



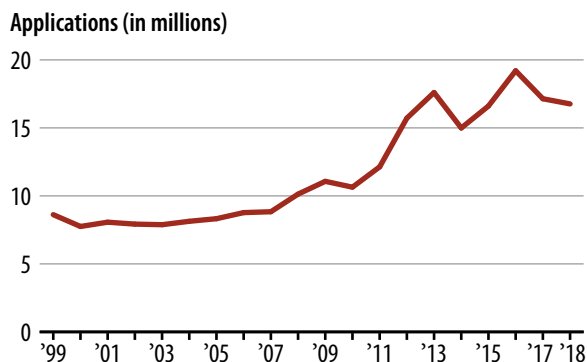
Background Checks for Firearm Transfers, 2018

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About 16.8 million applications for firearm transfers and permits were subject to background checks under the Brady Handgun Violence Prevention Act (Brady Act) in 2018 (figure 1). About 230,000 (1.4%) of these applications were denied. (See table 1.) From the time that the Brady Act went into effect in 1994 to 2018, more than 250 million applications were subject to background checks and nearly 3.8 million applications (1.5%) were denied.

Findings in this report are based on the Firearm Inquiry Statistics (FIST) program, administered by the Bureau of Justice Statistics (BJS). FIST collects information on firearm applications, denials, and reasons for denial from state and local checking agencies and then combines it with data from the FBI's National Instant Criminal Background Check System (NICS) Section. FIST also collects data on denials that the FBI referred to the Bureau of Alcohol, Tobacco, Firearms and Explosives' (ATF) Denial Enforcement and NICS Intelligence (DENI) Branch for investigation and possible prosecution.

FIGURE 1
Estimated number of applications for firearm transfers and permits since the first full year of the Brady Act's permanent provisions, 1999–2018



Note: The National Instant Criminal Background Check System (NICS) began operations in 1998. From February 28, 1994 to November 29, 1998, state and local checking agencies conducted background checks on applicants, mainly on handgun transfers. See *Presale Handgun Checks, the Brady Interim Period, 1994–98* (NCJ 175034, BJS, June 1999). The law's permanent provisions took effect when NICS began operations on November 30, 1998. Totals for 2011 and 2013 were estimated. See *Methodology*. See table 1 for totals.

Source: Bureau of Justice Statistics, Firearm Inquiry Statistics program, 1999–2018; and Federal Bureau of Investigation, National Instant Criminal Background Check System Transaction Statistics, 1999–2018.

HIGHLIGHTS

- The FBI and state and local checking agencies received about 16.8 million applications for firearm transfers and permits in 2018.
- About 230,000 (1.4%) applications for firearm transfers and permits were denied in 2018.
- From when the Brady Act became effective in 1994 to 2018, about 250 million applications were subject to background checks and 3.8 million (1.5%) applications were denied.
- In 2018, state checking agencies denied 2.5% of purchase permits, 1.3% of instant checks, 1.1% of exempt carry permits, and 0.7% of other approvals.
- Local checking agencies denied 7.0% of purchase permits, 1.4% of exempt carry permits, and 1.7% of other approval applications in 2018.
- A felony conviction, indictment, charge, or arrest in the applicant's records prompted nearly half of all denials (47%) in 2018.

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Terms and definitions

Application—Information submitted to a checking agency about a prospective firearm purchaser to determine if the individual is disqualified from receiving a firearm or obtaining a permit to receive a firearm under state or federal law. A prospective firearm purchaser or a firearm seller may submit the information to a checking agency.

Checking agency—The FBI or a state or local governmental agency that conducts background checks in the National Instant Criminal Background Check System (NICS) or state records. Checking agencies are typically law enforcement agencies.

Denial—A decision by a checking agency to prohibit an applicant from receiving a firearm or a state permit to receive a firearm because a disqualifying factor was found during the background check.

Federal Firearms Licensee (FFL)—A firearm seller, also known as a federally licensed firearms dealer, that is licensed by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to buy, sell, and transfer firearms. All entities that regularly engage in firearms sales must be FFLs. They must also enroll in NICS if they reside in states where FFLs contact the FBI, instead of state points of contact (POCs), to request NICS checks.

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

Handgun—A firearm that has a short stock and is designed to be held and fired using a single hand, such as a pistol or revolver.

Long gun—A firearm that has a barrel length of about 30 inches to improve accuracy and range, commonly has a shoulder butt, and is designed to be fired with two hands, such as a rifle or shotgun.

National Instant Criminal Background Check System (NICS)—A national system administered by the FBI that checks available federal, state, local, and tribal records to determine if prospective firearm purchasers are disqualified from receiving firearms.

Private transfer—A firearm transfer between two people who are not FFLs.

State permit or check types: States use four methods to approve a prospective purchaser to receive a firearm. A state may use one or more of these methods depending on the type of firearm being transferred and relevant state law.

Exempt carry permit—A permit issued by a state or local checking agency after a successful NICS check that exempts the holder (for up to 5 years under an ATF regulation or state law) from a new background check when presented to a seller (an FFL or, in some states, a non-FFL seller) for a firearm transfer.

Instant check—A background check system that requires a seller to transmit a prospective purchaser's information to a checking agency by telephone or computer and the agency to respond immediately or as soon as possible.

Other approval—A background check system that requires the seller to transmit the prospective purchaser's information to a state or local checking agency by telephone or other means and the agency to respond within an established time limit.

Purchase permit—A government-issued document (such as a permit, a license, or an identification card) that is issued by a state or local checking agency after a background check and must be presented to a seller for a firearm transfer.

State point of contact (POC)—An agency designated by state law to access NICS for checks for applications originating in its state.

Transaction—An inquiry to NICS about a prospective firearm purchaser.

Transfer—The physical change in possession of a firearm from one person to another, whereas a purchase is the exchange of money for a firearm.

In 2018, there were about 16.8 million applications for firearm transfers and 230,000 denials

State and local checking agencies and the FBI received about 16.8 million applications for firearm transfers and permits in 2018, marking an 11% decrease from the peak of 19.2 million applications in 2016 (table 1). Checking agencies denied about 230,000 applications in 2018, for a denial rate of 1.4%. From when the Brady Act became effective in 1994 to 2018, about 250 million applications were subject to background checks and 3.8 million (1.5%) applications were denied.

State and local checking agencies received more than 8.5 million applications for background checks in 2018, and the FBI received more than 8.2 million applications

The FBI processes all NICS checks for federal firearms licensees (FFLs) in 30 states, the District of Columbia, and U.S. territories. It also processes NICS checks on only long gun applications for FFLs in seven states. As such, the FBI conducted NICS checks for 8.2 million applications for firearm transfers and permits in 2018, or almost half (49%) of all applications for the year (table 2). Of those applications, the FBI denied about 99,000 (1.4%).

State and local checking agencies conducted background checks for 8.5 million applications in 2018. State checking agencies received more than 7.2 million applications and denied about 97,000 (1.3%). Local checking agencies received over 1.3 million applications and denied about 34,000 (2.6%).

TABLE 1
Estimated number of firearm applications and denials since the Brady Act's effective date, 1994–2018

	Applications	Denials	Percent denied
Total	249,967,000	3,774,000	1.5%
Brady interim period^a			
1994–1998	12,740,000	312,000	2.4%
Permanent Brady^b	237,227,000	3,462,000	1.5%
1998 ^c	893,000	20,000	2.2
1999	8,621,000	204,000	2.4
2000	7,753,000	153,000	2.0
2001	8,068,000	150,000	1.9
2002	7,926,000	136,000	1.7
2003	7,883,000	126,000	1.6
2004	8,133,000	126,000	1.6
2005	8,324,000	132,000	1.6
2006	8,772,000	135,000	1.6
2007	8,836,000	136,000	1.6
2008	10,131,000	147,000	1.5
2009	11,071,000	150,000	1.4
2010	10,643,000	153,000	1.5
2011 ^d	12,135,000	160,000	1.3
2012	15,718,000	192,000	1.2
2013 ^d	17,602,000	193,000	1.1
2014	14,993,000	193,000	1.3
2015	16,610,000	226,000	1.4
2016	19,203,000	265,000	1.4
2017	17,144,000	236,000	1.4
2018	16,765,000	230,000	1.4

Note: Totals are rounded to the nearest 1,000. Details may not sum to totals due to rounding. For information on sample design and checking agencies that reported data, see *Methodology*.

^aFrom February 28, 1994 to November 29, 1998, background checks on applicants were conducted by state and local checking agencies, mainly on handgun transfers. See *Presale Handgun Checks, the Brady Interim Period, 1994–98* (NCJ 175034, BJS, June 1999).

^bThe National Instant Criminal Background Check System (NICS) began operations in 1998. Under that system, checks on handgun and long gun transfers are conducted by the FBI and state and local agencies.

