



2A Maryland

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**House Bill 1132
Gun Theft Felony Act of 2022
FAVORABLE**

For many years, bills have been offered to elevate the severity of firearm theft above the simple misdemeanor theft of property. These efforts have so far, been unsuccessful.

Under existing law, the penalty for the theft of firearms is based upon the value of the property stolen. For a first offense, a person who steals four fully functional firearms with a combined value of less than \$1,500 is only subject to imprisonment not exceeding 6 months or a fine not exceeding \$500 or both. This offense does not result in prohibiting the offender from legally owning a firearm.

For a second or subsequent offense, a person who steals four fully functional firearms with a combined value of less than \$1,500, is only subject to imprisonment for a period not exceeding 1 year or a fine not exceeding \$500 or both. This offense does not result in prohibiting the offender from legally owning a firearm.

Firearms theft does not reach the level of a felony until the value exceeds \$25,000.

By way of contrast under the provisions of HB 425, a person who simply possesses four unfinished frames is subject to 12 years imprisonment and a fine of \$40,000. The message this sends to criminals is it is far better to steal complete, fully functioning, factory-built firearms than it is to pay for the parts and invest the time and effort to complete them. In business terms, the message to criminals is the return on investment (ROI) is far higher when the firearms are stolen.

HB 0425 Public Safety – Untraceable Firearms

§5-704

(A) A PERSON WHO VIOLATES THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING \$10,000 OR BOTH.

(B) EACH VIOLATION OF THIS SUBTITLE IS A SEPARATE CRIME.

House Bill 1132
Favorable

House Bill 1132 places the focus on the criminal behavior in the theft of a firearm. Once stolen, a firearm is no longer in the stream of lawful commerce and can only be possessed, transferred, or used in violation of the law.

Elevating the severity of firearms theft from a simple misdemeanor to a felony is not only appropriate but necessary. If HB 425 is as successful in curtailing illegal arms trafficking as its proponents would have us believe, then the need to deter the theft of firearms by more severely punishing the theft of firearms becomes even more essential.

We strongly urge a favorable report.

