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Event - Brady Bill Anniversary Feb. [February] 28, 1995

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Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. list	re: Brady Bill Event; [Personally Identifiable Information] [Partial] (5 pages)	02/28/1995	b(6)
002. list	re: Brady Bill Event; [Personally Identifiable Information] [Partial] (5 pages)	02/28/1995	b(6)
003. list	re: Brady Bill Event; [Personally Identifiable Information] [Partial] (5 pages)	02/28/1995	b(6)
004. list	re: Brady Bill Event; [Personally Identifiable Information] [Partial]; [Duplicate of 003] (5 pages)	02/28/1995	b(6)
005. list	re: Late Additions to Brady Bill List; [Personally Identifiable Information] [Partial] (1 page)	02/27/1995	b(6)
006. resume	re: Jerry W. Lovitt; [Personally Identifiable Information] [Partial] (1 page)	00/00/0000	b(6)
007a. list	re: Treasury Department (Office of Enforcement); [Personally Identifiable Information] [Partial] (1 page)	02/24/1995	b(6)
007b. list	re: Bureau of Alcohol, Tobacco, and Firearms (in order of preference); [Personally Identifiable Information] [Partial] (1 page)	02/24/1995	b(6)
008a. list	re: Bureau of Alcohol, Tobacco, and Firearms; [Personally Identifiable Information] [Partial] (1 page)	02/27/1995	b(6)
008b. list	re: Treasury Department (Office of Enforcement); [Personally Identifiable Information] [Partial]; [Duplicate of 007a] (1 page)	02/27/1995	b(6)

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Clinton Presidential Records
Domestic Policy Council
Jose Cerda
OA/Box Number: 5873

FOLDER TITLE:

Event - Brady Bill Anniversary - Feb. [February] 28, 1995

2009-1305-F

jp3624

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

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P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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Talking Points
Brady Law Anniversary
February 28, 1995

The Brady Law clearly is working. Evidence of Brady's success over the past year comes from both U.S. Government and private sources:

1. A recently-completed Bureau of Alcohol, Tobacco and Firearms' ("ATF") survey of 30 law enforcement authorities, a precursor to a broader Department of Justice/Bureau of Justice Statistics' study, reveals that from March 1994 through January 1995, **more than 15,500 persons** in the surveyed jurisdictions who applied to purchase handguns had their applications denied. The officials polled constitute a cross section of the national law enforcement scene. Drawn from every region of the country, they represent communities large and small, rural and urban.

- The "bad guys" blocked by Brady from obtaining handguns included:
 - 4,365 convicted felons;
 - 945 fugitives;
 - 97 persons under indictment;
 - 649 illegal drug users;
 - two juveniles; and
 - 63 persons under restraining order for alleged stalking, harassment or other forms of domestic threats or intimidation.
- The more than 15,500 Brady applications denied represent **only 3.5 percent** of the total number of applications submitted in the surveyed jurisdictions (more than 440,000). Further, ATF has confirmed through discussions with the firearms industry that the overall volume of handgun sales remained relatively constant during that time. **This suggests that the Brady Law is doing what it was designed to do -- keeping handguns out of the reach of that small percentage of persons who use handguns criminally, while not unduly infringing on the rights of legitimate handgun owners.**
- Anecdotal evidence gleaned during the recent ATF survey, and an earlier survey tracking the first 100 days of the Brady Law's activation, provide even more proof of Brady's impact. The Brady Law has prevented thousands of convicted and potential offenders -- including murderers, rapists, drug dealers and suspected stalkers -- from purchasing handguns.
 - In March 1994, the Brady Law prevented an accused stalker in Prairie

Village, Kansas, from purchasing a handgun. The attempted handgun purchase was stopped by the Prairie Village Police Department when a Brady background check revealed that the prospective purchaser, who was the subject of a restraining order for allegedly stalking his wife and threatening to kill her, was a resident of Missouri, not Kansas, as he had represented in his Brady form.

- In April 1994, a suspected drug dealer was arrested in San Antonio, Texas after a Brady background check performed by the Uvalde County Sheriff's Office indicated that the alleged dealer was the subject of outstanding warrants for possession of cocaine with intent to distribute, possession of heroin with intent to distribute and failure to appear in court.
- In November 1994, the Brady Law was instrumental in securing the apprehension of two gang members, both convicted felons, who traveled from California to Nevada to purchase handguns. An investigation conducted by ATF's Reno, Nevada field office, with the assistance of the Nevada Division of Investigation, revealed that the suspects sought to purchase arms using false identification.

2. National estimates of the number of prohibited persons who were prevented by Brady from purchasing a handgun in Brady states -- based on information supplied by the FBI's criminal history database, the Interstate Identification Index ("Triple I") -- **was approximately 41,000** for the period from March 1, 1994 through January 31, 1995.
3. ATF has learned that CBS News' public polling unit has completed its own survey of law enforcement authorities charged with administering the Brady Law. The CBS study purportedly estimates that more than 44,000, or approximately two percent, of the applications to purchase handguns submitted during the one-year period following the Brady Law's effective date were denied.
4. ATF reports that the combined effect of the Brady Law provision which increased the start-up costs to become a federally-licensed firearms dealer (from \$30 to \$200 for a new three-year license) and President Clinton's gun dealer reform initiatives, has caused the number of licensed gun dealers to plummet by more than 50,000 in the last year and a half.
 - Josh Sugarmann, the Executive Director of the Violence Policy Center, which recently released a study on the decline in gun dealers, was quoted in the Washington Post as saying that "[i]n the long term, [the decline in the number of gun dealers] will reduce gun violence and illegal gun trafficking."

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TO: WAVES, 5-5349
FR: Jose Cerda, Rm. 222, 6-5568
RE: 9:05 am Brady Bill Event w/POTUS in Roosevelt Room
DA: February 28, 1995

Law Enforcement Reps:

1. Robert Scully
Executive Director
National Association of Police Organizations

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2. Charles "Bud" Meeks
Executive Director
National Sheriffs' Association

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Fraternal Order of Police

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Fraternal Order of Police

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5. Mark Spurrier
Legislative Director
Major Cities Chiefs

(b)(6)

6. Vic Oboyski
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7. John Pitta
Vice President
Federal Law Enforcement Officers Association

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8. Ira Harris
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National Organization of Black Law Enforcement Executives

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9. Hubert Williams
Police Foundation

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10. Chuck Wexler
Executive Director
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National Troopers Coalition

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13. Chris Sullivan
International Brotherhood of Police Officers

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14. Chief John Whetsel
President, International Association of Chiefs of Police
Chief of Choctaw, OK, Police Department

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15. Jonna Whetsel
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16. Robert Moody
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Chief of Covington, GA, Police Department

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Jim Brady and Handgun Control Staff:

19. James Brady (on program; entering through Southwest Gate)
8-29-40
352-28-4550

20. Mary Dickerson (Jim's Nurse; no seat required; SW Gate)

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21. Ross Giacomo (Jim's Driver; no seat required; SW Gate)

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22. Robert Walker

(b)(6)

[001]

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24. Richard Aborn

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30. William Earle

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33. John Killorin
ATF Public Affairs

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- ~~43.~~ Conelius J. Behan, MCC
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 - The "bad guys" blocked by Brady from obtaining handguns included:
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 - Anecdotal evidence gleaned during the recent ATF survey, and an earlier survey tracking the first 100 days of the Brady Law's activation, provide even more proof of Brady's impact. The Brady Law has prevented thousands of convicted and potential offenders -- including murderers, drug dealers and suspected stalkers -- from purchasing handguns.
 - During the first three months of the Brady Law, the Ohio Attorney General's office conducted 16,499 background checks. It reported that

129 convicted felons, among them convicted rapists, murderers and drug dealers -- were prohibited from purchasing handguns.

- In March 1994, the Brady Law prevented an accused stalker in Prairie Village, Kansas, from purchasing a handgun. The attempted handgun purchase was stopped by the Prairie Village Police Department when a Brady background check revealed that the prospective purchaser, who was the subject of a restraining order for allegedly stalking his wife and threatening to kill her, was a resident of Missouri, not Kansas, as he had represented in his Brady form.
- In April 1994, a handgun sale in Lexington, Kentucky was stopped by the Kentucky State Police when a Brady background check revealed that the intended purchaser was under indictment on felony cocaine charges. The Brady check also revealed that the purchaser had a previous felony conviction in Kansas for a "terroristic threat" offense.
- In April 1994, a suspected drug dealer was arrested in San Antonio, Texas after a Brady background check performed by the Uvalde County Sheriff's Office indicated that the alleged dealer was the subject of outstanding warrants for possession of cocaine with intent to distribute, possession of heroin with intent to distribute and failure to appear in court.
- In June 1994, a person convicted for reckless homicide was prohibited from purchasing a handgun in Lexington, Kentucky when the Kentucky State Police discovered the felony conviction during the Brady application process. Prior to the enactment of the Brady Law, that same convicted felon was able to make two handgun purchases and still escape detection by law enforcement officials.
- In the summer of 1994, the Brady Law prevented an accused wife beater in Beaver County, Pennsylvania from obtaining several handguns. The putative purchaser, who was the subject of spousal assault charges in both New York and Pennsylvania, was denied access to the guns when a Brady background check performed by the Beaver County Sheriff uncovered the outstanding charges.
- In November 1994, the Brady Law was instrumental in securing the apprehension of two gang members, both convicted felons, who traveled from California to Nevada to purchase handguns. An investigation conducted by ATF's Reno, Nevada field office, with the assistance of the Nevada Division of Investigation, revealed that the suspects sought to purchase arms using false identification.

- On four separate occasions, the Brady Law enabled the Oklahoma City Police Department to apprehend persons wanted on felony charges when the suspects attempted to purchase handguns and Brady background checks highlighted warrants outstanding for their arrest.
2. National estimates of the number of prohibited persons who were prevented by Brady from purchasing a handgun in Brady states -- based on information supplied by the FBI's criminal history database, the Interstate Identification Index ("Triple I") -- was **approximately 41,000** from March 1, 1994 through January 31, 1995.
 - Generally speaking, the first step a law enforcement officer takes in processing a Brady application is to check the information disclosed in the application against a prospective purchaser's criminal record maintained in the Triple I. When the initial check reveals that an intended purchaser may be prohibited from buying a gun, the officer usually will run a follow-up query to obtain the criminal record and confirm independently whether the individual is prohibited from purchasing a firearm. This makes Triple I checks a rough but useful measurement of the number of possible denials of handguns purchased under Brady. Indeed, estimates based on Triple I can be characterized as quite modest, since Triple I only identifies felony convictions, pending indictments or fugitive status. Triple I contains no information bearing on whether a putative purchaser falls within one of the remaining six categories of persons prohibited from buying handguns.
 - During the period from March 1, 1994 through January 31, 1995, approximately 1.6 million follow-up Triple I queries were made in Brady states. ATF estimated, conservatively, that no more than 2.5 percent of those follow-up queries actually uncovered facts leading law enforcement to nullify a pending handgun transaction. The 2.5 percent figure was based on historical rates of denials realized in certain states that had their own laws requiring pre-handgun purchase screening. Using this formula, the number of times that convicted felons, drug offenders, fugitives and other prohibited persons are estimated to have been prevented from obtaining handguns in Brady states during Brady's first year was approximately 41,000.
 3. ATF has learned that CBS News' public polling unit has completed its own survey of law enforcement authorities charged with administering the Brady Law. The CBS study purportedly estimates that more than 44,000, or approximately two percent, of the applications to purchase handguns submitted during the one year period following the Brady Law's effective date were denied.
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Major Cities Chiefs

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[002]

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO & FIREARMS

***One-Year
Progress
Report:***

Brady Handgun
Violence Prevention Act

February 28, 1995





DEPARTMENT OF THE TREASURY
WASHINGTON

UNDER SECRETARY

February 28, 1995

The Honorable Robert E. Rubin
Secretary
Department of the Treasury
Washington, DC 20220

Dear Mr. Secretary:

The attached report sets forth the findings of a recently completed survey conducted by the Treasury Department's Bureau of Alcohol, Tobacco and Firearms (ATF) regarding the impact of the Brady Law. The survey, a precursor to a broader Department of Justice study regarding pre-purchase screening of firearms, covers the first year of Brady's implementation, and contains information voluntarily submitted by 30 law enforcement authorities across the country.