^cIncludes counts from November 30, 1998 to December 31, 1998 that are based on the FBI's 1998–1999 NICS Operations Report and may include multiple transactions for the same application.

^dTotals for 2011 and 2013 were estimated. See *Methodology*.

Source: Bureau of Justice Statistics, Firearm Inquiry Statistics program, 1995–2018; and Federal Bureau of Investigation, National Instant Criminal Background Check System Transaction Statistics, 1998–2018.

TABLE 2**Firearm applications and denials, by type of checking agency and permit or check, 1999–2018**

Type of checking agency and permit/check	2018				1999–2018		
	States ^a	Applications	Denials	Percent denied	Applications	Denials	Percent denied
National total		16,764,608	230,344	1.4%	237,245,658	3,462,882	1.5%
FBI total ^b	43	8,235,342	99,252	1.2%	128,661,487	1,596,966	1.2%
State and local total ^c	44	8,529,266	131,092	1.5%	108,584,171	1,865,916	1.7%
State agencies		7,222,604	96,604	1.3	92,161,389	1,534,183	1.7
Instant check	13	4,520,398	60,963	1.3	60,626,930	1,070,730	1.8
Exempt carry permit	16	1,219,322	13,949	1.1	10,293,105	131,658	1.3
Purchase permit	8	613,918	15,244	2.5	8,225,621	207,132	2.5
Other approval	3	868,966	6,448	0.7	13,015,734	124,664	1.0
Local agencies ^d		1,306,662	34,488	2.6	16,422,782	331,732	2.0
Exempt carry permit	9	858,066	12,349	1.4	6,776,558	98,715	1.5
Purchase permit	5	274,494	19,152	7.0	7,547,775	213,437	2.8
Other approval	1	174,102	2,987	1.7	2,098,450	19,582	0.9

Note: See *Terms and definitions* for explanations of types of checks. Details may not sum to totals due to rounding. See appendix table 2 for standard errors for local checking agencies.

^aNumber of states or equivalent jurisdictions for which data were reported. A state may be included in more than one category.

^bIncludes the District of Columbia and the five U.S. territories for which the FBI processed all background checks in the National Instant Criminal Background Check System (NICS).

^cIncludes NICS checks that state and local checking agencies conducted. The District of Columbia is included in the number of states under state and local total and state purchase permit.

^dTotals were estimated. See *Methodology*.

Source: Bureau of Justice Statistics, Firearm Inquiry Statistics program, 1999–2018; and Federal Bureau of Investigation, National Instant Criminal Background Check System Transaction Statistics, 1999–2018.

In 2018, state agencies reported about 4.5 million applications for instant checks, 1.2 million for exempt carry permits, 614,000 for purchase permits, and 869,000 for other approvals

Of the 33 jurisdictions where state-level agencies did background checks or compiled local agency data on background checks, 13 conducted instant checks in 2018. These agencies received about 4.5 million applications for instant checks, the most common type of application, and denied 1.3% (61,000) (table 3).

In 2018, state checking agencies in 16 states conducted background checks for exempt carry permits, the second-most common type of check they conducted. These agencies reported about 1.2 million applications for exempt carry permits and a denial rate of 1.1% (14,000 denied).

State checking agencies in seven states and the District of Columbia conducted background checks for purchase permits in 2018. These agencies received 614,000 applications and denied 2.5% (15,000).

Checking agencies in California, Maryland, and Rhode Island used other approval systems to process applications for firearm transfers. These agencies reported 869,000 applications for firearm transfers in 2018, of which 0.7% were denied.

TABLE 3
Firearm applications and denials reported by state agencies, by type of permit or check and jurisdiction, 2018

Type of permit/check and jurisdiction	Applications	Denials	Percent denied
All permit/check types and jurisdictions	7,222,604	96,604	1.3%
Instant check	4,520,398	60,963	1.3%
Colorado	347,095	6,279	1.8
Connecticut	127,239	94	0.1
Florida	933,268	10,750	1.2
Illinois	404,010	2,600	0.6
Nevada	98,308	1,532	1.6
New Hampshire	52,266	564	1.1
New Jersey	92,153	566	0.6
Oregon	283,784	1,020	0.4
Pennsylvania	1,016,286	11,160	1.1
Tennessee	486,299	20,459	4.2
Utah	101,102	1,327	1.3
Virginia	446,333	3,457	0.8
Wisconsin	132,255	1,155	0.9
Exempt carry permit	1,219,322	13,949	1.1%
Alaska	2,711	3	0.1
Arizona	80,863	698	0.9
Arkansas	55,939	1,655	3.0
Kansas	20,303	67	0.3
Kentucky	35,031	767	2.2
Louisiana	12,566	852	6.8
Michigan ^a	141,250	1,981	1.4
Minnesota ^{a,b}	69,169	519	0.8
Mississippi	792	9	1.1
Nebraska	21,332	183	0.9
North Dakota	8,000	500	6.3
Ohio ^a	169,805	1,436	0.8
South Carolina	89,991	2,010	2.2
Texas	345,305	1,963	0.6
Utah	160,342	1,247	0.8
Wyoming	5,923	59	1.0
Purchase permit	613,918	15,244	2.5%
Connecticut	62,275	6	0.0
District of Columbia	3,788	13	0.3
Hawaii ^a	18,070	301	1.7
Illinois	256,353	10,200	4.0
Maryland	13,638	634	4.6
Massachusetts ^a	98,948	1,674	1.7
Michigan ^a	33,747	914	2.7
New Jersey ^a	127,099	1,502	1.2
Other approval	868,966	6,448	0.7%
California	798,920	6,061	0.8
Maryland	53,544	207	0.4
Rhode Island ^a	16,502	180	1.1

Note: Counts are from state agencies that reported data on firearm transfers or permits from their own background checks, unless otherwise noted. For information on sample design and agencies that reported data, see *Methodology*.

^aCounts are from a state agency that compiled data on firearm transfers or permits from local checking agencies in the jurisdiction.

^bThe state's concealed carry permits are exempt only under state law.

Source: Bureau of Justice Statistics, Firearm Inquiry Statistics program, 2018.

Local checking agencies processed about 858,000 applications for exempt carry permits and 274,000 for purchase permits in 2018

Local checking agencies in 13 states processed applications and denials, issued permits, or conducted background checks for various types of firearm transfers or permits. These agencies did not report counts to a

state-level entity.¹ Local checking agencies processed about 858,000 applications for exempt carry permits, 1.4% of which were denied (table 4). Local checking agencies processed more than 274,000 purchase permits, of which 7.0% were denied. In Washington, local checking agencies processed 174,000 applications for other approval types and denied 1.7%.

¹In Minnesota, Nebraska, and Nevada, both state and local agencies reported various types of firearm transfers or permits.

TABLE 4
Firearm applications and denials reported by local agencies, by type of permit or check and size of population served, 2018

Type of permit/check and population served	Number of local checking agencies ^a	Applications	Denials	Percent denied
All permit/check types and population sizes	~	1,306,662	34,488	2.6%
Purchase permit	719	274,494	19,152	7.0%
9,999 or fewer	337	23,459	404	1.7
10,000–99,999	318	110,973	5,405	4.9
100,000–199,999	33	49,492	3,481	7.0
200,000 or more	31	90,569	9,862	10.9
Exempt carry permit	656	858,066	12,349	1.4%
9,999 or fewer	176	23,371	155	0.7
10,000–99,999	395	366,534	4,399	1.2
100,000–199,999	49	147,737	1,503	1.0
200,000 or more	36	320,424	6,292	2.0
Other approval^b	163	174,102	2,987	1.7%
9,999 or fewer	63	9,382	59	0.6
10,000–99,999	88	85,731	726	0.8
100,000–199,999	6	20,164	101	0.5
200,000 or more	6	58,826	2,102	3.6

Note: Totals are from local agencies that reported data on firearm transfers or permits from their own background checks. Details may not sum to totals due to rounding. For information on sample design and agencies that reported data, see *Methodology*. See appendix table 3 for standard errors.

~Not applicable. Agencies may be included in more than one category.

^aSome agencies may be included in more than one permit category. See table 10 for survey respondent totals.

^bAll other approvals were processed by local checking agencies in Washington state.

Source: Bureau of Justice Statistics, Firearm Inquiry Statistics program, 2018.

Felony convictions, indictments, or arrests accounted for nearly half (47%) of all denials in 2018

Among agencies that reported reasons for denying firearm transfers and permits, felony convictions prompted about one-third (34%) of denials (table 5). Felony indictments accounted for 7.6% of denials and felony arrests for 5.6%. Felony convictions prompted about 45% of denials by the FBI, 21% by state checking agencies, and 15% by local checking agencies. The second-most common reason for denial was state law

prohibitions (12%). These prohibitions accounted for about 17% of denials by both state and local agencies and 7.5% of denials by the FBI.

