mall in Orlando or any other time." "Cash is king."

These classified advertisements for semi-automatic weapons were listed this week on [Armslist](#), a website where anyone can advertise a firearm they'd like to sell, and anyone can contact a seller with an offer to buy. The site is legal. But there's no way to know whether buyers and sellers who meet through Armslist are following federal, state or local background check rules.

## Firearm Listings By Major City, Region On 'Craigslist For Guns'

Of the 15,500 unique listings on Armslist from June 12-15, 2016, 90 percent were associated with specific cities or regions. **Minneapolis/St. Paul, Minn.**, (526 listings) and **Oklahoma City, Okla.**, (521) had the most listings. At the state level, **Ohio** (1,514) and **North Carolina** (1,178) had the most total listings.



Source: NPR analysis of listings on [Armslist.com](#) from June 12-15, 2016

Credit: David Eads, Juan Elosua, Alyson Hurt and Brittany Mayes/NPR



We wanted to see how many semi-automatic firearms — defined here as handguns and rifles able to rapidly fire a large number of bullets, one shot per trigger pull, without having to reload — can be currently found on Armslist, and how quickly new listings appear. This provides a window into the difficulty of regulating access to a type of weapon frequently used in mass shootings.

Omar Mateen, the Orlando mass shooter, [used semi-automatic weapons](#). So did the Sandy Hook Elementary School shooter, the San Bernardino killers, and at least 70 percent of shooters listed in a [database of all mass shootings in America](#) since 1982 compiled by *Mother Jones*.

Our data analysis shows that semiautomatic weapons comprised at least 1 in 4 firearms listed on Armslist in the days following the Orlando shootings.

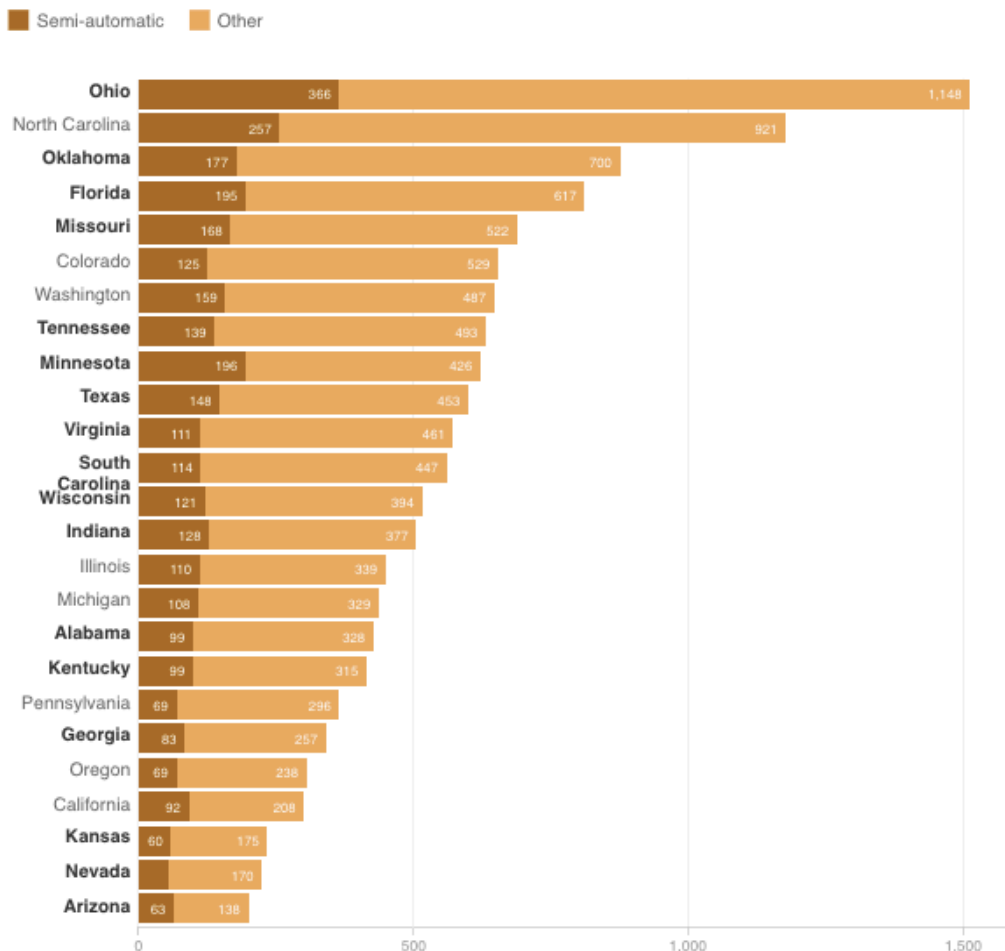
Those shooters acquired their firearms in a variety of ways, and there's no evidence that any of them used Armslist. But this site, and others like it, are coming [under increased scrutiny](#) by law enforcement, gun control advocates, and researchers as debate over access to these kinds of weapons heats up.

