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## State Gun Control Laws

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STATE GUN CONTROL LAWS

by

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B.A. Lakeland College, 2016

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## **ABSTRACT**

The gun control debate has been placed at the forefront of American politics, as some of the most deadly mass shootings have happened in the last year. Much of the research on the effectiveness of gun control laws have shown inconsistent results. The purpose of the study is to compare states with stricter gun laws to states with more lax laws. This in turn will allow policy makers to identify effective strategies to implement in states that are lacking effective laws.

The study examined state gun laws for all 50 states using the Gifford's Law Center to Prevent Gun Violence. The laws that were examined in this study were background checks, license requirements, mental health reporting, wait periods, concealed carry requirements, open carry, disarming prohibited people, and disarming domestic abusers. The states were then given a letter grade based on the laws that they have implemented. The results show that many states have failed to implement any sort of laws that would take guns out of the hands or prevent prohibited people from accessing guns. This study helps identify what laws each state has implemented to control guns throughout their state. This is important because states that are lacking laws in any area can identify and implement effective strategies that other states have put in place.

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## **CHAPTER ONE: INTRODUCTION**

In a 17 month period, America witnessed three of the five most deadly mass murder shootings in its history (Shapiro, 2017). On June 12th, 2016, 49 people were killed and 58 others were wounded in a heinous attack at the Pulse night club in Orlando, Florida. Sixteen months later a shooter would open fire on a crowd of people from his hotel room that overlooked a country music concert in Las Vegas, Nevada, leaving 58 people dead and 515 more injured in the deadliest shooting in American history. Just over a month later, 26 people were killed and another 20 wounded during a shooting at a Baptist church in Sutherland Springs, Texas. With mass shooting occurring more frequently (Federal Bureau of Investigation, 2013), the gun control debate has become virtually impossible to ignore.

Former President Barack Obama declared a national crisis in a New York Times piece on gun violence in America (Obama, 2016). He went on to urge American citizens to do their part when it comes to election time by voting for representatives who support common sense gun laws. Current President, Donald Trump, took a much different approach in the wake of the mass shooting in Texas, as the President cast blame away from guns and instead blamed mental illness for the attack (Baker, 2017). Much like our past two presidents, gun owners and non-gun owners disagree on a majority of policy implications (Parker et al., 2017). However, the two groups are largely in favor of stricter background checks. Yet, Congress has failed to pass any gun control laws in the last 7 years, as over 100 proposals have been denied (Shabad, 2016).

Despite the fact that Congress continues to fail to address gun violence in America, research has continuously shown that higher gun ownership rates lead to more homicides (Duggan, 2001; Fleeger et al. 2014; Grinshteyn & Hemenway, 2016; Hoskins, 2001; Miller,



Azrael, & Hemmenway, 2002; Miller et al., 2007; Price et al. 2004; Siegel, Ross, & King III, 2013). United States (U.S.) citizens possess nearly 50 percent of the world's privately owned guns (Small Arms Survey, 2007) that may help explain why America continues to have the highest homicide rate of any developed country (Grinshteyn & Hemenway, 2016). With such loose federal gun laws, research has shown that states that fail to adopt progressive firearm laws have higher homicide rates (Fleegler et al., 2014; Kwon & Baack, 2005; Violence Policy Center, 2017). No matter what side of the gun control debate one is on, it is important to understand the effectiveness of gun control laws as it will allow people to accurately assess the impact that their state laws have on their safety.

The purpose of this research is to compare the strictness of gun control laws that have been implemented in each state within the U.S. The laws that will be examined in the study are background checks, concealed carry licensing, and removing firearms from prohibited people. Much of the research on gun control laws has produced inconsistent results (Kwon & Baack, 2005; Siegel et al., 2017). Many scholars have found that gun laws only produce a moderate to no effect on homicides (Kleck & Patterson, 1993; Kleck & McElrath, 1991; Kwon et al., 1997; Lanza, 2014; Ludwig & Cook, 2000; Price et al., 2004). Other studies have found that state level gun laws greatly affect the number of homicides (Fleegler et al., 2014; Kwon & Baack, 2005; Violence Policy Center, 2017). The ultimate goal of this research is to examine state gun laws throughout the U.S. This will give policy makers the ability to identify effective practices that are being used to control guns. Effective approaches can then be adopted by states that do little to address gun control.

## CHAPTER TWO: LITERATURE REVIEW

### Gun Ownership

Since reaching its peak in the 1970s, household gun ownership in the United States has continued to decline (Smith & Son, 2015). Recent research indicates that around 30 percent of Americans keep a gun in their household (Kalesan, 2016; Parker et al., 2017; Smith & Son, 2015), which is lower than the 53.7 percent of Americans who reported possessing a gun in 1977 during the peak ownership year (Violence Policy Center, 2015). Since 2006 there has been little change in gun ownership rates (Smith & Son, 2015).

Despite the decline in gun ownership, the total number of guns that are privately owned has continued to increase (Turkewitz & Griggs, 2016). Today it is estimated around 265 million guns are circulating around America (Turkewitz & Griggs, 2016), which is up from the 192 million guns that were in possession of private gun owners in 1994 (Cook & Ludwig, 1997; Turkewitz & Griggs, 2016). The United States has more privately owned guns than any other country in the world (Hoskin, 2001), as it is estimated that they own anywhere from 35 to 50 percent of the world's privately owned guns (Small Arms Survey, 2001). The exact number of guns that are privately owned in the United States is not available; only an estimate exists because there is no national registry for firearms.

One of the main reasons for the increase in gun sales is that most gun owners today own multiple firearms (Cook & Ludwig, 1996). A study conducted by the Pew Research Center found that 66 percent of gun owners say that they own multiple firearms (Smith & Son, 2015). Additionally, 29 percent reported that they owned five or more guns (Smith & Son, 2015).

Handguns are also becoming more popular among gun owners (Smith et al., 2017), as they make up an estimated 42 percent of the privately owned guns in America (Smith et al., 2017). Furthermore, handguns account for nearly half of all new gun sales in America (Cook, 1993), which is up from 1970 when handguns accounted for only one third of the gun sales. Smith and Son (2015) conducted a study using the General Social Survey and found that around 70 percent of the people who own a firearm also own some type of handgun. The handgun was also the most commonly owned weapon among the people who only owned one firearm. Recent firearm production trends show that handgun production has increased greatly since 1990 (Smith et al., 2017). These authors also found that pistol production has increased anywhere from 7 to 18 percent depending on the weapon.

One of the main differences in gun ownership is regional, with the Northeast consistently reporting lower rates than the other regions in the U.S. (Kalesan, 2016; Smith & Son, 2015). Only 16 percent of Northeastern adults say they own a gun (Parker et al., 2017). The South had the highest rate of gun ownership with 36 percent reporting they owned a gun, followed by the Midwest at 32 percent and then the West at 31 percent (Parker et al., 2017). The main difference in gun ownership rates across regions is due to the percentage of women that carry a firearm (Bankston et al., 1990; Young, 1986). Bankston et al. (1990) found that 37 percent of women carry in the south, compared to 22.4 percent in northern states.

### Gun Homicide

According to the Federal Bureau of Investigation (FBI) (2016), there were around 16,459 murders in the United States in 2016. The homicide rate has increased 8.4 percent since 2015. Despite being used in only 4 percent of all crimes (Zimring, 2004), guns account for 70 percent

of all criminal homicides (Federal Bureau of Investigation, 2015; Zimring, 2004). Specifically, handguns are used in the vast majority of gun related homicides (Planty & Truman, 2013). Smith et al. (2017), suggest that the increased production of large caliber pistols demonstrates that people are buying more lethal guns that are easier to conceal. The more guns are available, the more likely they are to be used in an attack, which results in a greater chance that the victim dies (Hoskin, 2001). When compared to other weapons, guns are 7 times more deadly (Zimring, 2004). This indicates that just having access to a firearm increases the likelihood that a homicide will be successfully executed. This may be because offenders no longer have to have personal contact with their victims (Stroebe, 2016), allowing a person who would otherwise be afraid to commit a violent assault to have the necessary means to successfully act in such a way (Kleck & Hogan, 1999).

Homicide rates are the highest in countries that have more privately owned guns (Hoskin, 2001; Small Arms Survey, 2007). Grinshteyn and Hemenway (2016), compared U.S. homicide rates with 26 other high-income developed countries and discovered that the high homicide rate in America was due to the firearm homicide rate. Americans are 10 times more likely to die due to firearms compared to the 26 other high-income countries. Even states that have the strongest gun prevention laws in America still have higher firearm homicide rates than other industrialized nations (Violence Policy Center, 2017).

Several studies have found that higher gun ownership rates result in higher homicide rates (Duggan, 2001; Fleeger et al. 2014; Grinshteyn & Hemenway, 2016; Hoskins, 2001; Miller, Azrael, & Hemenway, 2002; Miller et al., 2007; Price et al. 2004; Siegel, Ross, & King III, 2013). For instance, Siegel, Ross, and King III (2013) found that every percentage point increase

in gun ownership among the 50 states resulted in a 0.9 percent increase in firearm homicide rates. Additionally, a one standard deviation difference in gun ownership percentage resulted in a 12.9 percent increase in homicide. Gun ownership did not have an impact on non-firearm homicide rates. In a similar study, Siegel et al. (2014) examined how stranger and non-stranger homicides by state were affected by household gun ownership from 1981 until 2010. The authors found no relationship between gun ownership and stranger homicide rates, but did find a significant relationship between gun ownership and non-stranger homicides. One standard deviation increase in gun ownership resulted in a 21.1 percent increase in non-stranger homicides. Miller et al. (2001), studied how gun availability affected unintentional firearm deaths in the 50 US states and found that gun ownership was significantly related to unintentional firearm deaths. In fact, states with the highest gun ownership had 9 times more unintentional firearm deaths than states with the lowest gun ownership.

Several studies have also found that people who keep guns in their home are more likely to be victims of homicide (Dahlberg et al., 2004; Kellerman et al., 1993; Miller et al., 2007; Wiebe, 2003). For example, one study looked at three counties in the U.S. and found that individuals that keep a gun in their home were 2.7 times more likely to be homicide victims than people who do not keep a gun in their home (Kellerman et al., 1993). While Miller et al. (2007), conducted a similar study and found that homicide victimization actually increases by 3.3 percent for every one unit increase in gun ownership. Wiebe (2003) suggests that the increased chance of being a homicide victim may be because guns make it easier for a person to attempt an assault. However, a stronger relationship was found between suicide than homicide for keeping a gun in the house (Dahlberg et al., 2004; Kellerman et al., 1993; Wiebe, 2003).

## Impact of Gun Control Laws

When it comes to gun control laws, there are mixed results on whether the laws that have been implemented actually deter gun violence (Kwon & Baack, 2005; Siegel et al., 2017). Several studies have found that gun laws have a modest to no effect on gun homicide rates (Kleck & Patterson, 1993; Kleck & McElrath, 1991; Kwon et al., 1997; Lanza, 2014; Ludwig & Cook, 2000; Price et al., 2004; Rosengart et al., 2005). For example, Kwon et al. (1997) examined the effectiveness of the gun control laws that states have implemented and found that the effect of gun laws on firearm related deaths is weaker than they have been previously reported. The authors suggested that other factors like socioeconomic status need to be taken into account when examining gun related fatalities. In a more recent study, Lanza (2014) looked at state laws from 2007 to 2010 and found that they only had a modest effect on firearm fatalities. Price et al. (2004) also studied how laws impacted homicide rates by looking at 22 different laws and breaking them down into five categories including crime deterrence, government control, possession, safety, and sale restriction, that were in place in 1999. They found that the laws only accounted for a 10 percent variation in firearm homicide rates. The total number of gun control laws a state has was found to be significant and positively associated with firearm homicide rates, but none of the individual laws from the five categories studied had a significant relationship. Kleck and Patterson (1993), stated that most gun control laws fail to aid in reducing the use of guns in violent crimes, as many laws that have been implemented do not take guns out of the criminal's hands.

On the other hand, several studies have found that state firearm laws have had an impact on the homicide rate (Fleegler et al., 2014; Kwon & Baack, 2005; Violence Policy Center, 2017).

The Violence Policy Center (2017) found that weak gun prevention laws combined with high gun ownership rates resulted in higher homicide rates. Fleegler et al. (2014) conducted a study that used a point system to score and group the states based on the gun laws that they have in place. They found that states with the strongest firearm laws had lower firearm fatalities. Kwon and Baack (2005) conducted a similar study and found that states with the strictest gun laws have anywhere between one and almost six fewer gun fatalities per 100,000 than the states with loose gun laws.

### Background Checks

Ludwig and Cook (2000) specifically examined the Brady Bill three years after it was implemented and found no evidence that indicated that the bill had an impact on reducing homicide rates. The authors suggested that the results may be because the Brady Bill does not apply to the secondary market, like private dealers and gun shows.

Several studies indicate that background checks decrease firearm related deaths because they prevent prohibited people from getting firearms (Brady Campaign to Prevent Gun Violence, 2014; Kalesan et al., 2016; Ruddell & Mays, 2005; Rudolph et al., 2015; Sen & Panjamapirom, 2012). In 1994, the Brady Bill was passed by Congress that mandated all federally licensed dealers to conduct background checks on potential gun buys. The Brady Campaign to Prevent Gun Violence (2014) found that three million people had been prohibited from purchasing firearms since the bill was put into play. However, it is estimated that 40 percent of gun sales still occur without a background check because the private dealers are not required to conduct background checks on potential buyers in many states throughout America. Overall, the Brady Bill has been effective in reducing crime, specifically homicide, as the homicide rate dropped 30

percent from 1993 to 2006 (Brady Campaign to Prevent Gun Violence, 2008). Much of the decline in the homicide rate during that time period is due to the drop in gun homicides. States that required background checks before the Brady Law was implemented had fewer homicides, mainly because fewer guns were purchased without background checks (Sen & Panjamapirom, 2012). The authors also found that additional checks for restraining orders, fugitive status, mental illness and misdemeanors were all significantly related to lower homicide rates. This is important because state laws can vary for what type of background checks are required. In a more recent study, Luca et al. (2017) looked at how the wait period impacted homicides while it was implemented in the Brady Bill. The authors suggest that the wait period was responsible for a 17 percent decrease in firearm homicides, which averaged out to be 39 fewer deaths a year for every U.S. state.

Since the Brady Bill was put into place, some states have implemented a permit to purchase law that requires all potential firearm buyers to complete a background check before purchasing a gun from a federal or private gun dealer (Webster, Crifasi, & Vernick, 2014). Connecticut is one state that implemented a permit to purchase and required potential firearm buyers to complete a safety course that lasted at least 8 hours (Rudolph et al., 2015). During the 10 year study in Connecticut, the permit to purchase law had a significant impact on reducing the homicide rate. The authors used a control group, which consisted of states that did not have a permit to purchase law in place before 1995, to predict how Connecticut's homicide rate would have been if the new law had not been implemented. The permit to purchase law was associated with a reduction of 40 percent in homicide rates, as the law was estimated to be associated with 296 fewer firearm homicides. During this time Connecticut's non-firearm homicide rate trend



resembled similar patterns to the synthetic control group even after the permit to purchase law was enacted.

States that have become more lax with their gun laws regarding background checks have seen an impact in their homicide rates as well. In 2007, Missouri repealed its permit to purchase law for potential handgun buyers that needed to pass a background check to buy a gun from licensed and private gun dealers (Webster, Crifasi, & Vernick, 2014). From 2008 to 2012 Missouri experienced an increase in their homicide rate due to the repeal of the permit to purchase law on handguns. The Webster et al. (2014) study estimated that the permit to purchase law on handguns accounted for 55 to 63 less homicides in Missouri.

#### Concealed Carry

Like other gun laws, concealed carry laws have produced inconsistent results (Siegel et al., 2017). May issue, shall issue, and permit less carry are the three types of concealed carry laws that have been adapted by the 50 states (Siegel et al., 2017). May issue states allow law enforcement agencies to decide if a person should be granted the ability to carry a concealed weapon. This allows law enforcement officials to use discretion when deciding if the person has an adequate reason to carry a gun. In shall issue states, no discretion is used as a person just has to meet the requirements that the state has for obtaining a permit to carry a firearm. Permit less carry states allow anyone to carry a handgun.

Kleck and McElrath (1991) argue that guns actually deter gun crimes because guns reduce the probability of victim injury and the probability of an attack happening. Kleck and Gertz (1995) stated that guns are more likely to be used for self-defense than they are to commit a crime. The authors estimated that guns are used for self-defense anywhere between 2.1 and 2.5

million times a year. However, this estimated number may be high because of false-positive rates that are associated with surveys. There is no way to know exactly how many justifiable self-defense cases there are (Cook et al., 1997). Lott Jr. and Mustard (1997) demonstrated that shall-issue laws regarding handguns actually save lives, as homicides dropped by 8.5 percent in the counties studied. This would mean 1,570 fewer murders in the states that do not have shall-issue laws. Shall-issue laws decreased the overall crime rates among the counties that implemented them, but had a greater impact on violent crimes, which decreased three times more than property crimes.

Several other studies have found that concealed carry laws do not have a statistically significant impact on homicides (Aneja et al., 2011; Hepburn et al., 2004; Rosengart et al., 2005). Rosnegart et al. (2005) found that shall issue laws do not reduce gun homicides, but they may, in fact, increase them. Rosengart's study found that homicides increased by 0.6 percent in states without shall issue laws; a percentage which is significantly lower than the 8.5 percent increase that Lott Jr. and Mustard suggested in 1997.