Drug use or addiction accounted for 11% of denials overall. A misdemeanor conviction for domestic violence was the reason given for about 7% of denials, and a protection or restraining order accounted for about 4%. About 6% of denials were for mental health commitments or adjudications.

TABLE 5
Reasons for denial of applications for firearm transfers and permits, by type of checking agency, 2018

Reason for denial	All checking agencies		FBI ^a		State		Local	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	179,587	100%	99,252	100%	66,386	100%	13,949	100%
Felony reasons								
Felony conviction	60,762	33.8%	44,806	45.1%	13,872	20.9%	2,084	14.9%
Under indictment/information ^b	13,573	7.6	7,862	7.9	4,510	6.8	1,201	8.6
Felony arrest with no disposition ^c	9,996	5.6	~	~	9,648	14.5	348	2.5
Nonfelony reasons								
State law prohibition	20,985	11.7%	7,476	7.5%	11,118	16.7%	2,391	17.1%
Drug use/addiction	19,523	10.9	13,597	13.7	5,010	7.5	916	6.6
Misdemeanor conviction of domestic violence	12,975	7.2	7,587	7.6	3,591	5.4	1,797	12.9
Mental health commitment/adjudication	11,379	6.3	6,033	6.1	4,496	6.8	850	6.1
Fugitive from justice/warrant	8,745	4.9	5,754	5.8	2,538	3.8	453	3.3
Protection/restraining order	6,740	3.8	2,936	3.0	3,357	5.1	447	3.2
Illegal/unlawful entry into U.S.	4,084	2.3	2,973	3.0	976	1.5	135	1.0
Local law prohibition ^d	509	0.3	~	~	~	~	509	3.7
Other prohibitions ^e	10,317	5.7	228	0.2	7,270	11.0	2,819	20.2

Note: Reasons for denial were based on 18 U.S.C. § 922 or state law (see *Background check and permit procedures*, page 11). Totals were based on state and local agencies that reported reasons for denial and on information from the FBI's National Instant Criminal Background Check System (NICS) Operations Report. Details may not sum to totals due to rounding. For more information on sample design and agencies that reported data, see *Methodology*. See appendix table 4 for standard errors.

~Not applicable.

^aThe FBI began a new classification system in 2008 and reclassified all its denials from 1999 to 2008. FBI counts of denials should not be compared to counts in reports in the Background Checks for Firearm Transfers series that were published before 2008.

^bAn information is a formal accusation of a crime. It differs from an indictment because it is made by a prosecuting attorney rather than a grand jury.

^cThis is a not a federal prohibition but one used by certain states.

^dState and local laws may impose prohibitions in addition to the federal prohibitions. Examples of these include prohibitions based on juvenile offense records, adjudications of delinquency, misdemeanor convictions for an offense other than domestic violence, and mental health orders that do not cause a federal prohibition.

^eIncludes juveniles, persons dishonorably discharged from the U.S. Armed Forces, persons who renounced U.S. citizenship, and other unspecified persons.

Source: Bureau of Justice Statistics, Firearm Inquiry Statistics program, 2018; and Federal Bureau of Investigation, National Instant Criminal Background Check System (NICS) Operations Report, 2018.

The number of applications for firearm transfers and permits nearly doubled from 1999 to 2018

Checking agencies received nearly 95% more applications for firearm transfers and permits in 2018 (16.8 million) than in 1999 (8.6 million), the first full year that NICS was in operation (table 6). The number of people age 18 or older in the 50 states and the District of Columbia increased 23% during that period.²

From 1999 to 2018, the rate at which applications were denied for a felony conviction, indictment, or arrest declined from 1.7% to 0.6%. About 47% of all denials in 2018 were for a felony reason, down from 73% in 1999. The denial rate for a nonfelony reason, such as a misdemeanor conviction of domestic violence, drug use or addiction, or a mental health commitment or adjudication, was similar in 1999 (0.6% of all applications) and 2018 (0.7%). During this period, the share of denials that were due to a nonfelony reason nearly doubled, from 27% to 53%.

²See National Center for Health Statistics [NCHS]. (n.d.). Bridged-race population estimates, United States July 1st resident population by state, county, age, sex, bridged-race, and Hispanic origin [Compiled from 1990-1999 bridged-race intercensal population estimates (released by NCHS on July 26, 2004); Revised bridged-race 2000-2009 intercensal population estimates (released by NCHS on October 26, 2012); and Bridged-race vintage 2018 (2010-2018) postcensal population estimates (released by NCHS on June 25, 2019)]. Retrieved June 7, 2021, from <http://wonder.cdc.gov/bridged-race-v2018.html>.

TABLE 6
Percent change in applications, denials, reasons for denial, and rates of denial, 1999–2018

	1999	2018	Percent change, 1999–2018 ^a
Number of applications	8,621,000	16,765,000	94.5%
Number of denials^{b,c}	204,000	230,000	12.7%
For felony reasons	148,000	108,000	-27.0
For nonfelony reasons	56,000	122,000	117.9
Rate of applications denied^c	2.4%	1.4%	-42.8%
For felony reasons	1.7	0.6	-62.1
For nonfelony reasons	0.6	0.7	21.3
Percent of denials^c			
For felony reasons ^d	72.5%	47.0%	-35.3%
For nonfelony reasons	27.5	53.0	92.9

Note: Applications are for firearm transfers and permits. Totals are rounded to the nearest 1,000 and may not sum to totals in other tables. Estimates were based on data reported by the FBI and by state agencies that reported reasons for denial to the Firearm Inquiry Statistics program. For information on sample design and agencies that reported data, see *Methodology*.

^aPercent change is calculated using the following formula: $100 \times ((2018 \text{ value} / 1999 \text{ value}) - 1)$.

^bThe FBI began a new classification system for federal prohibitions on firearm transfers in 2008 and reclassified all its denials from 1999 to 2008. FBI counts of denials should not be compared to counts in reports in the Background Check for Firearm Transfers series that were published before 2008.

^cSee table 5 for felony and nonfelony reasons for denial.

^dSome checking agencies did not report reasons for denial. The percentage of denials for felony reasons is estimated by dividing the reported number of denials for felony reasons by the total number of denials. The total number of felony denials is estimated by multiplying the percentage of denials for felony reasons by the total number of denials.

Source: Bureau of Justice Statistics, Firearm Inquiry Statistics program, 1999 and 2018; and Federal Bureau of Investigation, National Instant Criminal Background Check System Transaction Statistics — Federal Denials, 1999 and 2018.

About 12,800 denials were referred to ATF field divisions for further investigation in 2018

The FBI's NICS Section refers all firearm applications it denies to the ATF's DENI Branch for further screening. The DENI Branch, in turn, refers denials that may merit prosecution (under ATF or U.S. attorney guidelines) to ATF field divisions for further investigation. The DENI Branch referred about 12,800 denials (12% of all FBI denials) to ATF field divisions in 2018 (table 7).

If the FBI finds a record that prohibits a firearm transfer to an applicant within 3 business days of initiating a NICS check, it issues a standard denial. If the FBI needs more than 3 business days to determine if the applicant is prohibited from a firearm transfer, the FFL may transfer the firearm to the applicant under the Brady Act (unless state law prohibits such transfers) while awaiting the results of the NICS check. In such instances where a firearm has been transferred but the FBI later finds the transfer should not have occurred, the FBI issues a delayed denial. In 2018, the DENI Branch referred about 3,200 delayed denials (3% of all FBI denials) and 9,600 standard denials (9% of all FBI denials) to ATF field divisions.

The most common reason for referring a denial to an ATF field division in 2018 was a felony conviction in the denied person's record (31%), followed by a misdemeanor conviction of domestic violence (20%) and the denied person being subject to a protective order (12%).

Background Check Laws and Procedures

Brady Handgun Violence Prevention Act

The Brady Handgun Violence Prevention Act (Brady Act) mandates that anyone attempting to transfer (purchase or receive) firearms from a federal firearms licensee (FFL), also known as a federally licensed firearm dealer, must undergo a criminal background check. The Brady Act established the National Instant Criminal Background Check System (NICS), which the FBI's Criminal Justice Information Services administers and which contains data on persons who are prohibited by federal and state laws from purchasing or possessing a firearm.

The Brady Act took effect on February 28, 1994 with interim provisions that required FFLs to obtain background checks from state and local checking agencies and to wait 5 days before transferring a firearm.