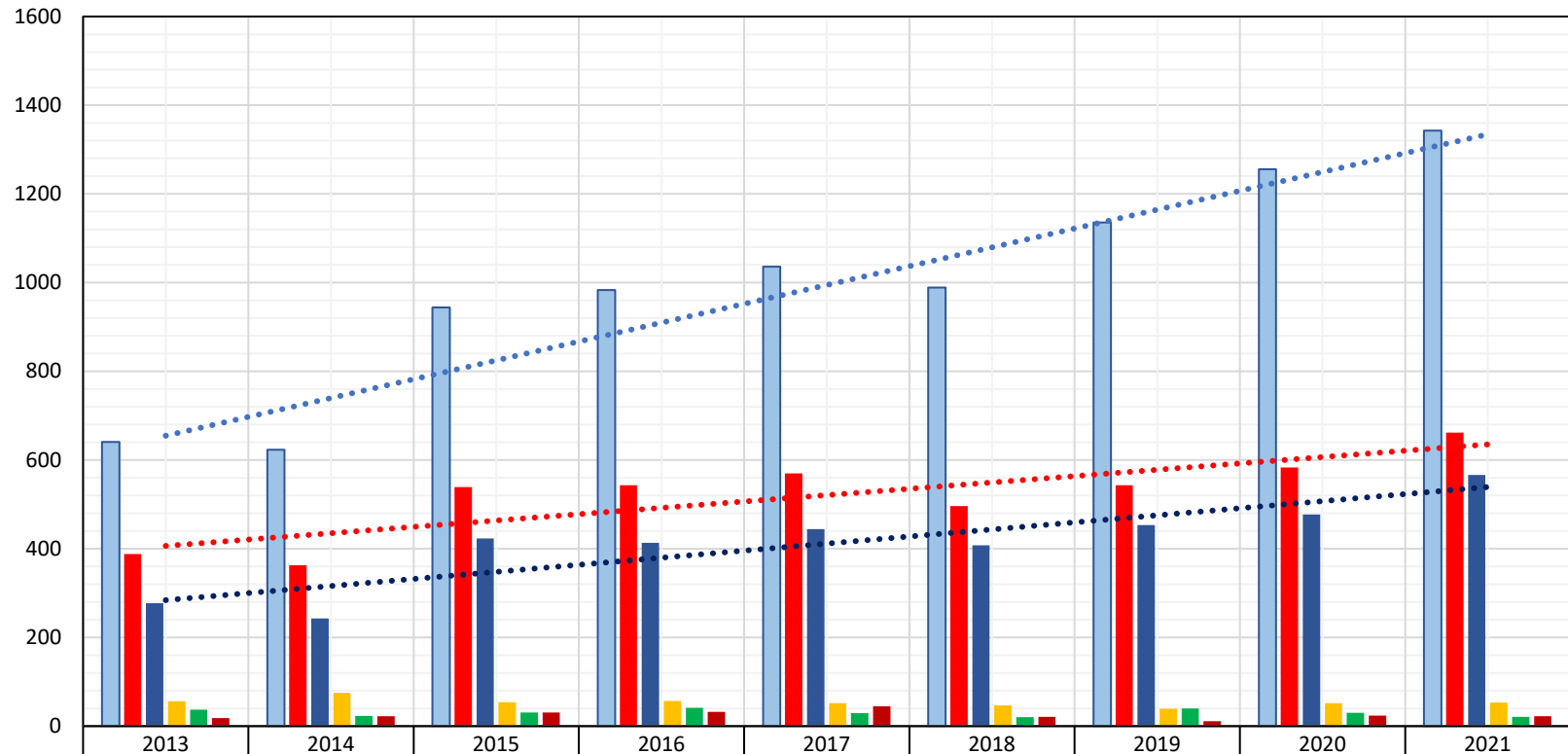
Respectfully,

John H. Josselyn, Director
2A Maryland

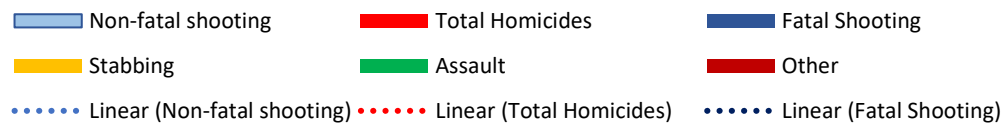
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Maryland Homicides, Non-fatal Shootings & Trends 2013-2021

Data Source: Maryland Coordination & Analysis Center (MCAC)



| | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | 2021 |
|--------------------|------|------|------|------|------|------|------|------|------|
| Non-fatal shooting | 641 | 623 | 944 | 983 | 1036 | 989 | 1136 | 1256 | 1343 |
| Total Homicides | 388 | 363 | 539 | 543 | 570 | 496 | 543 | 583 | 662 |
| Fatal Shooting | 277 | 243 | 423 | 413 | 444 | 408 | 453 | 477 | 566 |
| Stabbing | 56 | 75 | 54 | 57 | 52 | 47 | 39 | 52 | 53 |
| Assault | 37 | 23 | 31 | 41 | 29 | 20 | 40 | 30 | 21 |
| Other | 18 | 22 | 31 | 32 | 45 | 21 | 11 | 24 | 22 |





**GOVERNOR'S OFFICE OF
CRIME PREVENTION, YOUTH,
AND VICTIM SERVICES**

Report on Crime Firearms Study

Senate Bill 622/Chapter 335, 2019

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Introduction

Chapter 335 of 2019 (Senate Bill 622), *Governor's Office of Crime Control and Prevention - Crime Firearms - Study*, requires the Governor's Office of Crime Prevention, Youth, and Victim Services (previously known as the Governor's Office of Crime Control and Prevention¹) to study and compile information, provided by the Maryland Department of State Police, as it relates to crime firearms.² Specifically, the Act requires the Governor's Office of Crime Prevention, Youth, and Victim Services to:

- Study information regarding crime firearms in the State, including:
 - The number and types of crime firearms;
 - The sources of all crime firearms, including the importer, dealer, and first purchaser for all recovered crime firearms; and
 - The jurisdictions where crime firearms were recovered;
- Report the crimes committed with crime firearms by jurisdiction, including:
 - The number of charges and convictions for:
 - Crimes of violence;
 - Illegal transfers;
 - Illegal possession;
 - Illegal transportation; and
 - Straw purchases; and
 - The number and types of criminal charges associated with a crime firearm;
- Compile all available information and data regarding the source of crime firearms, including:
 - For out-of-state crime firearms:
 - The county, state, or city of origin; and
 - The location in the State where the crime firearm was recovered;
 - For in-State crime firearms:
 - The jurisdiction of origin; and
 - The location where the crime firearm was recovered;
 - Information on the top 10 dealers of crime firearms in the State, including:
 - Names;
 - Locations; and
 - The dates and outcomes of audits conducted by the Maryland State Police of the dealers; and

¹ Maryland General Assembly. (2020). [Chapter 11, Acts of 2020](#). In March 2020, the Governor's Office of Crime Control and Prevention was renamed the Governor's Office of Crime Prevention, Youth, and Victim Services.

² Maryland General Assembly. [Chapter 335 of 2019 \(Senate Bill 622\), Governor's Office of Crime Control and Prevention - Crime Firearms - Study](#).

- The 10 states where the most crime firearms recovered in the State originated, including a comparison of the other states' firearms laws regarding:
 - Licensing;
 - Background checks;
 - Waiting periods;
 - Straw purchases; and
 - Concealed carry laws;
- Collect information on the length of time between the origination and recovery of a crime firearm; and
- Gather information regarding whether the individuals found in possession of crime firearms were previously prohibited from possessing a firearm.

The Act also requires the Governor's Office of Crime Prevention, Youth, and Victim Services to report its findings to the Governor and the General Assembly by December 1, 2020.³

Crime Firearms Study

In accordance with Chapter 335 of 2019, this *Report on Crime Firearms Study* provides information on crime firearms that resulted in an arrest between October 1, 2019 and September 30, 2020, and based on the definitions below. It also identifies the location of the gun problem, and whether it is specific to Maryland or other states.

Definitions

Crime firearm means a firearm that is (1) used in the commission of a crime of violence, as defined in § 5-101 of the Public Safety Article or (2) recovered by law enforcement in connection with illegal firearm possession, transportation, or transfer.⁴

Crime of violence, as defined in § 5-101 of the Public Safety Article, means (1) abduction; (2) arson in the first degree; (3) assault in the first or second degree; (4) burglary in the first, second, or third degree; (5) carjacking and armed carjacking; (6) escape in the first degree; (7) kidnapping; (8) voluntary manslaughter; (9) maiming; (10) mayhem; (11) murder in the first or second degree; (12) rape in the first or second degree; (13) robbery; (14) robbery with a dangerous weapon; (15) sexual offense in the first, second, or third degree; (16) home invasion; (17) an attempt to commit offenses (1) through (16); or (18) assault with the intent to commit offenses (1) through (16) or a crime punishable by imprisonment for more than one year.⁵

³ Ibid.

⁴ Department of Legislative Services. [Senate Bill 622 \(2019\) Governor's Office of Crime Control and Prevention - Crime Firearms - Study \(Fiscal and Policy Note\)](#).

⁵ Ibid.

This definition is cross-referenced in statutes pertaining to reckless endangerment, committing a crime in the presence of a minor, use of a handgun or antique firearm in the commission of a crime, use of an assault weapon or magazine in the commission of a felony or a crime of violence, and possession of a rifle or shotgun by a person previously convicted of specified offenses.⁶

Methodology

For the purpose of this *Report on Crime Firearms Study*, data was retrieved from three data sources, to include:

- Maryland Gun Center
- Bureau of Alcohol, Tobacco, Firearms, and Explosives
- Internet sources pertaining to gun legislation

Maryland Gun Center

In 2013, the Maryland Department of State Police created the Maryland Gun Center (Center) within its Criminal Enforcement Division to assist local law enforcement with “gun enforcement/gun violation reduction efforts.”⁷ Through its mission, the Center serves as a “24/7 statewide firearms enforcement center, making available the screening/vetting of every gun case in Maryland to ensure that offenders are systematically held accountable for the crimes and that any necessary follow-up is addressed in a consistent and disciplined manner.”⁸ In 2013, and with a staff of six, the Center received and responded to 2,828 calls and/or emails for service pertaining to gun-related incidents across the State.⁹ Since this time, the number of calls and/or emails for service have increased approximately 300%. In 2019, and with a staff of 10, the Center received and responded to over 10,500 calls and/or emails for service as it relates to gun incidents in the State. For 2020, the Center anticipates that they will receive and respond to nearly 11,500 calls and/or emails for services.