More recent studies have indicated that concealed carry laws do have an impact on homicides (Ludwig, 1998; Siegel et al., 2017; Zimmerman, 2014). In their 25 year study, Siegel et al. (2017) found that shall issue laws increased a states total homicide rate by 6.5 percent, firearm homicide rate by 8.6 percent, and handgun homicide rate by 10.6 percent when compared to states that had a may issue law. The findings also demonstrated that homicide rates continue to increase overtime as the shall-issue laws had a greater impact on the years 2003 until 2015, during the second half of the study than the years 1991 to 2002. These findings reject the notion that concealed carry provides a deterrence effect to crime.

## Domestic Violence and Gun Laws

Around 13 to 16 percent of homicides in the U.S. are committed by intimate partners (Cambell et al., 2007; Cooper & Smith, 2012; Stockl et al., 2013). Females are particularly at risk, as females homicide victims are most likely to die at the hands of intimate partners (Cambell et al., 2007). Firearms are typically used to commit intimate partner homicides (Campbell et al., 2003; Cooper & Smith, 2012; Violence Policy Center, 2017), with handguns being used in a majority of firearm homicides (Violence Policy Center, 2017). Diez et al. (2017) conducted a study from 1991 to 2015 examining how intimate partner homicides were affected in states that had laws in place requiring the removal of a firearm from a person with a restraining order. The study found that states that have laws that prohibit a person because of a protection order and require a firearm to be surrendered had 14 percent less intimate partner firearm homicides when compared to states with no such laws. The authors suggested that removing firearms from people who have violent tendencies could save lives, especially in intimate partner cases.

## Current Study

As mentioned previously, much of the prior research has shown inconsistencies when it comes to the effectiveness of gun control laws (Kwon & Baack, 2005; Siegel et al., 2017). Many of the studies that do examine gun control laws only take into account one particular law (Kwon & Baack, 2005). In this study, I examine multiple categories of gun laws across all 50 states in the U.S. A comparison can then be made between the states that have implemented stricter gun

laws and the ones that have more lax laws. This will identify the effective strategies that have been implemented by states to control firearms.

## CHAPTER THREE: METHODS

The current study is an analysis of gun laws that each state has in place. The study provides a qualitative look at the impact of gun control laws. This methodology allows for a thorough understanding of the gun laws that each state has implemented to prevent gun violence. First, gun control laws will be examined for each state in the U.S. using Gifford's Law Center to Prevent Gun Violence database. Then the states will be given a ranking of A, B, C, D, F from the Gifford's Law Center to Prevent Gun Violence so that the states with the strictest gun laws can be compared to states with more lax gun laws.

### Qualitative Study

The state gun laws for each of the 50 states were collected from Gifford's Law Center to Prevent Gun Violence (2017), as they have one of the most complete sets of information regarding gun laws in the nation. Their data set has compiled every second amendment legislation and litigation that has been recorded since the Heller v. District of Columbia Supreme Court hearing in 2008. Gifford's Law Center to Prevent Gun Violence is a descriptive database that allows for a complete search of state gun laws for all the 50 U.S. states.

The sections that were analyzed for all 50 states were background checks, licensing of gun owners & purchasers, mental health reporting, private sales, wait periods, concealed weapons permitting, open carrying, disarming prohibited persons, and domestic violence & firearms. Laws pertaining to background checks and reporting can be found in appendix A. Concealed carry laws can be found in appendix B, while disarming prohibited people and domestic abuser laws can be found in appendix C. These laws were analyzed because previous

research has shown that background checks (Brady Campaign to Prevent Gun Violence, 2014; Kalesan et al., 2016; Ruddell & Mays, 2005; Rudolph et al., 2015; Sen & Panjamapirom, 2012), wait periods (Luca et al., 2017), and concealed carry (Ludwig, 1998; Siegel et al., 2017; Zimmerman, 2014) impact gun homicides. Gifford's Law Center to Prevent Gun Violence provides a description of the laws that each particular state has enacted in each one of these categories. If a particular state does not have any legislation in a particular category, the description will tell you the state has no laws in that particular area or that the state does not address that particular category through their laws.

The background check category was used for information on how federal background checks are conducted when a purchaser goes through a licensed dealer. Information regarding who states contact when conducting a federal background check was chosen. States could either be a point of contact, partial point of contact, or not point of contact. The agency that conducts the background checks was selected from the information in the cases of point of contact and partial point of contact states. The FBI conducts the background checks in states that are not point of contact states so additional agencies are not mentioned for these states.

The licensing of gun owners & purchasers section was then used to acquire information regarding the process to obtain a particular license. In this section they explain the certificates, license, or permits that are needed if a state requires licenses to be obtained. If a state does not require a license, the category will simply state that no license is required to purchase a firearm. In cases where licenses are required additional information was pulled out regarding safety training requirements, the number of times law enforcement has to conduct a background check, how long the certificates, license, and permits are valid for, the amount of firearms that can be

purchased with a license or permit, and if a person was exempt from a federal or state background check when a license or permit was obtained.

The mental health reporting section was used to identify the states that require reporting to the NICS of people that have become prohibited to possess a firearm because of mental health. If available a time period was pulled out of the description in the cases that require courts to report people that have become prohibited by state law to possess a firearm due to mental illness. Additional information was used if states also require other health facilities, licensed psychotherapists, school administrators, or law enforcement to report any mental health records to state agencies or the NICS for the purpose of a background check. Information regarding a time period for reporting these records was obtained if it was listed.

The private sale section was then used to access information regarding the background check requirements a state has implemented when guns are purchased through private sales. This category explains whether a private seller has to conduct a background check through a federal dealer, law enforcement, or if a permit or license is required to purchase. The law will explain each type of weapon that is subjected to these requirements. If the state does not require a private seller to conduct any sort of background check when selling a firearm this will also be listed. The wait period section was used to see if states have implemented wait periods on the transferring of firearms from the dealer to the purchaser. Additional information was used from this section if a particular state has a law that allows law enforcement to delay a purchase during the background check period.

Laws in the concealed weapon permit section explained the process of applying for a concealed carry license and the requirements that each state has enacted. This also outlines if a

state was a may issue, shall issue, or permit less carry state. In cases of shall issue states, additional information was used if they allowed law enforcement limited discretion when issuing license. Information was then extracted a particular state issuing a licensed required applicants to demonstrate that they were a good character or provide a reason for needed a concealed license. This section also listed if an applicant needed to complete training requirements before obtaining a license, the amount of time the licenses was valid for, and other states that recognize a concealed carry license from a different state. The open carry section was then used for information regarding the firearms that states have prohibited from being carried in public. Additional information was used if the law explained a permit or licenses was needed when carrying a firearm in public.

The disarming of prohibited persons section explained how states go about taking guns away from people that have been prohibited to possess a firearm. This section includes the process that states have implemented and the time period that people have to turn over their firearms and ammunition. It also mentions if no laws have been implemented to disarm people from owning a firearm. The domestic violence and firearm section was then used to understand the laws that have been implemented by each state regarding disarming people that have become prohibited to possess a firearm because of protection orders or convictions of domestic violence. If a state has a law that explains the process of disarming a person, who has become prohibited because of domestic violence this was explained throughout the section. Additional information was used if a state required the information to be reported to the NICS. This section also specified if states allowed law enforcement to confiscate firearms when they show up to a domestic violence scene and the length of time they have to return the firearm to the owner.



The states were then grouped into A, B, C, D, and F categories based on the states strictness of gun control laws. The study uses Gifford's Law Center to Prevent Gun Violence (2016) rankings to categorize the states based on the laws that they have implemented to control guns. Laws that pertained to child access prevention, disarming dangerous people, open carry regulations, prohibiting access to domestic abusers, concealed carry regulations, mental health records reporting, private sales background checks, and waiting periods before gun transfers were examined for each of the 50 states. Points are awarded to a state based on the laws that they have in place and if they promote gun safety. For example, laws that pertain to the requirement of background checks by private dealers for every firearm sale receives the highest number of points because this has been shown to set a solid foundation for other gun laws to be effective (Brady Campaign to Prevent Gun Violence, 2014; Kalesan et al., 2016; Ruddell & Mays, 2005; Rudolph et al., 2015; Sen & Panjamapirom, 2012). Points also can be taken away if states do not have a specific law that helps control guns or they are loose with their gun laws. For example, a state would lose points if they allow someone to carry a gun in public without a permit. Once all the points are added up, each of the 50 states were given a grade of; A, B, C, D, or F, based on the laws they have implemented.

The letter grade given to each state was used for the ranking of the strictness of gun control laws in this study. Of the 50 states; 7 received an A, 4 received a B, 8 received a C, 6 received a D, and 25 received a F. The 7 states that received an A are; California, Connecticut, Hawaii, Massachusetts, Maryland, New Jersey, and New York. The 4 states that received a B are; Delaware, Illinois, Rhode Island, and Washington. The 8 states that received a C are; Colorado, Iowa, Michigan, Minnesota, Nevada, Oregon, Pennsylvania, and Wisconsin. The 6

states that received a D are; Indiana, Nebraska, New Hampshire, North Carolina, Ohio, and Virginia. The 25 states that received an F are; Alabama, Alaska, Arizona, Arkansas, Florida, Georgia, Idaho, Kansas, Kentucky, Louisiana, Maine, Missouri, Mississippi, Montana, New Mexico, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, West Virginia, and Wyoming.

States were given a letter grade because it will allow for a better analysis of gun laws when comparing states and the laws that they have enacted. Each group will then be compared to see what the differences are in gun laws. The main goal of this analysis is to provide a better understanding of what type of laws are associated with states in the group A versus states in the groups B, C, D, or F.

## **CHAPTER FOUR: RESULTS**

### Federal Background Checks

Federally licensed dealers are required by federal law to conduct a background check on the purchaser of any gun. States can either choose to be a point of contact state and conduct the background checks through a state agency, be a partial point of contact, or have background checks conducted through the FBI. Typically, point of contact states have more information on potential buyers because they can access state and federal databases. In non-point of contact states the FBI can only use the National Instant Criminal Background Check System (NICS) and the reporting information that states require (Gifford's Law Center to Prevent Gun Violence, 2017).

There are 13 states; California, Colorado, Connecticut, Florida, Hawaii, Illinois, New Jersey, Nevada, Oregon, Pennsylvania, Tennessee, Utah, and Virginia that are point of contact states. These states must go through a state agency when conducting background checks for federally licensed dealers. There are 8 states; Iowa, Maryland, Michigan, Nebraska, New Hampshire, North Carolina, Washington, and Wisconsin that are partial point of contact states. In these states the FBI conducts the background checks on long guns and the assigned state agency conducts the check on handguns. There are 27 states; Alabama, Alaska, Arizona, Arkansas, Delaware, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Missouri, Mississippi, Montana, New Mexico, New York, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Texas, Vermont, West Virginia, Wyoming that are not point of contact states. In these states the FBI conducts the background check on all firearms for

potential buyers. There are 2 states; Minnesota and Rhode Island that are not point of contact states, but that also require law enforcement to conduct background checks on potential buyers (See appendix A on pg. 49).

In the point of contact states there are 4 states from group A, 1 state from group B, 4 states from group C, 1 state from group D, and 3 states from group F. On top of the background check that is required by federally licensed dealers, California, Connecticut, Hawaii, Illinois, and New Jersey require licenses or permits to be obtained when purchasing any type of firearm. California, Connecticut, and Hawaii require applicants to conduct a safety training course before they issue the license or permit. California requires a certificate to be obtained if a person does not have a concealed carry license. Handgun purchasers also need to be residents of California. Applicants need to pass a firearm safety test to receive the certificate. California also has an Entertainment permit, which exempts a person from a background check when purchasing a firearm. However, a background check is conducted when an applicant applies for the permit. The gun must be unloaded when it is delivered to the purchaser. The permit is valid for 1 year.

Connecticut, Hawaii, Illinois, and New Jersey give law enforcement more time to conduct background checks by requiring license to be obtained before purchasing a firearm. Connecticut requires background checks to be conducted within 90 days for handgun certificates and within 60 days for long gun certificates. The certificates are valid for up to 5 years, but they can be revoked at any time if a license holder becomes ineligible to possess a firearm. In Hawaii law enforcement has 20 days to complete a background check on permits. A handgun permit can only be used to purchase 1 firearm and are only valid for 10 days. The long gun permit does not have a purchase limit and is valid for a year. New Jersey requires that handgun holders have

a permit to purchase as well as a Firearm Purchaser Identification Card. Law enforcement is given 35 days to conduct a background check on residents and 45 days on non-residents. The handgun permit is only valid for 90 days and can be used to buy 1 handgun. The Firearms Purchaser Identification Card is valid until the holder become ineligible. The Firearm Purchaser Identification card is also needed when purchasing long guns. Illinois allows 30 days to conduct a background check on Firearm Owner's Identification cards and is valid for 10 years. Any state that issues a license can revoke it at any time a person becomes prohibited.

Colorado, Florida, Nevada, Oregon, Pennsylvania, Tennessee, Utah, and Virginia do not require a license to be obtained when purchasing through a federal dealer. In Colorado and Tennessee a background check can be delayed if a case does not have a final verdict entered in the database. If law enforcement cannot determine what the final verdict was in the case before 30 days they must allow the gun transfer to go through. In Florida, law enforcement has 3 days to conduct a background check. Oregon requires state police to approve or deny a background check within 30 minutes. If they are unable to do so they need to provide the license dealer with an estimated time or the transaction can be completed the next business day. Virginia gives state police one business day to conduct background checks. However, if a person is not a resident then the state police have 10 days. Pennsylvania mandates that a licensed dealer receive an approval on the background check before the transfer occurs. In Nevada and Utah a concealed carry permit exempts the buyer from a federal background check requirement.

In the partial point of contact states there is 1 state from group A, 1 state from group B, 3 states from group C, and 3 states from group D. Iowa, Nebraska, North Carolina, Maryland, and Michigan require permits or licenses to purchase any handgun. Maryland is the only state that

requires a safety course to be completed before obtaining a license. The handgun license background check must be completed within 30 days and is valid for 10 years. Besides the license, purchasers also need to complete an application when buying a handgun. The application gives the buyer 90 days to purchase a handgun. These laws also apply to assault weapons. Iowa and Nebraska do not place a limit on the number of handguns that a licensed holder can purchase once a license is obtained. In Iowa the license is valid for 5 years, while in Nebraska the license lasts 3 years. In Michigan and North Carolina the permit can only be used to buy 1 handgun. The purchase must be made in 30 days in Michigan. North Carolina gives law enforcement 14 days to conduct a background check, but allows the permit holder 5 years to use the permit.

New Hampshire, Washington, and Wisconsin do not require a license to purchase a handgun. Of these states Washington gives law enforcement the most time to conduct a background check, as one must be conducted within 10 days. Washington also requires all handgun purchasers to be residents of the state. However, if a person has a concealed weapons permit they are excused from the background check. In Wisconsin a purchase needs to be approved within 5 days. New Hampshire has no laws expanding on the federal requirements for background checks.

In the non-point of contact states there are 2 states from group A, 1 state from group B, 2 states from group D, and 22 states from group F. All of the states that belong to group D and F do not require any license to be obtained or give law enforcement additional time to conduct background checks. Alabama, Alaska, Arizona, Arkansas, Georgia, Idaho, Kansas, Kentucky, Louisiana, Mississippi, Montana, North Dakota, Ohio, South Carolina, South Dakota, Texas, West Virginia, and Wyoming do not require a background check to be done if a person has a

concealed carry license. The concealed carry licenses in these states are valid for either 4 or 5 years.

Of the states that belong to group A; Massachusetts and New York have licensing requirements. Massachusetts has 3 types of licenses that allow law enforcement 40 days to complete a background check. When purchasing a handgun, the purchaser needs a Firearm Identification Card and permit to purchase, rent, or lease. The Identification card requires an applicant to complete a safety training course and is valid for 6 years. This can be used to purchase an unlimited number of long guns while valid. The permit is only valid for 10 days and can be used for 1 handgun. A license to carry requires safety training, but does not limit the number of guns that someone can buy. The license is valid for 6 years and only given to people who demonstrate that they have reason to fear for their safety. New York only requires handgun purchasers to have a license. The license does not require safety training, but law enforcement is given 6 months to complete a background check. The license must be renewed every 5 years and can be revoked at any time. Delaware does not require a license to complete a purchase but gives law enforcement 25 days to conduct a background check.

Rhode Island and Minnesota are not point of contact states, but they do require local law enforcement and the FBI to complete background checks on the purchasers. In Rhode Island a handgun certificate is needed if the buyer does not have a concealed carry license. A certificate requires an applicant to complete a training course but the law did not state how long the license was valid for. In Minnesota, a license is not required to purchase a firearm. The permit is valid for 7 years and grants law enforcement 7 days to conduct a background check. A state and federal background check is conducted on anyone who does not have a permit. In both of these

states a certificate exempts the purchaser from a state background check but not the federal background check. However, the state conducts the background check on the certificate that exempts the buyer.

There are 6 states; California, Colorado, Florida, Pennsylvania, Tennessee, and Washington that grant law enforcement more time to conduct a background check if they cannot determine if a potential buyer is eligible to possess a firearm. California, Colorado, and Washington allow a 30 day delay if they can't determine if a buyer is prohibited, while Tennessee allows 15 days. In cases involving domestic violence incidents, Pennsylvania can delay a transfer for as long as they need on cases involving domestic violence. Similarly, Florida can delay a transfer for as long as they need based on pending trials on certain criminal charges.