TABLE 7
Bureau of Alcohol, Tobacco, Firearms and Explosives
Investigation of denials referred by the Federal Bureau of Investigation, 2018

	Number	Percent
Total FBI denials referred to ATF's DENI Branch	107,815	100%
DENI Branch referrals to ATF field divisions ^a		
Referred to field	12,773	11.8%
Delayed denials ^b	3,177	2.9
Standard denials ^c	9,596	8.9
Not referred to field	89,396	82.9
Not referred and overturned	5,627	5.2
Canceled ^d	19	<0.1
Reasons for referrals to ATF field divisions		
Convicted felon	3,955	31.0%
Domestic violence misdemeanor	2,552	20.0
Subject to protective order	1,473	11.5
Under felony indictment/information ^e	1,268	9.9
Unlawful user of controlled substance	1,167	9.1
Adjudicated mentally defective	1,166	9.1
Fugitive from justice	880	6.9
State prohibition	123	1.0
Illegal/unlawful alien	118	0.9
Career armed criminal	41	0.3
Insufficient evidence of prohibition provided	26	0.2
Dishonorable discharge	2	0.1
Renounced U.S. citizenship	1	<0.1
State department subject	1	<0.1

Note: Details may not sum to totals due to rounding.

^aA denial is referred if it is likely to merit prosecution under Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) criteria or U.S. attorney criteria.

^bDenials that the FBI issued after a federal firearms licensee (FFL) transferred a firearm to an applicant. An FFL may transfer a firearm to an applicant under an "open transaction" if the FBI needs more than 3 business days to complete a background check in the National Instant Criminal Background Check System (NICS).

^cDenials that the FBI issued within 3 business days of a NICS check because the FBI found a record that prohibits the applicant from a firearm transfer.

^dNICS checks that should not have been conducted and were canceled by the FBI.

^eAn information is a formal accusation of a crime. It differs from an indictment because it is made by a prosecuting attorney rather than a grand jury.

Source: Bureau of Justice Statistics, based on data from Bureau of Alcohol, Tobacco, Firearms and Explosives, Denial Enforcement and NICS Intelligence Branch, Firearm Denial Statistics, 2018.

The 5-day federal waiting period was eliminated on November 30, 1998, when the Brady Act’s permanent provisions went into effect with the launch of NICS.

The Brady Act enforces prohibitions previously established by the Gun Control Act (GCA), 18 U.S.C. § 922, which 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 illegally or unlawfully in the United States or has been admitted to the U.S. under a nonimmigrant visa
- has been discharged from the U.S. Armed Forces under dishonorable conditions
- has renounced U.S. citizenship
- is subject to a court order that restrains such person from harassing, stalking, or threatening an intimate partner or a child
- has been convicted in any court of a misdemeanor crime of domestic violence
- is younger than age 18 for long guns or age 21 for handguns.

In addition to the prohibitions listed in the GCA, which are the national standards for denying a firearm transfer or permit application, states may have their own prohibitions, specifications, or requirements for the transfer or possession of firearms. An applicant who is denied a firearm transfer or permit may appeal to the FBI or a state point of contact (POC), depending on the state and type of permit or check. Some jurisdictions allow a further appeal to a court. A denied person who submitted a false application or has an outstanding warrant may be subject to arrest and prosecution under federal or state laws.

Background check and permit procedures

Each state government determines the extent of its involvement in the NICS process (table 8). Three basic levels of state involvement currently exist:

- In a full POC state, the state directly queries NICS for a background check on all firearm transfers originating in the state. In 2018, there were 13 full POC states.
- In a partial POC state, the state conducts a NICS check on all handgun transfer applicants, but FFLs in the state are required to contact the FBI for NICS checks for long gun transfers. In 2018, there were seven partial POC states.
- In a non-POC state, the state does not conduct NICS checks. Instead, FFLs are required to contact the FBI directly for NICS checks on all firearm transfers originating in the state. In 2018, 30 states and the District of Columbia were non-POC states. Additionally, five U.S. jurisdictions or territories did not have POCs.

An FFL initiates a background check of an applicant for a firearm transfer or permit by contacting either the FBI or POC to query NICS. Applicant information is collected on ATF Form 4473, Firearm Transaction Record, and contains the applicant’s name, description (e.g., date of birth, sex, race, state of residence, and country of citizenship), and other information that

TABLE 8
Number of states, by type of check, point of contact status, and reporter of Firearm Inquiry Statistics data, 2018

	States*
Type of permit/check	
Handgun transfer	26
Instant check	13
Purchase permit	13
Other approval	5
Long gun transfer	20
Instant check	11
Purchase permit	7
Other approval	2
Exempt carry permit	25
FBI NICS background check only	7
POC status	
Non-POC (FBI conducts checks for all firearms)	31
Full POC (POC conducts checks for all firearms)	13
Partial POC (POC checks handguns, FBI checks long guns)	7
Reporter of FIST data	
FBI reports NICS handgun and long gun data	31
FBI reports NICS long gun data only	7
State agency reports transfer/permit data for entire state	34
Local agencies report transfer/permit data	13

Note: FIST denotes Firearm Inquiry Statistics. NICS denotes National Instant Criminal Background Check System. POC denotes point of contact.

*Includes the District of Columbia. States may be included in more than one subcategory.

Source: Bureau of Justice Statistics, Firearm Inquiry Statistics program, 2018.

may immediately identify an applicant as a prohibited person and negate the need to continue the check. NICS searches for records about the applicant in several databases:³

- The FBI’s Interstate Identification Index (III) maintains individual fingerprint-supported criminal history records. As of December 31, 2018, III maintained 78,104,822 records which NICS could access.
- The FBI’s National Crime Information Center (NCIC) contains data on persons who are the subjects of protection orders or active criminal warrants, immigration violators, known or suspected terrorists, sex offenders, and others. As of December 31, 2018, NCIC had 6,613,151 records which NICS could access.
- The NICS Indices is a database created specifically for the NICS program, and it maintains information contributed by federal, state, local, and tribal agencies pertaining to persons prohibited from receiving or possessing a firearm pursuant to federal and state law. Typically, the records maintained in the NICS Index are not available via the III or NCIC. As of December 31, 2018, the NICS Index contained 19,318,610 records (table 9).

As applicable, a NICS search will also query U.S. Immigration and Customs Enforcement (ICE) databases, which contain information on non-U.S. citizens. In 2018, the NICS Section and POC states sent 147,144 queries to ICE. From February 2002 to December 31, 2018, ICE conducted more than 1,333,311 queries for NICS.

State and local agencies may also access records in their own state and search records that are not electronically available to the FBI. A checking agency may also request a paper record from a court, mental health facility, or law enforcement agency.

After reviewing relevant records, the FBI or POC informs the FFL that the transaction may proceed, is denied, or is delayed for further review. Some states have an additional waiting period (after a transfer application is filed with a seller or permit application is filed with a checking agency) that must expire before the firearm transfer or permit issuance may be completed. Some states require a person attempting to receive a firearm through a private transfer to obtain a purchase permit or undergo an instant check.

³See Federal Bureau of Investigation. (2018). National Instant Background Check System (NICS) Section: 2018 operations report. <https://www.fbi.gov/file-repository/2018-nics-operations-report.pdf/view>.

TABLE 9
Prohibited person records submitted to the National Instant Criminal Background Check System Index, 2018

Type of record	January 1, 2018			December 31, 2018			Percent change, January 1–December 31, 2018 ^c
	Total	Federal ^a	State ^b	Total	Federal ^a	State ^b	
Total	17,399,461	8,902,606	8,496,855	19,318,610	9,595,006	9,723,604	11.0%
Felony conviction	3,412,057	1,204,899	2,207,158	3,971,721	1,264,993	2,706,728	16.4
Under indictment/information	103,042	37,758	65,284	130,040	43,629	86,411	26.2
Fugitive from justice	859	835	24	1,989	1,949	40	131.5
Unlawful user/addicted	29,909	16,619	13,290	45,152	23,606	21,546	51.0
Adjudicated mental health	5,169,853	197,816	4,972,037	5,669,909	250,015	5,419,894	9.7
Illegal/unlawful entry into U.S.	7,352,511	7,351,580	931	7,905,804	7,904,839	965	7.5
Dishonorable discharge	15,583	15,510	73	16,543	16,458	85	6.2
Renounced U.S. citizenship	42,693	42,661	32	46,560	46,527	33	9.1
Protection/restraining order	67,770	395	67,375	73,288	556	72,732	8.1
Domestic violence misdemeanor	155,829	27,869	127,960	175,376	33,487	141,889	12.5
State prohibition	1,049,355	6,664	1,042,691	1,282,228	8,947	1,273,281	22.2

Note: The National Instant Criminal Background Check System (NICS) Index is used exclusively for NICS checks and contains records of persons who are prohibited by federal or state law from receiving or possessing a firearm.

^aIncludes submissions from federal agencies, U.S. district courts, tribal agencies, the District of Columbia, and U.S. territories.

^bState totals include U. S. territories.

^cPercent change is calculated using the following formula: $100 \times ((\text{Dec. 31 value} / \text{Jan. 1 value}) - 1)$.

