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This web page describes background checks for firearm transfers conducted in 2007. The **statistical tables** below provide the number of applications checked by state points of contact and local agencies, the number of applications denied and the reasons for denial, and estimates of applications and denials conducted by each type of approval system. Data are also provided on appeals of denied applications and arrests for falsified applications. The Firearm Inquiry Statistics (FIST) Program is an ongoing data collection effort focusing on the procedures and statistics related to background checks in selected states. NCJ 223197

### Summary findings

- From the inception of the Brady Act on March 1, 1994, through December 31, 2007, over 87 million applications for firearm transfers or permits were subject to background checks. Over 1.6 million applications were denied. ([Table 1](#))
- In 2007, 1.6% of the 8.7 million applications for firearm transfers or permits were denied by the Federal Bureau of Investigation (FBI) (66,817) or by state and local agencies (69,000). ([Table 2](#))
- In 2007, the denial rate for applications checked by the FBI (1.3%) was lower than the rate for checks by state and local agencies (2.0%). Among all state agencies, denial rates ranged from over 4% to less than 1%. ([Table 3](#))
- A felony conviction or indictment was the most common reason for a denial by a state (39%), local agency (25%), or the FBI (36%) in 2007. ([Table 4](#))
- A domestic violence misdemeanor conviction or restraining order was the second most common reason for a denial by a state (10%) or local agency (14%) in 2007. ([Table 4](#))
- Among all agencies conducting background checks, 64% of applications were denied due to reasons other than a felony conviction in 2007, compared to 28% in 1999. ([Table 5](#))
- Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) field offices investigated 6,275 National Instant Criminal Background Check System (NICS) denials that were referred by the FBI in 2007. ([Table 8](#))

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### Background

The Brady Handgun Violence Prevention Act of 1993 (Pub. L. No. 103-159, 107 Stat. 1536 (1993), codified as amended at 18 U.S.C. Section 921 et seq.) mandates a criminal history background check on any person who attempts to purchase a firearm from a Federal Firearms Licensee (FFL). The permanent provisions of the Brady Act established the National Instant Criminal Background Check System (NICS), which is accessed by the FBI or a state point of contact (POC) prior to transferring a firearm. The NICS is a system comprising data on persons who are prohibited from purchasing or possessing a firearm under the Brady Act or under state law.

The Brady Act prohibits transfer of a firearm to a person who —

- is under indictment for, or has been convicted of, a crime punishable by imprisonment for more than 1 year
- is a fugitive from justice
- is an unlawful user of, or addicted to, a controlled substance
- has been adjudicated as a mental defective or committed to a mental institution
- is an illegal alien or has been admitted to the U.S. under a nonimmigrant visa
- was dishonorably discharged from the U.S. Armed Forces
- has renounced U.S. citizenship
- is subject to a court order restraining him or her from harassing, stalking, or threatening an intimate partner or child
- has been convicted of a misdemeanor crime of domestic violence
- is under age 18 for long guns or under age 21 for handguns.

An FFL contacts either the FBI or state POC to determine whether a prospective purchaser is prohibited from receiving a firearm. The FBI conducts all NICS checks for 29 states. POC agencies, which may be statewide or local, conduct all NICS checks for 13 other states. In the remaining 8 states, NICS checks are conducted by POC agencies on handgun transfer applicants and by the FBI on long gun transfer applicants. Several states require an additional background check, usually by a local agency that does not access the NICS but uses only state records. State laws may require a check on a permit applicant or a person who seeks to receive a firearm from an unlicensed seller.

For more information on the **NICS**, visit the FBI Criminal Justice Information Service (CJIS) website.

The Bureau of Justice Statistics (BJS) began the Firearm Inquiry Statistics (FIST) program in 1995 to provide national estimates of the total number of firearm applications received and denied pursuant to the Brady Act and similar state laws. The FIST program collects counts of firearm transfers and permit checks conducted by state and local agencies and combines this information with FBI NICS transaction data. Under FIST, additional information is collected on reasons for denials, appeals of denials, and law enforcement actions the FBI and the ATF take against denied persons.