In 2019, and in response to the enacted Act (Chapter 335 of 2019), the Center developed a Microsoft Access database to capture the data elements required for the crime firearms study. Because the Act took effect October 1, 2019, the Center used the same date to begin the data

⁶ Ibid.

⁷ Governor's Office of Crime Control and Prevention. (2013). [Maryland's Comprehensive State Crime Control and Prevention Plan 2013 Annual Update](#).

⁸ Maryland Department of State Police. [Criminal Enforcement Division](#).

⁹ Governor's Office of Crime Control and Prevention. (2013). [Maryland's Comprehensive State Crime Control and Prevention Plan 2013 Annual Update](#). It is important to note that the Maryland Department of State Police serves as a partial point of contact for Maryland in which all handgun applications require a background check to be conducted by the Maryland Department of State Police; whereas, all long guns require a background check to be conducted by the Federal Bureau of Investigation. Although the Maryland Department of State Police serves as a partial point of contact agency, the Maryland Gun Center receives calls and/or emails for all gun-related matters.

collection process. It is important to note that data collected through the database is solely based on the data reported to the Center by law enforcement officers, and therefore may not represent all crime firearm data in the State because not all data is reported. In addition, some data may not be reported to the Center until the end of the case versus the beginning.

Specific to this study, the Governor’s Office of Crime Prevention, Youth, and Victim Services (Office) received information from the Center’s database to study crime firearms in the State, as it relates to:

- The number and types of crime firearms;
- The sources of all crime firearms, including the importer, dealer, and first purchaser for all recovered crime firearms;
- The jurisdictions where crime firearms were recovered;
- Information on crimes committed with crime firearms by jurisdiction;
- Information on in-State crime firearms;
- Information on the top 10 dealers of crime firearms in the State; and
- Information regarding whether the individuals found in possession of crime firearms were previously prohibited from possessing a firearm.

Specifically, the Office received information regarding crime firearms that resulted in an arrest between October 1, 2019 and September 30, 2020. It is important to note that the information was only available on firearms registered in Maryland, and were primarily for handguns because the Maryland Department of State Police serves as a partial point of contact for the State.¹⁰

Bureau of Alcohol, Tobacco, Firearms, and Explosives

The Office gathered information from the Bureau of Alcohol, Tobacco, Firearms, and Explosives’ (ATF’s) website that was not available through the Center’s database.¹¹ Through its mission, the ATF provides firearms trace data to local, state, federal, and foreign law enforcement agencies that request firearms tracing for investigative purposes; and prepares state-by-state reports to provide the “public with insight into firearms recoveries.”¹² The Office used information from the [Data Source: Firearms Tracing Systems - Maryland \(January 1, 2019 - December 31, 2019\)](#), which represents the most recent report prepared by the ATF on behalf of Maryland.¹³ Specifically, information was pulled from this report as it relates to:

¹⁰ The Maryland Department of State Police is the designated agency to conduct all background checks on handguns and handgun permits; whereas, the Federal Bureau of Investigation conducts all background checks for long guns.

¹¹ Bureau of Alcohol, Tobacco, Firearms and Explosives. [Firearms Trace Data - 2019](#).

¹² Ibid.

¹³ Bureau of Alcohol, Tobacco, Firearms and Explosives. [Data Source: Firearms Tracing Systems - Maryland](#). The ATF extracted data from the Firearms Tracing System (FTS) on April 10, 2020. It is important to note that the prepared report captures calendar year data, only.

- Information on out-of-State crime firearms; and
- Information on the length of time between the origination and recovery of a crime firearm.