In October, New York City's Department of Consumer Affairs subpoenaed Armslist for transaction and advertising records. "Through this investigation into Armslist, DCA is stepping up and doing its part to keep our city safer for every New Yorker — civilians and officers alike," NYC Mayor Bill de Blasio [said at the time](#).

We analyzed data on all firearms currently advertised at Armslist, and found that in the four days following the mass shooting in Orlando — from Sunday, June 12, through Wednesday, June 15 — 15,500 unique new listings for all types of firearms were posted to the site; 3,625 — or about 1 in 4 — were listed as semi-automatic weapons by the seller; more than 2,000 firearms were not categorized by weapon type.

### Ohio, N.C. Have Greatest Number Of Firearms For Sale On Armslist.com

**Bolded states do not require background checks for private gun purchases.** Other states require background checks for some or all private purchases, or require buyers to have permits that require a background check. States shown had 200 or more listings on Armslist from June 12-15, 2016.



## Notes

— Of the 15,500 unique listings analyzed, 2,756 were uncategorized, some of which may be semi-automatic.  
— According to an analysis of state laws by the [Law Center to Prevent Gun Violence](#): “Eight states (California, Colorado, Connecticut, Delaware, New York, Oregon, Rhode Island, Washington State) and D.C. require universal background checks at the point of sale for all transfers of all classes of firearms, including purchases from unlicensed sellers; Maryland and Pennsylvania laws do the same, but are limited to handguns. Four states (Hawaii, Illinois, Massachusetts and New Jersey) require any firearm purchaser, including a purchaser from an unlicensed seller, to obtain a permit issued after a background check, and four more states (Iowa, Michigan, Nebraska and North Carolina) do the same only for handguns. Illinois also requires a background check whenever a firearm is sold at a gun show.”  
*Source: NPR analysis of listings on [Armslist.com](#) from June 12-15, 2016; [Law Center to Prevent Gun Violence](#)*

Armslist, often described as "the Craigslist for guns," doesn't vet sales arranged through its website, and its existence is legal. Its [terms of use](#) say users have to follow all laws, federal or otherwise, and that it's "the sole responsibility of the buyer and seller to conduct safe and legal transactions."

We tried to reach Armslist for response to this story but did not hear back.

There's no federal law requiring a private gun owner to run a background check before selling someone a gun. At least [18 states \(and the District of Columbia\)](#) have their own laws for private firearms sales, and some require background checks in some cases. So do some cities. But — and more on this in a bit — there's evidence that not all private buyers and sellers follow the rules. Illegal sales happen, and currently, there's no way to stop them.

Armslist isn't the only site of its kind, though it is considered to be the biggest and most popular. All ads are listed in the U.S. But there's no way of knowing exactly how many sales are arranged through sites like Armslist each year. "We aren't able to track those," says Corey Ray, a spokesman at the Bureau of Alcohol, Tobacco, Firearms and Explosives.

Gun sales are tracked through applications for background checks, but since private sellers don't have to run background checks, they can't be counted that way. Under federal law, private sellers can't sell to someone they know — or someone whom they suspect — wouldn't pass a background check, but they don't have to verify it either way. And unlike federally licensed dealers, like gun shops, they don't have to keep sales records or ask to see permits, either.

In October, Harvard researchers surveyed 2,000 gun owners and [found](#) that roughly 40 percent got their most recent gun without submitting to a background check. That finding lines up with an [earlier survey](#) from 1994.

Our Armslist analysis showed that, on average, about 3,800 new ads were posted on the site each day since the mass shooting in Orlando. On average, 900 of those each day were advertised as semi-automatics. It should be noted that gun sales [tend to rise](#) immediately after mass shootings, so this may be higher than usual. But a 2013 *New York Times* analysis of three months of listings [estimated](#) that 20,000 new ads were posted on the site each week.