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## Statistical tables

To access an individual table, click on the table number below:

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**Table 8.** ATF investigation of NICS denials by the FBI, 2007

**Table 9.** Counts of National Instant Criminal Background Check System (NICS) Index prohibited person records, 2007

### Appendix tables

**Appendix table 1.** Agencies conducting firearm background checks, December 31, 2007

**Appendix table 2.** National Instant Criminal Background Check System (NICS): Checking agencies – FBI or state point of contact – for firearm transfers, 2007

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## Additional information

### Components of the national firearm check system

About 3,000 federal, state, and local agencies conduct background checks on persons who apply to purchase a firearm or for a permit that may be used to make a purchase. Variations in federal and state procedures for determining firearm possession eligibility are summarized below.

### Overview of the NICS

Prospective firearm applicants undergo a NICS check that has been requested by a dealer, or the applicant must present a state permit that the ATF has qualified as an alternative to the point-of-transfer check.

ATF-approved permits are those that —

- allow an applicant to possess, acquire, or carry a firearm, and
- were issued not more than 5 years earlier by the state where the transfer is to take place, after an authorized government official verified that possession of a firearm by the applicant would not be a violation of law.

All permits issued since November 29, 1998, must have included a NICS check. Many state-qualifying permits may be used for multiple purchases while valid. State laws often provide that a permit will be revoked if the holder is convicted of an offense or otherwise becomes ineligible after receiving the permit. Prior to transferring a firearm under the permanent Brady provisions, an FFL is required to obtain a completed Firearm Transaction Record (ATF form 4473) from the applicant.

An FFL initiates a NICS check by contacting either the FBI or state POC. Most inquiries are initiated by telephone. In 2002, the FBI added E-Check to allow FFLs electronically to request a check.

The FBI or POC queries available federal, state, and local systems and notifies the FFL that the transfer may proceed, may not proceed, or must be delayed pending further review of the applicant's record.

### State and local NICS participation

Each state government determines the extent of its involvement in the NICS process.

Three levels of state involvement currently exist:

- A full POC requests a NICS check on all firearm transfers originating in the state.
- A partial POC requests a NICS check on all handgun transfers; FFLs in the state are required to contact the FBI for NICS checks for long gun transfers.
- The state does not maintain a POC; FFLs are required to contact the FBI for NICS checks on all firearm transfers originating in the state.

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## Methodology

The Regional Justice Information Service (REJIS), through a cooperative agreement with BJS under the FIST program, collected data from federal, state, and local agencies.

State and local background checking agencies were stratified by size of the population served: state agencies that served an entire state population; local agencies that served a population greater than 100,000; local agencies that served a population between 10,000 and 100,000; and local agencies that served a population of less than 10,000. Population size was based on 2000 Census Bureau information. The population categories were chosen to be consistent with those used by the FBI when conducting similar studies.

The sample for the FIST survey was selected from the population of 3,085 state and local checking agencies. A total of 877 agencies were surveyed, including 30 statewide agencies and a stratified random sample of local agencies. Overall, 594 agencies provided data for a response rate of 68%.

Population served by agencies	Number of agencies			
	Total	Sample	Responses	Response rate
<b>Total</b>	3,085	877	594	68%
<b>Statewide</b>	30	30	28	93%
<b>Under 10,000</b>	1,690	384	254	66
<b>10,000 to 100,000</b>	1,241	407	288	71
<b>Over 100,000</b>	124	56	24	43

National estimates were developed using population weighting factors. When an agency did not provide data for all months, a simple linear extrapolation or interpolation was used to generate a 12-month total.

For Arkansas, data from 2002 to 2006 were used to estimate carry permit applications and denials for 2007. Michigan reported carry permit information by fiscal year, which was used to estimate for the calendar year. An estimate based on state population was used to determine the number of carry permit applications and denials in Mississippi. Pennsylvania reported 391,774 instant checks, included in the FIST national estimate, and 175,400 applications for nonexempt licenses to carry. Also, Pennsylvania provided the combined number of denials of all applications, which was prorated to obtain the number of denials of instant checks.