The results of this study are extremely promising. More than 15,500, or approximately 3.5 percent, of the persons who applied to purchase handguns in the surveyed jurisdictions had their applications denied because they were convicted felons, fugitives from justice, persons subject to a restraining order for alleged domestic violence, or other prohibited persons. ATF estimates that the number of applications to purchase handguns that were denied in Brady states nationwide was approximately 41,000. Significantly, ATF reports that these denial rates were achieved without affecting the overall volume of handgun sales. This suggests that the Brady Law is accomplishing its goal -- keeping handguns out of the reach of that small percentage of persons who use handguns criminally, while not unduly inconveniencing law-abiding handgun owners.

Anecdotal evidence emerging from the recent ATF survey, and an earlier ATF study assessing the efficacy of the Brady Law during its first 100 days, illustrates vividly that the Brady Law is working. Brady has alerted law enforcement authorities to attempts by convicted and potential offenders to purchase handguns -- including convicted rapists, murderers and drug dealers, as well as suspected spouse abusers.

The Office of Enforcement and ATF will continue to monitor the Brady Law's impact as implementation proceeds.

Sincerely,

Ronald K. Noble
Under Secretary
(Enforcement)

One Year Progress Report: Brady Handgun Violence Prevention Act

I. OVERVIEW

The Brady Law is working. One year after the Brady Handgun Violence Prevention Act became effective, the evidence indicates that Brady is doing what it was designed to do — keeping handguns out of the reach of the “bad guys,” that small percentage of the population using handguns criminally, while not unduly infringing on the rights of legitimate handgun owners.

A recently completed survey of 30 law enforcement authorities conducted by the U.S. Treasury Department’s Bureau of Alcohol, Tobacco and Firearms, a precursor to a broader Department of Justice/Bureau of Justice Statistics study, reveals that from March 1994 through January 1995, *more than 15,500 persons* who applied to purchase handguns in the surveyed jurisdictions had their applications denied. The bad guys blocked by Brady from obtaining handguns included:

- 4,365 Convicted felons;
- 945 Fugitives;
- 97 Persons under indictment;
- 649 Illegal drug users;
- 2 Juveniles; and
- 63 Persons under restraining order for alleged stalking, harassment or other forms of domestic threats or intimidation.

The more than 15,500 Brady applications denied represent *only 3.5 percent* of the total number of applications submitted in the surveyed jurisdictions. ATF has confirmed through discussions with the firearms industry that the overall volume of handgun sales remained relatively constant during the survey period. This suggests that *the Brady Law effectively is preventing the criminal element from accessing handguns, and is doing so with minimal inconvenience to law-abiding handgun owners.*

Brady Successes

- *In Boston, Massachusetts, a suspect who was arrested and indicted on gun-trafficking charges informed ATF that the Brady Law prompted him to cease his illegal conduct. The suspect, along with his partner, allegedly flooded the city of Boston with illegally sold handguns originally purchased in the Atlanta area between December 1993 and February 1994. When apprehended, the suspect told ATF that he halted his operations in February 1994 because he knew that the soon to be implemented Brady Law would permit pre-handgun transaction checks of his criminal record.*
- *During the first three months of the Brady Law, the Ohio Attorney General's office conducted 16,499 background checks. It reported that 129 convicted felons — among them convicted rapists, murderers and drug dealers — were prohibited from purchasing handguns.*

This report presents the results of the recent ATF study on the Brady Law, and of an earlier-released ATF survey tracking the Brady Law during the first 100 days following its inception. The report also provides an estimate of the number of denials of applications to purchase handguns in Brady states nationwide, based on records of inquiries made to the Federal Bureau of Investigation's criminal history database.

II. THE BRADY LAW

Nearly 7.5 million firearms are sold through retail outlets in the United States annually. Of these, almost half are handguns. Prior to February 28, 1994, the effective date of the Brady Law, there was no nationwide system in place to prevent handgun purchases by persons legally precluded from owning such weapons. The prospective purchaser merely had to sign a statement attesting that he or she was not legally forbidden from purchasing a firearm.

There was no nationwide system through which law enforcement officials could confirm that representation.

The Brady Law ameliorates the earlier, ineffective system by requiring that every retail sale of a handgun be referred to law enforcement for a possible background check. Under Brady, a prospective handgun purchaser must fill out a form, commonly called the Brady Form (see

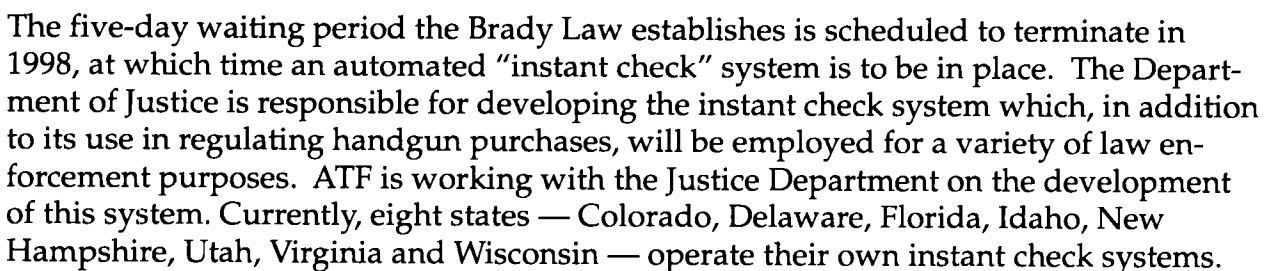
Appendix), stating that he or she intends to purchase a handgun, and certifying that he or she does not fall within one of several enumerated categories of persons prohibited from making such a purchase. Prohibited persons include convicted felons, illegal drug users, persons under indictment, fugitives, illegal aliens, and persons subject to a restraining order for alleged domestic violence.

The gun dealer must transmit the Brady Form to the Chief Law Enforcement Officer of his or her particular jurisdiction within 24 hours. The Chief Law Enforcement Officer then makes a reasonable effort to ascertain within five business days whether receipt or

Brady Successes

- *In March 1994, the Brady Law prevented an accused stalker in Prairie Village, Kansas, from purchasing a handgun. The attempted handgun purchase was stopped by the Prairie Village Police Department when a Brady background check conducted by the Department revealed that the prospective purchaser, who was the subject of a restraining order for allegedly stalking his wife and threatening to kill her, was a resident of Missouri, not Kansas, as he had represented in his Brady Form.*
- *In April 1994, a handgun sale in Lexington, Kentucky was stopped by the Kentucky State Police when a Brady background check revealed that the intended purchaser was under indictment on felony cocaine charges. The Brady check also revealed that the purchaser had a previous felony conviction in Kansas for a "terroristic threat" offense.*

The Brady Law establishes exemptions to the background check provisions in states that already require a permit to purchase a handgun, or in states that already have in place a background check system comparable to Brady's. To date, 27 states and territories are subject to the Brady Law. One of these, Washington, presently is considering legislation which would remove it from Brady's purview.



Other elements of the Brady Law include: an increase in the fee for a three-year license for gun dealers and pawnbrokers from \$30 to \$200 (the renewal fee for such licenses also

is increased from \$30 to \$90); a provision making it a federal offense to steal firearms from the inventories of firearms licensees; and a prohibition against common carriers identifying packages containing firearms.

III. ATF BRADY LAW ANNIVERSARY SURVEY

The Brady Law itself does not authorize ATF to require any kind of reports from federal firearms licensees concerning Brady's impact or implementation. The statute provides no mechanism for monitoring trends in handgun purchases and denials. To assess the Brady Law's efficacy, therefore, ATF solicited the voluntary cooperation of 30 law enforcement officials. Drawn from every region of the country, communities large and small, rural and urban, the survey group was structured to represent a cross section of the nation's law enforcement scene. Each of the participating law enforcement authorities agreed to disclose to ATF information regarding the Brady pre-handgun purchase screening process in their particular jurisdiction. The data collected included the number of applications to purchase handguns submitted to the law enforcement officials since Brady went into effect, the number of applications denied, and the grounds for the denials.

Table 1 below sets forth the number of applications for handgun purchases that were submitted during the relevant period and the corresponding number of denials, as reported by the law enforcement officials surveyed.

Table 1
Brady Law Anniversary Survey
(for the period 3/1/94 through 1/31/95)

Location • Law Enforcement Authority Surveyed	Number of Brady Applications Initiated	Number of Applications Denied	Denial Rate (%)
Alabama			
• Jefferson County Sheriff's Department	19,646	964	4.9
Alaska			
Anchorage Police Department	6,960	111	1.6
Arizona			
• Phoenix Police Department	28,708	1,718	6.0
• AZ Department of Public Safety	32,374	776	2.4

continued

Location • Law Enforcement Authority Surveyed	Number of Brady Applications Initiated	Number of Applications Denied	Denial Rate (%)
Arkansas			
• Arkansas State Police	25,434	472	1.8
Georgia			
• DeKalb County Police Department	4,685	680	14.5
Kansas			
• Elk County Sheriff's Department	15	0	0
Kentucky			
• Kentucky State Police	58,474	2,030	3.5
Louisiana			
• Superintendent of Police, New Orleans Parish	5,337	607	11.4
Maine			
• Lewiston Police Department	190	6	3.1
Mississippi			
• Rankin County Sheriff's Department	1,150	24	2.1
Montana			
• Yellowstone County Sheriff's Department	698	12	1.7
• Billings Police Department	1,519	11	.7
Nevada			
• Department of Motor Vehicles and Public Safety	33,550	522	1.5
New Mexico			
• Albuquerque Police Department	5,338	192	3.6
North Carolina			
• Rowan County Sheriff's Department		NO DATA AVAILABLE	
North Dakota			
• Cass County Sheriff's Department	735	9	1.2
Ohio			
• Bureau of Criminal Identification	61,074	447	.7

continued

Location • Law Enforcement Authority Surveyed	Number of Brady Applications Initiated	Number of Applications Denied	Denial Rate (%)
Oklahoma			
• Oklahoma City Police Department	9,197	165	1.8
Pennsylvania			
• Philadelphia Police Department	10,238	487	4.7
Puerto Rico			
• Superintendent of Police	5,390	150	2.8
Rhode Island			
• Providence Police Department	175	10	5.7
South Carolina			
• South Carolina Law Enforcement Division	55,171	2,199	4.0
South Dakota			
• Minnehaha County Sheriff's Department	236	6	2.5
Texas			
• Harris County Sheriff's Department	10,139	1,117	11.0
• Houston Police Department	32,137	2,442	7.6
Vermont			
• Montpelier Police Department	38	2	5.3
Washington			
• Seattle Police Department	6,213	154	2.5
West Virginia			
• West Virginia State Police	25,712	182	.7
Wyoming			
• Cheyenne Police Department	<u>1,012</u>	<u>11</u>	<u>1.1</u>
Total	441,545	15,506	3.5

IV. THE BRADY LAW 100-DAY SURVEY

On July 27, 1994, the Treasury Department released the results of an earlier ATF study assessing the impact of the Brady Law during the first 100 days of its implementation. In this study, ATF surveyed 70 of the largest federally licensed firearms dealers in nine cities: Abilene, Texas; Atlanta, Georgia; Cleveland, Ohio; Houston, Texas; Louisville, Kentucky; Pittsburgh, Pennsylvania; Providence, Rhode Island; Seattle, Washington; and Shreveport, Louisiana. ATF also polled 16 law enforcement authorities in the same locations.