Gun shops and other vendors "[engaged in the business](#)" of selling firearms — meaning they have to run background checks — can also advertise through Armslist. But in our analysis, 75 percent of all sellers were listed as "private."

It should be noted that one investigation into Armslist [found](#) that nearly 30 percent of its private gun ads were listed by "high-volume" sellers, i.e. people who seemed to be "engaged in the business" of selling firearms but operating without a license.

So, who buys firearms at sites like Armslist? It's impossible to know for sure, since Armslist doesn't require users to create an account through the site or divulge any personal information to post ads, browse listings, and contact other users. In our analysis, 2,634 listings — 17 percent — were created by users who haven't registered on the site (though registered users don't have to divulge personal information, either).

There are lots of reasons someone might look for a gun through Armslist: to save money, to hunt for hard-to-find models, to buy directly from the current owner. These sites can also appeal to people who might have a hard time legally acquiring a weapon at a gun store, or even through online gun retailers like [Grab a Gun](#) or auction sites like [GunBroker](#) — all required to run background checks.

On its website, Grab a Gun [details](#) the six-step process all buyers have to go through to buy a gun there.

## BUYING A GUN ONLINE - THE ORDERING PROCESS EXPLAINED!



Grab a Gun/Screen shot by NPR

But using Armslist, sellers and buyers don't have to go through this process. As Alex Yablon at the investigative gun news site *The Trace*, which aims to reduce gun violence, [puts it](#), "If you think of online gun stores as being like Amazon and online gun auctions as like eBay, then sales arranged online but conducted in person are like Craigslist. And like transactions arranged on Craigslist, they are essentially beyond regulation."

Of course, most people using Armslist and other sites like it are there to purchase guns legally, and intend to use their guns legally and responsibly. Some of the semi-automatic weapons currently listed on Armslist wouldn't be very useful in combat or an assault situation, and are valued mostly by collectors and hobbyists.

Our examination of Armslist listings found a number of sellers who say they will only complete the sale at an "FFL" — a federally licensed dealer, usually a gun shop, where the buyer's background check can be run on the spot.

"Will only meet at local FFL to complete transfer. No hand to hand transactions will be done," writes one seller advertising a .223/5.56 caliber Colt AR-15. Some sellers refuse to ship items, while others stipulate they'll only ship to licensed dealers. Others say they will need to see the buyer's permit to purchase or carry before making a sale.

But other listings are far more relaxed — or more desperate.

"I will travel very far to met [sic]. Asking \$275 or OBO. Really looking to selling [sic] considering any serious offer," reads one current listing for a semi-automatic rifle.

"Forsale [sic] ar-15 300 blackout in good condition need to get rid of it to pay bill 750 obo," reads another.

A 2013 [investigation](#) by Mayors Against Illegal Guns found that 3 percent of prospective buyers on Armslist had a criminal record that could have disqualified them from buying a gun.

That year, the *New York Times* [traced](#) one "handgun wanted" listing on the site back to a prospective buyer with "a pair of felony convictions for burglary and another for motor vehicle theft, as well as a misdemeanor domestic violence conviction — all of which bar him from having guns." This January, *The Guardian* [found](#) Armslist users willing to sell without a background check.

In its Terms of Use, Armslist states that buyers and sellers are responsible for ensuring that all transactions facilitated through the site are legal. It also lists the main phone number and website for the Bureau of Alcohol, Tobacco, Firearms and Explosives, for those who need to brush up on the rules.

But during a 2011 NYPD [undercover operation](#) of Armslist and similar sites, in which investigators pretended to be buyers who stated they couldn't pass a background check, 62 percent of sellers they contacted said they were willing to sell them a gun anyway.

A handful of sales have ended in death. As Stephanie Mencimer at *Mother Jones* [reported](#) in 2013, an NYPD investigation found that guns used in four murders, and one suicide, could be traced back to Armslist transactions.

And in 2012, a Wisconsin man named Radcliffe Haughton bought a pistol in a McDonald's parking lot from a seller he had met on Armslist. He had [posted a "gun wanted" listing on Armslist](#) three days after his wife acquired a restraining order against him for domestic violence — making it illegal for him to purchase a gun. He wrote:

"Looking to buy ASAP. Prefer full size, any caliber. Email ASAP. I constantly check my emails. Hoping it has a high mag capacity with the handgun, ammo, accessories. I am a serious buyer. Email me ASAP. Have cash now and looking to buy now. I am mobile."