Internet Sources Pertaining to Gun Legislation

The Office also gathered information from [The National Rifle Association: Institute for Legislative Action](#), the [Giffords Law Center](#), and the [Guns to Carry](#) websites. Specifically, information was pulled from these websites as it relates to:

- The 10 states where the most crime firearms recovered in the State originated, including a comparison of the other states' firearms laws regarding: licensing; background checks; waiting periods; straw purchases; and concealed carry laws.

Findings

Crimes Committed with Crime Firearms by Jurisdiction

Between October 1, 2019 and September 30, 2020, and based on the Center's database, there were a total of 2,772 gun crime cases in Maryland (*as illustrated on the following page*). From this total, 61.8% of the cases occurred in Baltimore City (n = 925) and Prince George's County (n = 787). An additional 20.4% of the gun crime cases occurred in Baltimore County (n = 194), Anne Arundel County (n = 173), Worcester County (n = 76), Wicomico County (n = 62), and Washington County (n = 60). The remaining 17.8% (n = 495) occurred in other parts of the State.

| Gun Crime Cases by County (October 1, 2019 - September 30, 2020) | |
|---|--------------|
| Allegany | 38 |
| Anne Arundel | 173 |
| Baltimore | 194 |
| Baltimore City | 925 |
| Calvert | 24 |
| Caroline | 18 |
| Carroll | 13 |
| Cecil | 42 |
| Charles | 45 |
| Dorchester | 12 |
| Frederick | 45 |
| Garrett | 16 |
| Harford | 48 |
| Howard | 42 |
| Kent | 11 |
| Montgomery | 47 |
| Prince George's | 787 |
| Queen Anne's | 37 |
| Somerset | 13 |
| St. Mary's | 29 |
| Talbot | 15 |
| Washington | 60 |
| Wicomico | 62 |
| Worcester | 76 |
| Total | 2,772 |

Number of Charges and Convictions

Of the 2,772 gun crime cases, there were a total of 1,722 charges (*as illustrated on the following page*).¹⁴ The breakdown of these charges consisted of the following outcomes: prosecuted (guilty or not guilty verdict), not prosecuted (dismissed, nolle prosequi, or stet), probation before judgement (PBJ), adjudicated, or pending.

¹⁴ It is important to note that some judges and/or commissioners may request the release of the charged individual due to limited or no probable cause.

| Outcome of Gun Crime Cases Associated with a Crime Firearm (October 1, 2019 - September 30, 2020) | |
|--|--------------|
| Charging Outcome | Total |
| Guilty | 46 |
| Dismissed | 8 |
| Nolle Prosequi | 302 |
| Not Guilty | 6 |
| Probation Before Judgement | 4 |
| Adjudicated Delinquent | 2 |
| Pending | 1,314 |
| Stet | 40 |

Due to the COVID-19 pandemic, there are many charges that may still be pending due to the temporary suspension of court cases. It is important to note that information pertaining to charges is based solely on the charging recommendations made by the Center, and therefore is not based on all handgun cases. In addition, the recommendations made occurred only for those cases that were called into the Center.

Number and Types of Criminal Charges Associated with a Crime Firearm

Of the 1,722 criminal charges, nearly 87% (n = 1,498) of the criminal charges were for some type of an illegal possession offense, 8.7% (n = 149) were for the use of a firearms in conjunction with any crime of violence, and 3.8% (n = 66) were for straw purchase related offense.

| Criminal Charges Associated with a Crime Firearm (October 1, 2019 - September 30, 2020) | | | | | | | | | |
|--|---------------|------------------|-----------------------|-------------------|------------|-------------------------------|----------------|-------------|----------------------|
| Row Labels | Guilty | Dismissed | Nolle Prosequi | Not Guilty | PBJ | Adjudicated Delinquent | Pending | Stet | Total Charges |
| CDS | | | | | | | 3 | | 3 |
| Crime of Violence | 1 | | 23 | | | | 123 | 2 | 149 |
| Illegal Possession | 45 | 7 | 259 | 6 | 3 | 2 | 1,141 | 35 | 1,498 |
| Illegal Transfer/StrawPurchase | | 1 | 16 | | | | 46 | 3 | 66 |
| Illegal Transportation | | | 4 | | 1 | | 1 | | 6 |
| Total | 46 | 8 | 302 | 6 | 4 | 2 | 1,314 | 40 | 1,722 |

Available Information and Data Regarding the Source of Crime Firearms

Based on the [Data Source: Firearms Tracing Systems - Maryland \(January 1, 2019 - December 31, 2019\)](#), which represents the most recent report prepared by the ATF on behalf of Maryland, 9,465 firearms were recovered and traced in 2019.¹⁵

¹⁵ Bureau of Alcohol, Tobacco, Firearms and Explosives. [Data Source: Firearms Tracing Systems - Maryland](#).