The 100-day study revealed that 5.3 percent of the applications to purchase firearms submitted to the surveyed gun dealers during the relevant period had

been denied. The chief law enforcement officers polled, however, reported a 4.7 percent cumulative denial rate. This apparent discrepancy can be attributed to two factors. First, not all gun dealers in the participating cities were surveyed. In addition, the law enforcement officers contributing to the study performed background checks on residents of their jurisdictions who bought handguns from dealers in *other* jurisdictions, as well as residents who purchased handguns from local dealers.

Table 2 sets forth the number of applications for handgun purchases that were submitted during the relevant period and the corresponding number of denials, as reported by the law enforcement officials and gun dealers surveyed.

Brady Successes

- *In April 1994, a suspected drug dealer was arrested in San Antonio, Texas, after a Brady background check performed by the Uvalde County Sheriff's Office indicated that the alleged dealer was the subject of outstanding warrants for possession of cocaine with intent to distribute, possession of heroin with intent to distribute and failure to appear in court.*
- *In June 1994, a person convicted for reckless homicide was prohibited from purchasing a handgun in Lexington, Kentucky when the Kentucky State Police discovered the felony conviction during the Brady application process. Prior to the enactment of the Brady Law, that same convicted felon was able to make two handgun purchases and still escape detection by law enforcement officials.*

Table 2
100 Day Survey Results

Gun Dealer 100 Day Survey				
Survey City	Number of Gun Dealers Interviewed	Number of Applications Initiated	Number of Applications Denied	Denial Rate (%)
Houston, TX	5	2,104	345	16.4
Louisville, KY	10	1,670	100	6.0
Seattle, WA	8	2,135	9	.4
Pittsburgh, PA	10	2,204	39	1.8
Providence, RI	5	113	13	11.5
Abilene, TX	8	437	6	1.4
Atlanta, GA	10	1,385	33	2.4
Shreveport, LA	9	1,377	65	4.7
Cleveland, OH	<u>5</u>	<u>302</u>	<u>14</u>	<u>4.6</u>
Total	70	11,727	624	5.3

Law Enforcement Officers 100 Day Survey				
Survey City	Number of Law Enforcement Officers Interviewed	Number of Applications Initiated	Number of Applications Denied	Denial Rate (%)
Houston, TX	3	12,832	1,220	9.5
Louisville, KY	1	17,440	624	3.6
Seattle, WA	1	2,200	36	1.6
Pittsburgh, PA	1	8,600	533	6.2
Providence, RI	1	348	5	1.4
Abilene, TX	1	501	12	2.4
Atlanta, GA	5	7,054	365	5.2
Shreveport, LA	2	1,835	100	5.4
Cleveland, OH	<u>1</u>	<u>13,622</u>	<u>113</u>	<u>.8</u>
Total	16	64,432	3008	4.7

V. NATIONWIDE ESTIMATED DENIALS BASED ON FIREARM CRIMINAL RECORD QUERIES THROUGH III

The FBI's criminal history database, the Interstate Identification Index ("III"), provides an accounting of the number of queries of the database made by law enforcement authorities in connection with firearms transactions. Generally speaking, the first step a law enforcement officer takes in processing a Brady application is to check the information disclosed in the application against a prospective purchaser's criminal record maintained in the III. When the initial check reveals that an intended purchaser may be prohibited from buying a gun, the officer usually will run a follow-up query to obtain the criminal record and confirm independently whether the individual is prohibited from purchasing a firearm. This makes III checks a rough but useful measurement of the number of possible denials of handgun purchases under Brady. Indeed, estimates based on III can be characterized as quite modest, since III only identifies felony convictions, pending indictments or fugitive status. III contains no information bearing on whether a putative purchaser falls within one of the remaining six categories of persons prohibited from buying handguns.

Brady Successes

- *In the summer of 1994, the Brady Law prevented an accused wife beater in Beaver County, Pennsylvania from obtaining several handguns. The putative purchaser, who was the subject of spousal assault charges in both New York and Pennsylvania, was denied access to the guns when a Brady background check performed by the Beaver County Sheriff uncovered the outstanding charges.*
- *In November 1994, the Brady Law was instrumental in securing the apprehension of two gang members, both convicted felons, who traveled from California to Nevada to purchase handguns. An investigation conducted by ATF's Reno, Nevada field office, with the assistance of the Nevada Division of Investigation, revealed that the suspects sought to purchase arms using false identification.*

As Table 3 on the following page indicates, during the period from March 1, 1994 through January 31, 1995, approximately 1.6 million queries made in Brady states resulted in follow-up queries. ATF estimated, conservatively, that no more than 2.5 percent of those follow-up queries actually uncovered facts leading law enforcement to nullify a pending handgun transaction. The 2.5 percent figure was based on historical rates of denials realized in certain states that had their own laws requiring pre-handgun purchase screening. Using this formula, the number of convicted felons, drug offenders, fugitives and other prohibited persons estimated to have been prevented from obtaining handguns was approximately 41,000.

Table 3
"III" Criminal History Database Queries
 (for the period 3/1/94 through 1/31/95)

States/Territories	Firearms† Transactions Checks	Second Level Queries	Potential Denials (%)
Alabama (B)	155,818	9,812	6.3
Alaska (B)	15,041	2,240	14.9
Arizona (B)	141,726	15,249	10.8
Arkansas (B)	30,278	775	2.6
California	724,972	13	0.0
Colorado	73,398	9,015	12.3
Connecticut	30,190	3,058	10.1
Delaware	18,046	957	5.3
District of Columbia***	0	0	0.0
Florida	291,573	28,707	9.8
Georgia (B)	81,926	24,969	30.5
Hawaii	8,436	946	11.2
Idaho	34,874	4,030	11.6
Illinois	407,800	2,609	0.6
Indiana	49,426	2,893	5.9
Iowa	18,886	1,749	9.3
Kansas (B)	24,326	3,644	15.0
Kentucky (B)	64,294	5,954	9.3
Louisiana (B)	51,607	5,352	10.4
Maine (B)	11,238	605	5.4
Maryland	71,206	5,191	7.3
Massachusetts	12,298	317	2.6
Michigan	94,713	2,116	2.2
Minnesota	33,185	2,191	6.6
Mississippi (B)	37,145	2,870	7.7
Missouri	27,024	3,560	13.2
Montana (B)	12,654	1,598	12.6
Nebraska	8,565	397	4.6
Nevada (B)	43,612	7,494	17.2
New Hampshire	22,088	1,465	6.6
New Jersey	2,273	709	31.2
New Mexico (B)	21,330	3,285	15.4
New York	35,687	599	1.7
North Carolina (B)	133,213	6,181	4.6
North Dakota (B)	4,028	185	4.6
Ohio (B)	75,531	2,493	3.3
Oklahoma (B)	49,404	5,427	11.0
Oregon	104,811	8,834	8.4
Pennsylvania (B)	146,489	10,862	7.4
Puerto Rico (B)	10,794	654	6.1
Rhode Island (B)	11,462	840	7.3
South Carolina (B)	83,565	3,914	4.7
South Dakota (B)	3,567	350	9.8
Tennessee*	30,083	2,606	8.7
Texas (B)	245,845	29,233	11.9
Utah*	25,442	3,447	13.5
Vermont (B)	4,892	335	6.8
Virginia	226,686	22,040	9.7
Washington (B)	139,058	15,156	10.9
West Virginia (B)	28,967	2,909	10.0
Wisconsin**	0	0	0.0
Wyoming (B)	11,028	1,195	10.8
Totals	3,990,500	271,030	6.8
Brady State Totals	1,638,838	163,581	10.0

Potential Brady denials based on historical data (estimating that 2.5% of the number of queries reveal conditions warranting denial) $1,638,838 \times .025 = 40,971$

† Tracks the number of first-level queries to the FBI's criminal history database, the Interstate Identification Index. Firearms transaction checks may include other firearms-related checks by law enforcement.

* Statistics available beginning of May 1994

** No statistics are available

*** Not applicable. Transactions in handguns are prohibited in the District of Columbia.

(B) Brady state

VI. CONCLUSION

ATF has collected empirical and anecdotal evidence of the Brady Law's impact during its first year of implementation. By all indications, Brady is achieving its intended results. First, Brady is keeping handguns out of the reach of the bad guys. ATF's focused survey indicates that more than 15,500 convicted felons, fugitives, persons under restraining order for alleged acts of domestic violence and others were unable to obtain handguns last year because of Brady. Nationwide, the aggregate number of prohibited persons denied handguns in Brady states may be as high as 41,000. Second, the bad guys who were denied access to handguns constituted a fraction of the overall number of people who purchased handguns during the same period. The overall volume of handgun sales has remained substantially the same both before and after Brady's implementation. The conclusion is simple. Brady is not disrupting sales of handguns to legitimate purchasers. To the criminal element, however, Brady is extremely disruptive.

Appendix

Sample Brady Form

DEPARTMENT OF THE TREASURY
BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
STATEMENT OF INTENT TO OBTAIN A HANDGUN(S)

Prepare in duplicate. All entries must be in ink. Before completing, please see notices and instructions on the back of this form.

SECTION A - TO BE COMPLETED PERSONALLY BY THE TRANSFEREE (BUYER). THE BUYER MUST PRINT ITEMS 1, 2, 3, 4, AND 5 OF THIS SECTION.

