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98

Section:

2

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4

Position:

2

BRADY LAW SURVEY

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BRADY LAW SURVEY SUMMARY

On August 4, 1997, we requested that all Special Agents in Charge whose geographic area of enforcement responsibility encompasses what is known as a Brady State, conduct a complete survey of all Chief Law Enforcement Officers (CLEO's) in those States (as defined by Federal Regulation and published in the Federal Register) to determine which ones will continue to accept the Brady Form; which ones will not accept it; which ones will conduct the Brady background check; which ones will not; and which ones are undecided as to either accepting the form and/or conducting the check. A copy of our request to the Special Agents in Charge which contains the rationale for the survey, a form designed for standardized responses, and a copy of the published legal definitions of CLEO are attached.

Of the 1,625 CLEO respondents, 1,513 were continuing to accept the Brady Form (93.1%); 68 would no longer accept the Brady Form (4.1%); and 44 were undecided as to accepting the form and/or conducting the check (2.7%). Of the 1,513 continuing to accept the form, 1,477 were continuing to conduct the check (97.6%). There were 104 CLEO's who were not conducting the check (6.4%). The 1,477 CLEO's conducting the checks represent 90.8% of all CLEO's responding.

In those States where one department has been designated as the CLEO for the entire State, the data was only counted as one (1) rather than the total number of police or sheriff's departments for which the single agency CLEO is representing.

ATF's Audit Services Division was requested to audit the survey. The Audit Services Division, which completed its work on September 17, 1997, verified the mathematical accuracy of the raw input data from the Brady Survey Forms submitted by the ATF field divisions against the computer generated totals found under tabs in this report. The audit also reconciled responding CLEO's to that which is printed in the Federal Register and defines by State, the term CLEO.

All data gleaned from the survey is presented under tabs following this summary.

Brady State Totals	Accept	Reject	Check	No Check	Undecided
Alabama	63	2	61	4	0
Alaska	26	1	26	1	3
Arizona	1	0	1	0	0
Arkansas	0	1	0	1	0
Kansas	116	1	113	4	2
Kentucky	5	0	5	0	0
Louisiana	64	0	63	1	0
Maine	14	0	14	0	0
Mississippi	47	2	46	3	0
Montana	50	5	49	6	0
Nevada	1	0	1	0	0
New Mexico	60	3	55	8	0
North Dakota	53	0	53	0	0
Ohio	0	1	0	1	0
Oklahoma	234	8	226	16	8
Pennsylvania	68	0	68	0	0
Puerto Rico	1	0	1	0	0
Rhode Island	29	0	29	0	0
South Carolina	1	0	1	0	0
South Dakota	64	1	64	1	0
Texas	571	38	557	52	21
Vermont	26	0	26	0	0
West Virginia	1	0	1	0	0
Wyoming	18	5	17	6	10
	1513	68	1477	104	44