Source: Federal Bureau of Investigation, National Instant Criminal Background Check System Index, 2018.

Types of permits and checks

A state may use one or more (for different types of firearms) of four methods to approve a prospective firearm purchaser.

Purchase permits require that a prospective firearm purchaser undergo a background check to obtain a government-issued document (i.e. permit, license, or identification card) that is presented to a seller to receive a firearm. Twelve states and the District of Columbia had purchase permit systems in 2018. In eight of these jurisdictions, local agencies issued these permits, and in five states, state agencies issued these permits.

Instant checks (instant approval) require a seller to transmit a purchaser's application to a checking agency by telephone or computer, after which the agency is required to respond as quickly as possible without delay. Thirteen state agencies and the FBI maintained instant check systems in 2018.

Other approval systems, used by five states in 2018, require a seller to transmit a purchaser's application or information to a checking agency. The transfer of the firearm is delayed until a statutory waiting period expires or the agency completes a background check. In 2018, checks were conducted by local agencies in three states and by state agencies in two states.

Exempt carry permits are permits issued after a background check that exempt the holder from undergoing a new check at the time of purchase or transfer. These permits are qualified by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) as a valid alternative to the NICS check and are issued after a state or local checking agency has conducted a NICS check and verified that the applicant's possession of a firearm would not violate state or federal law. These permits are valid for a maximum of 5 years from their issuance date and are only for firearm transfers in the state where the permit is issued. Twenty-five states in 2018 offered exempt carry permits. Unlike the other three methods, the use of an exempt carry permit is not a requirement but an option for the permit holder.

Methodology

Data used for this report were collected and prepared by the Regional Justice Information Service Commission (REJIS), through a cooperative agreement with the Bureau of Justice Statistics (BJS) under the Firearm Inquiry Statistics (FIST) program. For information about the estimation methods for 2013, see *Background Checks for Firearm Transfers, 2013–2014 — Statistical Tables* (NCJ 249849). For information about estimation methods for 2011, see *Background Checks for Firearm Transfers, 2012 — Statistical Tables* (NCJ 247815).

FIST Questionnaire

For 2018, BJS and REJIS updated the 15 survey forms used in 2017. The forms used terminology tailored to individual states or groups of states. State-specific instructions served to minimize respondent burden. REJIS used multiple survey modes (online form, paper survey, and fax) and a rigorous strategy for following up with nonresponding agencies to increase survey responses.

FIST frame

FIST collected data from three types of reporting sources to generate the 2018 estimates for firearm transfer applications and denials:

- **FBI.** The FBI provided data for the 30 states, the District of Columbia, and five U.S. territories that rely exclusively on the FBI to conduct National Instant Criminal Background Check System (NICS) checks for handgun and long gun transfers. The FBI also provided data for the seven states that rely on it to conduct background checks on long gun transfers only.
- **State agency reporters.** BJS surveyed the 33 state agencies and the District of Columbia police that conducted background checks required by law or compiled data for their entire jurisdiction (e.g. states where local agencies conduct background checks but report counts to a state-level entity).⁴ In 13 cases, BJS used reports published by the state agencies and asked the agencies to verify the published information.
- **Local reporting agencies.** BJS surveyed more than 1,300 local checking agencies in 13 states that in 2018 issued permits, tracked applications and denials, or conducted background checks for various types of

⁴Two separate agency units in New Jersey reported to FIST. These units were counted as a single reporter so that totals for the entire state could be reported.

firearm permit or transfer systems and did not report counts to a state-level entity.⁵ BJS administered the FIST survey to a sample of local agencies in three states and to all local agencies in 10 states.

In 32 states, more than one source was used due to multiple types of checks conducted.

FIST sample

State laws determine which governmental agencies conduct background checks for a firearm transfer or permit. For FIST, it is important to distinguish between local agencies that are authorized by statute to conduct background checks and local agencies that actually conduct them. For example, in certain states local agencies may be legally authorized, but not required, to conduct background checks for firearm transfers or permits.

For the purpose of FIST, BJS determined that eligible reporting agencies should be those authorized and known to conduct background checks or maintained information on critical FIST data elements, which included applications, denials, and reasons for denial when reported.⁶ Agencies that delegated background check functions to other checking agencies were considered out of scope for FIST because they neither conducted checks nor tracked information on such activities. Other out-of-scope agencies were those that had closed since the 2018 FIST sampling frame was constructed and those with only part-time employees who each worked less than 35 hours per week.

To construct the 2018 FIST sampling frames, REJIS, under the direction of BJS, used multiple data sources combined with a large known pool of past FIST respondents. First, REJIS included local reporting agencies from the 2016 frame that had responded to the FIST survey at least once in the previous 3 years and had a verified status of conducting background checks or of processing or tracking applications for firearm transfers or permits. To verify the frame, REJIS used the Law Enforcement Agency Roster, the FBI's 2011 Originating Agency Identifier file of law enforcement agencies, and published lists of law enforcement agencies from professional officer associations.

⁵The FIST program obtains data from law enforcement agencies and other types of local agencies that conduct these activities, such as probate courts in Georgia and county clerks or other types of administrative offices in New York.

⁶For FIST, collecting application and denial data from agencies that conduct background checks or track applications for transfers or permits is considered the most accurate and sometimes only means of assessing background check activity.

The majority of FIST data consisted of counts obtained from the FBI or state agency reporters. Less than 10% of the FIST national estimate was derived from estimates for local reporting agencies.

BJS obtained FIST data from local reporting agencies in 13 states in 2018. BJS conducted a census of local reporting agencies in 10 states: Alabama, Idaho, Iowa, Montana, Nebraska, Nevada, New York, North Carolina, South Dakota, and West Virginia. In three states (Georgia, Minnesota, and Washington), BJS sampled local reporting agencies due to the large number of potentially eligible local reporting agencies (ranging from 159 in Georgia to more than 300 in Minnesota). REJIS created a stratified sample based on population that equated to—

- Stratum 1: rural—population of 9,999 or fewer residents
- Stratum 2: small cities—population of 10,000 to 99,999
- Stratum 3: small metropolitan areas—population of 100,000 to 199,999
- Stratum 4: large metropolitan areas—population of 200,000 or more.

These population categories were selected to be consistent with definitions of various census-place levels. Additionally, the categories allowed the collection to maintain some consistency with the methodology used for previous FIST collections. BJS and REJIS looked for correlation between population size and the number of applications, including several variables (such as the number of sworn personnel) from BJS’s most recent Census of State and Local Law Enforcement Agencies and Law Enforcement Agency Roster.

BJS determined that using the four standard categories for census-place populations correlated with the number of applications better than other variables did. Sampling was done for local reporting agencies in strata 1 and 2, while local reporting agencies in strata 3 and 4 were completely enumerated.

For the 2018 collection, the final designated sample included 691 completely enumerated (self-representing, or SR) local reporting agencies in states where all local reporting agencies were enumerated, and 348 sampled (non-self-representing, or NSR) local reporting agencies in three states where strata 1 and 2 were sampled. After adjusting for local agencies that were ineligible to participate in the survey, the final sample consisted of 1,073 state agency reporters and local reporting agencies in 2018. The overall response rate was 83%. Ninety-seven

TABLE 10
Number of reporting agencies that participated in the Firearm Inquiry Statistics survey, 2018

Reporting agencies	Total	Sample	Responses	Response rate
Total	1,387	1,073	888	82.8%
State agency reporters	34	34	33	97.1%
Local checking agencies	1,353	1,039	855	82.3%
Population served				
9,999 or fewer	556	339	273	80.5%
10,000–99,999	668	571	474	83.0
100,000–199,999	69	69	61	88.4
200,000 or more	60	60	47	78.3

Note: Agencies that were ineligible to participate in the Firearm Inquiry Statistics survey were deemed out of scope and removed from all counts of reporting agencies.

Source: Bureau of Justice Statistics, Firearm Inquiry Statistics program, 2018.

percent of state agency reporters and 82% of local reporting agencies responded to the survey (table 10).

Estimation

REJIS summed counts from state agency reporters, state-level estimates (for states with local reporting agencies), and the FBI’s NICS federal transaction data to estimate the total number of applications for firearm transfers and permits received and denied across the country. REJIS applied design weights and nonresponse adjustment factors for enumerated and sampled local reporting agencies to generate estimates of the number of applications and denials at the state level. Applications and denials for transfers and purchase permits in Illinois were estimated using proportional adjustments borrowed from each permit category.⁷

Weighting for local reporting agencies

The 2018 FIST data collections provide for two basic weighting structures for local reporting agencies: a weight applied to SR agencies and a weight applied to NSR agencies.