1. TRANSFEREE'S (BUYER'S) NAME (Last, (and maiden, if applicable), first, middle) _____
2. DATE OF BIRTH (Month, day, year) _____
3. RESIDENCE ADDRESS (No., street, county, city, State, and ZIP code) _____
4. **OPTIONAL INFORMATION - THE INFORMATION REQUESTED IN THIS ITEM (4) IS OPTIONAL BUT WILL HELP AVOID THE POSSIBILITY OF BEING MISIDENTIFIED AS A FELON OR OTHER PROHIBITED PERSON.**

SOCIAL SECURITY NUMBER	HEIGHT	WEIGHT	SEX

PLACE OF BIRTH _____

5. **STATEMENT OF TRANSFEREE (BUYER), EACH QUESTION MUST BE ANSWERED WITH "YES" OR "NO" CHECKED IN THE APPROPRIATE BOX FOR EACH QUESTION.**

	YES	NO		YES	NO
a. Are you under indictment or information* in any court for a crime punishable by imprisonment for a term exceeding one year? *A formal accusation of a crime made by a prosecuting attorney, as distinguished from an indictment presented by a grand jury.			c. Are you a fugitive from justice?		
b. Have you been convicted in any court of a crime punishable by imprisonment for a term exceeding one year? (Note: A "YES" answer is necessary if the judge could have given a sentence of more than one year. A "YES" answer is not required if you have been pardoned for the crime or the conviction has been expunged or set aside, or you have had your civil rights restored, and under the law where the conviction occurred, you are not prohibited from receiving or possessing any firearm.)			d. Are you an unlawful user of, or addicted to, marijuana, or any depressant, stimulant, or narcotic drug, or any other controlled substance?		
			e. Have you ever been adjudicated mentally defective or have you ever been committed to a mental institution?		
			f. Have you been discharged from the Armed Forces under dishonorable conditions?		
			g. Are you illegally in the United States?		
			h. Are you a person who, having been a citizen of the United States, has renounced his/her citizenship?		

I hereby certify that the answers to the above are true and correct. I understand that a person who answers "Yes" to any of the above questions is prohibited from purchasing and/or possessing a firearm, except as otherwise provided by Federal law. I also understand that the making of any false oral or written statement or the exhibiting of any false or misrepresented identification with respect to this transaction is a crime punishable as a felony.

TRANSFEREE'S (BUYER'S) SIGNATURE _____ DATE _____

SECTION B - TO BE COMPLETED BY THE TRANSFEROR (SELLER) (SEE NOTICES AND INSTRUCTIONS ON REVERSE.)

6. TRADE/CORPORATE NAME, ADDRESS, AND TELEPHONE NUMBER OF TRANSFEROR (SELLER) _____ FEDERAL FIREARMS LICENSE NUMBER _____

7. THE TRANSFEREE (BUYER) HAS IDENTIFIED HIMSELF/HERSELF TO ME BY USING A DRIVER'S LICENSE OR OTHER IDENTIFICATION THAT CONTAINS THE TRANSFEREE'S (BUYER'S) NAME, DATE OF BIRTH, RESIDENCE ADDRESS AND PHOTOGRAPH.

TYPE OF IDENTIFICATION _____ NUMBER ON IDENTIFICATION _____
☐ DRIVER'S LICENSE ☐ OTHER (Specify) _____

8. CONTENTS OF THE STATEMENT IN SECTION A OF THIS FORM WERE RECEIVED BY _____ OF _____ ON _____ BY _____
 (Chief Law Enforcement Officer) (Law Enforcement Agency) (Date)
 (Check the appropriate answer.)

☐ TELEPHONE ☐ TELEFAX ☐ IN PERSON ☐ OTHER (Specify) _____

9. A COPY OF THE STATEMENT IN SECTION A OF THIS FORM WAS TRANSMITTED TO THE CHIEF LAW ENFORCEMENT OFFICER ON _____ BY _____
 (Date) (Check the appropriate answer.)

☐ MAIL ☐ TELEFAX ☐ IN PERSON ☐ OTHER (Specify) _____

10. ON _____, THE CHIEF LAW ENFORCEMENT OFFICER PROVIDED REASON TO BELIEVE THAT THIS TRANSFER
 (Date)
☐ WOULD ☐ WOULD NOT VIOLATE FEDERAL, STATE, OR LOCAL LAWS. AGENCY IDENTIFIER _____

11. TRANSFEROR'S (SELLER'S) SIGNATURE _____ TRANSFEROR'S TITLE _____ DATE _____

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003. list	re: Brady Bill Event; [Personally Identifiable Information] [Partial] (5 pages)	02/28/1995	b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Jose Cerda
OA/Box Number: 5873

FOLDER TITLE:

Event - Brady Bill Anniversary - Feb. [February] 28, 1995

2009-1305-F

jp3624

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

TO: WAVES, 5-5349
FR: Jose Cerda, Rm. 222, 6-5568
RE: 9:05 am Brady Bill Event w/POTUS in Roosevelt Room
DA: February 28, 1995

Law Enforcement Reps:

1. Robert Scully
Executive Director
National Association of Police Organizations

(b)(6)

2. Charles "Bud" Meeks
Executive Director
National Sheriffs' Association

(b)(6)

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3. Jim Pasco
Director Member Services
Fraternal Order of Police

(b)(6)

4. Don Cahill
National Legislative Chairman
Fraternal Order of Police

(b)(6)

[003]

5. Mark Spurrier
Legislative Director
Major Cities Chiefs

(b)(6)

6. Vic Oboyski
President
Federal Law Enforcement Officers Association

(b)(6)

7. John Pitta
Vice President
Federal Law Enforcement Officers Association

(b)(6)

8. Ira Harris
Executive Director
National Organization of Black Law Enforcement Executives

(b)(6)

9. Hubert Williams
Police Foundation

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(b)(6)

10. Chuck Wexler
Executive Director
Police Executive Research Forum

(b)(6)

[003]

11. Major John Hughes
National Troopers Coalition

(b)(6)

12. David B. Mitchell
Maryland State Police

(b)(6)

13. Chris Sullivan
International Brotherhood of Police Officers

(b)(6)

14. Chief John Whetsel
President, International Association of Chiefs of Police
Chief of Choctaw, OK, Police Department

(b)(6)

15. Jonna Whetsel

(b)(6)

16. Robert Moody
Second Vice President, IACP
Chief of Covington, GA, Police Department

(b)(6)

17. Arthur Reddy
Legislative Director
International Union of Police Associations

(b)(6)

18. Sam Cabral
Secretary/Treasurer
International Union of Police Associations

(b)(6)

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Jim Brady and Handgun Control Staff:

19. James Brady (on program; entering through Southwest Gate)
8-29-40
352-28-4550

20. Mary Dickerson (Jim's Nurse; no seat required; SW Gate)

(b)(6)

21. Ross Giacomo (Jim's Driver; no seat required; SW Gate)

(b)(6)

22. Robert Walker

(b)(6)

[003]

23. Susan Whitmore

(b)(6)

24. Richard Aborn

(b)(6)

Treasury Officials/Staff

25. John McGaw
Director, Bureau of Alcohol, Tobacco and Firearms

(b)(6)

26. Susan Ginsburg (Rubin staff; no seat)
Enforcement, Chief of Staff

(b)(6)

27. Court Golumbic (Rubin staff; no seat)
Enforcement

(b)(6)

28. Eric Werth (Rubin staff; no seat)

(b)(6)

29. Robert J. Creighton

(b)(6)

30. William Earle

(b)(6)

31. Charlie Thomson
Deputy Director, ATF

(b)(6)

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32. Bradley Buckles
ATF General Counsel

(b)(6)

33. John Killorin
ATF Public Affairs

(b)(6)

[003]

34. Pete Gagliardi
ATF Counsel

(b)(6)

Justice Staff (no seats):

35. Andy Fois

(b)(6)

36. Kent Markus

(b)(6)

37. Gail Hoffman

(b)(6)

38. Allison Lefrak

(b)(6)

39. Bert Brandenburg

(b)(6)

40. Caroline Adelman

(b)(6)

Additional Enforcement

41. Robert Kliesmet
President
International Union of Police Associations

(b)(6)

[009]

42. Jerry Lovitt (on program; no seat)
Commissioner, Kentucky State Police

(b)(6)

43. Conelius J. Behan, MCC
Major Cities Chiefs

(b)(6)

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National Law Enforcement Organizations Represented at Brady Anniversary Event

The National Association of Police Organizations

– Bob Scully

Fraternal Order of Police

– Jim Pasco, Don Cahill

The International Brotherhood of Police Officers

– Chris Sullivan

The International Association of Chiefs of Police

– Chief John Whetsel

– Chief Bobby Moody

The Major Cities Chiefs

– Mark Spurrier

– Neil Behan

The Federal Law Enforcement Officers Association

– Vic Oboyski

– John Pitta

The National Troopers Coalition

– Colonel David Mitchell

– Major Johnny Hughes

The National Organization of Black Law Enforcement Executives

– Ira Harris

The Police Foundation

Hubert Williams

The Police Executive Research Forum

– Chuck Wexler

The International Union of Police Associations

– Bob Kliesmet

– Sam Cabral

– Arthur Reddy

The National Sheriffs' Association

– Bud Meeks

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Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

TO: WAVES, 5-5349
FR: Jose Cerda, Rm. 222, 6-5568
RE: 9:05 am Brady Bill Event w/POTUS in Roosevelt Room
DA: February 28, 1995

Law Enforcement Reps:

CLINTON LIBRARY PHOTOCOPY

1. Robert Scully
Executive Director
National Association of Police Organizations

(b)(6)

2. Charles "Bud" Meeks
Executive Director
National Sheriffs' Association

(b)(6)

[004]

3. Jim Pasco
Director Member Services
Fraternal Order of Police

(b)(6)

4. Don Cahill
National Legislative Chairman
Fraternal Order of Police

(b)(6)

5. Mark Spurrier
Legislative Director
Major Cities Chiefs

(b)(6)

6. Vic Oboyski
President
Federal Law Enforcement Officers Association

(b)(6)

7. John Pitta
Vice President
Federal Law Enforcement Officers Association

(b)(6)

8. Ira Harris
Executive Director
National Organization of Black Law Enforcement Executives

(b)(6)

9. Hubert Williams
Police Foundation

(b)(6)

CLINTON LIBRARY PHOTOCOPY

10. Chuck Wexler
Executive Director
Police Executive Research Forum

(b)(6)

11. Major John Hughes
National Troopers Coalition

(b)(6)

[004]

12. David B. Mitchell
Maryland State Police

(b)(6)

13. Chris Sullivan
International Brotherhood of Police Officers

(b)(6)

14. Chief John Whetsel
President, International Association of Chiefs of Police
Chief of Choctaw, OK, Police Department

(b)(6)

15. Jonna Whetsel

(b)(6)

16. Robert Moody
Second Vice President, IACP
Chief of Covington, GA, Police Department

(b)(6)

17. Arthur Reddy
Legislative Director
International Union of Police Associations

(b)(6)

18. Sam Cabral
Secretary/Treasurer
International Union of Police Associations

(b)(6)

Jim Brady and Handgun Control Staff:

19. James Brady (on program; entering through Southwest Gate)
8-29-40
352-28-4550

20. Mary Dickerson (Jim's Nurse; no seat required; SW Gate)

(b)(6)

21. Ross Giacomo (Jim's Driver; no seat required; SW Gate)

(b)(6)

