

BACKGROUND CHECK AND ASSAULT WEAPON BAN LAWS WORK

Background Checks

Background checks work to keep guns out of the wrong hands.

Since the Brady background check law was enacted in 1994, more than 3 million prohibited purchases have been blocked.¹

Homicides go up when background check laws are reversed.

For example, Missouri saw a 25% increase in gun-related homicides after reversing its 2007 law requiring gun buyers to undergo a background check before receiving a “permit-to-purchase” for handguns.

After the law was rescinded, there was also an increase in the number of handguns purchased in Missouri that were then used in crimes.

The level of background checks currently required by federal law still allows many purchases to go unchecked.

At least one out of five guns are sold in America without a background check.²

Felony convictions (43%) were the most common reason for gun purchase denials by the FBI in 2015 – the last year for which data is publicly available.

¹ This estimate was derived from data in the following reports: Office of Justice Programs, Bureau of Justice Statistics, “Background Checks for Firearm Transfers, 2013-14 - Statistical Tables,” (2016), available at <https://www.bjs.gov/content/pub/pdf/bcft1314st.pdf> and Federal Bureau of Intelligence, “Federal Denials,” https://www.fbi.gov/file-repository/federal_denials.pdf/view (last accessed April 25, 2017). Approximately 312,000 sales were blocked during the interim period from 1994-1999, 1,338,294 sales were denied via state and local agencies from 1999-2014, and FBI data shows that 1,424,749 sales were denied by the federal system from Nov. 1998 through March 31, 2017.

² Matthew Miller, Lisa Hepburn, and Deborah Azrael, “Firearm Acquisition Without Background Checks: Results of a National Survey,” *Annals of Internal Medicine* 166, no. 4 (2017), accessed February 1, 2018, available at <http://annals.org/aim/fullarticle/2595892/firearm-acquisition-without-background-checks-results-national-survey>.

Assault Weapons Ban

It's been done before – and it worked. The sale of new semiautomatic assault weapons was banned in the United States from 1994 until Congress let the ban expire in 2004.

The 1994 assault weapons ban prohibited the manufacture, transfer, sale or possession of new semiautomatic assault weapons and large capacity ammunition magazines that hold more than ten rounds. Congress failed to take action to renew it.

During the time the assault weapons ban was in effect. There was a:

- **37% decline** in gun massacres³
- **43% decline** in the number of people dying from mass shootings
- **70% decline** in the percentage of assault weapons traced to gun crimes (not just homicides).⁴

Virginia police saw a growing decline in the recovery of firearms with large capacity ammunition magazines hitting a low of 9 percent when the ban expired in 2004. Afterwards, recovery of such firepower increased, hitting 20 percent in 2010.⁵

Thirty seven percent of police agencies saw increases in criminals' use of assault weapons, and 38 percent reported a noticeable increase in criminals' use of high-capacity magazines, after the assault weapon ban expired.⁶



³ Louis Klarevas, University of Massachusetts at Boston, 2016: "Rampage Nation" (Prometheus Books, August 2016) as cited in the Washington Post, Feb. 15, 2018. https://www.washingtonpost.com/news/wonk/wp/2018/02/15/its-time-to-bring-back-the-assault-weapons-ban-gun-violence-experts-say/?utm_term=.40f767cfba69.

⁴ Christopher S. Koper, University of Pennsylvania, 2004, "An Updated Assessment of the Federal Assault Weapons Ban: Impacts on Gun Markets and Gun Violence, 1994-2003" https://www.feinstein.senate.gov/public/_cache/files/b/5/b531daeb-a954-41f8-a21c-268ccecb4c4/55A639CA20094C1538C8B7FE50B3A94A.penn-study-koper.pdf.

⁵ Fallis, David S. and Grimaldi, James V., "In Virginia, High-Yield Clip Seizures Rise," Washington Post, January 23, 2011 (<http://www.washingtonpost.com/wp-dyn/content/article/2011/01/22/AR2011012204046.html>).

⁶ Police Executive Research Forum, Guns and Crime: Breaking New Ground By Focusing on the Local Impact, May 2010 (policeforum.org/library/critical-issues-in-policing.../GunsandCrime.pdf).