



## 2011 Brady Campaign State Scorecard Category Descriptions

### ***CURB GUN TRAFFICKING (35 POINTS)***

States can fully regulate gun dealers within their borders, limit bulk purchases of handguns, record gun sale records, provide police certain technology to identify crime guns, and require lost or stolen guns to be reported to the police.

#### **Gun Dealer Regulations:**

Creating a licensing and oversight system of firearm dealers allows law enforcement to more easily identify and crack down on corrupt gun dealers.

- State licensing required: Allows states to more easily sanction gun dealers who violate state laws.
- Record keeping and retention: Firearm dealers must record and maintain the sales records of firearms sold in their store.
- Report records to the state, and state retains records: The state maintains its own database of dealer sales records.
- Mandatory theft reporting of all firearms: Dealers must report to law enforcement all lost and stolen firearms from their inventory.
- At least one store security precaution required: State law mandates that a firearm dealer take steps to ensure his/her inventory is protected and secured. (Examples: Locked inventory, product placement requirements, employee screening, install alarm systems, etc.).
- Inspections by police are mandated or permitted: State and local law enforcement are allowed/required to inspect dealer inventories and records at any time to ensure compliance with firearm laws and accurate record keeping.

#### **Limit Bulk Purchases:**

Stopping bulk sales of handguns is one of the Brady Campaign's central tenants to stemming the flow of illegal guns. Gun traffickers typically buy guns in bulk legally and re-sell them in the illegal market.

- One handgun per month, no exceptions: Individuals may only purchase one handgun every 30 days regardless of permits held, location of purchase, etc.
- One handgun per month, one or more exceptions: Individuals may purchase more than one handgun in a 30-day period if they qualify under one specific exception (Example: Exempting concealed carry permit holders or exempting private sales).

**Record Retention:**

States can retain records in a central database to help law enforcement stop the flow of guns into the illegal market and ensure handgun owner accountability.

- Every firearm already has a serial number, however, there is no easy way to trace guns to purchasers, especially when guns are bought and sold through unlicensed sellers. Without record retention on all firearms, guns flow easily from legal sales into the illegal market.

**Crime Gun Identification:**

The ability to quickly and positively identify a firearm's source greatly enhances law enforcement's criminal investigations and can help law enforcement shut down illegal gun traffickers and apprehend armed criminals.

- Ballistic identification: Gun manufacturers are required to test-fire guns prior to sale and submit their expelled shell casings and bullets to a database that police use to match shell casing and bullets found at crime scenes. Each gun leaves unique marking on the shell casings and bullets they fire that can be used to link crime guns to their owner.
- Microstamping: Firearms are fitted with a technology that engraves on each fired bullet casing microscopic identifying markings that are specific to that firearm alone.

**Report Lost/Stolen Guns:**

Requiring the reporting of lost or stolen firearms to police removes excuses used by gun traffickers that "lose" their firearms.

- Mandatory reporting of lost or stolen guns: Firearm owners must inform law enforcement of the missing firearms within an allotted period of time.

***STRENGTHEN BRADY BACKGROUND CHECKS (40 POINTS)***

States can earn up to 40 points by "Strengthening Brady Background Checks." This involves requiring universal background checks and requiring a comprehensive permit to purchase firearms. Short of universal background checks, states also can close the gun show loophole by at least requiring background checks for all gun show sales, and they can regulate handgun ammunition sales.

**Universal Background Checks:**

- Universal background checks on all firearms: A Brady background check is conducted prior to each and every firearm transaction.
- Universal background checks on handguns only: A Brady background check is conducted prior to each and every handgun transaction.
- Closed Gun Show Loophole: A Brady background check on all firearm purchasers at gun shows.
- Background checks on long gun purchasers at gun shows

**Permit to Purchase:**

A permit (or license) to purchase allows for a more in-depth background check on potential firearm purchasers and can include the following requirements:

- Permit to purchase mandatory for all firearms (long guns and handguns)
- Some safety training and/or testing required
- 'Permit to Purchase' also acts as a 'License to Possess'
- Extending the three-day limit for background checks
- 'Permit to Purchase' also required for the purchase of ammunition
- Fingerprinting of applicants required
- Permit process involves law enforcement

**Ammunition Records:**

In many states the purchase of ammunition is largely unregulated. Some states are taking steps to regulate the purchase of ammunition. These include:

- Requiring ammunition vendors to keep purchaser records to help law enforcement track down those in possession of illegal ammunition and firearms.
- Requiring ammunition sellers to obtain a vendor license from the state.