22. Robert Walker

(b)(6)

[004]

23. Susan Whitmore

(b)(6)

24. Richard Aborn

(b)(6)

CLINTON LIBRARY PHOTOCOPY

Treasury Officials/Staff

25. John McGaw
Director, Bureau of Alcohol, Tobacco and Firearms

(b)(6)

26. Susan Ginsburg (Rubin staff; no seat)
Enforcement, Chief of Staff

(b)(6)

27. Court Golumbic (Rubin staff; no seat)
Enforcement

(b)(6)

28. Eric Werth (Rubin staff; no seat)

(b)(6)

29. Robert J. Creighton

(b)(6)

30. William Earle

(b)(6)

31. Charlie Thomson
Deputy Director, ATF

(b)(6)

CLINTON LIBRARY PHOTOCOPY

32. Bradley Buckles
ATF General Counsel

(b)(6)

33. John Killorin
ATF Public Affairs

(b)(6)

[004]

34. Pete Gagliardi
ATF Counsel

(b)(6)

Justice Staff (no seats):

35. Andy Foiss

(b)(6)

36. Kent Markus

(b)(6)

37. Gail Hoffman

(b)(6)

38. Allison Lefrak

(b)(6)

39. Bert Brandenburg

(b)(6)

40. Caroline Adelman

(b)(6)

Additional Enforcement

41. Robert Kliesmet
President
International Union of Police Associations



[004]

42. Jerry Lovitt (on program; no seat)
Commissioner, Kentucky State Police



43. Conelius J. Behan, MCC
Major Cities Chiefs



CLINTON LIBRARY PHOTOCOPY

FACSIMILE COVER SHEET

OFFICE OF THE
UNDER SECRETARY FOR ENFORCEMENT
DEPARTMENT OF THE TREASURY

Phone: (202) 622-0240

Fax: (202) 622-5040

Date: 2/27

Page 1 of _____

TO:	Rahm Emanuel	456-6423
	Kent Markus	307-3911
	Bob Brandenburg	616-0904
	Jack Killorin	927-8628
	Jose Cerda	456-7028

PHONE: _____

FAX: _____

FROM: Susan Ginsburg

MESSAGE: Final Treasury & DOJ cleared Q's & A's.

Note: New editions of Report to be provided
by 4:30 PM today. (The first edition map
shows Va.'s Brady status erroneously.)



Brady Law Anniversary
February 28, 1995

Most important 3 points about Brady:

The Brady Law is working by every measure available. It is stopping convicted criminals and other prohibited persons from getting handguns, not by the tens, hundreds, or thousands, but by the tens of thousands a year, up to 41,000 this year alone.

The Brady law works by empowering state and local police in the fight against violent crime. Every Brady check that reveals a criminal record or other prohibited status information tells a local or state police agency about a convicted criminal trying to get a handgun in their jurisdiction.

Brady is not preventing law abiding citizens from buying a firearm. Look at the number of checks being run: local and state police are doing hundreds of thousands of checks, but only a small percent -- no more than 3.5% -- are being stopped. Brady is like security at airports. A slight inconvenience is worth the protection that all of us are getting from preventing potentially dangerous persons from getting immediate access to handguns.

Law abiding citizens who want to buy a handgun can do so. Persons who are a threat to those citizens cannot go to the same gun store and arm themselves. This is a law against criminals. What Brady does is put the balance of safety on the side of law abiding citizens.

Questions & Answers
Brady Law Anniversary
February 28, 1995

Q. Your report shows that a lot of people are being prevented from buying handguns. But you are not reporting that the OVERALL VIOLENT CRIME RATE in the nation's cities has gone down. The Brady Law hasn't really had an impact has it?

A. This bill makes a difference. This is the first year we have had a nationwide check on gun purchases. We know that it has stopped up to 41,000 potentially dangerous people from buying a gun from a dealer. This law dries up a significant source of guns to criminals, a source that has been available for the more than 20 years since the Gun Control Act of 1968. As the implementation continues, and the checks become quicker and easier, then these checks, combined with the other elements of our anti-crime strategy, should have a positive impact on the violent crime rate.

6 questions on BLACK MARKETS, SECONDARY MARKETS, LOOPHOLES:

Q. Doesn't this law mean that gun buyers will just get their guns from the streets? Haven't you created a new black market?

A. Tens of thousands of prohibited buyers have been brazenly shopping in the federally licensed retail stores. These purchases are now stopped. By forcing felons out of our nation's licensed gun stores, we make harder to felons to get guns and free up resources for law enforcement to go after illegal gun traffickers.

Q. Reports show gun thefts are on the increase. Haven't you created a new problem?

A. The Brady Law made stealing firearms a federal crime for the first time. Our Crime Bill made reporting those thefts mandatory for the first time. Law enforcement now has critical information it needs to go after illegal traffickers who sell guns to drug dealers and felons who cannot buy them in stores. We've put in place tough laws to deal with gun thefts.

Q. Isn't this like Prohibition where you are creating more violence by interfering with people's rights?

The Brady law is not like Prohibition. Prohibition failed because it prohibited non-offenders from buying alcohol. The Brady law does not outlaw gun sales. It outlaws gun sales to potentially dangerous persons -- felons, fugitives, drug dealers, and suspected stalkers.

Q. In the first draft of the Crime Bill you supported, pawnshops had to do checks on redeemed guns. Under the final version you supported, redemptions aren't subject to checks. Isn't this a loophole you want to see closed?

A. The pawnshop exemption included in the Crime Bill only applies to original owners redeeming their own gun. New buyers still go through a check. In addition we are continuing to monitor the effect of the pawnshop exemption.

Q. People can still buy guns from their neighbors with no background check, or buy one at a gun show or flea market from a non-licensed individual. Aren't these loopholes that gut the law?

A. There are millions of guns in the hands of law abiding citizens. Law abiding citizens with guns are not selling their guns to drug dealers and fugitives. Right now, ATF is working with police all around the country on illegal sales in places like gun shows. Like pawnshop sales to owners, this is a market we will have to monitor for abuses.

Q. The Crime Bill includes a federal prohibition against a person under certain restraining orders from buying or possessing firearms. But the Brady form does not ask for INFORMATION ON RESTRAINING ORDERS. Why haven't you amended the Brady form to reflect the important protection given to women?

A. While it may not be on that form, the evidence in front of us is that local police are aware of the prohibition and are responding effectively. This is the kind of technical issue that will be worked out over time.

Q. You have reported very few FEDERAL PROSECUTIONS for filling out the Brady form falsely. Why aren't you enforcing the law and doesn't this mean it isn't working? [NRA tack]

A. I have a report in front of me that says that thousands of fugitives and felons and many persons under stalking-related restraining orders have been stopped from buying handguns. It reports on arrests of people for violations of local, state, and federal law. It says that up to 41,000 prohibited persons were stopped from buying a handgun in Brady states, and ATF estimates that there were over 30,000 in states with Brady-equivalent checks. This is overwhelming evidence is that the law is working very very well. The facts clearly show this law is doing the job we intended it to do.

In addition, there have been federal prosecutions already, there are federal cases under investigation that will likely lead to prosecutions, and there will be more investigations and prosecutions in the future.

- Q. You are not doing very well in COURT CHALLENGES. Five district courts have said that the requiring a criminal records check on prospective gun purchasers violates the Tenth Amendment. Doesn't this mean the Brady law is in trouble?**
- A. No. All six courts in which local sheriffs have filed challenges have sustained the constitutionality of the law. The Tenth Amendment ruling in five of these courts only means that the federal government cannot mandate that the local chief has to run a records check on the Brady form. The overwhelming evidence is that around the country local chiefs are finding Brady checks to be a powerful tool and are using it effectively to protect citizens. Finally, we're very confident that as the cases move through the courts, we will prevail.**
- Q. Is there a HASSLE FACTOR here? In some cities there are reports that would be gun buyers are stopped from buying a gun for minor infractions such as unpaid parking tickets or because of an error in filling out the form? Isn't this law interfering with law abiding citizen purchases?**
- A. Remember that the law provides that if a citizen is in demonstrable danger, local law enforcement can authorize them to obtain a handgun without any further background check or waiting period. Beyond that, buyers and dealers have an obligation to fill out the form correctly, and we all as citizens have the responsibility of meeting our civic obligations. The Brady law helps local law enforcement to do its job. I am confident that local law enforcement officials answerable to their communities will exercise common sense in enforcing this law.**
- Q. Reports are showing that the Brady bill has put tens of thousands of GUN DEALERS OUT OF BUSINESS by increasing license fees and imposing new obligations. Isn't this more harassment of law abiding small business and small arms buyers?**
- A. No. What we have done with the support of gun dealers is to ensure the integrity of the system by which dealers are licensed. All you have to do to get a license is to properly identify yourself, and to be able to operate in compliance with local, state, and federal law. The people who are losing their licenses are people who cannot meet these very reasonable standards. The fees help pay for law enforcement that protects law abiding citizens.**

4 questions on tougher enforcement:

Q. Are the Brady checks and Brady equivalent checks CATCHING ALL THE PROHIBITED PERSONS?

A. No they are not. Brady is working very well and, because of the unique federal state partnership that it has created, we can expect it to work better in the future. The law permits a check that local and state law enforcement can reasonably do with the resources available to them. But we have a long way to go. Millions of dollars are being spent to upgrade the completeness, timeliness, and access by law enforcement to criminal justice records. Attorney General Reno is working very hard every day to improve the record keeping systems that will be accessible through the insta-checks.

Q. The Brady law requires transition to an INSTA-CHECK SYSTEM. Many states have such a system already or are moving in that direction. Doesn't this defeat the purpose of providing for a cooling off period of 5 days?

A. The Brady law is not a waiting period law. It is a background check law, and it mandates a transition to an insta-check system. The evidence is overwhelming that background checks are the most effective means of stopping offenders and letting people cool off. When a person under a restraining order for threatening to kill his wife attempts to buy a handgun and gets contacted by the police, there is a cooling off effect. When a person goes in to buy a handgun and is prohibited by state law and gets arrested for it, or when a fugitive is apprehended, their ability and desire to buy a handgun is cooled off. Knowing that a report will be made to the local police will have a chilling effect on a person who has an impulse to buy a handgun for dangerous purposes.

Q. Do you support Brady II?

A. We have to set priorities. We need to do what is reasonable and examine how this works before we propose additional laws that affect American citizens. The Brady Bill has stopped tens of thousands of potentially dangerous persons from buying handguns. We have to let this law take hold before we look at what needs to be done further. And the Brady Law is only a part of our anti-crime strategy. We are also focusing on the assault weapons ban, and on fighting congressional efforts to compromise the country's capacity to fight crime.

Q. How does Brady protect citizens when local police do not respond to the information on it? (For instance, Brady check shows that i.d. is from murder victim. Seller denies gun, but local police fail to react. Presumptive murderer gets away. Such stories are undoubtedly out there.)

A. Before Brady, local police would not even have had the opportunity to act on information about felons, drug dealers, and stalkers. Any law will break down if there is a failure by the law enforcement agency. I am certain that local police are doing the best job they can. We have many examples of responsive, effective actions by local enforcement. The fact that in isolated instances the response is questionable does not challenge the effective of this law and the tool it provides local law enforcement.