#### Mental Health Reporting

Federal law prohibits anyone who is determined to be mentally ill through court order from purchasing or possessing a firearm. However, federal law does not mandate states to report this information to the NICS (Gifford's Law Center to Prevent Gun Violence, 2017). There are 38 states; Alabama, Alaska, Arizona, California, Connecticut, Delaware, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Maryland, Minnesota, Mississippi, Nevada, New Jersey, New Mexico, New York, North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, Washington, and Wisconsin that explicitly require reporting to the NICS. There are 5 states; Colorado, Florida, Missouri, Nebraska, and West Virginia that require reporting to a state agency that has the ability to report to the NICS, but are not required to by law. There are 4 states; Arkansas, Michigan, Ohio, and Utah that collect state



records, but the law specifically does not require them to report to NICS. There are 3 states; Montana, New Hampshire, and Wyoming that have no laws on reporting mental health records to any agency or the NICS (See appendix A on pg. 49).

In addition to court reporting, there are 14 states; California, Connecticut, Delaware, Hawaii, Illinois, Louisiana, Massachusetts, Maryland, New York, Ohio, Oregon, Pennsylvania, Washington, and West Virginia that require additional agencies to report to the NICS regarding mental health records. Of these states, 6 belong to group A, 3 belong to group B, 2 belong to group C, 1 belongs to group D, and 2 belong to group F. All of the states require mental health facilities to report anyone who is prohibited by federal law to law enforcement so they can include this information in the NICS. California expands on to the reporting by requiring anyone who is receiving alcohol treatment. Hawaii requires health care providers to release information that may prohibit a potential permit applicant. Pennsylvania does not specifically authorize mental health officers to release any information on potential buyers but they have no restrictions on the information that they can release for background check purposes. California, Illinois, and New York require any licensed psychotherapists to report anyone who is a danger to themselves or others, so they can be included in the NICS database. The psychotherapists are expected to use discretion when they are reporting someone who they believe may cause potential harm. Similarly, Connecticut requires reporting of anyone voluntarily admitted to a psychiatric hospital. Illinois has school administrators and law enforcement officers report anyone who may be a danger to themselves or others.

There are 27 states; Arkansas, California, Colorado, Florida, Illinois, Kansas, Louisiana, Maine, Maryland, Michigan, Minnesota, Mississippi, Nebraska, New Mexico, North Carolina,

Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, Washington, and Wisconsin that give a timetable for reporting people who are prohibited by state law because of mental illness to the appropriate reporting agency. Of these states, 2 belong to group A, 3 belong to group B, 5 belong to group C, 4 belong to group D, and 13 belong to group F. California, Maryland, Illinois, and Washington are the only states that require Courts and other mental health agencies to report in a specific time. California gives courts, mental health facilities and licensed psychotherapists 24 hours to report any prohibited people to the NICS. In Maryland the courts must report within 7 days and any mental health facility has 10 days. Illinois gives school administrators and licensed psychotherapists 24 hours and the courts 7 days to report. In Washington the courts and the health department have 3 days to report to NICS.

All of the remaining states only require courts to report to NICS within the timeframe they have given. Arkansas, Maine, Michigan, and New Mexico require reporting immediately after the case has become finalized. Virginia requires reporting by the next business day. Colorado, North Carolina, Rhode Island, and Vermont give 48 hours to report, however, North Carolina does not count weekends and holidays in the time table. Minnesota and Tennessee require reporting within 3 days, however, Tennessee only counts business days. Kansas and South Carolina give the courts 5 days to report, while Ohio and South Dakota gives 7 days. The judges in Pennsylvania must report the verdict within 7 days and then the state has 72 hours to report to NICS. Similarly, Louisiana gives the courts 10 days to report and the state 15 days to transfer information to NICS. Florida, Mississippi, Nebraska, Texas, and Utah give the courts 30

days to report the verdict of the case. Wisconsin doesn't give a specific time period, but does require courts to report within an appropriate amount of time.

### Private Sale Background Checks

Private firearm sales do not have to follow the same requirements that federally licensed dealers are subjected to (Gifford's Law Center to Prevent Gun Violence, 2017). This means that background checks do not necessarily need to be completed on the purchaser of a firearm during a private sale. The states have to implement their own laws regarding the regulations of private sales. There are 9 states; California, Colorado, Connecticut, Delaware, Nevada, New York, Oregon, Rhode Island, and Washington that require licensed dealers or law enforcement to conduct background checks on private gun sales. However, Nevada does not currently enforce this law. There are 2 states; Maryland and Pennsylvania that require a private sale of a handgun to go through a federally licensed dealer. There are 4 states; Hawaii, Illinois, Massachusetts, and New Jersey where a purchaser needs a permit to purchase all firearms through a licensed dealer. There are 4 states; Iowa, Michigan, Nebraska, and North Carolina that require a permit to purchase a handgun. There are 31 states; Alabama, Alaska, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Maine, Missouri, Mississippi, Montana, New Hampshire, New Mexico, North Dakota, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming that do not require private dealers to conduct background checks at the point of sale (See appendix A on pg. 49).

Of the 9 states that require all privately sold guns to be transferred through a licensed dealer, 3 belong to group A, 3 belong to group B, and 3 belong to group C. In these states private

sales are held to the same standard as explained in the federal background check section because the federal dealer is conducting the background check on the private sale. Each of these states have some exceptions to the requirement. Of the 2 states that go through a federal dealer for handguns only, 1 belongs to group A and one belongs to group C. Handgun sales have the same requirements as mentioned above. However, long guns can be transferred without a background check being conducted.

Of the 4 states that require a permit to purchase, 3 belong to group A and 1 belongs to group B. The same requirements apply for obtaining a permit when purchasing through a private dealer. States must contact the department that issues permits to check if the permit is valid. Massachusetts requires federal dealers to transfer any firearm upon providing a permit, except in cases where a private dealer doesn't sell more than 4 firearms a year. However, they have set up a database that allows private sellers to check if the purchaser's license or permit is valid. Of the states that require a permit to purchase a handgun, all 4 states belong to group D. The requirements to obtain the permit are the same as mentioned in the background check section. These states do not require background checks to be conducted for the purchase of long guns.

Of the 31 states that do not require a background check to be conducted by private sellers, 2 belong to group C, 4 belong to group D, and 25 belong to group F. These states let private sellers transfer handguns and long guns without background checks being conducted.

#### Wait Periods

Regardless of a background check being finished, the federal law only allows 3 days for a background check to be conducted before the firearm is transferred. Once a background check is completed, there is no law requiring a seller to delay the transfer unless states put in their own

mandated wait periods (Gifford's Law Center to Prevent Gun Violence, 2017). There are 4 states; California, Hawaii, Illinois, and Rhode Island that have implemented wait periods before transferring any firearms. There are 5 states; Florida, Iowa, Minnesota, Maryland, and New Jersey that have implemented wait periods for the transfer of handguns. There are 41 states; Alabama, Alaska, Arizona, Arkansas, Colorado, Connecticut, Delaware, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Michigan, Missouri, Mississippi, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming that do not have a wait period in place (See appendix A on pg. 49).

Of the 4 states that implement wait periods on all firearms, 2 belong to group A and 2 belong to group B. California implemented a 10 day and Rhode Island has a 7 day wait period. In Illinois the wait period is 72 hours for handguns and 24 hours for long guns. Hawaii doesn't require an additional wait period but the permit acts as a wait period because the background check can't be processed before 14 days have passed. However, after the first purchase of a long gun the license holder does not have to get a new permit, so the wait period is not in effect. Of the 5 states that require a wait period for handguns only, 2 belong to group A, 2 belong to group C, and 1 belongs to group F. Maryland, Minnesota, and New Jersey require a 7 day wait period, while Iowa and Florida require a 3 day wait period. Maryland and Minnesota also apply this wait period to assault weapons.

## Concealed Carry

Every state in the United States allows concealed carry but the process of issuing a license is different depending on the laws a state has enacted. There are 8 states; California, Connecticut, Delaware, Hawaii, Massachusetts, Maryland, New Jersey, and New York that are may issue states. Of these states, 7 belong to group A and 1 belongs to group B. Discretion is used by law enforcement officers when approving concealed carry license in may issue states (Gifford's Law Center to Prevent Gun Violence, 2017). With exception of Maryland, the other 7 states require the applicant to demonstrate that he/she is of good character when applying for a license to carry. If law enforcement has any reason to believe that a person is not of good character they can deny the license request. New Jersey specifically requires the applicant to have 3 references claiming that the buyer is of good character. Similarly, Delaware requires applicants to have 5 references. Of these 8 states, Connecticut is the only state that does not require the applicant to have a good reason to carry a concealed weapon. In the states that require a good reason, applicants must provide evidence that they need a concealed carry license to protect themselves or their property (See appendix B on pg. 67).

May issue states generally have longer training requirements for applicants. California and Maryland require applicants to complete 16 hours of safety training. Massachusetts and New Jersey require a training course to be completed before an applicant can get their concealed license. New Jersey also requires applicants to pass a test at the end of the training course. On top of completing a course, applicants need to participate in range shooting in Delaware. Hawaii and New York do not require any training courses to be completed, however; in Hawaii people need to complete a training course when obtaining a permit.

There are 16 states; Florida, Kentucky, Louisiana, Michigan, Montana, Nebraska, North Carolina, Nevada, New Mexico, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Washington, and Wisconsin that are shall issue states. Shall issue states require law enforcement to approve any license request as long as the applicant meets the requirements laid out by the state (Gifford's Law Center to Prevent Gun Violence, 2017). Kentucky, Louisiana, Michigan, Nebraska, New Mexico, Nevada, North Carolina, Ohio, Oklahoma, Tennessee, and Texas require training courses to be completed when issuing a license. Kentucky and Oklahoma require applicants to take an 8 hour course, while Ohio requires a 12 hour course. Louisiana requires that the course be completed within the last year. Similarly, Nebraska requires that the safety course be completed within the last 3 years. Montana, South Carolina, and Wisconsin only require applicants to provide proof that they know how to handle a firearm. Washington is the only shall issue state that does not require any training to be completed. Of shall issue states, 1 belongs to group B, 3 belong to group C, 3 belong to group D, and 9 belong to group F.

There are 14 states; Alabama, Arkansas, Colorado, Georgia, Illinois, Indiana, Iowa, Minnesota, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, and Virginia that are shall issue states but give law enforcement some discretion when approving licenses. Georgia, Indiana, and Rhode Island require the applicant to demonstrate they are of good character when applying for a license. Rhode Island specifically requires the applicant to either demonstrate that they are of good character or provide evidence for why they would need a license to carry. Alabama, Arkansas, Colorado, Illinois, Iowa, Minnesota, Oregon, Pennsylvania, Utah, and Virginia allow law enforcement to reject an applicant if they have evidence to believe that the person might cause harm to themselves or others in society if a license was issued. Iowa reject an

applicant if they have displayed dangerous behavior within the last 2 years from the point of applying. Of these states, 2 belong to group B, 5 belong to group C, 2 belong to group D, 5 belong to group F.

Of shall issue group, states that belong to group B and C generally have additional training requirements for applicants who want to obtain a concealed license. Illinois requires applicants to complete 16 hours of training and a shooting exercise. Rhode Island requires applicants to pass a shooting test before they receive their license. Arkansas, Minnesota, and Oregon applicants must pass a training course. Colorado, Iowa, Utah, and Virginia only require applicants to provide proof that they know how to safely use a firearm. Alabama, Georgia, Indiana, Pennsylvania, and South Dakota do not require any training before issuing a license.

There are 12 states; Alaska, Arizona, Idaho, Kansas, Maine, Missouri, Mississippi, New Hampshire, North Dakota, Vermont, West Virginia, and Wyoming that are permit less carry states. In these states a person who wants to carry a concealed handgun does not have to acquire a license beforehand. However, all of these states with the exception of Vermont allow people to apply for a concealed carry license so that they can carry in other states that accept other states concealed carry licenses. Of the permit less carry states, 1 belongs to group D and 11 belong to group F.

Concealed carry licenses in may issue states are generally valid for a shorter time period than states that are shall issue. In Hawaii the license is only valid for 1 year. California, Maryland, and New Jersey license are valid for 2 years. However, in Maryland after the license is renewed, it is valid for 3 years. In Delaware the license is valid for 3 years for first time applicants and 5 years upon renewal. The license is valid for 5 years in Connecticut and 6 years



in Massachusetts. The concealed carry license is valid until it becomes revoked in New York. For licenses in shall issue states they are typically valid for 4 to 5 years. In Indiana, Kansas, Kentucky, Maine, Montana, New Mexico, Texas, Rhode Island, and Oregon the licenses are valid for 4 years. Indiana also offers applicants a lifetime license that is valid for life. In Alabama, Alaska, Arizona, Arkansas, Colorado, Georgia, Idaho, Illinois, Iowa, Louisiana, Michigan, Minnesota, Mississippi, Nebraska, Nevada, New Hampshire, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Utah, Virginia, Washington, West Virginia, Wisconsin, and Wyoming the license is valid for 5 years. Once the license is renewed in Oklahoma it is valid for 10 years. Missouri has licenses that are valid for 4, 10, and 25 years. They also have a lifetime license.

#### Open Carry

Open carry is not prohibited by any federal law unless the state implements their own laws (Gifford's Law Center to Prevent Gun Violence, 2017). There are 3 states; California, Florida, and Washington that mostly prohibit open carry of all firearms. Of these states, 1 belongs to group A, 1 belongs to group B, and 1 belongs to group F. Illinois does not allow open carry of any firearm within the city. New York and South Carolina are the only states that prohibit handguns from being openly carried in public but they do not have any laws that restrict long guns. Of these states, 1 belongs to group A and 1 belongs to group F (See appendix B on pg. 67).

Hawaii, Massachusetts, and Minnesota require that a concealed carry license to be possessed when carrying handguns in public and prohibit long guns from being openly carried. Of these states, 2 belong to group A and 1 belongs to group C. Hawaii only allows long guns to

be carried in public if the gun owner has a license and is using the guns for hunting or target shooting. Connecticut, Georgia, Indiana, Iowa, Maryland, New Jersey, Oklahoma, Rhode Island, Tennessee, and Texas require a handgun permit or license to be possessed when openly carrying a handgun but do not put any restrictions on the carrying of long guns. Of these states, 3 belong to group A, 1 belongs to group B, 1 belongs to group C, 1 belongs to group D, 4 belong to group F. New Jersey explicitly requires the long gun to be unloaded when it is openly carried. Similarly, Tennessee requires a long gun owner to not have ammunition by them when they are openly carrying. Oklahoma and Iowa do not require a license if the handgun is unloaded. However, in Iowa the unlicensed possessor of a handgun can only carry outside of the city. Delaware and Nevada require a gun owner to have a license if they are going to openly carry any firearm. Of these states, 1 belongs to group B and 1 belongs to group C.

There are 29 states; Alabama, Alaska, Arizona, Arkansas, Colorado, Idaho, Kansas, Kentucky, Louisiana, Maine, Michigan, Missouri, Mississippi, Montana, Nebraska, New Hampshire, New Mexico, North Carolina, North Dakota, Ohio, Oregon, Pennsylvania, South Dakota, Utah, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming that do not place restrictions on open carry. Arkansas prohibits a handgun from being carried in public if the person carrying the handgun intends to use the firearm. In North Dakota a handgun possessor only needs a permit if they are carrying a handgun during the night. In Utah a permit is only needed if the person is carrying a loaded firearm.

#### Disarming People Prohibited from Owning

There are 8 states; California, Connecticut, Hawaii, Illinois, Nevada, New York, Pennsylvania, and Washington that require a person prohibited from owning a gun to either sell

or transfer all of their firearms when they become prohibited from owning a gun. California, Connecticut, and Hawaii expand on this and also require ammunition to be surrendered. California and Hawaii, specifically, require the person to either sell their firearms to a federal dealer or surrender weapons to law enforcement. Connecticut allows the person to transfer a firearm to a person who is eligible to possess a firearm. In California, Hawaii, and Nevada the courts can grant law enforcement a warrant if the prohibited person fails to get rid of all their firearms. Nevada gives prohibited people 24 hours to complete surrender of their firearms, while Connecticut allows 2 business days. Hawaii grants prohibited people 30 days to surrender their firearms. Of these states, 4 belong to group A, 1 belongs to group B, and 2 belong to group C (See appendix C on pg. 77).

There are 3 states; Indiana, Minnesota, and Wisconsin that allow the courts to require people to surrender their firearms in certain situations. The courts in Minnesota can require a person who committed a crime against another person to surrender their firearms to law enforcement for the duration of the trial. The guns must be returned in any circumstance that does not end up in a conviction. Courts in Wisconsin can issue law enforcement a warrant to seize any firearms from people they find to be mentally ill during trial. While Indiana courts can require weapons to be seized if they believe someone is dangerous to themselves or others in society. However, these 3 states do not have additional laws regarding the confiscation of firearms from prohibited people. There are 38 states; Alabama, Alaska, Arizona, Arkansas, Colorado, Delaware, Florida, Georgia, Idaho, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Missouri, Mississippi, Montana, Nebraska, New Hampshire, New Jersey, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Rhode Island,

South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, West Virginia, and Wyoming that do not have laws in place authorizing or requiring law enforcement to seize firearms from prohibited firearm possessors. Of these states 3 belong to group A, 2 belong to group B, 3 belong to group C, 5 belong to group D, and 25 belong to group F.

