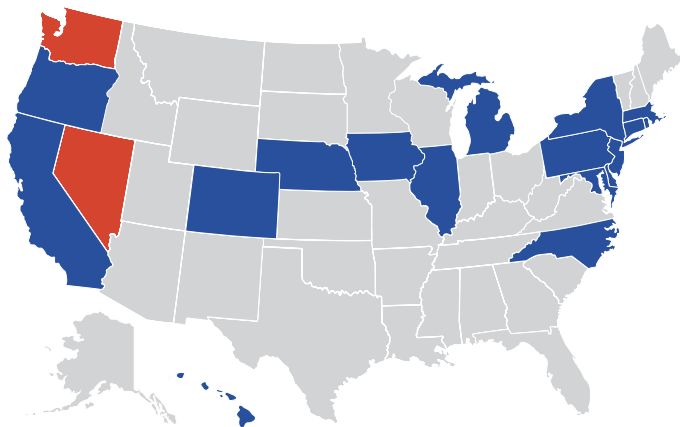


CLOSING THE BACKGROUND CHECK LOOPHOLE

The United States is in the grips of a gun violence epidemic that puts families and communities at risk. One of the key reasons America has such a high rate of gun violence is that **we have weak laws that are riddled with loopholes, which let dangerous people obtain guns.** No gap is more glaring than the one in our federal background checks law, which allows felons, domestic abusers, and the dangerously mentally ill to purchase firearms at gun shows and online without undergoing a background check.

STATES THAT REQUIRE BACKGROUND CHECKS FOR ALL HANDGUN SALES HAVE LOWER RATES OF GUN VIOLENCE



● PASSED BY STATE LEGISLATURE ● PASSED BY BALLOT INITIATIVE

In states that require background checks for all handgun sales, there are 47% fewer **women** shot to death by intimate partners, 53% fewer **law enforcement officers** shot to death by handguns, and 53% fewer firearm **suicides**. Simply put, background checks save lives.

GUN VIOLENCE
THREATENS
NATIONAL SECURITY
AND INFLECTS A
STAGGERING TOLL:

115,000
PEOPLE
SHOT EVERY YEAR

NEARLY
34,000
FATAL
SHOOTINGS

WHO SUPPORTS
BACKGROUND
CHECKS?

93%

of **gun owners** support requiring background checks for all gun sales.

92%

of **Republicans** support requiring background checks for all gun sales.

NUMBER OF ILLEGAL
GUN SALES STOPPED
BY BACKGROUND
CHECKS SINCE THE
BRADY ACT IN 1993:

2.8
MILLION

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Existing Loopholes in the Background Check System

The Gun Control Act of 1968 made it illegal for prohibited purchasers, such as convicted felons and the dangerously mentally ill, to purchase or possess firearms, and in 1993, the Brady Act strengthened this law by requiring background checks on gun purchases. But the Brady Act only requires background checks for sales by licensed firearms dealers. Unlicensed sellers, whether they do business online, at gun shows, or from the trunk of their car, are not required to conduct background checks on gun buyers.

The FBI uses the National Instant Criminal Background Check System (NICS) to determine whether a potential buyer is prohibited from purchasing firearms, and most background checks are done in under two minutes. However, if a background check requires further investigation by the FBI and that investigation is not completed within three days, the purchase is allowed to proceed by default. This is how the gunman who murdered nine people at Emanuel AME Church in Charleston obtained his weapon, even though he should have been prohibited.

The Effectiveness of Background Checks

Since the NICS system has been in place, over 225 million background checks have been conducted, most instantaneously. Over two million firearms sales to prohibited purchasers have been denied since passage of the Brady Act in 1993.

STATES WITH UNIVERSAL BACKGROUND CHECKS HAVE LOWER GUN DEATH RATES, AND VICE VERSA

The correlation between new gun safety laws, chief among them universal background checks, and reduced gun death rates is well-documented. (See our annual *Gun Law State Scorecard* to learn more: gunlawscorecard.org.)

For example, in 2007 Missouri repealed its permit-to-purchase handgun law, which required background checks on all handgun sales, and saw its gun homicide rate jump 25%, its share of crime guns recovered in-state grow 25%, and its share of crime guns recovered within two years of their original sale double, a key indicator of crime gun trafficking.

Conversely, Connecticut saw its gun homicide rate drop 40% and its gun suicide rate drop 15% after implementing a permit-to-purchase handgun law that required applicants to pass a background check in order to purchase a handgun from any seller.

NEW REPORT

For the Record: NICS & Public Safety explores what NICS is, how it works, and why this system is so essential to safeguarding our communities. Read the full report at: lawcenter.giffords.org/NICS

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For more details and underlying research, visit lawcenter.giffords.org/universal-background-checks

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210+

lifesaving gun safety laws have been enacted in 45 states and DC since the tragedy at Sandy Hook.

115,000

Americans are shot each year—over one million in the past decade.

25x

Americans are 25 times more likely to be killed by a gun than people in other developed nations.

WE'RE ON A MISSION TO SAVE LIVES

For nearly 25 years, the legal experts at Giffords Law Center to Prevent Gun Violence have been fighting for a safer America by researching, drafting, and defending the laws, policies, and programs proven to save lives from gun violence. Founded in the wake of a 1993 mass shooting in San Francisco, in 2016 the Law Center joined with former Congresswoman Gabrielle Giffords to form a courageous new force for gun safety that stretches coast to coast.

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