SR agencies (enumerated)

Local reporting agencies in strata 3 and 4 (large agencies) were selected with certainty and given a design weight of 1 ($w_1 = 1$). A non-response adjustment (w_2) was applied to responding agencies to compensate for the agencies that did not respond.

⁷The average increases of applications and denials from 2017 to 2018 within the categories of transfers and purchase permits (outliers excluded) were used to calculate an average rate of increase for Illinois’ transfers and purchase permits.

NSR agencies (sampled)

The process for calculating weights for NSR local reporting agencies was similar to that for SR local reporting agencies, except NSR agencies (the small agencies in strata 1 and 2 of the sampled states) received a design weight of greater than 1 ($w_1 > 1$) according to the population-based stratum and the state in which they resided. This weight reflects the inverse of the probability of selection for the state and stratum size (cell) in which the agency resided. Weights were adjusted for any agencies that were out of scope in the sampled states.

Nonresponse adjustment

The nonresponse adjustment accounts for agencies that were ineligible (out of scope) and for nonresponding agencies. It consists of a ratio adjustment of the sum of the weighted eligible agencies (per state and population size stratum) to the sum of weighted responding agencies (also per state and population size stratum). A nonresponse adjustment was applied to each cell (stratum within state) if there was any nonresponse. This created a specific adjustment for each cell that applied to all states, whether enumerated or sampled.

Partial-year reporting adjustment

A weight consisting of a ratio adjustment to account for missing months of data was applied to adjust for any agency that reported only partial-year data. This adjustment to account for missing months was necessary for three local reporting agencies. The use of this adjustment occurred prior to the calculation of the final weight.

Final weights

The final weights (Fw) applied to each FIST case are the product of a design weight (w_1) and a nonresponse adjustment weight (w_2) for $Fw = w_1 \times w_2$. (See table 11.)

Item nonresponse imputation for local reporting agencies

For the 2018 FIST data collection, REJIS identified few instances of missing data on applications for firearm transfers or permits, compared to other missing data (e.g., reasons for denial). For partial responses to be included, respondents had to report either the number of applications received or the number of denials issued. If neither type of data was provided, the respondent was classified as a non-respondent. When data were missing for only applications or only denials, REJIS used a

TABLE 11
Final weights by state and population category, 2018

State	9,999 or fewer	10,000–99,999	100,000–199,999	200,000 or more
Alabama	1.50	1.41	1.00	1.17
Georgia	3.30	1.60	1.17	1.57
Idaho	1.36	1.47	1.00	1.00
Iowa	1.14	1.08	1.33	1.00
Minnesota	4.31	1.68	1.00	2.00
Montana	1.52	1.13	1.00	~
Nebraska	1.16	1.14	1.00	1.00
Nevada	1.33	1.17	~	1.00
New York	1.00	1.43	1.38	1.17
North Carolina	1.33	1.17	1.07	1.33
South Dakota	1.38	1.21	1.00	~
Washington	3.47	1.88	1.20	1.50
West Virginia	1.33	1.21	1.00	~

~Not applicable. No weights were applied because no agencies were within the population cell.

Source: Bureau of Justice Statistics, Firearm Inquiry Statistics program, 2018.

conditional mean imputation to estimate the number of applications or denials.⁸ In 2018, 10 respondents (1.1%) had missing application data and 20 respondents (2.2%) had missing denial data.

In population stratum 1, REJIS replaced missing values with the mean number of applications of other agencies in the same state that were in the same population category. In population stratum 2, REJIS employed a basic multiple-imputation strategy for agencies with complete data, accounting for the number of denials, the actual population size served, and the number of applications. The result was a within-state and stratum-based sum of imputed values proportionate to the population allocation of imputed applications or denials per agency.

Standard errors

REJIS computed standard errors for the estimates of total applications, total denials, and the ratio of denials to total applications across states and size of region for local reporting agencies. The standard error computations account for various aspects of the FIST design, including stratification of data collection by a combination of state and population-served categories and finite population sampling (without replacement) across the states and population categories of interest.

⁸Joseph L. Schafer and Nathaniel Schenker, "Inference with Imputed Conditional Means", *Journal of the American Statistical Association* 58, no. 449 (2000): 144-154.

REJIS approximated the FIST design by using an SPSS Complex Samples module that generated final strata reflective of the various combinations of state and population categories in the sample design. Standard error estimates were generated using this module. The Taylor linearization method for a “stratified without replacement” design was used for these calculations. Data from SR local reporting agencies were treated as certainty samples with an initial selection probability of 1. For these states and population category combinations, complete responses would have a negligible contribution to the overall standard errors for a given estimate. To account for this and the fact that finite population correction (FPC) factors for the samples generated by the FIST design were small, FPCs were directly incorporated into the standard error computations. Finally, estimates for local reporting agencies included one additional subdomain of agency type: local or state (centralized reporting).

All computations were generated using the final sampling weight, which incorporated adjustments for missing values, nonresponse, and an adjustment for population eligibility or coverage. In some cases, standard error computations were not possible, as only one local reporting agency reported information from a given type of application in areas where more than one local reporting agency was queried via sample or census. In these cases, no standard error was calculated.

Reasons for denial

BJS has collected information about reasons for denying applications for firearm transfers and permits since FIST’s inception in 1995. The FIST survey includes 12 categories that reflect the most common reasons for denial and closely match the categories of federal prohibitions on the purchase or possession of firearms by certain persons. The categories are broad enough to include state prohibitions that may not be identical to the federal prohibitions.

Respondents were asked to record their denials in the most appropriate categories. When REJIS obtained denial data from an agency’s website or internal report

that did not closely match a FIST category, REJIS determined which denial category best matched the reported reason and verified the classification with the responding agency.

The FBI, 25 (76.5%) state agency reporters, and 661 (73.8%) local reporting agencies provided at least one reason for denial in 2018. Another 160 local reporting agencies reported no denials but said they would have been able to report a reason for a denial had one occurred.

The method by which agencies record or track reasons for denial varies. The FBI reports one reason for each denial, based on the first prohibition found during a background check. By comparison, BJS and REJIS have observed variations in how reasons for denial are provided by state agency reporters and local reporting agencies. Of local reporting agencies that provided any reasons for denial in 2018, approximately 76% reported all reasons found during a background check, while about 16% reported only one reason for each denial.

Approximately 9% of the local agency reporters stated they did not know how a reason for a denial was tracked. About 44% of state agency reporters provided all via the sample reasons for denial, and about 52% provided only one reason for each denial. In 2018, only one state agency reporter indicated that it did not know how denials were tracked. Some respondents reported only the most serious offense found during a background check, while others reported the first reason found or did not indicate how they determined which reason to report.

Due to the high item nonresponse and variation in the way reasons for denial were reported, REJIS calculated a simple estimation for the number of reasons for denial by local reporting agencies. Estimates used the base weight rather than the final weight that was applied to all other estimates for local reporting agencies. This was done to better align responses from sampled local reporting agencies with those from states in which a census of local reporting agencies was conducted. Counts of reasons for denial from the FBI and state agency reporters were reported, and no estimates were generated for them.

Jurisdiction notes

The following notes provide additional information about background checks for firearm transfers and permits in jurisdictions that submitted data directly to the Firearm Inquiry Statistics (FIST) program in 2018. A jurisdiction's statutes should be consulted for complete details on its firearm laws. States excluded from this list (Delaware, Indiana, Maine, Missouri, New Mexico, Oklahoma, and Vermont) rely entirely on the FBI to conduct firearm transfer background checks and do not have separate state or local checks.

Alabama—Local agencies issued exempt carry permits that may have been used for handgun or long gun transfers. Alabama was not a point of contact (POC) state.

Alaska—A state agency conducted background checks on applicants for exempt carry permits that may have been used for handgun or long gun transfers. Alaska was a non-POC state.

Arizona—A state agency conducted background checks on applicants for exempt carry permits that may have been used for handgun or long gun transfers. Arizona was a non-POC state.

Arkansas—A state agency conducted background checks on applicants for exempt carry permits that may have been used for handgun or long gun transfers. Arkansas was a non-POC state.

California—A state agency conducted other approval checks on applicants for handgun and long gun transfers. California was a full POC state.

Colorado—A state agency conducted instant checks on applicants for handgun and long gun transfers. Colorado was a full POC state.

Connecticut—The state authorized two types of purchase permits, and every handgun transferee was required to obtain one of the permits. A purchase permit was also required for a long gun. In addition, a state agency conducted instant checks at the point of transfer on applicants for handgun and long gun transfers. Connecticut was a full POC state.

District of Columbia—The chief of police conducted checks on applicants for a registration certificate (categorized by the FIST program as a purchase permit), which was required to obtain a handgun or long gun. In addition, the FBI conducted National Instant Criminal Background Check System checks requested by dealers

who transferred a firearm after receiving a buyer's registration certificate. The District of Columbia was a non-POC jurisdiction.