Oregon and Washington have implemented an Extreme Risk Protection Order that requires a person to surrender their firearms if the court approves the order. In this order any family member or law enforcement officer can report a family member they think is dangerous to the courts. The courts will hold a case to determine if the individual should be prohibited from possessing a firearm. If approved in Washington the prohibited person must turn over their firearms to law enforcement. On the other hand, Oregon allows the prohibited person to transfer their firearms to a third party or surrender them to law enforcement or a gun dealer.

#### Seizing Weapons in Domestic Violence Cases

There are 18 states, Arizona, California, Colorado, Connecticut, Hawaii, Illinois, Iowa, Massachusetts, Maryland, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Rhode Island, Tennessee, Washington, and Wisconsin that require a person that violates or is subjected to a protection order to surrender their firearms to law enforcement. Connecticut also gives the person the option to sell their firearms to a licensed dealer. Illinois has law enforcement seize all firearms from a person that is issued a protection order. Tennessee allows a prohibited person to transfer their firearms to a third party. Arizona, California, Colorado, Connecticut, Hawaii, Iowa, Massachusetts, Maryland, New Hampshire, and North Carolina also require ammunition to be turned in when surrendering a firearm. During the court hearing in Iowa they tell the person the date by which they have to surrender their firearm. New Jersey,

New York, North Dakota, Rhode Island, Washington, and Wisconsin require the firearms to be surrendered to law enforcement. Arizona, California, Colorado, Connecticut, North Carolina and Rhode Island specifically requires the surrendering to take place within 24 hours, while Tennessee gives 48 hours. Of these states; 7 belong to group A, 3 belong to group B, 3 belong to group C, 3 belong to group D, 3 belong to group F (See appendix C on pg. 77).

There are 8 states, Alaska, Delaware, Florida, Indiana, Minnesota, Nevada, Pennsylvania, and Utah that give the courts the ability but do not require them to make a person who violates a protection order to surrender their firearms. Of these states; 1 belongs to group B, 3 belong to group C, 1 belongs to group D, and 3 belong to group F. Law enforcement officers in Florida will confiscate the weapons upon court order. In Alaska the firearm must be used in the incident if the courts want to seize the weapon. Indiana also requires firearms and ammunition to be surrendered to law enforcement. In Delaware and Nevada the prohibited person has to surrender to law enforcement within 24 hours. In Minnesota the person has 3 business days to surrender their firearms. However, if the person is an immediate risk the courts can require law enforcement to confiscate the weapons. Pennsylvania gives people 60 days to sell or transfer their firearms. There are 23 states; Alabama, Arkansas, Georgia, Idaho, Kansas, Kentucky, Louisiana, Maine, Michigan, Missouri, Mississippi, Montana, Nebraska, New Mexico, Ohio, Oklahoma, Oregon, South Carolina, South Dakota, Vermont, West Virginia, and Wyoming that do not have laws requiring a person that violates a protection order to surrender their firearms. Of these states; 2 belong to group C, 2 belong to group D, and 19 belong to group F.

There are 14 states; California, Colorado, Connecticut, Hawaii, Illinois, Iowa, Massachusetts, Maryland, Nevada, New Jersey, New York, Pennsylvania, Rhode Island, and

Tennessee that require people who are convicted of domestic violence misdemeanors to sell or surrender all firearms. California, Connecticut, Hawaii, and Rhode Island allow the person to either sell their firearms to a licensed dealer or turn them over to law enforcement. Colorado, Illinois, Massachusetts, Nevada, New Jersey, and New York require that the prohibited person surrender their firearms to law enforcement. Iowa and Tennessee allow the prohibited person to transfer their firearms to a third party that the court approves or to law enforcement. California, Colorado, Connecticut, Hawaii, Iowa Massachusetts, and Rhode Island also require ammunition to be surrendered. In California, Colorado, Connecticut, Nevada, and Rhode Island this must take place within 24 hours. Tennessee allows the prohibited person 48 hours to get rid of their firearms, while New Jersey grants the person 5 days. Pennsylvania gives the prohibited person 60 days to sell their firearms. Although Maryland requires a person convicted of domestic violence to surrender their firearms the law does not explain how they should go about this process.

There are 3 states; Minnesota, South Dakota, and Vermont that give courts the discretion to have a person surrender their firearms when convicted of domestic violence charges.

Minnesota and Vermont allows the prohibited person to sell their firearms to a federally licensed dealer. Minnesota specifically gives the person 3 business days to sell their firearms but if the courts determines that the person is a risk they can have law enforcement confiscate the firearms.

There are 33 states; Alabama, Alaska, Arizona, Arkansas, Delaware, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Maine, Michigan, Missouri, Mississippi, Montana, Nebraska, New Hampshire, New Mexico, North Dakota, North Carolina, Ohio, Oklahoma, Oregon, South Carolina, Texas, Utah, Virginia, West Virginia, Washington, Wisconsin, and

Wyoming that have no laws or procedures in place requiring the removal of firearms when someone becomes prohibited because of domestic violence misdemeanors. Additionally, Alabama, Georgia, Idaho, Kansas, Kentucky, Massachusetts, Michigan, Missouri, Mississippi, Nebraska, New Mexico, North Dakota, Oregon, and Wyoming don't require courts to notify a person when they become prohibited from possessing a firearm.

There are 18 states; Alaska, Arizona California, Connecticut, Hawaii, Illinois, Indiana, Maryland, Montana, Nebraska, New Hampshire, New Jersey, Ohio, Oklahoma, Pennsylvania, Tennessee, Utah, and West Virginia that allow law enforcement officers to remove firearms at the scene of a domestic violence incident. California requires law enforcement to take possession of all firearms at the scene and they cannot give them back to the owner for 48 hours. In Hawaii the law officer can remove any firearm or ammunition from the scene if they believe physical abuse happened during the incident and hold the weapon up to 7 days. In New Jersey law enforcement can seize any weapons seen at the scene if they believe an incident has occurred. The gun owner then has 45 days to petition to the court to get their firearm back. In Illinois, New Hampshire, Pennsylvania, and Tennessee the officer on the scene needs to have probable cause that an incident occurred before removing the firearm from the scene. In Pennsylvania they must also arrest the alleged abusing party. Returned when not needed for evidence. Nebraska, Montana, Ohio, Utah, and West Virginia require removal of the firearm that was alleged to be used in the incident. Nebraska and Montana have to give the firearm back after the court case is completed. In Ohio the firearm is never given back to the party from whom they took the firearm. In Oklahoma the abuser has to be arrested and then law enforcement can seize the firearm that was used in the incident.

Alaska, Arizona, Connecticut, Indiana, and Maryland allow law officers to seize firearms at the scene, but they are not required to do so. Connecticut requires it to be a family matter and they can hold the firearm for 7 days. Maryland and Indiana officers can seize firearms if they believe an incident has occurred. They must give the firearms back after legal proceedings have ended. Indiana also requires ammunition to be collected. In Alaska they can only seize a firearm if they believe it is necessary to protect the victims. The firearm cannot be given back until the court proceedings have finished. If a firearm is used during a domestic incident in Arizona it can be seized for up to 72 hours.

### Symbolic Interactionism and Gun Control Laws

Symbolic interactionism is the theory of choice to explain the gun control laws that states have decided to implement. Symbolic interactionism is based on three principles that explain how symbols are derived from social interactions (Blumer, 1986). These three principles explain that humans respond to an object based on the meanings that they associate with that object. Through social interactions our meanings of objects are formed. These meanings of objects continue to get revised based on our encounters with them. Blumer goes on to explain that an object can be anything that we interact with in life; such as physical, social, and abstract objects. The meaning of these objects are not necessarily the same for everybody because our social interactions with these objects is not the same. Humans then act based on the way they interpret that particular object.

Through the foundation of symbolic interactionism, one can see how states are very different in the laws that they choose to implement. Gun laws are abstract objects in symbolic interactionism. A person's view or opinion of gun laws are formed through the people they



interact with and the culture in which they grow up. We see based on the regions in the U.S. how gun laws are perceived based on the laws that states have decided to implement. The Southern region states typically are associated with the F group, as they have more favorable views toward firearms and a negative response is associated with gun control laws. Policy makers and elected officials in these areas may be more reluctant to implement gun laws because the people would be opposed to the idea. While in the Eastern region we see that stricter gun control laws have been implemented throughout the states. Unlike the South, people residing in the Eastern region have more favorable attitudes toward gun control laws.

An inductive approach was used to apply the theory symbolic interactionism to explain gun control laws. Glaser and Strauss (2017) introduced this theoretical approach through their work on grounded theory. In grounded theory, the researcher continues to collect and place the data into similar categories. These categories continue to be redefined throughout the research process. As the research carries on patterns from the data begin to emerge, in which a theory develops. Much like grounded theory, gun laws were collected and placed into similar categories for each of the 50 U.S. states. Symbolic interactionism was chosen because states in similar geographical regions adopted similar gun laws.

## **CHAPTER FIVE: LIMITATIONS**

One limitation with qualitative work is that the results are based on the researcher's interpretation. With this study, not all of the information was taken from the sections that explained the laws in the Gifford's Law Center to Prevent Gun Violence database. This could potentially have an impact on the meanings of the laws that are examined in this study. However, information that was referenced in the methods section was extracted from each category consistently for each state. The Gifford's Law Center to Prevent Gun Violence has other categories of gun laws for each state that were not examined in this study. For example, laws are collected regarding consumer and child safety or classes of weapons and ammunition. These categories could potentially help explain some of the differences between the states with stronger and weaker gun laws. They could also help identify strategies that states with stricter gun laws have implemented to address gun violence. However, for this study I chose to examine the categories of laws that have been shown through research to significantly impact gun homicide rates.

## CHAPTER SIX: CONCLUSION

After a gun tragedy in America, we typically see a similar gun debate spark up between two groups of people. The media often paints the picture that one group is trying to take all the focus off the gun and place it onto the individual that committed the gun crime, while the other group is calling for all guns to be taken away. The problem with this debate is that both groups are taking the gun control debate to the extreme and overlooking the main problem that could potentially be fixed if basic laws were implemented. The federal laws that are put in place to restrict gun access are so generic that it is up to the states to implement their own laws if they want to have any sort of gun control in their state. Yet, through this study we see that the majority of states have failed to implement any sort of laws to restrict gun access and keep the citizens of their state safe. This study specifically helps identify what laws are implemented in the states with the most effective gun control laws. This is important because states that lack in certain areas can identify what they are missing in their gun control laws.

Regardless of what side of the gun debate someone is on, America has a homicide problem and the vast number of these homicides occur with the use of a firearm (Federal Bureau of Investigation, 2015; Zimring, 2004). One way to address the problem is through background checks, as research has shown that background checks are effective at keeping guns out of prohibited people's hands (Brady Campaign to Prevent Gun Violence, 2014; Kalesan et al., 2016; Ruddell & Mays, 2005; Rudolph et al., 2015; Sen & Panjamapirom, 2012). A vast majority of the states that have the strictest gun control laws are point of contact states, which allows the agency that conducts the background checks to have access to state records that may not be reported to the NICS. Regardless of what agency conducts the background checks, states need to

require mandatory mental health reporting to the NICS and their state agencies at the very least. States should have laws that require additional agencies; such as health care providers or licensed psychotherapists to report people who are mentally ill to a database. Right now only 14 states have laws in place that require other agencies besides the courts to report people that may be prohibited from possessing a gun because of mental illness to the NICS. This is problematic because a background check becomes useless if the FBI or a state agency does not have access to information that may prohibit a person from possessing a gun.

One of the more difficult problems to address would be the private sale loophole that allows prohibited purchasers to buy a firearm without a background check. The states with the strictest laws require every private sale to go through a federal dealer, while states with weaker laws put no restrictions on private sales. Just implementing a law in the private sales area does not mean that all citizens will follow the law and go through a federally licensed dealer when they are selling a firearm. However, a law that requires the buyer to have a background check conducted on them could potentially reduce some of the illegal purchases that go through private sales.

Requiring licenses or permits to be obtained before purchasing a gun is a way that many of the states with the strictest gun control laws use to give law enforcement additional time to conduct a background check on potential buyers. States can also use licenses or permits to require buyers to complete safety training courses before they can get their gun. States that have implemented a permit to purchase requirement have seen a decrease in homicides (Rudolph et al., 2015).

The vast majority of states have failed to even put a procedure in place to disarm people that have become prohibited from owning a firearm by law. Only 8 states have procedures in place to disarm people and the majority of these states are from the group with the strongest laws. When it comes to domestic violence, most states do very little to disarm an abuser after they have been convicted or at scene. Only 18 states have a procedure in place to disarm individuals who are subjected to a protection order and 14 states require removal when a person commits a domestic misdemeanor.

When issuing concealed carry licenses, it is important that states allow law officers to use some type of discretion when issuing licenses to potential buyers. Research has shown that shall issue states have higher homicide rates than states that are may issue (Ludwig, 1998; Siegel et al., 2017; Zimmerman, 2014). There are 28 states that will issue a license to carry as long as the person has met requirements. In many of the states concealed carry license also exempts a person from a federal background check. This is very problematic because many of the concealed licenses are valid for 4 to 5 years and person that may become prohibited in that time period will not have to go through another background check during that time. This allows someone to purchase firearms despite being prohibited by law.

This study outlines the gun laws that each state has but future research should add a quantitative portion to identify the states with the highest homicide rates. The quantitative portion would help explain the effectiveness of the gun control laws that are being analyzed during this study. Therefore, we would have a better understanding of gun control laws because the laws examined in this study could then be used to explain why a state has a higher homicide rate. This would then give policy makers the ability see the effectiveness of gun laws and

identify laws that other states have implemented to control guns. Policy makers could use this study as a guide for implementing the proper laws in their states that have been shown to be effective for other states.

## **APPENDIX A: BACKGROUND CHECK LAWS**

Table 1 Background Check Laws

State	Federal Background Checks	Mental Health Reporting	Private Sales Background Checks	Permit/Licensing for the Purchaser	Wait Periods
California (Group A)	<ul style="list-style-type: none"> <li>-Point of Contact (Through California Department of Justice)</li> <li>-Certificate or Concealed weapons license needed to purchase a firearm.</li> <li>-Handgun purchaser must prove California residency</li> <li>-Exemptions: Entertainment firearms</li> </ul>	<ul style="list-style-type: none"> <li>-Reporting: California Department of Justice reports to NICS</li> <li>-Courts Reporting: Danger due to mental illness, mentally disordered sex offender, not guilty by reason of insanity, mentally incompetent to stand trial, given a guardian.</li> <li>-Mental Health Facility: Danger to themselves or others, disabled due to a mental disorder or alcoholism (Kept separate from other records).</li> <li>-Individuals in custody for 72 hours or detained for 14 days.</li> <li>-Licensed Psychotherapist: Threatens violence against others (Kept separate from other records).</li> <li>-Time: Within 24 hours</li> </ul>	<ul style="list-style-type: none"> <li>-All firearm sales go through a licensed dealer.</li> </ul>	<ul style="list-style-type: none"> <li>-Firearm Safety Certificate or Handgun Safety Certificate: Licenses requires safety training. Must pass a test (Need 75%) and be 18 years old.</li> <li>-Valid: 5 years</li> <li>-Purchase limit: None</li> <li>-Purchaser must perform a safe handling demonstration The demonstrations varies depending on the firearm type.</li> <li>-Entertainment firearms permit: Any person 21, must pass background check first.</li> <li>-Valid: 1 year</li> </ul>	<ul style="list-style-type: none"> <li>-10 days for all firearms</li> <li>-Delay up to 30 days if unable to determine a buyer's eligibility.</li> </ul>
Connecticut (Group A)	<ul style="list-style-type: none"> <li>-Point of Contact (Through Connecticut Department of Emergency Services and Public Protection)</li> <li>-Permit or license to purchase needed to purchase a firearm.</li> </ul>	<ul style="list-style-type: none"> <li>-Reporting: Department of Emergency Services and Public Protection reports to NICS.</li> <li>-Department of Mental Health and Addiction Services and Judicial Department report anyone that is prohibited by federal law.</li> <li>-Psychiatric Hospitals: Must allow voluntary admissions to be reported</li> </ul>	<ul style="list-style-type: none"> <li>-All firearm sales go through a licensed dealer or law enforcement.</li> </ul>	<ul style="list-style-type: none"> <li>-Handgun eligibility certificate: Requires safety training.</li> <li>-Background Check Time period: 60 for FBI &amp; 90 days for Connecticut Department of Emergency Services and Public Protection to issue</li> <li>Valid: 5 years</li> <li>-Purchase limit: None</li> <li>-Long Gun eligibility certificate: Requires safety training.</li> <li>-Background Check Time: 60 days</li> <li>Valid: 5 years</li> </ul>	<ul style="list-style-type: none"> <li>-No wait period</li> <li>-Additional background check time for license.</li> </ul>