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## Definitions

*National Instant Criminal Background Check System (NICS)* includes records contained within the systems searched by the NICS, which are: the Interstate Identification Index (millions of criminal history records); the National Crime Information Center (protection orders and active felony or misdemeanor warrants); and the NICS Index, a database created solely for the use of the NICS and containing information provided by local, state and federal agencies pertaining to persons prohibited under federal law from receiving or possessing a firearm. Additionally, a fourth search of the applicable databases via the Department of Homeland Security's United States Immigration and Customs Enforcement is conducted for background checks initiated on all non-citizens of the United States.

*Firearm* is any weapon that is designed to or may readily be converted to expel a projectile by the action of an explosive.

*Handgun* is a firearm that has a short stock and is designed to be held and fired by the use of a single hand, such as a pistol or revolver.

*Long gun* is a firearm with a barrel extended to around 30 inches to improve accuracy and range, and commonly with a shoulder butt, designed to be fired with two hands, such as a rifle or shotgun.

*Federal Firearms Licensee (FFL)* is also known as a federally licensed firearms dealer. A dealer must be enrolled with the FBI NICS Section in order to be classified as an FFL.

*Application* for firearm transfer is information submitted by a person to a state or local checking agency to purchase a firearm or obtain a permit that can be used for a purchase; includes information submitted directly to a checking agency or forwarded by a prospective seller.

*Denial* occurs when an applicant is prohibited from receiving a firearm or a permit that can be used to receive a firearm because

a disqualifying factor was found during a background check.

*Transactions* are inquiries to the Federal NICS system and may include more than one inquiry per application.

*Instant check* (instant approval) systems require a seller to transmit a purchaser's application to a checking agency by telephone or computer; the agency is required to respond immediately or as quickly as possible.

*Purchase permit systems* require a prospective firearm purchaser to obtain, after a background check, a government-issued document (called a permit, license, or identification card) that must be presented to a seller to receive a firearm.

*Exempt carry permit* is a state carry permit (issued after a background check) that exempts the holder from a check at the time of purchase under an ATF regulation or state law.

*Other approval systems* require a seller to transmit a purchaser's application to a checking agency by telephone or other electronic means; the agency is not required to respond immediately but must respond before the end of the statutory time limit.

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## Related publications

**Background Checks for Firearm Transfers.** Describes background checks for firearm transfers conducted annually.

In electronic format only:

### Statistical tables

[2006](#), 3/08. NCJ 221786

In print and electronic formats:

[Background Checks for Firearm Transfers, 2005](#), 11/06. NCJ 214256

[Background Checks for Firearm Transfers, 2004](#), 10/05. NCJ 210117

[Background Checks for Firearm Transfers, 2003: Trends for the Permanent Brady Period, 1999-2003](#), 9/04. NCJ 204428

[Background Checks for Firearm Transfers, 2002](#), 9/03. NCJ 200116

[Background Checks for Firearm Transfers, 2001](#), 9/02. NCJ 195235

[Background Checks for Firearm Transfers, 2000](#), 7/01. NCJ 187985

[Background Checks for Firearm Transfers, 1999](#), 6/99. NCJ 180882 Data on this subject for the Brady Interim period prior to the permanent provisions are available in [Presale Handgun Checks, the Brady Interim Period, 1994-98](#).

[Survey of State Procedures Related to Firearm Sales, 2005](#), 11/06. Provides an overview of the firearm check procedures in each of the states and their interaction with the National Instant Criminal Background Check System (NICS) operated by the FBI. NCJ 214645

[Survey of State Procedures Related to Firearm Sales, Midyear 2004](#), 8/05. NCJ 209288

[Survey of State Procedures Related to Firearm Sales, Midyear 2003](#), 8/04. NCJ 203701

[Survey of State Procedures Related to Firearm Sales, Midyear 2002](#), 4/03. NCJ 198830

[Survey of State Procedures Related to Firearm Sales, Midyear 2001](#), 4/02. NCJ 192065

[Survey of State Procedures Related to Firearm Sales, Midyear 2000](#), 4/01. NCJ 186766