Florida—A state agency conducted instant checks on applicants for handgun and long gun transfers. Florida was a full POC state.

Georgia—Local agencies issued exempt carry permits that may have been used for handgun or long gun transfers. Georgia was a non-POC state.

Hawaii—A purchase permit was required to obtain a handgun or long gun. Local agencies conducted checks on purchase permit applicants. Hawaii was a full POC state.

Idaho—Local agencies issued exempt carry permits that may have been used for handgun or long gun transfers. Idaho was a non-POC state.

Illinois—A purchase permit was required to obtain a handgun or long gun. In addition, a state agency conducted instant checks at the point of transfer on applicants for handgun and long gun transfers. Illinois was a full POC state.

Iowa—A purchase permit was required to obtain a handgun. An exempt carry permit may have been substituted for the purchase permit. Both types of permits may have been used to acquire a long gun. Local agencies conducted checks on applicants for purchase and exempt carry permits. Iowa was a partial POC state.

Kansas—A state agency conducted background checks on applicants for exempt carry permits that may have been used for handgun or long gun transfers. Kansas was a non-POC state.

Kentucky—A state agency conducted background checks on applicants for exempt carry permits that may have been used for handgun or long gun transfers. Kentucky was a non-POC state.

Louisiana—A state agency conducted background checks on applicants for exempt carry permits that may have been used for handgun or long gun transfers. Louisiana was a non-POC state.

Maryland—A purchase permit issued by a state agency was required to obtain a handgun. In addition, the state agency conducted other approval checks on applicants for transfers of handguns and assault weapons, which were designated by state law as regulated firearms. Maryland was a partial POC state.

Massachusetts—A purchase permit was required to obtain a handgun or long gun. Two types of purchase permits were included in the FIST survey data. Local agencies conducted checks on permit applicants. Massachusetts was a non-POC state.

Michigan—A purchase permit was required for a handgun transfer between two individuals who were not licensed dealers. An exempt carry permit may have been substituted for the purchase permit and may have also been used to acquire a long gun. Checks were conducted by local agencies on purchase permit applicants and by a state agency on exempt carry permit applicants. Michigan was a non-POC state.

Minnesota—A purchase permit was required to obtain a handgun or an assault weapon. An exempt carry permit may have been substituted for the purchase permit. Local agencies conducted checks on applicants for purchase and exempt carry permits. Minnesota was a non-POC state.

Mississippi—A state agency conducted background checks on applicants for exempt carry permits that may have been used for handgun or long gun transfers. Mississippi was a non-POC state.

Montana—Local agencies issued exempt carry permits that may have been used for handgun or long gun transfers. Montana was a non-POC state.

Nebraska—Local agencies conducted checks on applicants for a purchase permit, which was required to obtain a handgun. An exempt carry permit issued by a state agency may have been substituted for the purchase permit. Both types of permits may have been used to acquire a long gun. Nebraska was a partial POC state.

Nevada—A state agency conducted instant checks on applicants for handgun and long gun transfers. Local agencies issued exempt carry permits that may have been used for handgun or long gun transfers. Nevada was a full POC state.

New Hampshire—A state agency conducted instant checks on applicants for handgun transfers. New Hampshire was a partial POC state.

New Jersey—A purchase permit was required to obtain a handgun or long gun. Local agencies and the state police conducted checks on purchase permit applicants. In addition, the state police conducted instant checks at the point of transfer on applicants for handgun and long gun transfers. New Jersey was a full POC state.

New York—The state's purchase permit was required to obtain a handgun and certain types of long guns. Local agencies conducted checks on purchase permit applicants. New York was a non-POC state.

North Carolina—A purchase permit was required to obtain a handgun. An exempt carry permit may have been substituted for the purchase permit. Both types of permits may have been used to acquire a long gun. Local agencies conducted checks on applicants for purchase and exempt carry permits. North Carolina was a partial POC state.

North Dakota—A state agency conducted background checks on applicants for exempt carry permits that may have been used for handgun or long gun transfers. North Dakota was a non-POC state.

Ohio—Local agencies issued exempt carry permits that may have been used for handgun or long gun transfers. Ohio was a non-POC state.

Oregon—A state agency conducted instant checks on applicants for handgun and long gun transfers. Oregon was a full POC state.

Pennsylvania—A state agency conducted instant checks on applicants for handgun and long gun transfers. Pennsylvania was a full POC state.

Rhode Island—Local agencies conducted other approval checks on applicants for handgun and long gun transfers. Rhode Island was a non-POC state.

South Carolina—A state agency conducted background checks on applicants for exempt carry permits that may have been used for handgun or long gun transfers. South Carolina was a non-POC state.

South Dakota—Local agencies issued exempt carry permits that may have been used for handgun or long gun transfers. South Dakota was a non-POC state.

Tennessee—A state agency conducted instant checks on applicants for handgun and long gun transfers. Tennessee was a full POC state.

Texas—A state agency conducted background checks on applicants for exempt carry permits that may have been used for handgun or long gun transfers. Texas was a non-POC state.

Utah—A state agency conducted instant checks on applicants for handgun and long gun transfers, and conducted background checks on applicants for exempt carry permits. Utah was a full POC state.

Virginia—A state agency conducted instant checks on applicants for handgun and long gun transfers. Virginia was a full POC state.

Washington—Local agencies conducted other approval checks on applicants for handgun transfers. Washington was a partial POC state.

West Virginia—Local agencies issued exempt carry permits that may have been used for handgun or long gun transfers. West Virginia was a non-POC state.

Wisconsin—A state agency conducted instant checks on applicants for handgun transfers. Wisconsin was a partial POC state.

Wyoming—A state agency conducted background checks on applicants for exempt carry permits that may have been used for handgun or long gun transfers. Wyoming was a non-POC state.

APPENDIX TABLE 1
Firearm applications and denials by state and local agencies, by jurisdiction and type of permit or check, 2018

Jurisdiction	Applications		Denials		Percent denied	
	Number	Standard error	Number	Standard error	Number	Standard error
Alabama^a						
Exempt carry permit	324,236	14,281	6,520	606	2.0%	0.14%
Alaska						
Exempt carry permit	2,711	~	3	~	0.1%	~
Arizona						
Exempt carry permit	80,863	~	698	~	0.9%	~
Arkansas						
Exempt carry permit	55,939	~	1,655	~	3.0%	~
California						
Other approval	798,920	~	6,061	~	0.8%	~
Colorado						
Instant check	347,095	~	6,279	~	1.8%	~
Connecticut	189,514	~	100	~	0.1%	~
Instant check	127,239	~	94	~	0.1	~
Purchase permit	62,275	~	6	~	0.0	~
District of Columbia						
Purchase permit	3,788	~	13	~	0.3%	~
Florida						
Instant check	933,268	~	10,750	~	1.2%	~
Georgia						
Exempt carry permit ^a	209,694	9,042	3,684	549	1.8%	0.29%
Hawaii						
Purchase permit	18,070	~	301	~	1.7%	~
Idaho						
Exempt carry permit ^a	25,729	881	152	6	0.6%	0.02%
Illinois	660,363	~	12,800	~	1.9%	~
Instant check	404,010	~	2,600	~	0.6	~
Purchase permit	256,353	~	10,200	~	4.0	~
Iowa	80,240	1,272	815	18	1.0%	0.01%
Exempt carry permit ^a	70,627	1,057	543	15	0.8	0.02
Purchase permit ^a	9,613	275	272	14	2.8	0.12
Kansas						
Exempt carry permit	20,303	~	67	~	0.3%	~
Kentucky						
Exempt carry permit	35,031	~	767	~	2.2%	~
Louisiana						
Exempt carry permit	12,566	~	852	~	6.8%	~
Maryland	67,182	~	841	~	1.3%	~
Purchase permit	13,638	~	634	~	4.6	~
Other approval	53,544	~	207	~	0.4	~
Massachusetts						
Purchase permit	98,948	~	1,674	~	1.7%	~
Michigan	174,997	~	2,895	~	1.7%	~
Exempt carry permit	141,250	~	1,981	~	1.4	~
Purchase permit	33,747	~	914	~	2.7	~
Minnesota^b	117,945	~	1,934	~	1.6%	~
Exempt carry permit ^c	69,169	~	519	~	0.8	~
Purchase permit ^a	48,776	2,459	1,415	104	2.9	0.18%
Mississippi						
Exempt carry permit	792	~	9	~	1.1%	~
Montana						
Exempt carry permit ^a	15,672	947	164	8	1.0%	0.04%

Continued on next page

APPENDIX TABLE 1 (continued)

Firearm applications and denials by state and local agencies, by jurisdiction and type of permit or check, 2018