State	Federal Background Checks	Mental Health Reporting	Private Sales Background Checks	Permit/Licensing for the Purchaser	Wait Periods
Hawaii (Group A)	<p>-Point of Contact (Through Local Law Enforcement)</p> <p>-Permit needed to purchase a firearm.</p> <p>Exemptions: Permits</p>	<p>-Reporting: Hawaii criminal justice center reports to NICS.</p> <p>-Courts Reporting: involuntarily committed inpatients and outpatients, guardians.</p> <p>-Department of Health: Keeps records on dangerous people, person acquitted because of mental disorder, and is dangerous and not a proper subject for conditional release.</p> <p>-Health care providers &amp; Public Health authorities: Report mental health information if a person tries to purchase a firearm.</p>	<p>-All firearm sales require a permit.</p>	<p>-Handgun permit: Requires safety training and fire training.</p> <p>-Background Check Time: Up to 20 days.</p> <p>-Valid: 10 days</p> <p>-Purchase limit: 1 handgun</p> <p>-Long gun: Requires safety training and fire training.</p> <p>-Background Check Time: Up to 20 days</p> <p>-Valid: 1 year</p> <p>-Purchase limit: Unlimited</p>	<p>-No wait period</p> <p>-Additional background check time for license.</p>
Massachusetts (Group A)	<p>-Not Point of Contact</p> <p>-State license needed to purchase any firearm.</p> <p>-Permit is required for a handgun.</p>	<p>-Reporting: Criminal Justice Information Services reports to NICS.</p> <p>-Courts Reporting: Involuntary commitments and guardians.</p> <p>-Department of Mental Health: Keeps records on admission, treatment, and periodic review.</p>	<p>-All firearm sales require a permit</p> <p>-Must be a federally licensed dealer to transfer a firearm. Except if the private dealer doesn't sell more than 4 firearms a year</p> <p>-The Department of Criminal Justice set a web portal that any gun seller can check the validity of the purchasers license</p> <p>-Private sales must be</p>	<p>-Firearm Identification Card: For rifles and shotguns. Requires safety training.</p> <p>-Given at law enforcements discretion.</p> <p>-Valid: 6 years</p> <p>-Purchase limit: Unlimited</p> <p>-Handgun: FID &amp; Permit to purchase, rent or lease</p> <p>-Valid: 10 days</p> <p>-Purchase limit: 1 handgun</p> <p>-License to carry: Purchase, rent, lease, borrow, possess, and carry any firearm. Requires safety training.</p> <p>-Need good reason to fear injury.</p> <p>-Valid: 6 years</p> <p>-Purchase limit: Unlimited</p> <p>-Background Check Time: Have 40 days for all license.</p>	<p>-No wait period</p> <p>-Additional background check time for license.</p>

State	Federal Background Checks	Mental Health Reporting	Private Sales Background Checks	Permit/Licensing for the Purchaser	Wait Periods
			reported to The Department of Criminal Justice Information Services		
Maryland (Group A)	<p>-Partial Point of Contact (Through the Secretary of the Maryland State Police for handguns &amp; assault weapons)</p> <p>-Handgun license is needed when purchasing a handgun.</p> <p>-Purchaser must complete a state application form that the Maryland State Police have to approve before a handgun is transferred.</p>	<p>-Reporting: Institution must report to NICS.</p> <p>-Court Reporting: Not guilty by reason of insanity, incompetent to stand trial, and needs a guardian.</p> <p>-Time: Promptly</p> <p>-Mental Health Facility: Report anyone that has got treatment for 30 days, involuntarily committed.</p> <p>-Any facility that admits a person with a mental disorder must report</p> <p>-Time: Within 10 days</p>	<p>-Handgun and assault weapon sales go through a licensed dealer.</p> <p>-No requirement for long guns</p>	<p>-Handgun Qualification license: Complete a safety training course, be 21 years old, and a Maryland resident.</p> <p>-Background Check Time: Up to 30 days. Valid: 10 years Revoked: Any time no longer qualified.</p> <p>-Application to buy a handgun: Purchase must be completed in 90 days.</p>	<p>-7 days for handguns and assault weapons.</p> <p>-Additional background check time for license.</p>

State	Federal Background Checks	Mental Health Reporting	Private Sales Background Checks	Permit/Licensing for the Purchaser	Wait Periods
New Jersey (Group A)	<ul style="list-style-type: none"> <li>-Point of Contact (Through New Jersey State Police)</li> <li>-Purchasers must have a permit to purchase or Firearms Purchaser Identification Card.</li> </ul>	<ul style="list-style-type: none"> <li>-Reporting: Superintendent of the State Police and Administrative Office of the Courts report to NICS.</li> <li>-Anyone that is prohibited by federal law.</li> <li>-Applicants must waive their confidentiality rights regarding mental institution or hospital records when applying for a license or permit.</li> </ul>	<ul style="list-style-type: none"> <li>-All firearm sales require a permit.</li> </ul>	<ul style="list-style-type: none"> <li>-Permit to purchase a Handgun: No safety training required.</li> <li>-Valid: 90 days</li> <li>-Purchase limit: 1 handgun</li> <li>-Firearms Purchaser Identification Card: No safety course required.</li> <li>-Purchase limit: Unlimited</li> <li>-Valid: As long as person is eligible.</li> <li>-Background Check Time: 35 days for residents and 45 days for nonresidents.</li> </ul>	<ul style="list-style-type: none"> <li>-7 days for handguns</li> <li>-Additional background check time for license</li> </ul>
New York (Group A)	<ul style="list-style-type: none"> <li>-Not a Point of Contact</li> <li>-Handgun license is needed when purchasing a handgun.</li> </ul>	<ul style="list-style-type: none"> <li>-Reporting: New York State Division of Criminal Justice Services reports to NICS.</li> <li>-Court reporting: anyone prohibited by federal law and guardians.</li> <li>-Court ordered outpatient treatment can be appealed by the director of community services before a person is released if they need more treatment.</li> <li>-Mental Health Reporting: involuntarily committed to hospital or secure treatment facility.</li> <li>-Mental Health Professionals (Physicians, Psychologists, registered nurses or licensed clinical social workers) reporting: person that they believe may harm themselves or others</li> </ul>	<ul style="list-style-type: none"> <li>-All firearm sales go through a licensed dealer.</li> <li>-Requires anyone who intends to transfer a firearm to contact the State Police</li> </ul>	<ul style="list-style-type: none"> <li>-Handgun License: No safety training required. (Except in Westchester)</li> <li>-Background Check Time: Within 6 months</li> <li>-Recertified every 5 years</li> <li>-Valid: Until revoked (Except: New York City they last 3 years and in Nassau, Suffolk &amp; Westchester counties they last 5 years)</li> <li>-Can be revoked at any time</li> </ul>	<ul style="list-style-type: none"> <li>-No wait period</li> <li>-Additional background check time for license</li> </ul>

State	Federal Background Checks	Mental Health Reporting	Private Sales Background Checks	Permit/Licensing for the Purchaser	Wait Periods
Delaware (Group B)	<ul style="list-style-type: none"> <li>-Not a Point of Contact</li> <li>-Following a background check the FBI has to allow the transfer to proceed before the firearm is transferred. If 25 days pass without a proceed the transaction can occur.</li> </ul>	<ul style="list-style-type: none"> <li>Reporting: Delaware State Bureau of Identification reports to NICS.</li> <li>-Delaware Psychiatric Center and any hospital reporting: Care and treatment of mentally ill individuals, involuntarily committed.</li> <li>-Courts: not guilty by reason of insanity, incompetent to stand trial, and involuntarily committed.</li> <li>-The Delaware Department of Services for Children, Youth and Their Families reports individuals prohibited by federal law.</li> </ul>	<ul style="list-style-type: none"> <li>-All firearm sales go through a licensed dealer.</li> </ul>	<ul style="list-style-type: none"> <li>-License not required</li> </ul>	<ul style="list-style-type: none"> <li>-No wait period</li> </ul>
Illinois (Group B)	<ul style="list-style-type: none"> <li>-Point of Contact (Through Illinois Department of State Police)</li> <li>-Firearm Owner's Identification card or a permit to carry concealed handgun is needed to purchase any firearm</li> </ul>	<ul style="list-style-type: none"> <li>-Reporting: Department of State Police and Department of Human Services reports to NICS.</li> <li>-Public and private hospitals and mental health facilities reporting: Report anyone prohibited by federal law.</li> <li>-Courts Reporting: anyone mentally disabled, and prohibited by federal law.</li> <li>-Time: Within 7 days</li> <li>-School Administrators and law enforcement reporting: Anyone dangerous to themselves or others.</li> <li>-Time: Within 24 hours</li> <li>-Physician, Clinical Psychologist, and qualified examiners reporting: anyone dangerous to themselves or others or developmentally disabled.</li> <li>-Time: Within 24 hours</li> </ul>	<ul style="list-style-type: none"> <li>-All firearm sales required a permit</li> <li>-Private sellers must contact DSP to check the validity of the purchasers permit. Some exceptions.</li> <li>-Approvals valid for 30 days.</li> </ul>	<ul style="list-style-type: none"> <li>-Firearm Owner's Identification card: No safety training required. Need to be 21 and a resident of Illinois.</li> <li>-Purchase Limit: Unlimited</li> <li>-Valid: 10 years</li> <li>-Background Check Time: Within 30 days.</li> <li>-Revoke: At any time</li> </ul>	<ul style="list-style-type: none"> <li>-24 hours for long guns and 72 hours for handguns.</li> <li>-Additional background check for license</li> </ul>

State	Federal Background Checks	Mental Health Reporting	Private Sales Background Checks	Permit/Licensing for the Purchaser	Wait Periods
		-Licensing: Must waive rights of confidentiality regarding mental health information.			
Rhode Island (Group B)	-Not a Point of Contact -Licenses dealers must contact the FBI and law enforcement to conduct a background check.  -Handgun Certificate is needed if a purchaser does not have a concealed handgun license.  -Exempt: Concealed Handgun license to the Rhode Island background checks but not FBI.	-Reporting: Courts must report to NICS.  -Court reporting: Involuntary committed to mental institutions as inpatients. -Time: Within 48 hours	-All firearm sales a background checks is conducted through law enforcement. -Except: Concealed Handgun license -Must follow state wait period  -Handgun purchasers need a certificate.	-Handgun Certificate: Training required if the applicant does not have a concealed handgun license. -Valid: Does not say	-7 days to conduct the background check on all firearms
Washington (Group B)	-Partial Point of Contact (Through Local Law Enforcement for handguns) -Federal license dealer can only transfer a firearm after a background check has been cleared or 10 days have passed. -If the purchaser does not have a valid driver license or state identification card or	-Reporting: Courts report to NICS. -Time: Within 3 days after conviction  -Courts reporting: Convicted or found not guilty by reason of insanity, committed for mental health treatment (Includes involuntary or alternative treatment for 14 days, treatment for an adult for 90 or 180 days, involuntary commitment hearing for minor, treatment a minor for 180 days)  -Washington Department of Social Health Service: must supply relevant	-All firearm sales go through a licensed dealer	-License not required	-No wait period  -30 days if law enforcement finds that a person may be disqualified because of criminal charges

State	Federal Background Checks	Mental Health Reporting	Private Sales Background Checks	Permit/Licensing for the Purchaser	Wait Periods
	<p>hasn't been a resident for more than 90 days the background check process can take 60 days.</p> <p>-Cannot sell a handgun to a resident of another state.</p> <p>-Exempt: Concealed weapons permits</p>	<p>information upon request of court or law enforcement agency that would prohibit someone from possessing a firearm.</p> <p>-Mental health institutions and health care facilities must release relevant information when a person waives their rights for an application to purchase a handgun.</p>			
Colorado (Group C)	-Point of Contact (Through Colorado Bureau of Investigation)	<p>-Reporting: Colorado Bureau of Investigations can make records available to NICS for background check purposes.</p> <p>-Court Reporting: Incapacitated by court order, admitted to health programs that include mental health and substance abuse, involuntary certification for short-term treatment of mental illness, extended certification for treatment of mental illness, long-term care and treatment for mental illness.</p> <p>-Time: Within 48 hours</p>	<p>-All firearm sales go through a licensed dealer</p> <p>-Cannot transfer a firearm unless the background check is approved.</p> <p>-Time: 30 days.</p>	-License not required	<p>-No wait period</p> <p>-If failed because a final disposition is not entered the purchaser can appeal the denial and the state has 30 days to conduct a background check.</p>
Iowa (Group C)	<p>-Partial Point of Contact (Through Iowa Department of Public Safety for handguns)</p> <p>-A permit is required to purchase a handgun.</p> <p>-Exemptions: Permits to purchase handgun and</p>	<p>-Reporting: Courts report to NICS</p> <p>-Courts reporting: Anyone prohibited by federal law. The courts must also inform the person.</p> <p>-Iowa Medical and Classification Center must report anyone committed to the institution to the Iowa Department of Public Safety.</p>	<p>-A permit is required for handguns</p> <p>-Background check is not required for a long gun</p>	<p>-Handgun Permit: No training is required.</p> <p>Purchase limit: Unlimited</p> <p>-Valid: 5 years</p>	-Hand gun permit becomes valid 3 days after the application. However after obtained a person can continue to buy handguns.

State	Federal Background Checks	Mental Health Reporting	Private Sales Background Checks	Permit/Licensing for the Purchaser	Wait Periods
	concealed weapons permits				
Michigan (Group C)	<p>-Partial Point of Contact (Through Michigan Department of State Police for handguns)</p> <p>-Exemptions: Handgun purchase license holders and concealed pistol license</p>	<p>-Reporting: Michigan Department of Police reports to Enforcement Information Network. -Time: Immediately</p> <p>-Court Reporting: involuntarily hospitalized, involuntarily program, alternative treatment, or a combination of treatments, not guilty by reason of insanity or legal incapacity.</p>	<p>-Handgun license or concealed carry required to purchase a handgun.</p> <p>-Background check is not required for a long gun</p>	<p>-Handgun Purchase Licenses: No safety training required. Valid: 30 days</p>	-No wait period
Minnesota (Group C)	<p>-Not Point of Contact</p> <p>-If a person does not have a transferee permit or a permit to carry a handgun, local law enforcement conducts the background check.</p> <p>-Exempt: Permits, although not exempt from a federal background check</p>	<p>-Reporting: Courts report to NICS. -Time: Within 3 days</p> <p>-Court Reporting: Commits a person under state law as mentally ill, developmentally disabled, dangerous, chemically dependent, incompetent to stand trial, and guilty by reason of mental illness.</p> <p>-Courts report a patient committed to treatment other than a state operated program to supreme court information system.</p>	-Not required	<p>-License not required</p> <p>-Transferee permit can be obtained by applying to local police. This exempts a purchaser from a state background check. -Valid: 1 year -Background Check Time: 7 Days.</p>	<p>-7 days if applicant does not have a transferee permit or permit to carry.</p> <p>-Similar time period for transferee permit.</p>

State	Federal Background Checks	Mental Health Reporting	Private Sales Background Checks	Permit/Licensing for the Purchaser	Wait Periods
Nevada (Group C)	<p>-Point of Contact (Through Nevada Department of Public Safety)</p> <p>-Exempt: Concealed weapons permits</p>	<p>-Reporting: Central Repository for Nevada Records of Criminal History reports to NICS.</p> <p>-Court Reporting: Accepts a plea of guilty but mentally ill in a criminal case, defendant guilty but mentally ill, accepts a verdict acquitting a criminal defendant by reason of insanity, incompetent, involuntarily admitted to a public or private mental health facility, proposed ward is a person with a mental defect.</p> <p>-Time: 5 business days</p>	-All firearms sales go through a licensed dealer (Not enforced)	-License not required	-No wait period
Oregon (Group C)	<p>-Point of Contact (Through Oregon Department of State Police)</p> <p>-If Oregon Department of State Police is unable to approve the background check in 30 minutes they must give an estimated time. If fail to get back to the federal dealer they can transfer the firearm the next business day.</p>	<p>-Reporting: Oregon Department of State Police report to NICS</p> <p>-Oregon Health Authority: person is dangerous to themselves or others, committed to a state hospital or facility.</p> <p>-Department of Human Services: Person is dangerous to themselves or others.</p> <p>-Oregon Psychiatric Security Review Board: placed under the jurisdiction.</p> <p>-Courts: Mentally ill by federal definition, can't proceed in trial because of mental defect or disease, guilty by reason of insanity (Including Juveniles), dangerous to themselves or others.</p>	-All firearm sales go through a licensed dealer	-License not required	-No wait period
Pennsylvania (Group C)	<p>-Point of Contact (Through Pennsylvania State Police)</p> <p>-A firearm cannot be transferred until the</p>	<p>-Reporting: Pennsylvania State Police report to NICS.</p> <p>-Time: Within 72 hours</p> <p>-Judges Report: anyone incompetent or mental defective, involuntarily</p>	-Handgun purchases go through a licensed dealer	-License not required	<p>-No Wait Period</p> <p>-Can delay a transfer if a more thorough check needs to be done</p>



State	Federal Background Checks	Mental Health Reporting	Private Sales Background Checks	Permit/Licensing for the Purchaser	Wait Periods
	Pennsylvania State Police approve the transfer.	committed to a mental institution, involuntarily treated as an inpatient or outpatient, anyone prohibited by federal law. -Time: Within 7 days  -Mental Health review officers, county mental health and mental retardation administrators and courts are not restricted from disclosing any information to the Pennsylvania State Police.	-Background check is not required for a long gun		on a potential domestic violence incident. No set time period that the investigation has to be completed by.
Wisconsin (Group C)	-Partial Point of Contact (Through Wisconsin Department of Justice for handguns)  -Handgun sales need to be approved by Wisconsin Department of Justice. If records are unclear they must notify within 5 days.	-Reporting: Wisconsin Department of Justice reports to NICS -Time: Timely manner  -Reporting: Mental health commitments where a person is dangerous to themselves or others, treatment for alcoholism, guardians appointed, orders of protective services or protective placement.  -Court Clerks Reporting: prohibited by federal law from above.	-Not required	-License not required	-No Wait Period
Indiana (Group D)	-Not a Point of Contact	-Division of State Court Administration transmits to NICS.  -Court Reporting: Inpatient or outpatient treatment, not responsible by reason of insanity, guilty by mental illness, not competent to stand trial.  -Department of Corrections: Reports if it transmits a criminal to the Division of Mental Health and Addiction	-Not required	-License not required	-No Wait Period