HANDGUN CONTROL

ONE MILLION STRONG . . . working to
keep handguns out of the wrong hands.

FAX COVER SHEETDATE: 2/27TOTAL PAGES (including cover sheet): 7SENT TO (FAX number): 456-7028PLEASE DELIVER TO: Jose Arda

ORGANIZATION: _____

FROM: Bob Walker

FAX NUMBER: (202) 371-9615

NOTES/COMMENTS: _____

****If you have difficulty receiving this transmission, please call 202/898-0792****

HANDGUN CONTROL

**ONE MILLION STRONG . . . working to
keep handguns out of the wrong hands.**

THE BRADY LAW:

ONE YEAR PROVES EFFECTIVENESS

A new survey of 115 law enforcement agencies, conducted by the International Association of Chiefs of Police and Handgun Control, Inc., shows more than 19,000 persons in those jurisdictions alone were stopped from buying handguns during the first year of the Brady Law.

INTRODUCTION

February 28, 1995 will mark the one anniversary of the Brady Law. To gauge the effectiveness of the law, the International Association of Chiefs of Police (IACP) and Handgun Control, Inc., surveyed a sample of chief law enforcement officers who conduct background checks in the states affected by the Brady Law.

BACKGROUND

The original Brady Bill, named after James S. Brady, the White House Press Secretary who was shot in the 1981 assassination attempt on President Ronald Reagan, was first introduced in Congress in 1987. The Brady Bill called for a national five-day waiting period and background check before a person could purchase a handgun. A background check would identify those persons prohibited by law from purchasing a handgun, such as convicted felons, fugitives from justice, illegal aliens, juveniles, and those adjudicated mentally ill.

Handgun Control, Inc., founded in 1974, is a national, non-profit, citizens organization working for sensible gun laws at the federal, state and local levels. Chaired by Sarah Brady, Handgun Control is recognized as the nation's leading gun control lobby.

The International Association of Chiefs of Police (IACP) is the world's largest association of police executives, representing more than 15,000 members from 68 nations. IACP has been on record in support of a waiting period and background check since the early 1980's. IACP, along with every major national law enforcement group, tirelessly lobbied the U.S. Congress for passage of the Brady Bill.

After more than seven years, Congress passed the Brady Bill in 1993 and President Clinton signed it into law on November 30th of that year. On February 28, 1994, the waiting period and mandatory background check on handgun purchasers went into effect nationwide. Critics of the Brady Bill argued that felons and other prohibited persons did not purchase handguns over the counter from legitimate gun dealers. Police chiefs and other law enforcement officials knew better. The Brady Law has proved it.

BRADY LAW EFFECTIVENESS

IACP and Handgun Control, Inc., joined together to survey police and sheriff's departments -- large and small -- across the country, to determine the effectiveness of the Brady Law in stopping felons and other prohibited persons from buying handguns. When the Brady Law went into effect on February 28, 1994, 32 states which had never before checked the backgrounds of handgun buyers, were required to conduct "Brady Law" background checks. (The other 29 states were already doing checks through state laws.) The IACP survey includes data from 27 of the new "Brady States." Eight state agencies (Arizona, Arkansas, Colorado, Idaho, Kentucky, South Carolina, Utah and West Virginia) and 107 municipal police and county sheriff's departments participated in the

survey. The results clearly show that the Brady Law has been effective in denying persons who are prohibited by law -- especially convicted felons -- the opportunity to buy handguns over the counter.

The agencies contacted were asked for the most current information available on background checks conducted since February 28, 1994. The reporting periods varied slightly by department, with some ending as early as December 31, 1994 and others as late as February 23, 1995. The survey produced the following results:

- **27 States Represented**
- **115 Participating Law Enforcement Agencies**
- **572,224 Background Checks Conducted**
- **19,098 Denials**
- **3.34 Percent Denial Rate**

The percentage of denials varied from jurisdiction to jurisdiction. For example, the Dallas Police Department conducted 16,982 checks and 934 (or 5.5%) of the applicants were denied. The state of Utah, on the other hand, reported 544 denials out of 31,370 total background checks, a denial rate of 1.7 percent.

While the primary aim of the Brady Law is to stop felons and others from buying handguns from dealers, another benefit of the law has been the identification and subsequent arrest of numerous persons with outstanding warrants. For example, the Sheriff in Dougherty County, Georgia reported that out of 60 denials in the first year, 15 had outstanding felony warrants and 15 arrests were made. In Amarillo, Texas, 35 denials resulted in five arrests. And in Arizona, since October 1, 1994, when the State Department of Public Safety became responsible for background checks, 30 arrests have been made based on outstanding felony warrants.

Brady background checks have also proved valuable in gaining intelligence on gun traffickers. In Kentucky, the State Police Firearms Application Unit was able to provide information about individuals suspected of running hundreds of guns to major East coast cities. This information led to several arrests and the seizure of more than sixty guns headed for the illegal market.

The attached agency by agency survey results show that the Brady Law is doing exactly what our nation's law enforcement community said it would, "Stop felons and other prohibited persons from buying handguns." After one year of implementation, it is clear the Brady Law has proven to be an important and effective tool to help law enforcement keep handguns out of the wrong hands.

IACP BRADY LAW SURVEY

STATE DLE/ COUNTY SHERIFF/ POLICE DEPT.	CITY	STATE	NUMBER OF BRADY CHECKS	NUMBER OF DENIALS	%
BETHEL P.D.	BETHEL	ALASKA	76	1	1.32%
FAIRBANKS D.P.S.	FAIRBANKS	ALASKA	900	2	0.22%
KETCHIKAN P.D.	KETCHIKAN	ALASKA	218	6	2.75%
SITKA P.D.	SITKA	ALASKA	164	5	3.05%
HOUSTON COUNTY	DOTHAN	ALABAMA	500	50	10.00%
TUSCALOOSA COUNTY	TUSCALOOSA	ALABAMA	3,556	134	3.77%
ARIZONA D.P.S.	PHOENIX	ARIZONA	37,703	869	2.30%
ARKANSAS STATE P.D.	LITTLE ROCK	ARKANSAS	25,429	370	1.46%
COLORADO DLE	DENVER	COLORADO	60,870	4,265	7.01%
COBB COUNTY	MARIETTA	GEORGIA	4,152	150	3.61%
DOUGHERTY COUNTY	ALBANY	GEORGIA	994	60	6.04%
FLOYD COUNTY	ROME	GEORGIA	1,494	41	2.74%
LOWNDES COUNTY	ALBANY	GEORGIA	990	25	2.53%
RICHMOND COUNTY	AUGUSTA	GEORGIA	900	8	0.89%
IDAHO DLE	BOISE	IDAHO	29,964	1,078	3.60%
FINNEY COUNTY	GARDEN CITY	KANSAS	571	17	2.98%
LENEXA P.D.	LENEXA	KANSAS	244	5	2.05%
OVERLAND PARK P.D.	OVERLAND PARK	KANSAS	881	13	1.48%
RENO COUNTY	HUTCHINSON	KANSAS	876	37	4.22%
RILEY COUNTY	MANHATTAN	KANSAS	893	1	0.11%
SEDGWICK COUNTY	WICHITA	KANSAS	649	6	0.92%
SHAWNEE COUNTY	TOPEKA	KANSAS	3,775	171	4.53%
SALINE COUNTY	SALINA	KANSAS	249	4	1.61%
KENTUCKY STATE P.D.	FRANKFORT	KENTUCKY	68,077	2,001	2.94%
RAPIDES PARISH	ALEXANDRIA	LOUISIANA	1,918	8	0.42%
TERREBONNE P.D.	HOUMA	LOUISIANA	770	50	6.49%
LAFAYETTE PARISH	LAFAYETTE	LOUISIANA	2,403	60	2.50%
CADDO PARISH	SHREVEPORT	LOUISIANA	5,436	209	3.84%
MADISON PARISH	TALLULAH	LOUISIANA	124	8	6.45%
GREENVILLE P.D.	GREENVILLE	MISSISSIPPI	809	8	0.99%
HATTIESBURG P.D.	HATTIESBURG	MISSISSIPPI	383	11	2.87%
TUPELO P.D.	TUPELO	MISSISSIPPI	307	10	3.26%
VICKSBURG P.D.	VICKSBURG	MISSISSIPPI	528	10	1.89%
MISSOULA COUNTY	MISSOULA	MONTANA	2,427	28	1.15%
YELLOWSTONE COUNTY	BILLINGS	MONTANA	698	10	1.43%
CONCORD P.D.	CONCORD	NEW HAMPSHIRE	205	1	0.49%
DERRY P.D.	DERRY	NEW HAMPSHIRE	300	2	0.67%
LACONIA P.D.	LACONIA	NEW HAMPSHIRE	102	4	3.92%
MANCHESTER P.D.	MANCHESTER	NEW HAMPSHIRE	400	18	4.50%
NASHUA P.D.	NASHUA	NEW HAMPSHIRE	537	3	0.56%
SALEM P.D.	SALEM	NEW HAMPSHIRE	250	12	4.80%
SEABROOK P.D.	SEABROOK	NEW HAMPSHIRE	75	0	0.00%