[Survey of State Procedures Related to Firearm Sales, Midyear 1999](#), 3/00. NCJ 179022

[Survey of State Procedures Related to Firearm Sales, 1997](#), 12/98. NCJ 173942

[Survey of State Procedures Related to Firearm Sales, 1996](#), 9/97. NCJ 160705

[Survey of State Procedures Related to Firearm Sales, 1995](#), 5/96. NCJ 160763

[Survey of State Records Included in Presale Background Checks: Mental Health Records, Domestic Violence Misdemeanor Records, and Restraining Orders, 2003](#), 8/04. Examines the quality and accessibility of certain criminal and noncriminal records when States conduct a firearm presale background check. NCJ 206042

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**Table 1. Number of applications and estimates of denials for firearm transfers or permits since the inception of the Brady Act, 1994-2007**

	Number of applications		Percent denied
	Received	Denied	
<b>Total</b>	87,180,000	1,631,000	1.9 %
<b>Brady interim period<sup>a</sup></b>			
1994-1998	12,740,000	312,000	2.4
<b>Permanent Brady<sup>b</sup></b>	74,440,000	1,319,000	1.8
1998 <sup>c</sup>	893,000	20,000	2.2
1999	8,621,000	204,000	2.4
2000	7,699,000	153,000	2.0
2001	7,958,000	151,000	1.9
2002	7,806,000	136,000	1.7
2003	7,831,000	126,000	1.6
2004	8,084,000	126,000	1.6
2005	8,278,000	132,000	1.6
2006	8,612,000	135,000	1.6
2007	8,658,000	136,000	1.6

Note: Counts are rounded to the nearest 1,000.

<sup>a</sup>From March 1, 1994 to November 29, 1998, background checks on applicants were conducted by state and local agencies, mainly on handgun transfers. See [Presale Handgun Checks, the Brady Interim Period, 1994-98 \(NCJ 175034\)](#).

<sup>b</sup>The National Instant Criminal Background Check System (NICS) began operations. Checks on handgun and long gun transfers are conducted by the Federal Bureau of Investigation (FBI), and by state and local agencies. Totals combine Firearm Inquiry Statistics (FIST) estimates for state and local agencies with transactions and denials reported by the FBI.

<sup>c</sup>November 30 to December 31, 1998. Counts are from the NICS operations report for the period and may include multiple transactions for the same application.

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Table 2. Number of applications and denials, by type of agency and type of check, 1999-2007

	Type of checks conducted	2007			1999-2007 <sup>a</sup>		
		Applications	Denials	Percent denied	Applications	Denials	Percent denied
<a href="#">Criminal record systems</a>	National total (FIST and FBI)	8,658,245	135,817	1.6 %	74,440,077	1,316,860	1.8 %
	FBI total	5,136,883	66,817	1.3	42,346,182	610,180	1.4
<a href="#">About the data collection</a>	State and local total (FIST) <sup>b</sup>	3,521,362	69,000	2.0	32,093,895	706,680	2.2
	<b>State agencies</b>						
	Total	3,022,215	56,452	1.9 %	27,422,994	605,171	2.2 %
	Instant check <sup>c</sup>	2,041,059	36,887	1.8	19,125,647	462,268	2.4
	Purchase permit <sup>d</sup>	307,949	8,715	2.8	2,841,538	66,288	2.3
	Exempt carry permit <sup>e</sup>	264,029	5,885	2.2	1,775,040	37,373	2.1
	Other approvals <sup>f</sup>	409,178	4,965	1.2	3,680,769	39,242	1.1
	<b>Local agencies<sup>g</sup></b>						
	Total	676,995	12,548	1.9 %	5,441,672	101,509	1.9 %
	Purchase permit <sup>d</sup>	408,484	8,822	2.2	3,456,330	73,506	2.1
	Exempt carry permit <sup>e</sup>	215,197	3,332	1.5	1,530,940	24,282	1.6
	Other approvals <sup>f</sup>	53,314	394	0.7	454,402	3,721	0.8

Note: Counts are rounded to the nearest 1,000.

<sup>a</sup>Totals for the 9-year period include December 1998.

