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Department of Justice

*Crime
Brady Bill*

FOR IMMEDIATE RELEASE
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BJS
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**ABOUT 6,600 ATTEMPTS TO BUY GUNS
THWARTED BY BACKGROUND CHECKS EACH MONTH
SINCE BRADY LAW ENACTED**

186,000 Blocked from March 1994 through June 1996

WASHINGTON, D.C. -- During the first 28 months of the Brady Act's effectiveness (March 1994 through last June) more than 186,000 illegal over-the-counter gun sales were blocked by background checks, the Justice Department's Bureau of Justice Statistics (BJS) announced today. Of the average 6,600 attempts stopped each month, more than 70 percent were rejected because they were indicted or convicted as felons. The data refer only to attempted purchases from licensed firearms dealers and do not indicate whether rejected purchasers later obtained a gun.

Based on BJS statistics covering specifically January 1996 through June 1996, gun dealers made more than 1.3 million inquiries about the potential eligibility of potential handgun buyers. The data contained specific reasons for rejections. Approximately 34,000, or 2.6 percent, were rejected for the following reasons in percentages:

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Convicted or indicted felon	72%
Fugitive	6
State law prohibition	4
Restraining order	2
Mental illness or disability . . .	1
Other*	15

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*Includes people addicted to illegal
drugs, juveniles, aliens, violators of
local ordinances, etc.

As of mid-year 1996, 14 states reported that their presale investigations included checking for outstanding restraining orders, and 11 states looked into mental health records. The report noted that not all states check the categories of mental disability, restraining orders or drug abuse. In states that do check for these conditions, rejection rates are higher for these circumstances.

The surveys were of 600 law enforcement agencies, of which 176 from 44 states responded. Using standard statistical techniques, the totals were adjusted to account for the non-responding states. BJS is continuing its efforts to obtain a more complete response rate.

The Brady Handgun Violence Prevention Act (the Brady Act) provides that presale inquiries will be made permanent through

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the National Instant Criminal Background Check System (NICS), which will be administered by the Federal Bureau of Investigation. It is to be established by November 1998, when the waiting period of the current system will be eliminated.

When the Brady Act took effect in February 1994, there were an average 3,100 monthly gun application rejections in the 32 states that the act required to follow its presale review procedures. From March 1994 through last June 30 there were 86,000 rejections of about 4.2 million applications or inquiries.

Federal law prohibits firearm sales to a person who--

- is under indictment for a crime punishable by imprisonment for more than one year or has been convicted of such a crime,
- is a fugitive from justice,
- is an unlawful user of a controlled substance,
- has been adjudicated as mentally defective or has been committed to a mental institution,
- was dishonorably discharged from the armed forces,
- has renounced United States citizenship,
- is subject to a court order restraining him or her from harassing, stalking or threatening an intimate partner or a child, or
- is a person who has been convicted of domestic violence.

The bulletin, "Presale Firearm Checks" (NCJ-162787), was

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written by Don Manson, of BJS, and Gene Lauver, of the Regional Justice Information Service. The statistics were obtained from the Treasury Department's Bureau of Alcohol, Tobacco and Firearms (March 1, 1994 through December 31, 1995) and from a BJS survey (January 1, 1996 through June 30, 1996).

The report is available on the Internet on BJS's Internet home page by clicking on "What's new at BJS." The BJS webpage address is:

<http://www.ojp.usdoj.gov/bjs/>

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