AGENCY	CITY	STATE	NUMBER OF BRADY CHECKS	NUMBER OF DENIALS	%
ALBUQUERQUE P.D.	ALBUQUERQUE	NEW MEXICO	5,639	199	3.53%
CARLSBAD P.D.	CARLSBAD	NEW MEXICO	468	3	0.64%
FARMINGTON P.D.	FARMINGTON	NEW MEXICO	895	63	7.04%
GALLUP P.D.	GALLUP	NEW MEXICO	311	16	5.14%
OTERO COUNTY	ALAMOGORDO	NEW MEXICO	1,206	7	0.58%
ROSWELL P.D.	ROSWELL	NEW MEXICO	1,494	33	2.21%
SANTA FE P.D.	SANTA FE	NEW MEXICO	851	49	5.76%
TRUTH OR CONSEQUENCES P.D.	TRUTH OR CONSEQ.	NEW MEXICO	191	1	0.52%
CUMBERLAND COUNTY	FAYETTEVILLE	NORTH CAROLINA	8,218	0	0.00%
DURHAM COUNTY	DURHAM	NORTH CAROLINA	1,200	25	2.08%
GUILFORD COUNTY	GREENSBORO	NORTH CAROLINA	2,293	165	7.20%
WAKE COUNTY	RALEIGH	NORTH CAROLINA	5,481	15	0.27%
BURLEIGH COUNTY	BISMARCK	NORTH DAKOTA	423	2	0.47%
CASS COUNTY	FARGO	NORTH DAKOTA	759	9	1.19%
GRAND FORKS P.D.	GRAND FORKS	NORTH DAKOTA	397	3	0.76%
STARK COUNTY	DICKINSON	NORTH DAKOTA	153	2	1.31%
WARD COUNTY	MINOT	NORTH DAKOTA	397	8	2.02%
BROKEN ARROW P.D.	BROKEN ARROW	OKLAHOMA	697	11	1.58%
CHOCTAW P.D.	CHOCTAW	OKLAHOMA	241	4	1.66%
LAWTON P.D.	LAWTON	OKLAHOMA	1,637	45	2.75%
MUSKOGEE P.D.	MUSKOGEE	OKLAHOMA	250	4	1.60%
NORMAN P.D.	NORMAN	OKLAHOMA	1,229	82	6.67%
SHAWNEE P.D.	SHAWNEE	OKLAHOMA	373	5	1.34%
TULSA P.D.	TULSA	OKLAHOMA	7,502	132	1.76%
ALLEGHENY COUNTY	PITTSBURGH	PENNSYLVANIA	39,938	787	1.97%
BERKS COUNTY	READING	PENNSYLVANIA	2,247	89	3.96%
CENTRE COUNTY	BELLEFONTE	PENNSYLVANIA	720	2	0.28%
DAUPHIN COUNTY	HARRISBURG	PENNSYLVANIA	960	56	5.83%
LACKAWANNA COUNTY	SCRANTON	PENNSYLVANIA	2,000	27	1.35%
LUZERNE COUNTY	WILKES-BARRE	PENNSYLVANIA	2,432	70	2.88%
YORK COUNTY	YORK	PENNSYLVANIA	2,863	101	3.53%
CRANSTON P.D.	CRANSTON	RHODE ISLAND	689	60	8.71%
E. PROVIDENCE P.D.	E. PROVIDENCE	RHODE ISLAND	230	6	2.61%
JOHNSTON P.D.	JOHNSTON	RHODE ISLAND	985	95	9.64%
NEWPORT P.D.	NEWPORT	RHODE ISLAND	150	3	2.00%
PROVIDENCE P.D.	PROVIDENCE	RHODE ISLAND	1,150	3	0.26%
WARWICK P.D.	WARWICK	RHODE ISLAND	5,235	71	1.36%
SOUTH CAROLINA DLE	COLUMBIA	SOUTH CAROLINA	55,171	2,199	3.99%
CHATTANOOGA P.D.	CHATTANOOGA	TENNESSEE	5,960	169	2.84%
JACKSON P.D.	JACKSON	TENNESSEE	1,579	27	1.71%
KNOXVILLE P.D.	KNOXVILLE	TENNESSEE	947	10	1.06%
MURFREESBORO P.D.	MURFREESBORO	TENNESSEE	14	0	0
SHELBYVILLE P.D.	SHELBYVILLE	TENNESSEE	755	105	13.91%
ABILENE P.D.	ABILENE	TEXAS	1,837	18	0.98%
AMARILLO P.D.	AMARILLO	TEXAS	2,154	35	1.62%
ARLINGTON P.D.	ARLINGTON	TEXAS	4,274	50	1.17%
AUSTIN P.D.	AUSTIN	TEXAS	8,543	97	1.14%
BEAUMONT P.D.	BEAUMONT	TEXAS	1,874	33	1.76%
CORPUS CHRISTI P.D.	CORPUS CHRISTI	TEXAS	3,453	300	8.69%
DALLAS P.D.	DALLAS	TEXAS	16,962	934	5.51%
EL PASO P.D.	EL PASO	TEXAS	5,237	255	4.87%
FT. WORTH P.D.	FT. WORTH	TEXAS	8,120	1,142	14.06%
GALVESTON P.D.	GALVESTON	TEXAS	927	52	5.61%
KILLEEN P.D.	KILLEEN	TEXAS	2,000	35	1.75%
LAREDO P.D.	LAREDO	TEXAS	1,535	22	1.43%
LUBBOCK P.D.	LUBBOCK	TEXAS	3,500	109	3.11%
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WALLA WALLA P.D.	WALLA WALLA	WASHINGTON	729	5	0.69%
WEST VIRGINIA D.P.S.	CHARLESTON	WEST VIRGINIA	27,648	193	0.70%
ALBANY COUNTY CASPER P.D.	LARAMIE CASPER	WYOMING WYOMING	462 1,130	1 41	0.22% 3.63%
TOTAL	115	27	572,224	19,098	3.34%

Note: The International Association of Chiefs of Police (IACP), is the world's largest association of law enforcement executives with more than 15,000 members in 88 countries.

IACP President: Chief John T. Whetsel, Choctaw, OK Police Department (405) 390-9111
IACP Executive Director: Daniel N. Rosenblatt, Alexandria, VA (703) 838-8767

Agencies were asked for information on background checks conducted since February 28, 1994.
The closing date for reporting periods varied from December 31, 1994 to February 23, 1995.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005. list	re: Late Additions to Brady Bill List; [Personally Identifiable Information] [Partial] (1 page)	02/27/1995	b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Jose Cerda
OA/Box Number: 5873

FOLDER TITLE:

Event - Brady Bill Anniversary - Feb. [February] 28, 1995

2009-1305-F
jp3624

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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James Brady

8-29-40

352 28 1550

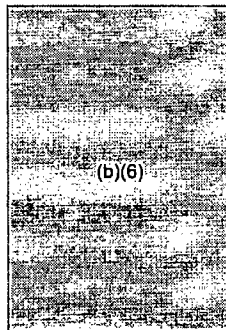
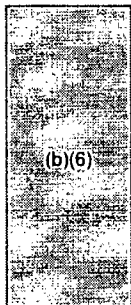
Mary Dickerson

Ross Giacomo

Robert Walker

Susan Whitmore

Richard Aborn



[005]

CLINTON LIBRARY PHOTOCOPY

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
006. resume	re: Jerry W. Lovitt; [Personally Identifiable Information] [Partial] (1 page)	00/00/0000	b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Jose Cerda
OA/Box Number: 5873

FOLDER TITLE:

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JERRY W. LOVITT

CLINTON LIBRARY PHOTOCOPY

Jerry W. Lovitt

(b)(6)

[006]

(b)(6) He attended Whitley County High School. He attained his Associate of Arts, Bachelor of Science, and Masters Degree in Police Administration from Eastern Kentucky University. He also holds a Masters of Public Administration Degree from Kentucky State University.

He began his State Police career in 1969 as a Trooper at the Richmond Post. He served eleven (11) years as a Trooper and Detective working his way through the ranks, and has held every permanent and appointive rank in the State Police. He held numerous staff and command positions during his twenty-five year tenure, including Commander of the Organized Crime Section, Internal Affairs, Richmond Post Commander, Operations Branch Commander of Eastern Kentucky, Director of Operations, Deputy Commissioner and after retirement in November 1993, he was appointed Commissioner.

Lovitt also holds a military officer's commission in the Kentucky Army National Guard as a Chief Warrant Officer. He serves as a Commanding Officer of the 615th M.P. CID Detachment and is a fully accredited CID officer. Lovitt served three (3) years on active duty with the U.S. forces in Europe where he served in the Field Artillery.

Lovitt has received numerous awards and commendations during both his state police and military career. He received the Distinguished Alumni Award from Eastern Kentucky University in 1990. He was named Jessamine County outstanding citizen for 1989 by the Chamber of Commerce. He received the State Police medal for Meritorious Service (Valor) Commendation for Bravery, and the National Guard's second highest award for performing a life saving act.

He is active in state and community affairs and belongs to numerous civic clubs. He also serves as a volunteer in both Hospice and teaching adults to read. His hobbies include jogging, karate, and reading.

IACP BRADY LAW SURVEY

STATE DLE/ COUNTY SHERIFF/ POLICE DEPT.	CITY	STATE	NUMBER OF BRADY CHECKS	NUMBER OF DENIALS	%
BETHEL P.D.	BETHEL	ALASKA	76	1	1.32%
FAIRBANKS D.P.S.	FAIRBANKS	ALASKA	900	2	0.22%
KETCHIKAN P.D.	KETCHIKAN	ALASKA	218	6	2.75%
SITKA P.D.	SITKA	ALASKA	164	5	3.05%
HOUSTON COUNTY	DOTHAN	ALABAMA	500	50	10.00%
TUSCALOOSA COUNTY	TUSCALOOSA	ALABAMA	3,556	134	3.77%
ARIZONA D.P.S.	PHOENIX	ARIZONA	37,703	869	2.30%
ARKANSAS STATE P.D.	LITTLE ROCK	ARKANSAS	25,429	370	1.46%
COLORADO DLE	DENVER	COLORADO	60,870	4,265	7.01%
COBB COUNTY	MARIETTA	GEORGIA	4,152	150	3.61%
DOUGHERTY COUNTY	ALBANY	GEORGIA	994	60	6.04%
FLOYD COUNTY	ROME	GEORGIA	1,494	41	2.74%
LOWNDES COUNTY	ALBANY	GEORGIA	990	25	2.53%
RICHMOND COUNTY	AUGUSTA	GEORGIA	900	8	0.89%
IDAHO DLE	BOISE	IDAHO	29,964	1,078	3.60%
FINNEY COUNTY	GARDEN CITY	KANSAS	571	17	2.98%
LENEXA P.D.	LENEXA	KANSAS	244	5	2.05%
OVERLAND PARK P.D.	OVERLAND PARK	KANSAS	881	13	1.48%
RENO COUNTY	HUTCHINSON	KANSAS	876	37	4.22%
RILEY COUNTY	MANHATTAN	KANSAS	893	1	0.11%
SEDGWICK COUNTY	WICHITA	KANSAS	649	6	0.92%
SHAWNEE COUNTY	TOPEKA	KANSAS	3,775	171	4.53%
SALINE COUNTY	SALINA	KANSAS	249	4	1.61%
KENTUCKY STATE P.D.	FRANKFORT	KENTUCKY	68,077	2,001	2.94%
RAPIDES PARISH	ALEXANDRIA	LOUISIANA	1,918	8	0.42%
TERREBONNE P.D.	HOUMA	LOUISIANA	770	50	6.49%
LAFAYETTE PARISH	LAFAYETTE	LOUISIANA	2,403	60	2.50%
CADDO PARISH	SHREVEPORT	LOUISIANA	5,436	209	3.84%
MADISON PARISH	TALLULAH	LOUISIANA	124	8	6.45%
GREENVILLE P.D.	GREENVILLE	MISSISSIPPI	809	8	0.99%
HATTIESBURG P.D.	HATTIESBURG	MISSISSIPPI	383	11	2.87%
TUPELO P.D.	TUPELO	MISSISSIPPI	307	10	3.26%
VICKSBURG P.D.	VICKSBURG	MISSISSIPPI	528	10	1.89%
MISSOULA COUNTY	MISSOULA	MONTANA	2,427	28	1.15%
YELLOWSTONE COUNTY	BILLINGS	MONTANA	698	10	1.43%
CONCORD P.D.	CONCORD	NEW HAMPSHIRE	205	1	0.49%
DERRY P.D.	DERRY	NEW HAMPSHIRE	300	2	0.67%
LACONIA P.D.	LACONIA	NEW HAMPSHIRE	102	4	3.92%
MANCHESTER P.D.	MANCHESTER	NEW HAMPSHIRE	400	18	4.50%
NASHUA P.D.	NASHUA	NEW HAMPSHIRE	537	3	0.56%
SALEM P.D.	SALEM	NEW HAMPSHIRE	250	12	4.80%
SEABROOK P.D.	SEABROOK	NEW HAMPSHIRE	75	0	0.00%