***BAN ASSAULT WEAPONS (10 POINTS)***

States can earn up to 10 points by “Banning Military-style Assault Weapons” and deadly assault clips, like the one used by the Tucson shooter.

**Assault Weapons Ban:**

A state level assault weapons ban prohibits high-powered, military style weapons.

- 1 feature test: Semi-automatic rifles and pistols with at least one military-style feature are regulated (i.e., protruding pistol grip, folding stock)
- 2 feature test: Semi-automatic rifles and pistols with at least two military-style features are regulated
- 2 feature test on assault pistols only: Semi-automatic pistols with at least two military-style features are regulated

**Large Capacity Magazine Ban:**

Assault clips with a capacity of more than 10 rounds of ammunition are considered large capacity magazines. Some can hold 30, 50 or even 100 rounds.

- 10 rounds or less: A single assault clip can hold a maximum of 10 rounds.
- 15 rounds or less: A single assault clip can hold a maximum of 15 rounds.

***CHILD SAFETY (7 POINTS)***

States can earn up to 7 points by “Protecting Child Safety” when it comes to guns. States can require that only childproof handguns be sold within their borders, require child safety locks be sold with each gun and hold adults accountable for keeping guns away from kids and teens.

**Child Safety Locks:**

- Requiring a childproof handgun is one that can only be fired by an authorized user where technology can 'read' the unique palm print or fingerprint of its legal owner. Handguns with this technology helps prevent suicide by minors, unintentional deaths and injuries and thwarts gun traffickers who steal firearms.
- Integrated locks sold on all handguns: A locking device is built into the handgun during manufacturing.
- External locks sold with all handguns: A locking device that prevents unauthorized people from being able to fire the weapon is sold with each handgun (i.e., child safety locks)
- Standards on all external locks: Child safety locks must be certified and/or tested by law enforcement or government officials to ensure their quality and to ensure the locks will work and cannot be easily removed by unauthorized people.

**Child Access Prevention:**

Requires adults to either store loaded guns in a place that is reasonably inaccessible to children, or use a device to lock the gun. If a child within specified age ranges described below obtains an improperly stored, loaded gun, the adult owner may be held criminally liable.

- Ages 16/17 and under: State defines children under this statute as those either 16 or 17 years of age and under.
- Ages 14/15 and under: State defines children under this statute as those either 14 or 15 years of age and under.

### ***GUNS IN PUBLIC PLACES AND LOCAL CONTROL (8 POINTS)***

States can earn up to 8 points by restricting most “Guns In Public Places” to trained law enforcement and security and “Preserve Local Control” over municipal gun laws. This includes keeping guns out of workplaces and off college campuses, not forcing law enforcement to issue concealed handgun permits on demand, and allowing local municipalities to pass their own gun laws.

#### **No Guns Allowed in Workplace:**

Businesses are not forced to allow firearms on their privately held property.

#### **No Guns on College Campuses:**

College administrators are not forced to allow firearms on their campus.

#### **Not a CCW (Carrying Concealed Weapons) ‘Shall Issue’ State:**

Law enforcement is not forced to issue permits to carry loaded hidden handguns in public to virtually anyone in the state.

#### **No State Preemption:**

Local units of government are allowed to regulate firearms in order to ensure public safety for their citizens.

### ***EXTRA CREDIT (2 POINTS)***

#### **Disarm Prohibited Firearm Possessors:**

State law enforcement matches firearm records with prohibited person records to identify, disarm, and prosecute illegal firearms possessors.

### ***DEMERITS (-4 POINTS)***

#### **‘Gag Rule’ on Doctors:**

The ‘gag rule’ on doctors limits their freedom to discuss the dangers of guns with patients.

#### **No Permit Required for CCW (Carrying Concealed Weapons):**

No permit required to carry a loaded and concealed gun in public. This means concealed carriers are not required to go through a background check, nor are they required to undergo safety training or testing.