Jurisdiction	Applications		Denials		Percent denied	
	Number	Standard error	Number	Standard error	Number	Standard error
Nebraska^b	53,610	~	1,000	~	1.9%	~
Exempt carry permit	21,332	~	183	~	0.9	~
Purchase permit ^a	32,278	1,855	817	50	2.5	0.08%
Nevada^b	126,292	~	1,741	~	1.4%	~
Instant check	98,308	~	1,532	~	1.6	~
Exempt carry permit ^a	27,984	423	209	5	0.7	0.02%
New Hampshire						
Instant check	52,266	~	564	~	1.1%	~
New Jersey	219,252	~	2,068	~	0.9%	~
Instant check	92,153	~	566	~	0.6	~
Purchase permit	127,099	~	1,502	~	1.2	~
New York						
Purchase permit ^a	40,655	2,528	2,289	218	5.6%	0.54%
North Carolina	294,978	17,777	15,298	2,605	5.2%	0.60%
Exempt carry permit ^a	151,807	6,133	939	51	0.6	0.03
Purchase permit ^a	143,171	12,102	14,359	2,580	10.0	1.04
North Dakota						
Exempt carry permit	8,000	~	500	~	6.3%	~
Ohio						
Exempt carry permit	169,805	~	1,436	~	0.8%	~
Oregon						
Instant check	283,784	~	1,020	~	0.4%	~
Pennsylvania						
Instant check	1,016,286	~	11,160	~	1.1%	~
Rhode Island						
Other approval	16,502	~	180	~	1.1%	~
South Carolina						
Exempt carry permit	89,991	~	2,010	~	2.2%	~
South Dakota						
Exempt carry permit ^a	2,122	211	20	4	0.9%	0.18%
Tennessee						
Instant check	486,299	~	20,459	~	4.2%	~
Texas						
Exempt carry permit	345,305	~	1,963	~	0.6%	~
Utah	261,444	~	2,574	~	1.0%	~
Instant check	101,102	~	1,327	~	1.3	~
Exempt carry permit	160,342	~	1,247	~	0.8	~
Virginia						
Instant check	446,333	~	3,457	~	0.8%	~
Washington						
Other approval ^a	174,102	15,563	2,987	991	1.7%	0.60%
West Virginia						
Exempt carry permit ^a	30,194	1,086	118	7	0.4%	0.02%
Wisconsin						
Instant check	132,255	~	1,155	~	0.9%	~
Wyoming						
Exempt carry permit	5,923	~	59	~	1.0%	~

Note: For information on sample design and agencies that reported data, see *Methodology*.

~Not applicable. No sampling error was present because complete counts were reported.

^aTotals were estimated. See *Methodology*.

^bStandard errors are not applicable because a portion of the estimate came from a state agency reporter that provided complete counts.

^cThe state's concealed carry permits are exempt only under state law.

Source: Bureau of Justice Statistics, Firearm Inquiry Statistics program, 2018.

APPENDIX TABLE 2**Standard errors for table 2: Firearm applications and denials reported by local agencies, by type of permit or check, 2018**

Type of permit/check	Applications	Denials	Percent denied
Local agencies	29,402	2,915	0.20%
Exempt carry permit	18,097	819	0.09
Purchase permit	12,744	2,592	0.67
Other approval	15,563	991	0.60

Note: No sampling error was present for totals from the FBI and state agency reporters in table 2 because they reported complete counts.

Source: Bureau of Justice Statistics, Firearm Inquiry Statistics program, 2018.

APPENDIX TABLE 3**Standard errors for table 4: Firearm applications and denials reported by local agencies, by type of permit or check and size of population served, 2018**

Type of permit/check and population served	Applications	Denials	Percent denied
All permit/check types and population sizes	29,402	2,915	0.20%
Purchase permit	12,744	2,592	0.67%
9,999 or fewer	1,948	59	0.18
10,000–99,999	3,573	254	0.23
100,000–199,999	1,414	205	0.44
200,000 or more	11,994	2,570	1.52
Exempt carry permit	18,097	819	0.09%
9,999 or fewer	1,198	36	0.15
10,000–99,999	10,913	257	0.06
100,000–199,999	1,900	42	0.03
200,000 or more	14,260	776	0.23
Other approval	15,563	991	0.60%
9,999 or fewer	2,107	19	0.13
10,000–99,999	14,872	112	0.07
100,000–199,999	2,046	15	0.06
200,000 or more	3,524	984	1.87

Source: Bureau of Justice Statistics, Firearm Inquiry Statistics program, 2018.

APPENDIX TABLE 4**Standard errors for table 5: Reasons for denial of applications for firearm transfers and permits, by type of checking agency, 2018**

Reason for denial	All agencies		State agencies		Local agencies	
	Number	Percent	Number	Percent	Number	Percent
Total	1,171	~	913	~	838	~
Felony reasons						
Felony conviction	437	0.21%	439	20.90%	99	1.37%
Under indictment/information	73	0.03	59	6.79	51	0.38
Felony arrest with no disposition	53	0.04	0	14.53	53	0.37
Nonfelony reasons						
State law prohibition	176	0.13%	105	16.75%	141	1.62%
Drug use/addiction	115	0.08	87	7.55	82	0.80
Misdemeanor conviction of domestic violence	182	0.08	184	5.41	67	0.84
Mental health commitment/adjudication	45	0.03	38	6.77	29	0.40
Fugitive from justice/warrant	36	0.03	28	3.82	28	0.31
Protection/restraining order	30	0.01	24	5.06	23	0.16
Illegal/unlawful entry into U.S.	52	0.02	52	1.47	12	0.08
Local law prohibition	117	0.07	~	~	117	0.81
Other prohibitions	435	0.22	1	10.95	435	2.08

Note: No sampling error was present for totals from the FBI in table 5 because it reported complete counts.

~Not applicable.

Source: Bureau of Justice Statistics, Firearm Inquiry Statistics program, 2018.

APPENDIX TABLE 5**Agencies that conducted background checks for firearm transfers or permits, by type of application and jurisdiction, December 31, 2018**

Jurisdiction	Application for—	
	Firearm transfer/purchase permit	Exempt carry permit ^a
United States	FBI	—
Alabama	—	County sheriffs
Alaska	—	Department of Public Safety
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	—	—
District of Columbia	Metropolitan Police Department	—
Florida	Department of Law Enforcement	—
Georgia	—	County probate courts
Hawaii	Police departments	—
Idaho	—	County sheriffs
Illinois	State Police Firearm Owners Identification and Firearm Transfer Inquiry Program units	—
Indiana	—	—
Iowa	County sheriffs	Department of Public Safety/county sheriffs
Kansas	—	Attorney general
Kentucky	—	State police
Louisiana	—	State police
Maine	—	—
Maryland	State Police Licensing Division	—
Massachusetts	Police departments	—
Michigan	Sheriffs and police departments	State police
Minnesota	Sheriffs and police departments	County sheriffs
Mississippi	—	Department of Public Safety
Missouri	—	—
Montana	—	County sheriffs
Nebraska	Sheriffs and police departments	State patrol
Nevada	Department of Public Safety	County sheriffs
New Hampshire	Department of Safety	—
New Jersey	State and local police departments	—
New Mexico	—	—
New York ^b	Sheriffs and police departments	—
North Carolina	County sheriffs	County sheriffs
North Dakota	—	Bureau of Criminal Investigation
Ohio	—	County sheriffs
Oklahoma	—	—
Oregon	State Police Firearms Unit	—
Pennsylvania	State Police Firearms Division	—
Rhode Island	Police departments	—
South Carolina	—	Law Enforcement Division
South Dakota	—	County sheriffs
Tennessee	Bureau of Investigation Tennessee Instant Check System Unit	—
Texas	—	Department of Public Safety
Utah	Bureau of Criminal Identification	Bureau of Criminal Identification
Vermont	—	—
Virginia	State Police Firearms Transaction Program	—
Washington	Sheriffs and police departments	—
West Virginia	—	County sheriffs
Wisconsin	Department of Justice Firearms Unit	—
Wyoming	—	Attorney general

—FBI conducted background checks for firearm purchases, or jurisdiction did not issue exempt carry permits.

^aAgencies issued carry permits that could be used to waive a background check for a firearm purchase.

^bFirearm purchase licenses could also permit carry.

Source: Bureau of Justice Statistics, Firearm Inquiry Statistics program, 2018.



The Bureau of Justice Statistics of the U.S. Department of Justice is the principal federal agency responsible for measuring crime, criminal victimization, criminal offenders, victims of crime, correlates of crime, and the operation of criminal and civil justice systems at the federal, state, tribal, and local levels. BJS collects, analyzes, and disseminates reliable statistics on crime and justice systems in the United States, supports improvements to state and local criminal justice information systems, and participates with national and international organizations to develop and recommend national standards for justice statistics. Doris J. James is the acting director.

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