The next day, Haughton murdered his wife and two of her co-workers before killing himself.

In January, President Obama announced a new executive action on guns, saying he wants to close a "loophole" that makes it easy to buy guns online without a background check. But this plan [would not affect private sellers at sites like Armslist](#). It calls for stronger enforcement of existing laws requiring anyone "engaged in the business" of selling firearms to run background checks. But for an ordinary person looking to quickly trade a gun for cash, nothing would change under this plan.

Armslist released a [statement](#) following Obama's announcement, saying, "Many, if not most, private sellers want to do background checks. Oftentimes, the reason they do not is because under the current system, their only recourse is to physically go to a licensed dealer and pay the dealer a fee to do the check. This is costly and burdensome." The statement recommended making it possible for individuals to run background checks themselves, saying that "would be a force multiplier and have a meaningful impact in reducing crime." (ATF spokesman Corey Ray said that proposal brings up a number of security and privacy issues.)

Much has been made of the fact that Orlando shooter Omar Mateen, who purchased both of the weapons he used in his deadly rampage legally, was twice investigated by the FBI for suspected terrorist ties and statements, but [didn't end up on the terrorist watchlist](#). Even if he had, Mateen could still have legally purchased his guns; terrorism suspects aren't prohibited from owning firearms. Now, some typically on opposite sides of the gun control debate are [pushing](#) to change that.

But even if Mateen were on the watchlist, and even if known terrorists *were* barred from purchasing weapons from licensed dealers, unregulated private sales — made easier through online marketplaces like Armslist — still could have enabled him to buy his weapons.

*NPR editor Tasneem Raja formerly worked at Mother Jones on the mass shootings project. NPR data analysis by David Eads, Juan Elosua and Brittany Mayes.*

# Chattanooga Shooting Highlights Online Gun Sales

By Ashby Jones and Cameron McWhirter  
July 20, 2015

A friend's claim that the man accused of opening fire last week on two military facilities in Tennessee (<http://www.wsj.com/articles/police-pursue-gunman-in-chattanooga-tenn-1437065542>) bought powerful guns over the Internet has renewed attention to online firearm bazaars, a lightly regulated world where buyers and sellers can set up purchases without background checks.

Over the weekend, a friend of Mohammod Youssuf Abdulazeez, the man authorities say shot and killed four U.S. Marines and one sailor, said that Mr. Abdulazeez (<http://www.wsj.com/articles/chattanooga-shooting-suspect-showed-signs-of-trouble-1437358662>) had long been fascinated with guns **and within the last year or so had purchased weapons legally, using the website Armslist.**

"He's been like that ever since he was a kid," the friend said. "He always talked about guns."

Mr. Abdulazeez, who was killed by police on Thursday, purchased an AK-47 rifle, an AR-15 rifle, a Saiga-12 shotgun and a 9mm handgun through the site, according to the friend.

So far, authorities have said little about what weapons the gunman used and how they were obtained. Ed Reinhold, Federal Bureau of Investigation special agent in charge of the investigation, told reporters on Friday that Mr. Abdulazeez had two long guns and one handgun in his possession. Agents were investigating how he got the guns, he said. "Some of the weapons were purchased legally and some of them may not have been," Mr. Reinhold said.

Mr. Abdulazeez was arrested in April for driving under the influence, and had a court date set for later this month. But because he hadn't admitted to illegal behavior or been convicted of any crime, legal experts suspect the incident wouldn't have raised a red flag on a background check.

"For all we know, [Mr. Abdulazeez] passed a background check," said Jennifer Baker, a spokeswoman for the National Rifle Association. "Just because he may have bought through a website doesn't mean anything at all."

Armslist, owned by a closely held company registered in Oklahoma, didn't respond to requests for comment. On its site, Armslist offers a disclaimer that it "does not become involved in any transactions between parties. Its users must agree that they will not break the law."

The shooting prompted gun-control advocates to renew their calls for stepped-up oversight of Armslist and similar sites. (<http://www.gunbroker.com>) The sites typically don't sell guns directly to consumers but act as intermediaries, matching buyers and sellers.