Out-of-State Crime Firearms

The report also identified the states where the most crime firearms recovered in the State originated to include Maryland, Virginia, Pennsylvania, North Carolina, Georgia, West Virginia, South Carolina, Florida, Delaware, Texas, and more (*as illustrated below*).¹⁶ It is important to note that an “additional 35 states, the District of Columbia and Puerto Rico accounted for 456 other traces.”¹⁷ In total, the “source state was identified in 6,543 total traces.”¹⁸ This indicates that the source state could not be identified in the remaining 2,922 traces.

| Top 15 Source States for Firearms with a Maryland Recovery (January 1, 2019 - December 31, 2019) | |
|---|---------------------------|
| Source States | Number of Firearms |
| Maryland | 3,018 |
| Virginia | 1,054 |
| Pennsylvania | 380 |
| North Carolina | 262 |
| Georgia | 253 |
| West Virginia | 247 |
| South Carolina | 149 |
| Florida | 139 |
| Delaware | 125 |
| Texas | 110 |
| Ohio | 109 |
| Kentucky | 75 |
| Alabama | 64 |
| Tennessee | 52 |
| California | 50 |

In addition, the report identified the top recovery cities for firearms with a Maryland recovery to include Baltimore, Pasadena, Hagerstown, Frederick, Silver Spring, Hyattsville, Waldorf, Elkton, Glen Burnie, and Capitol Heights (*as illustrated on the following page*).¹⁹ It is important to note that there were “288 additional municipalities that accounted for 4,914 other traces” and the “recovery city could not be determined for 10 traces.”²⁰ This indicates that, of the 9,465 recovered firearms in Maryland, nearly 48% (n = 4,541) were recovered in these ten cities.

¹⁶ Ibid.

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Ibid.

**Top Recovery Cities for Firearms with a Maryland Recovery
(January 1, 2019 - December 31, 2019)**

| Recovery Cities | Number of Firearms |
|-----------------|--------------------|
| Baltimore | 2,490 |
| Pasadena | 320 |
| Hagerstown | 305 |
| Frederick | 286 |
| Silver Spring | 238 |
| Hyattsville | 211 |
| Waldorf | 194 |
| Elkton | 178 |
| Glen Burnie | 172 |
| Capitol Heights | 147 |

In-State Crime Firearms

Based on the Center’s database, there were a total of 169 in-State crime firearms recovered from 17 jurisdictions of origin (*as illustrated below*). From this total, nearly 40% (n = 67) of the crime firearms were recovered in Baltimore City of which 41.8% (n = 28) originated in Baltimore City. An additional 24% (n = 41) of the total in-State crime firearms were recovered from Prince George’s County of which 70.7% (n = 29) originated in Prince George’s County.