State	Federal Background Checks	Mental Health Reporting	Private Sales Background Checks	Permit/Licensing for the Purchaser	Wait Periods
Nebraska (Group D)	<p>-Partial Point of Contact (Through Nebraska State Patrol for handguns)</p> <p>-Need a Handgun Certificate or Concealed Handgun Permit</p> <p>-Exemptions: Handgun Certificate or concealed handgun permits</p>	<p>-Reporting: Certain Mental Health records to Nebraska State Patrol. No law requires them to report to NICS.</p> <p>-Nebraska Department of Health and Human Services: Has database that records people ordered through courts or mental health boards because they are dangerous to themselves or others because of mental disability.</p> <p>-Court Clerks must report to Nebraska Department of Health and State Patrol these cases</p> <p>-Time: Within 30 days</p>	<p>-Handgun certificate or concealed handgun permit needed to transfer.</p> <p>-Background checks is not required for a long gun</p>	<p>Handgun Certificate: No training course required. Need to be 21.</p> <p>-Purchase Limit: Unlimited</p> <p>-Valid: 3 years</p>	-No Wait Period
New Hampshire (Group D)	-Partial Point of Contact (Through New Hampshire Department of Safety for handguns)	-Reporting: No law	-Not required	-License not required	-No Wait Period
North Carolina (Group D)	<p>-Partial Point of Contact (Through Local Sheriff for handguns)</p> <p>-Permit to purchase a handgun or Concealed Weapons permit is required to purchase.</p> <p>-Exemptions: Permits to purchase handguns &amp; Concealed weapons permits</p>	<p>-Reporting: Administrative Office of the Courts reports to NICS</p> <p>-Time: Within 48 hours (excluding weekends and holidays)</p> <p>-Court Reporting: Involuntarily committed to a facility as an inpatient or outpatient, committed to a facility for substance abuse treatment, not guilty by reason of insanity, incompetent to stand trial, incompetent to manage own affairs.</p> <p>-Involuntary commitment is only accessed by the sheriff.</p>	<p>-A Permit is required to purchase a handgun</p> <p>-Background checks are not required to be conducted on long gun purchases</p>	<p>-Permit to Purchase a handgun: No training course required. Must be a resident of the state unless the permit is for collecting.</p> <p>-Purchase limit: 1 handgun</p> <p>-Valid: 5 years</p> <p>-Background Check Time: 14 days</p>	<p>-No Wait Period</p> <p>-Addition background check time for license</p>
Ohio (Group D)	-Not a Point of Contact	-Reporting: No law requiring reporting to NICS.	-Not required	-License not required	-No Wait Period

State	Federal Background Checks	Mental Health Reporting	Private Sales Background Checks	Permit/Licensing for the Purchaser	Wait Periods
	-Exempt: Concealed weapons permits (after 3/23/15)	-Probate judges must report people that are required to be hospitalized by court order -Chief clinical officer of a hospital, agency, facility must report involuntary patients -Time: 7 days for both -Report to Bureau of Criminal Identification			
Virginia (Group D)	-Point of Contact (Through the Department of State Police)  -Background checks must be processed by the following business day. If not the dealer can transfer the firearm. -Non-residents have 10 days to process a background check.	-Reporting: Department of State Police report to NICS  -Clerk Court Reporting: Involuntary admission, mandatory outpatient treatment -Time: Within next business day  -Chief law enforcement officer of a county or city must report an acquittal by reason of insanity -Time: Following case	-Not required	-License not required	-No Wait Period
Alabama (Group F)	-Not a Point of Contact  -Exempt: Concealed weapon permits	-Reporting: Alabama Law Enforcement Agency reports to NICS.  -Courts Reporting: Anyone prohibited by federal law.	-Not required	-License not required	-No Wait Period
Alaska (Group F)	-Not a Point of Contact  -Exempt: Concealed weapon permits marked NICS-Exempt	-Reporting: Courts report to NICS.  Courts Reporting: Involuntarily committed (Doesn't apply if released before 72 hours)	-Not required	-License not required	-No Wait Period
Arizona (Group F)	-Not a Point of Contact  -Exempt: Concealed weapon permits	-Reporting: Department of Public Safety reports to NICS.  -Court Reporting: Incompetent, appointed guardians, dangerous to	-Not required	-License not required	-No Wait Period

State	Federal Background Checks	Mental Health Reporting	Private Sales Background Checks	Permit/Licensing for the Purchaser	Wait Periods
		themselves or others, disabled due to mental illness, inpatient and outpatient treatment.			
Arkansas (Group F)	-Not a Point of Contact -Exempt: Concealed weapon permits (after 4/1/99)	-No law requiring mental health records to be reported to the NICS. -Time: Upon filing -Courts must report people who are found to be mentally ill or required to go to treatment during trial to Arkansas Crime Information Center.	-Not required	-License not required	-No Wait Period
Florida (Group F)	-Point of Contact (Through Florida Department of Law Enforcement)  -Has 3 business days to determine if a person is prohibited. Additional time can be granted (See Wait Period)	-Reporting: Florida Department of Law Enforcement is not required to submit records to NICS. -Information that would prohibit an individual.  -Clerks of Courts: Inpatients and Outpatients, mentally defective -Time: Within 1 month	-Not required	-License not required	-3 days for handguns only (Excludes weekends & holidays) Exemption: Concealed weapon permits -Can delay a background check indefinitely to determine pending indictments, information, or arrests for certain crimes
Georgia (Group F)	-Not a Point of Contact -Exempt: Concealed weapons permits	-Reporting: Georgia Crime Information Center reports to NICS.  -Court Reporting: People prohibited by federal law, not guilty by reason of insanity. -Clean records after 5 years have passed.	-Not required	-License not required	-No Wait Period
Idaho (Group F)	-Not a Point of Contact -Exempt: Concealed weapons permits	-Reporting: Mental health records are transferred to NICS	-Not required	-License not required	-No Wait Period

State	Federal Background Checks	Mental Health Reporting	Private Sales Background Checks	Permit/Licensing for the Purchaser	Wait Periods
		-Court Reporting: committed to mental health facility, orders for mental health treatment, appointed guardians, appoints conservator, incompetent to stand trial.			
Kansas (Group F)	-Not a Point of Contact -Exempt: Concealed weapons permits	Reporting: Kansas Bureau of Investigations reports to NICS. -District courts must report any person required to get mental health treatment to the NICS within 5 days.	-Not required	-License not required	-No Wait Period
Kentucky (Group F)	-Not a Point of Contact -Exempt: Concealed weapons permits (after 7/12/06)	-Reporting: Department of Kentucky State Police reports to NICS.  -Courts: person mentally defective, committed to a mental institution.	-Not required	-License not required	-No Wait Period
Louisiana (Group F)	-Not a Point of Contact -Exempt: Concealed handgun permits	-Reporting: Louisiana Supreme Court reports to NICS -Time: 15 days  -Court Report: Acquittal by insanity, can't stand trial, involuntarily committed as inpatients, prohibited by federal law. -Time: 10 days -Department of Health and Hospitals or office of elderly affairs: report anyone prohibited by federal law.	-Not required	-License not required	-No Wait Period
Maine (Group F)	-Not a Point of Contact	-Reporting: The Department of Public Safety reports to NICS. -Time: Soon as it receives an abstract from the court after the hearing  -Courts Report: Involuntary committed to hospital, not criminally responsible because of insanity, not competent to stand trial.	-Not required	-License not required	-No Wait Period

State	Federal Background Checks	Mental Health Reporting	Private Sales Background Checks	Permit/Licensing for the Purchaser	Wait Periods
Missouri (Group F)	-Not a Point of Contact	-Reporting: Missouri State Highway Patrol is authorized but not required to report to NICS.  -Court Reporting: Acquitted because of mental disease or defect.  -Records for mental health and psychiatric issues that were used in court proceedings are available to be reported to NICS.	-Not required	-License not required	-No Wait Period
Mississippi (Group F)	-Not a Point of Contact  -Exempt: Concealed weapons permits	-Reporting: Department of Public Safety reports to NICS.  -Court Reporting: determined mentally ill by ordering inpatient, outpatient treatment, acquitted by reason of insanity, appointed guardians, is incompetent to stand trial. -Time: Within 30 days	-Not required	-License not required	-No Wait Period
Montana (Group F)	-Not a Point of Contact -Exempt: Concealed weapons permits	-Reporting: No law requiring reporting	-Not required	-License not required	-No Wait Period
New Mexico (Group F)	-Not a Point of Contact	-Reporting: Courts report to NICS  -Court Reporting: Mentally defective or committed to a mental institution. -Time: Upon Verdict	-Not required	-License not required	-No Wait Period
North Dakota (Group F)	-Not a Point of Contact -Exempt: Concealed weapons permits	-Reporting: Courts report to NICS  -Court Reporting: Anyone prohibited by federal law	-Not required	-License not required	-No Wait Period
Oklahoma (Group F)	-Not a Point of Contact	-Reporting: Courts report to NICS  -Court reporting: mentally incompetent, involuntarily committed.	-Not required	-License not required	-No Wait Period

State	Federal Background Checks	Mental Health Reporting	Private Sales Background Checks	Permit/Licensing for the Purchaser	Wait Periods
South Carolina (Group F)	-Not a Point of Contact  -Exempt: Concealed weapons permits	-Reporting: South Carolina Law Enforcement Division reports to NICS  -Court Reporting: Anyone prohibited by federal law. -Time: Within 5 days	-Not required	-License not required	-No Wait Periods
South Dakota (Group F)	-Not a Point of Contact  -Exempt: Gold card and enhanced permits	-Reporting: Attorney general reports to NICS -Time: Within 7 days  -Courts report: Anyone involuntarily committed because they are a danger to themselves or others.	-Not required	-License not required	-No Wait Periods
Tennessee (Group F)	-Point of Contact (Through Tennessee Bureau of Investigation)	-Reporting: Courts report to NICS -Time: Within 3 business days  -Courts Report: Person committed to a mental institution, mentally defective.	-Not required	-License not required	-No Wait Periods -15 days if no final disposition is noted on the purchasers record
Texas (Group F)	-Not a Point of Contact -Exempt: Concealed weapons permits  -Conduct criminal history record check -TBI will prohibit purchase if a person final disposition is not recorded. -No final disposition information is available TBI must reverse the denial and allow the sale.	-Reporting: Department of Public Safety reports to NICS  -Court Reporting: Inpatients, acquitted because of insanity, long-term residential care, appointed guardians, incompetent to stand trial. -Time: Within 30 days	-Not required	-License not required	-No Wait Periods
Utah (Group F)	-Point of Contact (Through the Criminal Investigations and Technical Services Division of the	-Reporting: No law requiring reporting to NICS.  -Court Clerk Reporting: Not guilty by reason of insanity, mentally	-Not required	-License not required	-No Wait Periods

State	Federal Background Checks	Mental Health Reporting	Private Sales Background Checks	Permit/Licensing for the Purchaser	Wait Periods
	Department of Public Safety)  -Exempt: Concealed weapons permits	incompetent to stand trial, guilty but mentally ill, order of civil commitment of the mentally ill. -Time: Within 30 days -Report to the Criminal Investigations and Technical Services Division.			
Vermont (Group F)	-Not a Point of Contact	-Reporting: Court Administrators report to NICS -Time: Within 48 hours  -Court Reporting: ordered to mental health commitment, hospitalization, or treatment	-Not required	-License not required	-No Wait Periods
West Virginia (Group F)	-Not a Point of Contact  -Exempt: Concealed handgun license	-Reporting: Authorized but not required to report to NICS  -The Secretary of Department of Health and Human Resources and the circuit clerk report anyone that is prohibited by federal law.	-Not required	-License not required	-No Wait Periods
Wyoming (Group F)	-Not a Point of Contact -Exempt: Concealed weapons permits	-Reporting: No law requiring reporting	-Not required	-License not required	-No Wait Periods



## **APENDIX B: CONCEALED CARRY LAWS**

Table 2 Concealed Carry Laws

State	Concealed Carry	Training	Duration & Renewal	Open Carry
California (Group A)	-May-Issue -Issued: Good character, good cause exists for issuing license, safety course, and meets residency requirements.	-Maximum of 16 hours course that is approved by licensing authority. -Can require a course of a maximum of 24 hour with the Commission on Peace Officer Standards and Training.	-Valid: 2 years -Renewal: Must repeat the training requirements but only 4 hours are required for training courses. -Psychological testing may be required if the licensing authority has evidence that it is necessary.	-Prohibited from carrying all firearms that are loaded (Some exceptions)  -Unloaded handguns & long guns that are exposed cannot be carried in public (Some exceptions)
Connecticut (Group A)	-May-Issue -Issued: Suitable person, resident of the jurisdiction applying, completed a safety course, not prohibited by law.	-Completion of a course approved by the Commissioner of Emergency Services and Public Protection	-Valid: 5 years -Renewal: No additional requirements	-No restrictions for handguns (Must have permit) -No restrictions for long guns
Hawaii (Group A)	-May-Issue -Issued: Qualified, suitable person, applicant shows reason to fear injury to themselves or their property, not prohibited by law	-No specific law, but training is required to obtain a permit	-Valid: 1 year -Renewal: No additional requirements	-No restrictions for handguns (Must have permit) -Long guns can only be carried when target shooting or hunting (License required)
Massachusetts (Group A)	-May-Issue -Issued: Resident, suitable person, good reason to fear injury to themselves or property, prohibited by law	-Basic firearm safety certificate is required of someone who doesn't have a Firearm Identification Card or permit to purchase, rent or lease that was issued before June 1, 1998.	-Valid: 6 years	-Must have license to openly carry -Loaded long guns cannot be carried in public
Maryland (Group A)	-May-Issue -Issued: who is not dangerous or show to be violent, has a good reason to fear danger.	-Minimum of 16 hours (Approved by Secretary of the Maryland State Police)	-Valid: 2 years (from last day of the birth month of the holder) -Renewal: No additional requirement Valid: 3 years	-Must have a handgun permit to openly carry, however Secretary of State Police can make restrictions  -No restrictions for long guns
New Jersey (Group A)	-May-Issue -Issued: Not prohibited by law, safety course, justifiable need to carry, endorsed by 3	-Completion of a course approved by the Police Training Commission, submit handgun	-Valid: 2 years -Renewal: Must repeat the same training requirements	-Must have a handgun permit to openly carry -No restrictions for long guns (Must have Firearms Purchaser Identification Card)

State	Concealed Carry	Training	Duration & Renewal	Open Carry
	reputable people who know the applicant for 3 years (For good character)	qualification scores, pass a test regarding the use of force		-Prohibits loaded long gun carry (Some exceptions)
New York (Group A)	-May-Issue -Issued: Need proper cause, good character, not prohibited by law	-Training is not required (Westchester county requires a certificate of a completed firearms safety course)	-Valid: Until revoked (Except: New York City they last 3 years & Nassau, Suffolk and Westchester Counties they last 5 years)	-Prohibit the carry of loaded handguns, short-barreled shotguns, rifles, or assault weapons in public. -Handguns cannot be carried openly -No restrictions for long guns
Delaware (Group B)	-May-Issue -Issued: Good moral character- need a certificate signed by 5 respectable citizens of the county, needs to state that a license is needed for protection	-Applicant must provide a certificate that was signed by an instructor indicated that the applicant completed a training course through an instructor that is certified through a nationally recognized organization on firearms training. -Also must live fire at least 100 rounds on a range	-Valid: 3 years Renewal: No additional requirements Valid: 5 years	-No restrictions (Must have a license)
Illinois (Group B)	-Shall-Issue (Allows some discretion) -Issued: Need a FOID card, not prohibited by law, failed a drug test, completed training -Can reject if reason to believe an applicant is dangerous.	-Must complete a course that is a minimum of 16 hours (Must be approved by the Department of State Police) -Must also provide a certificate showing that an applicant passed a live firing exercise (New Applicants only)	-Valid: 5 years -Renewal: New background check must be conducted and the applicant has to enroll in a 3 hour training course	-Prohibits carrying any firearm within the corporate limits of a city, village or incorporate town (Some exceptions) -Concealed carry licenses allow a person to carry a partially concealed handgun in public.
Rhode Island (Group B)	-Shall-Issue (Allows some discretion) -Issued: Either- suitable person or good reason to fear any injury, resident where applying, certificate. -Revoked: Any time for just cause	-Must score a 195 out of 300 on target shooting with a gun that is equal to or greater than the caliber of the gun they are getting a license for.	-Valid: 4 years	-Must have a handgun permit to openly carry -No restrictions for long guns (Some exceptions)
Washington (Group B)	-Shall-Issue -Denied: ineligible by state law & federal law, under 21, subject to court order, free on bond, pending trials,	-No Requirement	-Valid: 5 years -Renewal: 90 days before or after the license becomes expired	-No firearm may be carried, exhibited, displayed, or drawn if it can cause bodily harm and the firearm owner has intentions to cause harm. (Some exceptions)