<sup>b</sup>Agencies that conduct exempt carry permit checks in Arizona, Arkansas, Kentucky, Mississippi, North Dakota, South Carolina, Texas, and Wyoming request an FBI background check, but the state agency makes the decision to approve or deny an applicant. Applications in these states are included in FBI checks but denials are included in state and local checks, causing a reduction of FIST total applications by 177,848 in 2007 and by 770,771 for 1999 to 2007.

<sup>c</sup>Instant check requires a seller to transmit a buyer's application to a checking agency by telephone or computer; the agency is required to respond immediately or as soon as possible.

<sup>d</sup>Purchase permit systems require a buyer to obtain, after a background check, a government-issued document such as a permit, license, or identification card that must be presented to a seller in order to receive a firearm.

<sup>e</sup>Exempt carry permit is a state concealed weapons permit, issued after a background check, that exempts the holder from a new check at the time of purchase under an ATF ruling or state law.

<sup>f</sup>Other approval systems require a seller to transmit an application to a checking agency with transfers delayed until a waiting period expires or the agency completes a check.

<sup>g</sup>Totals were estimated. See [Methodology](#) for more detail.

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**Table 3. Number of firearm purchase applications received and denied by selected state agencies, 1999-2007**

	2007			1999-2007		
	Applications	Denials	Percent denied	Applications	Denials	Percent denied
<b>State agencies</b>						
<b>California</b>	370,662	4,296	1.2 %	3,301,317	33,544	1.0 %
<b>Colorado</b>	160,756	4,852	3.0	1,284,239	49,889	3.9
<b>Connecticut<sup>a</sup></b>	93,314	115	0.1	...	...	...
Purchase permits	26,909	17	0.1	...	...	...
Instant checks	66,405	98	0.1	532,886	1,389	0.3
<b>Delaware</b>	10,343	419	4.1	90,500	3,859	4.3
<b>Florida</b>	405,738	7,972	2.0	2,705,509	62,409	2.3
<b>Hawaii<sup>b</sup></b>	8,835	83	0.9	...	...	...
<b>Illinois<sup>a</sup></b>	399,729	8,781	2.2	3,552,666	66,146	1.9
Purchase permits	238,805	7,922	3.3	2,111,335	55,850	2.6
Instant checks	160,924	859	0.5	1,441,331	10,296	0.7
<b>Maryland</b>	31,005	631	2.0	250,071	4,490	1.8
<b>Nevada</b>	61,053	1,558	2.6	...	...	...
<b>New Hampshire<sup>c</sup></b>	17,328	139	0.8	127,615	1,338	1.0
<b>New Jersey<sup>a,b</sup></b>	71,601	765	1.1	700,508	7,949	1.1
Purchase permits	33,400	693	2.1	364,774	6,941	1.9
Instant checks	38,201	72	0.2	335,734	1,008	0.3
<b>Oregon</b>	145,775	2,460	1.7	1,037,703	20,790	2.0
<b>Rhode Island<sup>b</sup></b>	7,511	38	0.5	...	...	...
<b>Tennessee</b>	232,296	8,014	3.4	1,746,855	76,230	4.4
<b>Utah</b>	86,330	2,518	2.9	645,303	18,731	2.9
<b>Virginia</b>	225,287	2,224	1.0	1,833,996	22,242	1.2
<b>Wisconsin<sup>c</sup></b>	38,849	572	1.5	308,837	4,749	1.5

Note: Each listed state reported complete statewide data for applications and denials in 2007. Pennsylvania reported 391,774 instant checks for 2007, but the number denied is unavailable. ... Not available or Not applicable.

<sup>a</sup>Connecticut, Illinois, and New Jersey conduct checks on permit or identification card applicants and on firearm transfer applicants.

<sup>b</sup>Hawaii and New Jersey permit checks and Rhode Island purchase checks are conducted by local agencies, but counts are reported by the state.

<sup>c</sup>Counts in this table include handguns only for these states.