AGENCY	CITY	STATE	NUMBER OF BRADY CHECKS	NUMBER OF DENIALS	%
ALBUQUERQUE P.D.	ALBUQUERQUE	NEW MEXICO	5,639	199	3.53%
CARLSBAD P.D.	CARLSBAD	NEW MEXICO	468	3	0.64%
FARMINGTON P.D.	FARMINGTON	NEW MEXICO	895	63	7.04%
GALLUP P.D.	GALLUP	NEW MEXICO	311	16	5.14%
OTERO COUNTY	ALAMOGORDO	NEW MEXICO	1,206	7	0.58%
ROSWELL P.D.	ROSWELL	NEW MEXICO	1,494	33	2.21%
SANTA FE P.D.	SANTA FE	NEW MEXICO	851	49	5.76%
TRUTH OR CONSEQUENCES P.D.	TRUTH OR CONSEQ.	NEW MEXICO	191	1	0.52%
CUMBERLAND COUNTY	FAYETTEVILLE	NORTH CAROLINA	8,218	0	0.00%
DURHAM COUNTY	DURHAM	NORTH CAROLINA	1,200	25	2.08%
GUILFORD COUNTY	GREENSBORO	NORTH CAROLINA	2,293	165	7.20%
WAKE COUNTY	RALEIGH	NORTH CAROLINA	5,481	15	0.27%
BURLEIGH COUNTY	BISMARCK	NORTH DAKOTA	423	2	0.47%
CASS COUNTY	FARGO	NORTH DAKOTA	759	9	1.19%
GRAND FORKS P.D.	GRAND FORKS	NORTH DAKOTA	397	3	0.76%
STARK COUNTY	DICKINSON	NORTH DAKOTA	153	2	1.31%
WARD COUNTY	MINOT	NORTH DAKOTA	397	8	2.02%
BROKEN ARROW P.D.	BROKEN ARROW	OKLAHOMA	697	11	1.58%
LAWTON P.D.	LAWTON	OKLAHOMA	1,637	45	2.75%
MUSKOGEE P.D.	MUSKOGEE	OKLAHOMA	250	4	1.60%
NORMAN P.D.	NORMAN	OKLAHOMA	1,229	82	6.67%
SHAWNEE P.D.	SHAWNEE	OKLAHOMA	373	5	1.34%
TULSA P.D.	TULSA	OKLAHOMA	7,502	132	1.76%
ALLEGHENY COUNTY	PITTSBURGH	PENNSYLVANIA	39,938	787	1.97%
BERKS COUNTY	READING	PENNSYLVANIA	2,247	89	3.96%
CENTRE COUNTY	BELLEFONTE	PENNSYLVANIA	720	2	0.28%
DAUPHIN COUNTY	HARRISBURG	PENNSYLVANIA	960	56	5.83%
LACKAWANNA COUNTY	SCRANTON	PENNSYLVANIA	2,000	27	1.35%
LUZERNE COUNTY	WILKES-BARRE	PENNSYLVANIA	2,432	70	2.88%
YORK COUNTY	YORK	PENNSYLVANIA	2,863	101	3.53%
CRANSTON P.D.	CRANSTON	RHODE ISLAND	689	60	8.71%
E. PROVIDENCE P.D.	E. PROVIDENCE	RHODE ISLAND	230	6	2.61%
JOHNSTON P.D.	JOHNSTON	RHODE ISLAND	985	95	9.64%
NEWPORT P.D.	NEWPORT	RHODE ISLAND	150	3	2.00%
PROVIDENCE P.D.	PROVIDENCE	RHODE ISLAND	1,150	3	0.26%
WARWICK P.D.	WARWICK	RHODE ISLAND	5,235	71	1.36%
SOUTH CAROLINA DLE	COLUMBIA	SOUTH CAROLINA	55,171	2,199	3.99%
CHATTANOOGA P.D.	CHATTANOOGA	TENNESSEE	5,960	169	2.84%
JACKSON P.D.	JACKSON	TENNESSEE	1,579	27	1.71%
KNOXVILLE P.D.	KNOXVILLE	TENNESSEE	947	10	1.06%
MURFREESBORO P.D.	MURFREESBORO	TENNESSEE	14	0	0
SHELBYVILLE P.D.	SHELBYVILLE	TENNESSEE	755	105	13.91%
ABILENE P.D.	ABILENE	TEXAS	1,837	18	0.98%
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FACSIMILE COVER SHEET**OFFICE OF THE
UNDER SECRETARY FOR ENFORCEMENT
DEPARTMENT OF THE TREASURY****Phone: (202) 622-0240****Fax: (202) 622-5040**Date: 2/24/95Page 1 of 3TO: José Cerdas-Lucena
Hahn Emanuel's OFFICE

PHONE: _____

FAX: 456-7028FROM: Susan Ginsburg (622-1496)MESSAGE: Attached are the names to be cleared for
the Brady event on Tuesday, 2/28/95.

Thanks!!

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
007a. list	re: Treasury Department (Office of Enforcement); [Personally Identifiable Information] [Partial] (1 page)	02/24/1995	b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Jose Cerda
OA/Box Number: 5873

FOLDER TITLE:

Event - Brady Bill Anniversary - Feb. [February] 28, 1995

2009-1305-F

jp3624

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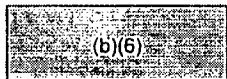
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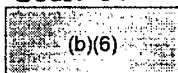
Treasury Department (Office of Enforcement)

Susan Ginsburg, Chief of Staff

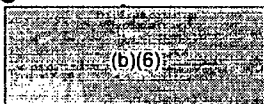


[0070]

Court Golumbic



Erik Wenth



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Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
007b. list	re: Bureau of Alcohol, Tobacco, and Firearms (in order of preference); [Personally Identifiable Information] [Partial] (1 page)	02/24/1995	b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Jose Cerda
OA/Box Number: 5873

FOLDER TITLE:

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2009-1305-F

jp3624

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Bureau of Alcohol, Tobacco, and Firearms (in order of preference)

John W. Magaw, Director



Charlie Thomson



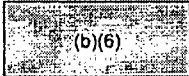
Daniel R. Black



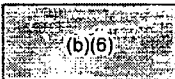
Bradley A. Buckles



William T. Earle



John C. Killorin



Robert J. Creighton



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[0076]

BRADY REMARKS

Commissioner Jerry Lovitt
Kentucky State Police

On November 30, 1993, the power of the U.S. Presidency and the essence of Jim Brady arrived in Kentucky with the signing of the Brady Handgun Violence Prevention Act, arguably one of the most important pieces of firearms legislation ever enacted. Until Brady, the only thing preventing a felon or other prohibited person from purchasing a firearm was the requirement that the purchaser certify his eligibility. Beginning on February 28, 1994, a 5 day waiting period was imposed on the sale of a handgun in states that did not already require a background check, with Kentucky being one of those states.

In the weeks leading up to the implementation of Brady, Kentucky, like other affected states, heard the hue and cry of many interested parties: gun dealers; sports shooting enthusiasts; the law enforcement community; and those who write editorials. Reaction ranged from confusion to outrage.

But a year has passed, and rather than recount the trials and tribulations of the initial weeks and months of Brady, I'd rather focus on the positive results that have flowed from this unique piece of legislation.

Having been designated CLEO, the Kentucky State Police has conducted over 68,000 criminal history background checks over the past year as a result of Brady. This simple application of the statute

denied 2,001 felons and other prohibited people from acquiring a weapon. Of those denials:

812 violent felons have literally had a gun snatched from their hands. 318 drug dealers are less well armed as they ply their deadly vocations. 108 spouses are less at risk because their abusers were denied access to guns.

As part of the process, we routinely refer "Brady Denials" to the Bureau of Alcohol, Tobacco, and Firearms for follow up investigations. There have been a number of indictments as a result of those efforts, and more are anticipated. A typical example is a subject whose record contained a 1983 felony conviction for four counts of First Degree Burglary:

In August, 1992 (PreBrady), he purchased a shotgun.

In June, 1993 (PreBrady), he purchased a handgun.

In July, 1993 (PreBrady), he purchased a handgun.

In April, 1994 (PostBrady), he attempted another firearms transaction and executed a Brady Form.

He was indicted on firearms possession and false statement charges, pled guilty in United States District Court, and is scheduled for sentencing next month.

Another example of cooperative effort is assistance provided to ATF in investigations of two

separate firearms trafficking rings. The rings were broken up. Arrests and seizures were made. Hundreds of guns destined for New York and Philadelphia were involved.

I am certain that Kentucky's statistics and cases pale in comparison to those from larger states. I also recognize that Brady, as we know it today, is an interim procedure, to be replaced in 5 years with a national instant check system that dealers will access directly.

For all of the successes of Brady, we need not lose sight of those who are actually responsible for getting the job done - over the past year, and for some years to come.

Thanks to Kentucky's "Brady Bunch" and their extended families all over our nation. Our lives are more secure and our children's futures are brighter.

I know it has not been easy. Few worthwhile things are. I would like to extend my thanks to that small group in Kentucky, and to their counterparts from across the country.

FACSIMILE COVER SHEET**OFFICE OF THE
UNDER SECRETARY FOR ENFORCEMENT
DEPARTMENT OF THE TREASURY****Phone: (202) 622-0240****Fax: (202) 622-5040**Date: 2/24/95Page 1 of 3

TO:

Jose CerdasJohn Manuel's OFFICE

PHONE:

FAX:

456-7028

FROM:

Susan Ginsburg (622-1476)

MESSAGE:

Attached are the names to be cleared forthe Brady event on Tuesday, 2/28/95.Thanks!

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
008a. list	re: Bureau of Alcohol, Tobacco, and Firearms; [Personally Identifiable Information] [Partial] (1 page)	02/27/1995	b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Jose Cerda
OA/Box Number: 5873

FOLDER TITLE:

Event - Brady Bill Anniversary - Feb. [February] 28, 1995

2009-1305-F

jp3624

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Bureau of Alcohol, Tobacco, and Firearms ~~(in order of preference)~~

① John W. Magaw, Director

(b)(6)

4 ④ Charlie Thomson

(b)(6)

④ Daniel R. Black

(b)(6)

③ ④ Bradley A. Buckles

(b)(6)

③ William T. Earle

(b)(6)

② ④ John C. Killorin

(b)(6)

② Robert J. Creighton

(b)(6)

① ④ Pete Gagliardi

(b)(6)

José -
Please note
correct order.
Thanks abt!
Susan G

[0089]

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Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
008b. list	re: Treasury Department (Office of Enforcement); [Personally Identifiable Information] [Partial]; [Duplicate of 007a] (1 page)	02/27/1995	b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Jose Cerda
OA/Box Number: 5873

FOLDER TITLE:

Event - Brady Bill Anniversary - Feb. [February] 28, 1995

2009-1305-F
jp3624

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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Treasury Department (Office of Enforcement)

Susan Ginsburg, Chief of Staff



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Court Golumbic



[0086]

Erik Weath