"Criminals looking for guns know that if they're unlikely to pass a background check, these sites are a good place to turn," said Elizabeth Avore, legal director at Everytown for Gun Safety, a gun-control organization backed by former New York Mayor Michael Bloomberg (<http://topics.wsj.com/person/B/Michael-Bloomberg/4365>).

Gun-rights groups say the emphasis on background checks is misplaced. They are ineffective and unreliable, they say, largely because the mental-health records provided by states to the federal system that gun dealers use, the National Instant Criminal Background Check System, or NICS, is far from complete.

States are encouraged to give the FBI information on those deemed mentally unfit to own a gun. But the system is voluntary, and many states effectively decline to participate.

Since the 2012 massacre at an elementary school in Newtown, Conn., gun-control groups have pressed both Congress and state governments to subject gun buyers to background checks for private purchases made at gun shows or through online sites.

A 2013 federal bill that would have expanded background checks to sales online and at gun shows fell six votes shy of the 60 needed to avoid a filibuster and advance in the Senate.

But since Newtown, several states changed their requirements to subject all private sales at shows or via websites to the same mental-health and criminal checks required by federal law at retail outlets nationwide. Eighteen states and Washington, D.C., now require background checks for many private sales at gun shows and online, according to Everytown.

**A 2013 study by Mayors Against Illegal Guns found that one in 30 would-be buyers on Armslist have criminal records that should bar them from owning guns, a far higher percentage than those denied guns after a background check.**

**Furthermore, Armslist and other online marketplaces are made up of both private sellers—who aren't required to conduct background checks—and federally licensed dealers, which are.**

Some of the more notorious killers in recent memory, like Jared Loughner (<http://topics.wsj.com/person/L/Jared-Loughner/6312>), who critically injured then-U. S. Rep. Gabrielle Giffords (<http://topics.wsj.com/person/G/Gabrielle-Giffords/6311>) in 2011 and killed six people, and the man behind the 2007 massacre at Virginia Tech University, Seung-Hui Cho, purchased guns after passing background checks.

In the mass shooting at a Charleston, S.C., church in June, alleged gunman Dylann Roof was able to buy the weapon due to a series of errors, including a clerical mistake made when he was arrested on drug charges in February, which otherwise should have blocked the purchase.

Armslist was founded by Jon Gibbon and Brian Mancini, who met at the Air Force Academy. In interviews, Mr. Gibbon has said he came up with the idea in 2007 after hearing that Craigslist banned gun-related ads.

In 2012, the Brady Center to Prevent Gun Violence sued Armslist on behalf of the estate of a woman killed with a handgun illegally purchased through the site, alleging it facilitated the illegal sale. A court dismissed the case in 2013, finding Armslist wasn't obligated to control a purchaser's behavior. Last year, the Seventh U.S. Circuit Court of Appeals upheld that ruling.

In Amman, where Mr. Abdulazeez had spent time with maternal relatives last year, his name wasn't known to security officials after an initial investigation, and also was unfamiliar to some known sympathizers of radical Islamist movements in the region.

Still, Jordanian security services have interrogated at least three family members of the alleged shooter in the hopes of learning more about his time in Jordan, an attorney familiar with the case said Monday.

FBI agents have found past writings—some more than a year old—by Mr. Abdulazeez indicating general unhappiness with U.S. policy toward the Middle East. But people close to the investigation said they were rambling, unfocused opinions that don't stand out on their own as an explanation for a violent attack.

The tone of some of the writings, however, was depressed and suicidal, these people said.

Agents also reviewed a text Mr. Abdulazeez sent to a friend with a link to a line from the Koran, but the exchange is open to multiple interpretations and on its own doesn't lead to any conclusions, these people said.

Overall, investigators are is still trying to draw a portrait of Mr. Abdulazeez's path to violence. So far that work hasn't uncovered a specific cause, group or issue that inspired Mr. Abdulazeez, these people said.

—Devlin Barrett and Tamer El-Ghobashy contributed to this article.

Archives | 1991

## Why I'm for the Brady Bill

By RONALD REAGAN MARCH 29, 1991

About the Archive

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"Anniversary" is a word we usually associate with happy events that we like to remember: birthdays, weddings, the first job. March 30, however, marks an anniversary I would just as soon forget, but cannot.