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**Table 4. Reasons for denial of firearm transfer applications by checking agencies, 1999-2007**

Reason for denial	2007			1999-2007		
	FBI	State	Local	FBI	State	Local
<b>Total</b>	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %
Felony indictment/conviction	35.5	38.6	25.4	46.6	54.9	27.2
Other criminal history <sup>a</sup>	29.0	...	...	20.4	...	...
State law prohibition	...	8.9	9.0	...	7.1	13.8
Domestic violence						
Misdemeanor conviction	8.5	6.7	11.5	11.9	10.1	11.1
Restraining order	3.9	3.6	2.2	4.4	3.4	1.8
Fugitive	7.2	6.0	2.2	4.4	6.6	1.3
Illegal alien	1.2	0.2	0.4	1.3	0.5	0.5
Mental illness or disability	0.8	3.0	4.4	0.5	1.9	4.2
Drug addiction	9.4	1.2	11.3	7.2	0.8	7.9
Local law prohibition	...	0.0	2.3	...	0.0	5.5
Other prohibitions <sup>b</sup>	4.6	31.7	31.5	3.2	14.6	26.7

Note: Reasons for denials are based on 18 U.S.C. 922 and state laws.

...Not available or Not applicable.

<sup>a</sup>Includes state prohibitors, multiple DUI's, non-NCIC warrants, and other unspecified criminal history disqualifiers.

<sup>b</sup>Includes juveniles, persons dishonorably discharged from the Armed Services, persons who have renounced their U. S. citizenship, and other unspecified persons.

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**Table 5. Number of applications, denials, and reasons for denials among all agencies conducting background checks during the permanent Brady period, 1999-2007**

	2007	2006	2005	2004	2003	2002	2001	2000	1999	Percent change, 1999-2007	
<a href="#">Previous</a>											
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<a href="#">Criminal record systems</a>	<b>Applications</b>	8,658,000	8,612,000	8,278,000	8,084,000	7,831,000	7,806,000	7,958,000	7,699,000	8,621,000	0.4 %
	<b>Denials</b>	136,000	135,000	132,000	126,000	126,000	136,000	151,000	153,000	204,000	-33.3
	Felony denials	49,000	52,000	57,000	53,000	53,000	65,000	87,000	88,000	147,000	-66.7
<a href="#">About the data collection</a>	All other reasons	87,000	83,000	75,000	73,000	73,000	71,000	64,000	65,000	57,000	52.6
	<b>Percent felony</b>	36.0 %	39.0 %	43.0 %	42.0 %	42.0 %	48.0 %	58.0 %	58.0 %	72.0 %	-50.0
	<b>Felony denials per 1,000 applications</b>	5.7	6.0	6.9	6.6	6.8	8.3	10.9	11.4	17.0	-66.5

Note: Counts are rounded. [See notes on table 1.](#)

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**Table 6. Appeals by type of checking agency, 1999-2007**

Type of checking agency	2007				1999-2007			
	Appeals		Reversed		Appeals		Reversed	
	Number	Percent of denials	Number	Percent of appeals	Number	Percent of denials	Number	Percent of appeals
<b>Total</b>	25,384	18.7 %	9,498	37.4 %	209,098	15.9 %	75,193	36.0 %
<b>FBI</b>	10,997	16.5	3,282	29.8	90,525	14.8	26,575	29.4
<b>State</b>	14,294	25.3	6,178	43.2	117,419	19.4	48,212	41.1
<b>Local</b>	93	0.7	38	40.9	1,154	1.1	406	35.2

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**Table 7. Reported arrests of denied persons, by state, 2000-2007**

State	Number of arrests of denied persons							
	2007	2006	2005	2004	2003	2002	2001	2000
<b>Total</b>	1,327	1,285	1,398	1,490	1,430	1,697	1,901	1,294
Colorado <sup>a</sup>	167	189	185	215	137	246	276	259
Connecticut <sup>b</sup>	/	/	0	27	21	14	3	/
Delaware <sup>a</sup>	/	/	3	7	14	/	/	/
Georgia <sup>c</sup>	...	...	...	98	81	97	64	9
Maryland <sup>b</sup>	/	/	/	/	/	208	221	130
New Jersey <sup>a</sup>	/	/	/	/	/	/	/	27
Oregon <sup>a</sup>	84	103	125	98	124	131	198	94
Pennsylvania <sup>a</sup>	311	313	244	343	375	382	348	/
Virginia <sup>a</sup>	765	680	841	702	678	619	791	775

/Not reported.