State	Concealed Carry	Training	Duration & Renewal	Open Carry
	outstanding warrants for arrest of felony or misdemeanor, order to forfeit weapon within the last year, revoked concealed pistol license.			
Colorado (Group C)	-Shall-Issue (Allows some discretion) -Deny: Reason to believe an applicant is dangerous, not resident, under 21, Not an alcoholic or addicted to other drugs, prohibited, not competent with a handgun	-Applicants must provide evidence that they know how to use a handgun. -Excludes internet courses	-Valid: 5 years -Renewal: 6 months to renew the permit, otherwise the applicant needs to reapply	-No restrictions (No license or permit is needed), however local governments can make restrictions
Iowa (Group C)	-Shall-Issue (Allows some discretion) -Deny: If believe an action within the last 2 years demonstrates a person is likely to use the handgun in an unlawful way, less than 18 or 21 depending on permit, alcoholic, prohibited, last 3 years convicted of any serious misdemeanors.	-Applicants must provide evidence that they know how to use a handgun. -Internet courses are allowed	-Valid: 5 years (Nonprofessional permit)	-Must have a handgun license to openly carry -License is not needed if outside the city limits. -Long guns must be unloaded, outside city limits, and need a state license
Michigan (Group C)	-Shall-Issue -Denied: under 21, U.S. citizen, resident, completed training course, prohibited, dishonorably discharged, convicted of misdemeanors within the last 8 years (in some cases 3), prohibited	-Must complete a handgun safety training course with a certified Michigan or national firearms training organization.	-Valid: 4 to 5 years (Until the applicants birthday within this time period) -Renewal: Must complete within 6 months after the license expiring 3 hours of review on training and 1 hour of range time. (Original requirements are needed if the applicant fails to meet these requirements)	-No restrictions
Minnesota (Group C)	-Shall-Issue (Allows some discretion) -Deny: If a there is a likelihood the individual is dangerous, under 21, not U.S.	-Must complete a training course from a Minnesota peace officer or through a certified instructor within the last year. (Some exceptions)	-Valid: 5 years -Renewal: Must complete the original training requirements	-Must have a handgun permit to openly carry -Prohibits carrying long guns in public (Some exceptions)

State	Concealed Carry	Training	Duration & Renewal	Open Carry
	resident, hasn't completed training, prohibited by various state laws, not a gang member -Revoked: 30 days to notify the applicant			
Nevada (Group C)	-Shall-Issue -Denied: Under 21, prohibited by law, hasn't completed training, alcoholic or substance use, on probation, within 5 years of being convicted of a felony, discharged from military	-Must complete a training course with a certified instructor that is approved by Nevada sheriffs.	-Valid: 5 years (Until the applicants birthday after the 4th year) -Renewal: Must complete the original training requirements.	-No restrictions (Needs a valid permit)
Oregon (Group C)	-Shall-Issue (Allows some discretion) -Deny: if believe a person has been or is likely to be dangerous, not a us resident, under 21, prohibited by law, discharged from military	-Must complete a course, class or competition that is authorized by the state.	-Valid: 4 years -Renewal: Must meet the same requirement as an 1st time applicant (Except fingerprints & character references) -License is valid for up to 45 days after it is expired	-No restrictions
Pennsylvania (Group C)	-Shall-Issue (Allows some discretion) -Denied: if character demonstrates the individual is dangerous, 21, alcoholic or substance use, prohibited by various crimes, not us resident	-No requirements	-Valid: 5 years	-No restrictions
Wisconsin (Group C)	-Shall-Issue -Denied: Under 21, prohibited by state law, not resident, proof of training	-Must provide proof of firearm training.	-Valid: 5 years -Renewal: No additional requirement (Background check is conducted)	-No restrictions
Indiana (Group D)	-Shall-Issue (Allows some discretion) -Qualified license: For hunting and target practice -Unlimited license: For protection of life and property -Denied: good character, not U.S. citizen is a proper	-No requirements	-Valid: Qualified license- 4 years & lifetime license- forever	-Must have a handgun license to carry in public -No restrictions for long guns

State	Concealed Carry	Training	Duration & Renewal	Open Carry
	person- prohibited by law or committed various crimes, under 18			
Nebraska (Group D)	-Shall-Issue -Issued: 21, not prohibited by federal law, sufficient eyesight, hasn't pled guilty to various crimes, resident for at least 180 days, training proof	-A handgun safety course must be completed within 3 years of applying for the license.	-Valid: 5 years -Renewal: Can apply 4 months before the current permit becomes expired	-No restrictions
New Hampshire (Group D)	-Permitless Carry -Shall-Issue (For concealed carry licenses if a resident wants to carry in other states) -Issued: need a good reason to fear injury, photograph or finger print taken.	-No requirements	-Valid: 5 years	-No restrictions (License not needed)
North Carolina (Group D)	-Shall-Issue -Denied: under 21, prohibited by law, completed safety course, committed various crimes, addicted to alcohol or other substances, dishonorably discharged	-Applicants must complete a certified course that requires applicants to fire a handgun and teaches them about state laws.	-Valid: 5 years	-No restrictions (License not needed)
Ohio (Group D)	-Shall-Issue -Denied: Not U.S. resident, under 21, committed various crimes, doesn't complete training	-Applicants must complete a course of at least 12 hours regarding to the use and safety of firearms.	-Valid: 5 years	-No restrictions
Virginia (Group D)	-Shall-Issue (Allows some discretion) -Denied: After consulting with law enforcement find the person has outstanding concerns about their behavior, under 21, prohibited by law, committed various crimes, discharged, addicted to alcohol or other substances	-Must provide proof that the applicant completed a course, evidence they have experience an equivalent firearm, or has had a license to carry in Virginia before.	-Valid: 5 years -Renewal: No additional requirements	-No restrictions (Some exceptions)

State	Concealed Carry	Training	Duration & Renewal	Open Carry
Alabama (Group F)	-Shall-Issue (Allows some discretion) -Denied: Reason to believe person is dangerous, prohibited by law	-No requirement	-Valid: 5 years	-No restrictions
Alaska (Group F)	-Permitless Carry -Shall-Issue (For concealed carry licenses if a resident wants to carry in other states) -Denied: under 21, prohibited by state and federal law, resident of Alaska for 90 days, completed training course	-Applicants must complete a training course	-Valid: 5 years	-No restrictions
Arizona (Group F)	-Permitless Carry -Shall-Issue (For concealed carry license if a resident wants to carry in other states) -Denied: Not us resident, under 21, felony, prohibited by law, demonstrate safe handling	-Applicants must provide evidence that they can competently handle a firearm through one of the various requirements.	-Valid: 5 years -Renewal: Applicants must get a background check	-No restrictions
Arkansas (Group F)	-Shall-Issue (Allows some discretion) -Deny: if a danger to society is submitted by the community, U.S. citizen, under 21, prohibited by law	-Applicants must complete a training course that the State Police have approved. -Applicants can take a one-time course that is offered by the Director of Arkansas State Police that will allow a concealed carry license holder to carry in restricted public areas.	-Valid: 5 years -Renewal: Must complete a training course and go through a background check.	-Handguns cannot be carried in public if they are the firearm holder plans to use the weapon on another individual.
Florida (Group F)	-Shall-Issue	-Applicants must provide evidence that they can competently handle a firearm through one of the various requirements.	-Valid: 7 years Renewal: Background check must be conducted	-Prohibits open carrying of all firearms (Some exceptions)
Georgia (Group F)	-Shall-Issue (Allows some discretion) -Denied: If not of good moral character	-No requirement	-Valid: 5 years Renewal: Same process as a 1st time applicant (Except a fingerprint)	-No restrictions (Must have a handgun license) -No restrictions on long guns

State	Concealed Carry	Training	Duration & Renewal	Open Carry
Idaho (Group F)	-Permitless Carry -Shall-Issue (For concealed carry license if a resident wants to carry in other states)	-Applicant must show that they are familiar with firearms. -Enhanced concealed carry license applicants must complete a handgun course	-Valid: 5 years -Renewal: Background check must be conducted	-No restrictions (License not needed)
Kansas (Group F)	-Permitless Carry -Shall-Issue (For concealed carry license if a resident wants to carry in other states)	-Applicants must complete an 8 hour course on handgun safety	-Valid: 4 years	-No restrictions
Kentucky (Group F)	-Shall-Issue	-Applicants must complete a course approved by the Department of Criminal Justice (Maximum of 8 hours). The course must include range training.	-Valid: 5 years	-No restrictions
Louisiana (Group F)	-Shall-Issue	-Applicants must complete a course within the last year of applying for a license	-Valid: 5 years	-No restrictions
Maine (Group F)	-Permitless Carry -May-Issue (For concealed carry license if a resident wants to carry in other states)	-Applicants must complete a course within the last 5 years when applying for a license	-Valid: 4 years	-No restrictions
Missouri (Group F)	-Permitless Carry -Shall-Issue (For concealed carry license if a resident wants to carry in other states)	-Applicants must complete a training course -Online courses are allowed	-Standard license- valid for 4 years -Lifetime license- valid forever -Extended license- valid for 10 or 25 years	-No restrictions
Mississippi (Group F)	-Permitless Carry -Shall-Issue (For concealed carry license if a resident wants to carry in other states)	-No requirement -If applicant completes a training course they can carry in locations that are otherwise restricted	-Valid: 5 years -Renewal: Applicants must renew within 6 months otherwise they have to reapply and go through a background check	-No restrictions
Montana (Group F)	-Shall-Issue	-Applicants must provide proof that they know how to handle a firearm through one of various options	-Valid: 4 years	-No restrictions
New Mexico (Group F)	-Shall-Issue	-Applicants must complete a course that is approved by the	-Valid: 4 years	-No restrictions



State	Concealed Carry	Training	Duration & Renewal	Open Carry
		New Mexico Department of Public Safety	-Renewal: Applicants must renew within 60 days and complete a 4 hour course	
North Dakota (Group F)	-Permitless Carry -Shall-Issue (For concealed carry license if a resident wants to carry in other states)	-Class 1 license are required to complete a course and pass an open book test. -Class 2 license are required to pass an open book test	-Valid: 5 years	-Restricts handgun carry during night if the gun holder does not have a permit -No restrictions for long guns
Oklahoma (Group F)	-Shall-Issue	-Applicants are required to complete an online course that is 8 hours.	-Valid: 5 years (Applicants have the option to make the license valid for 10 years) -Renewal: Applicants 3 years before the expiration of a license to reapply. Renewal license is valid for 10 years.	-A handgun license is required to openly carry (Some exceptions for unlicensed carriers) -Unloaded long gun or handgun can be openly carried without a license
South Carolina (Group F)	-Shall-Issue	-Applicants must demonstrate that they can use a handgun or are required to complete a course.	-Valid: 5 years Renewal: Must get a background check	-Prohibits people from carrying handguns in public (Some exception) -No restricts for long guns
South Dakota (Group F)	-Shall-Issue (Allows some discretion) -Denied: Found to be dangerous within the last 10 years	-No requirements -Enhanced license must complete a handgun safety course	-Valid: 5 years	-No restrictions
Tennessee (Group F)	-Shall-Issue	-Applicants must complete a course approved by the Tennessee Department of Safety	-Lifetime permits: Valid forever but a background check must be conducted every 5 years	-Must have a handgun permit to openly carry -Ammunition cannot be in the vicinity of a long gun carrier
Texas (Group F)	-Shall-Issue	-Applicants must complete the Texas Department of Public Safety course.	-Valid: Birthday of the holder after the 4th year Renewal: Applicants must sign a form stating that they were informed about state laws pertaining to deadly force and where they are prohibited from carrying a handgun.	-Must have a handgun permit to openly carry -No restrictions for long guns
Utah (Group F)	-Shall-Issue (Allows some discretion) -Denied: believe to be dangerous with evidence from past patterns of behavior or unlawful violence.	-Applicants must demonstrate that they are familiar with a firearm by providing evidence of a course completed.	-Valid: 5 years	-Loaded firearm carries must have a permit -Unloaded firearms have no restrictions

State	Concealed Carry	Training	Duration & Renewal	Open Carry
Vermont (Group F)	-Permitless Carry	-No laws	-No laws	-No restrictions
West Virginia (Group F)	-Permitless Carry -Shall-Issue (For concealed carry license if a resident wants to carry in other states)	-Applicants must complete a course and partake in live fire training	-Valid: 5 years -Renewal: No additional training requirements	-No restrictions
Wyoming (Group F)	-Permitless Carry -May-Issue (For concealed carry license if a resident wants to carry in other states)	-Applicants must prove they know how to operate a firearm through one of various options.	-Valid: 5 years	-No restrictions

## **APPENDIX C: REMOVING FIREARM LAWS**

Table 3 Removing Firearm Laws

State	Disarming prohibited person	Relinquishing firearms in Protection Orders & Convicted Domestic Violence cases	-Removal of Firearms on the scene
California (Group A)	<p>-Relinquishing weapons: Prohibited person must sell all firearms and ammunition (Proof needed) and a probation officer verifies with the courts during the final dispositions. (A search for all firearms is approved by the court if the prohibited person fails to turn over weapons)</p> <p>-Database: Armed Prohibited Persons System- checks firearm sales records and runs them against prohibited person's records.</p>	<p>-Protection orders: If a request to turn over all firearms in a protective order is made the person must immediately turn over his/her firearms to the law enforcement officers. If no request is made the person must surrender all firearms and ammunition to law enforcement within 24 hours &amp; provide a receipt to the court and law enforcement within 48 hours (Fail to do so a search warrant is provided to seize the firearms).</p> <p>-Convicted: Same as disarming prohibited person requirements</p> <p>-Anyone who is charged (Not yet convicted) of domestic violence misdemeanor is prohibited from purchasing or possessing a firearm and ammunition.</p>	<p>-Removal: Must take all firearms (plain view or obtained through a lawful search) if there is a threat to human life or a physical assault.</p> <p>Return: No later than 5 business days but not before 48 hours (Person must be eligible)</p> <p>-Database: Requires law enforcement to report all domestic violence related calls. A report must be included (Indicating if a weapon was used)</p>
Connecticut (Group A)	<p>-Relinquishing weapons: Prohibited person must transfer all firearms (Authorization number needed) and ammunition to an eligible person or turn over to law enforcement. (Domestic violence different)</p> <p>-Time: Within 2 business days</p> <p>-Supreme Court judge can grant the State attorney or any 2 police officers upon request to seize firearms from an individual that they have probable cause to believe is a risk.</p>	<p>-Protection Orders: Prohibits possession of firearms (Upon the order). Removal same as Convicted</p> <p>-Convicted: Must sell all firearms and ammunition to a federally licensed dealer or turn them over to local law enforcement.</p> <p>Time: Within 24 hours of the notice</p>	<p>-Removal: May seize (Not required) firearms and ammunition from the arrested party (plain view) in a family violence crime.</p> <p>-Return: Within 7 days (person must be eligible)</p>
Hawaii (Group A)	<p>-Relinquishing weapons: Prohibited person must transfer all firearms and ammunition to the chief of police or sell them to a licensed dealer. (Police may seize the weapons if the prohibited person fails to do so)</p> <p>-Time: Within 30 days</p>	<p>-Protection order: Surrender firearms and ammunition to law enforcement until the order is served. (Upon court order)</p> <p>-Police have the authority (Not required) to remove firearms</p> <p>-Convicted: Must sell all firearms and ammunition to a federally licensed dealer or turn them over to law enforcement</p>	<p>-Removal: Must remove all firearms and ammunition from the abuser if the officer believes physical abuse occurred.</p> <p>-Return: Within 7 days (Unless its evidence or person is ineligible)</p>

State	Disarming prohibited person	Relinquishing firearms in Protection Orders & Convicted Domestic Violence cases	-Removal of Firearms on the scene
Massachusetts (Group A)	-Relinquishing weapons: No specific law regarding removal -Firearm Identification card becomes revoked and the person must transfer all firearms and weapons to a licensed dealer.	-Protection order: Surrender firearms, ammunition, license, and identification cards immediately to law enforcement who are serving the order. -Convicted: Although the abuser must surrender weapons and ammunition, the courts are not required to notify the abuser. -Courts must transfer domestic violence incidents to the NICS.	-No specific law
Maryland (Group A)	-Relinquishing weapons: No clear laws specifying how weapons are seized. A handgun or assault weapon that is sold, rented, transferred, possessed, received or purchased in violation of the law can be confiscated by law enforcement. Ammunition that is in the vicinity of the firearm can also be seized. -Time: Officer can use discretion as to if he/she should give the gun back. The owner can apply within 30 days for the case to be reviewed. -A search warrant is needed to seize machine guns.	-Protection order: Surrender firearms and ammunition to law enforcement until the order is served. (Upon court order) -Convicted: No clear laws (Same as Disarming prohibited persons)	-Removal: May seize (Not required) firearms that are observed at the scene if the officer believes a domestic violence act occurred. Return: End of legal proceedings (Must be eligible)
New Jersey (Group A)	-Relinquishing weapons: No specific laws outside of domestic violence charges. -Firearms Purchaser Identification Cards become invalid immediately and the person must return their card. -Time: Within 5 days	-Protection Orders: Surrender firearms to law enforcement. -Convicted: Must surrender firearms, identification cards, and permits to law enforcement immediately. The surrender has 5 days to set up a transfer with a licensed dealer. (A receipt is needed to prove the transfer). -Anyone who is charged (Not yet convicted) with a domestic violence misdemeanor is prohibited from purchasing or possessing a firearm	-Removal: Must remove firearms observed at the scene if the officer believes domestic violence has occurred. Firearm Purchaser Identification Cards and Permits must also be seized. -Return: 45 days to petition to a court. If a hearing determines the owner is restricted the Purchaser Identification Card and Permit is invalid and the owner must turn over all other firearms or sell to a registered firearm dealer (within 60 days).
New York (Group A)	-Relinquishing weapons: Prohibited individuals can voluntarily surrender firearms to law enforcement. If convicted of an offense, the person must surrender all firearms and license.	-Protection Orders: Surrender all firearms and the person's license becomes invalid (Upon the result of the hearing) until the protection order is served. -The courts notify the police and a statewide registry of the protection order.	-No specific law