It was on that day 10 years ago that a deranged young man standing among reporters and photographers shot a policeman, a Secret Service agent, my press secretary and me on a Washington sidewalk.

I was lucky. The bullet that hit me bounced off a rib and lodged in my lung, an inch from my heart. It was a very close call. Twice they could not find my pulse. But the bullet's missing my heart, the skill of the doctors and nurses at George Washington University Hospital and the steadfast support of my wife, Nancy, saved my life.

Jim Brady, my press secretary, who was standing next to me, wasn't as lucky. A bullet entered the left side of his forehead, near his eye, and passed through the right side of his brain before it exited. The skills of the George Washington University medical team, plus his amazing determination and the grit and spirit of his wife, Sarah, pulled Jim through. His recovery has been remarkable, but he still lives with physical pain every day and must spend much of his time in a wheelchair.

Thomas Delahanty, a Washington police officer, took a bullet in his neck. It ricocheted off his spinal cord. Nerve damage to his left arm forced his retirement in November 1981.

Tim McCarthy, a Secret Service agent, was shot in the chest and suffered a lacerated liver. He recovered and returned to duty.

Still, four lives were changed forever, and all by a Saturday-night special -- a cheaply made .22 caliber pistol -- purchased in a Dallas pawnshop by a young man with a history of mental disturbance.

This nightmare might never have happened if legislation that is before Congress now -- the Brady bill -- had been law back in 1981.

Named for Jim Brady, this legislation would establish a national seven-day waiting period before a handgun purchaser could take delivery. It would allow local law enforcement officials to do background checks for criminal records or known histories of mental disturbances. Those with such records would be prohibited from buying the handguns.

While there has been a Federal law on the books for more than 20 years that prohibits the sale of firearms to felons, fugitives, drug addicts and the mentally ill, it has no enforcement mechanism and basically works on the honor system, with the purchaser filling out a statement that the gun dealer sticks in a drawer.

The Brady bill would require the handgun dealer to provide a copy of the prospective purchaser's sworn statement to local law enforcement authorities so that background checks could be made. Based upon the evidence in states that already have handgun purchase waiting periods, this bill -- on a nationwide scale -- can't help but stop thousands of illegal handgun purchases.

And, since many handguns are acquired in the heat of passion (to settle a quarrel, for example) or at times of depression brought on by potential suicide, the Brady bill would provide a cooling-off period that would certainly have the effect of reducing the number of handgun deaths.

Critics claim that "waiting period" legislation in the states that have it doesn't work, that criminals just go to nearby states that lack such laws to buy their weapons. True enough, and all the more reason to have a Federal law that fills the gaps. While the Brady bill would not apply to states that already have waiting periods of at least seven days or that already require background checks, it would automatically cover the states that don't. The effect would be a uniform standard across the country.

Even with the current gaps among states, those that have waiting periods report some success. California, which has a 15-day waiting period that I supported and signed into law while Governor, stopped nearly 1,800 prohibited handgun sales in 1989. New Jersey has had a permit-to-purchase system for more than two decades. During that time, according to the state police, more than 10,000 convicted felons have been caught trying to buy handguns.



Every year, an average of 9,200 Americans are murdered by handguns, according to Department of Justice statistics. This does not include suicides or the tens of thousands of robberies, rapes and assaults committed with handguns.

This level of violence must be stopped. Sarah and Jim Brady are working hard to do that, and I say more power to them. If the passage of the Brady bill were to result in a reduction of only 10 or 15 percent of those numbers (and it could be a good deal greater), it would be well worth making it the law of the land.

And there would be a lot fewer families facing anniversaries such as the Bradys, Delahantys, McCarthys and Reagans face every March 30.

The TimesMachine article viewer is included with your New York Times subscription.

Ronald Reagan, in announcing support for the Brady bill yesterday, reminded his audience he is a member of the National Rifle Association.

A version of this op-ed appears in print on March 29, 1991, on Page A00023 of the National edition with the headline: Why I'm for the Brady Bill.

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# STRONGER GUN LAWS = LESS GUN DEATH

## Gun Deaths Rates and Gun Law Grades

States with stronger gun laws tend to have lower gun death rates. In its grading system, The Giffords Law Center to Prevent Gun Violence gives states with strong gun laws an 'A' while the weakest are given an 'F.' Both the gun death rates and the grades are from 2016, the most recent year gun death data is available.