...Not applicable.

<sup>a</sup>Arrests were made by state police troops or local agencies, which may not always be reported to the state.

<sup>b</sup>A statewide unit responded to all falsified applications and illegal attempts to buy firearms.

<sup>c</sup>No longer operated as a point of contact state after 2004.

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**Table 8. ATF investigation of National Instant Criminal Background Check System (NICS) denials by the FBI, 2007**

	Total	Percent
<b>FBI denials referred to ATF Brady Operations</b>	73,992	100 %
<b>Brady Operations referred to ATF field divisions<sup>a</sup></b>		
<b>Total referred to field<sup>b</sup></b>	6,275	8.5 %
Delayed denials <sup>c</sup>	2,566	3.5
Standard referrals <sup>d</sup>	3,709	5.0
<b>Not referred to field</b>	62,188	84.0
<b>Not referred and overturned</b>	5,529	7.5
<b>Reasons for referrals to ATF field divisions</b>		
Domestic violence misdemeanor	1,739	27.7 %
Convicted felon	1,605	25.6
Subject to protective order	1,421	22.6
Under indictment or information <sup>e</sup>	573	9.1
Unlawful user of controlled substance	485	7.7
Other reasons <sup>f</sup>	452	7.2

Note: Total may not add to 100% due to rounding.

<sup>a</sup>A denial is referred if it is likely to merit prosecution under ATF and U.S. Attorney criteria.

<sup>b</sup>Includes 100 delayed and 334 standard denials overturned after referral to a field division when a subject was found to not be prohibited.

<sup>c</sup>A firearm may be obtained during an "open transaction" where the FBI has not completed a check in three business days and the dealer is allowed to transfer the firearm. If the FBI completes the check and finds that the buyer is prohibited, a delayed denial referral is made to ATF.

<sup>d</sup>A standard referral involves a person who is not allowed to receive a firearm because the FBI found a prohibitory record within three business days.

<sup>e</sup>An "information" is a formal accusation of a crime, which differs from an "indictment," because it is made by a prosecuting attorney rather than a grand jury.

<sup>f</sup>The category "other reasons" is compiled from seven other prohibiting categories utilized by the Brady Operations Branch to refer denials for field investigation.

Source: Bureau of Alcohol, Tobacco, Firearms and Explosives, Brady Operations Branch.

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**Table 9. Counts of National Instant Criminal Background Check System (NICS) Index prohibited person records, 2007**

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	Controlled Substance	Mental Defective	Illegal or Unlawful Aliens	Dishonorable Discharge	Citizenship Renunciants	Denied Persons*	Total
<b>January 1, 2007</b>							
Index total	954	298,571	3,597,385	15,087	12,651	385,793	4,310,441
State submissions	27	159,418	24	0	0	345,762	505,231
Federal submissions	927	139,153	3,597,361	15,087	12,651	40,031	3,805,210
<b>December 31, 2007</b>							
Index total	836	518,499	3,851,155	15,345	12,968	709,235	5,108,038
State submissions	70	402,047	34	0	0	665,502	1,067,653
Federal submissions	766	116,452	3,851,121	15,345	12,968	43,733	4,040,385
<b>Percent Change</b>	-12 %	74 %	7 %	2 %	3 %	84 %	19 %

\*Records in this file are submitted with no specific reason for denial given and could be based on any prohibition.