State	Disarming prohibited person	Relinquishing firearms in Protection Orders & Convicted Domestic Violence cases	-Removal of Firearms on the scene
		-Convicted: prohibited from purchasing and possessing a firearm and the license are revoked. -Anyone who is charged (Not yet convicted) with certain domestic violence misdemeanors are prohibited from purchasing or possessing a firearm. -If a person is found to have a domestic relationship with the victim the courts must report the incident to the NICS.	
Delaware (Group B)	-No law requiring removal (Other than Domestic violence)	-Protection order: Courts can (not required) to have an abuser surrender all firearms to police or a federally licensed dealer (Proof required). -Time: Immediately (if requested), otherwise within 24 hours (Upon being served with an order) -Courts can also authorize law enforcement to search for weapons. -Convicted: No law requiring the removal of firearms.	-No specific law
Illinois (Group B)	-If a person is given a revocation notice they must surrender their Firearm Owner's Identification card and submit a Firearm Disposition Record to the Department of State Police. -Firearm Disposition record states where the firearm will be kept or if it will be transferred. -Committed a felon the person must surrender to law enforcement.	Protection order: Must surrender a Firearm Owner's identification card to law enforcement and courts issue a warrant for law enforcement to seize all firearms. -Returned after the order expires. -Convicted: Must surrender all firearms and the Firearm Owner's Identification card. -Upon conviction the court clerk notifies the Department of State Police Firearm Owner's Identification Card office who then reports to the NICS.	-Removal: Must remove firearms if the officer has probable cause that the firearm was used in the abuse. -Return: Not needed for evidence
Rhode Island (Group B)	-No law requiring removal (Other than Domestic violence)	-Protection order: Must surrender firearms to law enforcement or a licensed dealer. Can receive the firearms back once the order has been served. -Time: Within 24 hours. -Convicted: Must surrender firearms to law enforcement of a licensed dealer (Need proof). -Time: Within 24 hours -Rights are restored after 5 years	-No specific law

State	Disarming prohibited person	Relinquishing firearms in Protection Orders & Convicted Domestic Violence cases	-Removal of Firearms on the scene
Washington (Group B)	<p>-Law enforcement can seize a firearm if a person meets any of the prohibited person laws the state has. The firearm cannot be returned before 24 hours of the confiscation.</p> <p>-Extreme Risk Protection Order: Family members and law enforcement can petition to a court if they believe an individual is showing signs of violence. If the court approves the person must surrender his/her weapons to law enforcement.</p>	<p>-Protection order: Upon issuing an order a person must surrender their firearms and concealed license to law enforcement.</p> <p>-Firearms can be seized without a notice if it is determined that injury could occur before issuing an order.</p> <p>-Automatic protected person notification system: Identifies individuals that try to purchase a gun but are prohibited because of domestic violence orders.</p> <p>-Convicted: No specific laws</p>	-No specific law
Colorado (Group C)	-No law requiring removal	<p>-Protection order: Must surrender firearms and ammunition (Proof needed).</p> <p>-Time: Within 24 hours</p> <p>-Convicted: Must surrender firearms and ammunition (Proof needed).</p> <p>-Time: Within 24 hours</p>	-No specific law
Iowa (Group C)	-No law requiring removal (Other than domestic violence)	<p>-Protection order: Upon issuing an order a person must surrender their firearms and ammunition to a qualified person (Court determined) or law enforcement.</p> <p>-Time: Date given by court</p> <p>-Courts must provide information to the Iowa criminal justice information system when a protection order is issued. The information is deleted when the order is served.</p> <p>-Convicted: Upon conviction a person must surrender their firearms and ammunition to a qualified person (Court determined) or law enforcement.</p> <p>-Time: Date given by court</p>	-No specific law
Michigan (Group C)	-No law requiring removal	<p>-Protection order: Courts have discretion to prohibit a person from possessing a firearm. No law indicates how the firearms are surrendered.</p> <p>-Convicted: No law requiring removal of firearms</p>	-No specific law

State	Disarming prohibited person	Relinquishing firearms in Protection Orders & Convicted Domestic Violence cases	-Removal of Firearms on the scene
		-When prohibited the courts are not required to notify the abuser	
Minnesota (Group C)	-Courts may require an individual to surrender firearms during a pending case that involves a crime committed against another person.	-Protection orders: Law enforcement can seize firearms if the court determines that a person is an immediate risk to others (Proof needed). -If no immediate risk then the abuser must transfer all firearms to federally licensed dealer, law enforcement, or a third party. -Time: Within 3 business days -Convicted: Same as Protection order -Courts have to notify some abusers -Requires reporting to NICS	-No specific law
Nevada (Group C)	-Courts must order prohibited people to surrender firearms to law enforcement within 24 hours. If fail to do so, courts can grant a search warrant to law enforcement.	-Protection order: Courts can (Not required) to prohibit a person that has received an order. -Convicted: Same as disarming prohibit person	-No specific law
Oregon (Group C)	-No laws requiring removal -Extreme Risk Protection Order: Family and law enforcement can petition to a court if they believe someone is dangerous. If the courts approve the dangerous person must surrender firearms to law enforcement, a gun dealer, or a third party and turn over their concealed license.	-Do not require domestic abusers or people who violate protection orders to surrender firearms. -When prohibited the courts are not required to notify the abuser.	-No specific law
Pennsylvania (Group C)	-A prohibited person has 60 days to sell or transfer a firearm.	-Protection order: Courts can (Not required) to have an abuser surrender firearms and ammunition. -In cases of surrendering, the abuser has to surrender to law enforcement, licensed dealer, or a third party. -State police have to keep a registry of temporary and final orders within 24 hours of the order. -Convicted: Same as Disarming prohibited persons	-Removal: Must remove all firearms (Warrant not needed) if a family or household member is a victim of a type of domestic violence.
Wisconsin (Group C)	-The courts can order firearms to be seized from people who are mentally ill or a person that is responsible to for the caretaking of the person.	-Protection order: If an order is issued a person must surrender firearms to a person approved by the court or law enforcement. If the person fails to do so the court can issue an arrest warrant.	-No specific law



State	Disarming prohibited person	Relinquishing firearms in Protection Orders & Convicted Domestic Violence cases	-Removal of Firearms on the scene
		-Convicted: No law requiring removal of firearms.	
Indiana (Group D)	-Warrant can be issued by the court to seize a firearm from a dangerous individual. -Law enforcement officer can seize a firearm from someone they believe is dangerous. If no probable cause is found the weapon must be returned. If probable cause is found then a hearing is conducted to see if the firearm should be returned. If the individual is found to be dangerous the firearm can be kept in law enforcement custody and the individual's license is revoked.	-Protection orders: Courts can (Not required) to require the abuser to surrender weapons and ammunition (After notice) until the order is complete. -Convicted: A person is prohibited from possessing a firearm and can petition for reinstatement in 5 years.	-Removal: May seize (Not required) a firearm and ammunition that is observed at the scene if the officer believe a crime has occurred. -Return: When the proceeding has finished
Nebraska (Group D)	-No law requiring removal -A firearm can be confiscated if a person is not old enough to possess a firearm.	-Protection orders: Not prohibited (Exception: Knowingly violates the order). No law requiring removal of firearms. -Convicted: A person is prohibited from possessing a firearm for 7 years from the conviction. Don't require removal. -Courts must notify the prohibited person	-Removal: Must remove the firearm that was alleged to be used in the incident. Officers can also seize other firearms and ammunition in plain view or during a consensual search. -Returned: After a disposition
New Hampshire (Group D)	-No law requiring removal (Except protection order)	-Protection order: Must surrender firearms and ammunition to a peace officer (Upon Court direction). -Convicted: No law requiring removal of firearms	-Removal: Must remove firearms and ammunition if an officer has probable cause.
North Carolina (Group D)	-No law requiring removal (Except protection order)	-Protection order: Must surrender firearms, ammunition, and permits to law enforcement (Upon being ordered). The defendant has 90 days to request the firearms be returned through a court hearing. -Time: 24 hours if it can't be surrendered immediately. -Must report all protection orders to the National Crime Information Center. -Convicted: No law requiring removal of firearms. The prohibited person cannot have a concealed carry permit.	-No specific law

State	Disarming prohibited person	Relinquishing firearms in Protection Orders & Convicted Domestic Violence cases	-Removal of Firearms on the scene
Ohio (Group D)	-No law requiring removal (Except removal at the scene)	-Protection order: Courts are required to notify the person if they have become prohibited. No law requires the firearms to be confiscated. -Convicted: No law requiring removal of firearms.	-Removal: Must remove any firearms used in an alleged incident. -Return: Seized permanently
Virginia (Group D)	-No law requiring removal (Except protection order)	-Protection order: Cant transfer or sell a firearm to anyone that is not prohibited (Upon being issued an order) -Convicted: No law requiring the removal of firearms	-No specific law
Alabama (Group F)	-No law requiring removal	-Protection order: No specific law requiring removal of firearms but the violator is prohibited from possessing firearms. -Do not require domestic abusers to surrender firearms. -When prohibited the courts are not required to notify the abuser	-No specific law
Alaska (Group F)	-No law requiring removal	-Protection order: Courts can (Not required) require the abuser to surrender weapons if the weapon was used in the incident (After notice & hearing). -Convicted: No specific law requiring removal	-Removal: May seize (Not required) the firearm in plain view to protect a victim. If a weapon was actually used the officer may seize all firearms. -Return: Until proceeding are finished or the weapon is no longer needed for evidence.
Arizona (Group F)	-No law requiring removal (Except protection order)	-Protection order: Surrender all firearms to law enforcement (Upon court issuing) until the order is served -Time: Within 24 hours -Convicted: Prohibited from possessing firearms and ammunition until the probation is served. No specific laws regarding the removal.	-Removal: May seize (Not required) a firearm after questioning the people at the scene and learning a firearm was present. -Return: Held for 72 hours
Arkansas (Group F)	-No law requiring removal	-Do not require domestic abusers or people who violate protection orders to surrender firearms. -Courts must notify the individual if they are prohibited to possess a firearm.	-No specific law
Florida (Group F)	-No law requiring removal (Except protection order)	-Protection order: prohibited from possessing firearms and ammunition (Upon a final court order). It's a violation of the order if the person violates the court order. Courts can (not required) to have law enforcement remove the firearms.	-No specific law

State	Disarming prohibited person	Relinquishing firearms in Protection Orders & Convicted Domestic Violence cases	-Removal of Firearms on the scene
		-Convicted: Florida Department of Law Enforcement must review records to make sure people who are prohibited do not possess firearms (within 3 years).	
Georgia (Group F)	-No law requiring removal -Must seize a firearm if it was in possession of a person committing a crime.	-Do not require domestic abusers or people who violate protection orders to surrender firearms. -When prohibited the courts are not required to notify the abuser.	-No specific law
Idaho (Group F)	-No law requiring removal -Firearm can be seized if it was used in a felony.	-Do not require domestic abusers or people who violate protection orders to surrender firearms. -When prohibited the courts are not required to notify the abuser.	-No specific law
Kansas (Group F)	-No law requiring removal	-Do not require domestic abusers or people who violate protection orders to surrender firearms. -When prohibited the courts are not required to notify the abuser.	-No specific law
Kentucky (Group F)	-No law requiring removal -May seize a firearm if it was used in a crime and was illegally transferred.	-Do not require domestic abusers or people who violate protection orders to surrender firearms. -When prohibited the courts are not required to notify the abuser.	-No specific law
Louisiana (Group F)	-No law requiring removal -Law enforcement can (Not required) to seize weapons that used in a crime.	-Protection order: Laws do not explain how the firearms are confiscated, although prohibited. -Convicted: No specific law requiring removal of firearms but the abuser is prohibited for 10 years after the sentence is completed. -Must report prohibited people because of domestic violence to the NICS.	-No specific law
Maine (Group F)	-No law requiring removal	-Protection order: No specific law regarding removal Convicted: No specific law requiring removal of firearms but the abuser is prohibited for 5 years after the sentence is completed. (Doesn't apply to dating partners) -Domestic violence incidents must be reported to local law enforcement to be used when issuing concealed carry permits. (No law requires this information to be used in background checks)	-No specific law

State	Disarming prohibited person	Relinquishing firearms in Protection Orders & Convicted Domestic Violence cases	-Removal of Firearms on the scene
Missouri (Group F)	-No law requiring removal -Courts can (Not required) to authorize law enforcement to seize a firearm if it was used in a crime.	-Do not require domestic abusers or people who violate protection orders to surrender firearms. -When prohibited the courts are not required to notify the abuser.	-No specific law
Mississippi (Group F)	-No law requiring removal	-Do not require domestic abusers or people who violate protection orders to surrender firearms. -When prohibited the courts are not required to notify the abuser.	-No specific law
Montana (Group F)	-No law requiring removal	-Protection orders: No specific law regarding removal -Convicted: No specific law requiring removal of firearms but courts have discretion on who they prohibit from possessing a firearm.	-Removal: Must seize the firearm that was used in an alleged assault of a partner or family member. -Return: After court proceedings
New Mexico (Group F)	-No law requiring removal -Handguns can be removed if it's being transported by a person under 19	-Do not require domestic abusers or people who violate protection orders to surrender firearms. -When prohibited the courts are not required to notify the abuser.	-No specific law
North Dakota (Group F)	-No law requiring removal (Except protection order)	-Protection orders: If the court has probable cause the offender is required to turn in firearms to law enforcement. If the person fails to do so they are arrested. -Convicted: No law requiring removal of firearms. -When prohibited the courts are not required to notify the abuser.	-No specific law
Oklahoma (Group F)	-No law requiring removal	-Do not require domestic abusers or people who violate protection orders to surrender firearms. -Protection orders: Courts may prosecute someone under federal law if they violate an order. The law doesn't specifically say anything about surrendering firearms.	-Removal: Must remove a firearm if it was used in an abuse and the abuser has to be arrested at the same time.
South Carolina (Group F)	-No law requiring removal -Firearms and ammunition must be seized by law enforcement if the person was in possession when committing a violent felony or is mentally ill. -Courts can prevent someone from possessing a handgun if they believe	Protection order: No specific law regarding removal but the violator is prohibited from possessing certain firearms. -Convicted: No law requiring removal of firearms. -Courts must notify the abuser in domestic and aggravated domestic violence cases through mail if they are prohibited from possessing a gun.	-No specific law

State	Disarming prohibited person	Relinquishing firearms in Protection Orders & Convicted Domestic Violence cases	-Removal of Firearms on the scene
	the person is unfit to carry through an order.		
South Dakota (Group F)	-No law requiring removal	-Protection order: No law requiring removal of firearms. -Convicted: Courts may (not required) an abuser to surrender firearms -When prohibited the courts are not required to notify the abuser.	-No specific law
Tennessee (Group F)	- No law requiring removal - Law enforcement can seize any weapon that is used or sold against state law.	-Protection order: Must sell or transfer all fire to a third party (upon court order) if there is probable cause that a person used the firearm after being arrested. Once the order expires the person can possess firearms. Time: Within 48 hours Convicted: Must sell or transfer all firearms to a third party (File affidavit with court) Time: Within 48 hours	-Removal: Must remove firearms that were alleged to be used in an abuse if the officer has probable cause. If arrested the officer can seize other firearms if they are in plain view or a consensual search.
Texas (Group F)	-No law requiring removal -If a mentally ill person is taken into custody police must seize all firearms. After the clerk of courts informs law enforcement the person has been released they have 30 days to conduct a background check and notify the individual about the return of their firearms.	-Protection order: A person is prohibited from possessing a firearm. The law does not specifically say anything about surrendering firearms. -Convicted: A person is prohibited from possessing firearms for 5 years after they have been released. The law does not require a person to surrender their firearms.	-No specific law
Utah (Group F)	-No law requiring removal -If a person becomes prohibited they must transfer a firearm within 10 days	-Protection order: The courts may (not required) prohibit a person from possessing or purchasing a firearm. The law does not specifically say anything about surrendering firearms. Convicted: No law requiring the removal of firearms. -When prohibited the courts are not required to notify the abuser.	-Removal: Must remove all weapons that were alleged to be used in an abuse. Gun owner can voluntarily surrender other firearms if they believe there is a threat.
Vermont (Group F)	-No law requiring removal	-Protection order: No law requiring removal of firearms Convicted: Courts may (Not required) require a person to surrender firearms to law enforcement or	-No specific law

State	Disarming prohibited person	Relinquishing firearms in Protection Orders & Convicted Domestic Violence cases	-Removal of Firearms on the scene
		<p>a federally licensed dealer. Upon court approval the person may transfer firearms to a different party.</p> <p>-When prohibited the courts are not required to notify the abuser.</p>	
West Virginia (Group F)	<p>-No law requiring removal</p> <p>-If a person is mentally defective or involuntarily admitted into a mental hospital they will be notified that they need to surrender their firearms.</p>	<p>-Protection order: A person is prohibited from possessing firearms and ammunition. The court order will notify the individual that they are prohibited. The law does not specifically say anything about surrendering firearms.</p> <p>-Convicted: No law requiring the removal of firearms.</p>	<p>-Removal: Must remove all weapons that were alleged to be used in an abuse. When a person is arrested or violates a protection order an officer can seize firearms in plain view or through a consensual search.</p>
Wyoming (Group F)	<p>-No law requiring removal</p>	<p>-Do not require domestic abusers or people who violate protection orders to surrender firearms.</p> <p>-When prohibited the courts are not required to notify the abuser.</p>	<p>-No specific law</p>

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