| County of Purchaser's Residence | Number of Firearms | | | | | | | | | | | | | | | | | |
|---------------------------------|--------------------|------------------|----------------|---------|----------|-------|---------|------------|-----------|---------|------------|-----------------|------------|--------|------------|----------|-----------|---|
| | Anne Arundel | Baltimore County | Baltimore City | Calvert | Caroline | Cecil | Charles | Dorchester | Frederick | Harford | Montgomery | Prince George's | St. Mary's | Talbot | Washington | Wicomico | Worcester | |
| Allegany | | | 1 | | | | | | | | | | | | | | | |
| Anne Arundel | 10 | 2 | 7 | | | | | 1 | | | | 1 | | | | | 1 | |
| Baltimore County | 2 | 3 | 17 | | | | | 1 | | 1 | 2 | | | | | | | |
| Baltimore City | 2 | 4 | 28 | | | | | | 2 | | 1 | | | | | | | |
| Calvert | 1 | | | 4 | | | | | | | | | | | | | | |
| Caroline | | | 1 | | 1 | | | | | | | | | | | | | |
| Carroll | | 1 | 3 | | | | | | | | | 1 | | | | | | |
| Cecil | | | 1 | | | 1 | | | | | | | | | | | | |
| Charles | | 1 | | 1 | | | 2 | | | | | 3 | | | | | | |
| Dorchester | | | | | | | | | | | | | | | | | | |
| Frederick | | | | | | | | 2 | | | | | | | | | | |
| Harford | 2 | | 1 | | | | | | 3 | | | | | | | | | |
| Howard | | | 4 | | | | | | | | | 2 | | | | | | |
| Montgomery | | | | | | | | | | | | 2 | | | | | | 1 |
| Prince George's | 1 | | 3 | | | | 1 | | | | 1 | 29 | | | | | | |
| St. Mary's | | | 1 | | | | | | | | | | 3 | | | | | |
| Talbot | | | | | | | | | | | | | | 1 | | | | |
| Washington | | | | | | | | | | | | | | | 1 | | | |
| Wicomico | | | | | | | | 1 | | | 1 | | | | | | 2 | |
| Worcester | | | | | | | | | | | | | | | | | | |

Top 10 Dealers of Crime Firearms in the State

The Center also identified the top ten gun crime firearm dealers that collectively accounted for 73 firearms (*as illustrated on the following page*). The location of these dealers include, but are not limited to, the following cities: District Heights, Middle River, Upper Marlboro, Halethorpe, Essex, Parkville, Waldorf, Rockville, and Hanover.

| Gun Crime Firearm Dealers Top Ten | | |
|--|---------------------------------|------------------|
| Number of Firearms | Dealer Name | Location |
| 13 | Realco Guns | District Heights |
| 9 | FreeState Gun Range | Middle River |
| 9 | Maryland Small Arms Range, Inc. | Upper Marlboro |
| 8 | Tyler Firearms, LLC. | Halethorpe |
| 7 | Gun Shop | Essex |
| 6 | Historic File | Unknown |
| 6 | Valley Gun Shop | Parkville |
| 6 | Fred's Outdoors | Waldorf |
| 5 | United Gun Shop | Rockville |
| 4 | Bass Pro Outdoor World, LLC | Hanover |

The Maryland Department of State Police conducted an audit on the identified gun crime firearm dealers which primarily resulted in the following known outcomes:

| Audits Conducted on Gun Crime Firearm Dealers* | | |
|---|---------------------------------|-----------------------|
| Audit Date | Dealer Name | Outcome |
| 6/5/2019 | Realco Guns | No discrepancies |
| 9/2/2020 | FreeState Gun Range | No discrepancies |
| 6/25/2019 | Maryland Small Arms Range, Inc. | No discrepancies |
| 8/27/2020 | Tyler Firearms, LLC. | No discrepancies |
| 8/13/2019 | Gun Shop | No discrepancies |
| - | Historic File | - |
| - | Valley Gun Shop | Please see note below |
| 8/25/2020 | Fred's Outdoors | No discrepancies |
| - | United Gun Shop | Please see note below |
| 8/19/2019 | Bass Pro Outdoor World, LLC | No discrepancies |

*The Tyler Firearms, LLC. was previously audited on August 27, 2018, which reflected one 77R application with an incorrect model and serial number of the regulated firearm; and a second firearm of a multi-purchase was not entered into MAFSS due to a civilian Maryland Department of State Police employee error. In 2004, the ATF revoked the Valley Gun Shop's Federal Firearms License. The United Gun Shop is a new dealer, as of April 25, 2019, and therefore the first inspection is not due until April 2021. Please note that the symbol (-) indicates that no information was available.