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**Appendix table 1. Agencies conducting firearm background checks, December 31, 2007**

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Jurisdiction	Names or description of checking agencies	
	Purchase check or permit	Exempt carry permit <sup>a</sup>
United States	Federal Bureau of Investigation	---
Alabama	---	---
Alaska	---	---
Arizona	---	Department of Public Safety
Arkansas	---	State Police
California	Department of Justice Firearms Division	---
Colorado	Bureau of Investigation Insta-Check Unit	---
Connecticut	State Police Special Licensing & Firearms	---
Delaware	State Police Bureau of Identification	Three county superior courts
Georgia	---	159 county probate courts
Florida	Department of Law Enforcement	---
Hawaii	Four police departments	---
Idaho	---	44 county sheriffs
Illinois	State Police FOID and FTIP units	---
Indiana	---	---
Iowa	Dept. of Public Safety / 99 county sheriffs	Dept. of Public Safety / 99 county sheriffs
Kansas	---	---
Kentucky	---	State Police
Louisiana	---	---
Maine	---	---
Maryland	State Police Firearms Enforcement Division	---
Massachusetts	351 police departments	351 police departments
Michigan	595 sheriffs and police departments	County licensing boards
Minnesota	568 sheriffs and police departments	87 county sheriffs
Mississippi	---	Department of Public Safety
Missouri <sup>b</sup>	---	---
Montana	---	56 county sheriffs
Nebraska	95 sheriffs and police departments	---
Nevada	Department of Public Safety	17 county sheriffs
New Hampshire	Department of Safety	---
New Jersey	State Police / 505 local police departments	---
New Mexico	---	---
New York	58 county sheriffs; some police departments	... <sup>c</sup>
North Carolina	100 county sheriffs	100 county sheriffs
North Dakota	---	Bureau of Criminal Investigation
Ohio	---	---
Oklahoma	---	---
Oregon	State Police Firearms Unit	---
Pennsylvania	State Police Firearms Division	---
Rhode Island	39 police departments	---
South Carolina	---	Law Enforcement Division
South Dakota	---	---
Tennessee	Bureau of Investigation Instant Check	---
Texas	---	Department of Public Safety
Utah	Bureau of Criminal Identification	Bureau of Criminal Identification
Vermont	---	---

Virginia	State Police Firearm Transaction Program	---
Washington	291 sheriffs and police departments	---
West Virginia	---	---
Wisconsin	Department of Justice Handgun Hotline	---
Wyoming	---	Wyoming Attorney General

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---FBI conducts purchase checks or jurisdiction has no exempt permits.

<sup>a</sup>Agencies listed issue carry permits that may be used to waive a purchase check.

<sup>b</sup>Missouri's handgun purchase permit law was repealed as of August 28, 2007.

<sup>c</sup>License required for purchase may also allow carrying.

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**Appendix table 2. National Instant Criminal Background Check System (NICS): Checking agencies -- FBI or state point of contact -- for firearm transfers, 2007**

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State	FBI conducts checks for all firearms <sup>a</sup>	POC conducts for all firearms	POC checks handguns and FBI checks long guns
Total	29	13	8
Alabama	X		
Alaska	X		
Arizona	X		
Arkansas	X		
California		X	
Colorado		X	
Connecticut		X	
Delaware	X		
Florida		X	
Georgia	X		
Hawaii <sup>b</sup>		X	
Idaho	X		
Illinois		X	
Indiana	X		
Iowa/b			X
Kansas	X		
Kentucky	X		
Louisiana	X		
Maine	X		
Maryland			X
Massachusetts	X		
Michigan <sup>b</sup>			X
Minnesota	X		
Mississippi	X		
Missouri	X		
Montana	X		
Nebraska <sup>b</sup>			X
Nevada		X	
New Hampshire			X
New Jersey		X	
New Mexico	X		
New York	X		
North Carolina <sup>b</sup>			X
North Dakota	X		
Ohio	X		
Oklahoma	X		
Oregon		X	
Pennsylvania		X	
Rhode Island	X		
South Carolina	X		
South Dakota	X		
Tennessee		X	

Texas	X		
Utah		X	
Vermont	X		
Virginia		X	
Washington <sup>b</sup>			X
West Virginia	X		
Wisconsin			X
Wyoming	X		

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Note: Includes checks on purchases or on permits required for purchase.

<sup>a</sup>The FBI also conducts all NICS checks for the District of Columbia, Guam, Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands.

<sup>b</sup>States with multiple points of contact.

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