Comparison of Firearms Laws in Originating States of Most Crime Firearms Recovered

Based on the report that was prepared for Maryland, the ATF identified the top 10 states where the most crime firearms recovered in the State had originated from, to include: Maryland, Virginia, Pennsylvania, North Carolina, Georgia, West Virginia, South Carolina, Florida,

Delaware, and Texas.²¹ Using this list, a comparison of the states' firearms laws was conducted to identify similarities and differences regarding: licensing, background checks, waiting periods, straw purchases, and concealed carry laws (*as illustrated below*).

| Comparison of Firearms Laws* | | | | | |
|------------------------------|--------------------|---|--------------------------|---|---|
| State | Licensing | Background Checks on Private Gun Sales Required | Waiting Periods | Straw Purchases | Concealed Carry Laws |
| Maryland | Permit to purchase | Yes for handguns; partial for long guns | 7 days for handguns | State law prevents transfers to traffickers; state law penalizes the actual buyer in a straw purchase; state law aids enforcement agencies in anti-trafficking efforts | Restrictively-administered discretionary-issue carry permit systems |
| Virginia | - | No for handguns; no for long guns | - | State law prevents transfers to traffickers; state law prohibits individuals from knowingly encouraging sellers to conduct an illegal firearm transfer; state law penalizes the actual buyer in a straw purchase; state law prohibits individuals from providing false information in a firearms transfer; state law requires the tracing of crime guns | "Shall issue" law, requiring that concealed carry permits be issued to qualified applicants |
| Pennsylvania | - | Yes for handguns; no for long guns | - | State law prevents transfers to traffickers; state law prohibits individuals from providing false information in a firearms transfer; state law requires the tracing of crime guns | "Shall issue" law, requiring that concealed carry permits be issued to qualified applicants |
| North Carolina | Permit to purchase | Yes for handguns; no for long guns | - | - | "Shall issue" law, requiring that concealed carry permits be issued to qualified applicants |
| Georgia | - | No for handguns; no for long guns | - | State law prohibits individuals from knowingly encouraging sellers to conduct an illegal firearm transfer | "Shall issue" law, requiring that concealed carry permits be issued to qualified applicants |
| West Virginia | - | No for handguns; no for long guns | - | State law prohibits individuals from knowingly encouraging sellers to conduct an illegal firearm transfer; state law penalizes the actual buyer in a straw purchase | "Shall issue" law, requiring that concealed carry permits be issued to qualified applicants; allow concealed carry without a permit |
| South Carolina | - | No for handguns; no for long guns | - | - | "Shall issue" law, requiring that concealed carry permits be issued to qualified applicants |
| Florida | - | No for handguns; no for long guns | 3+ days for all firearms | - | "Shall issue" law, requiring that concealed carry permits be issued to qualified applicants |
| Delaware | - | Yes for handguns; yes for long guns | - | State law prohibits individuals from providing false information in a firearms transfer; state law requires the tracing of crime guns | Restrictively-administered discretionary-issue carry permit systems |
| Texas | - | No for handguns; no for long guns | - | - | "Shall issue" law, requiring that concealed carry permits be issued to qualified applicants |

*Resources include: Giffords Law Center on licensing;²² Guns to Carry on background checks on private gun sales;²³ Giffords Law Center on waiting periods for Maryland and Florida, only;²⁴ Giffords Law Center on straw purchases;²⁵ and The National Rifle Association of America on right to carry laws.²⁶ Please note that the symbol (-) indicates that no information was available.

According to the [Giffords Law Center](#), state licensing laws fall into four categories: “(1) permits to purchase firearms, (2) licenses to own firearms, (3) firearm safety certificates, which indicate

²¹ Ibid.

²² Giffords Law Center. (2020). [Licensing](#).

²³ Guns to Carry. (2020). [Gun Laws by State: The Complete Guide](#).

²⁴ Giffords Law Center. (2020). [Waiting Periods](#).

²⁵ Giffords Law Center. (2020). [Trafficking & Straw Purchasing](#). It is important to note that the general summary of each state's law was included in the table to illustrate a comparison.

²⁶ National Rifle Association of America: Institute for Legislative Action. (2020). [Concealed Carry | Right-to-Carry](#).

that the certificate-holder has completed required safety training and is licensed to purchase a firearm, and (4) registration laws that impose licensing requirements.”²⁷

According to [Guns to Carry](#), background checks are “required by federal law on all persons purchasing a firearm from a licensed dealer.”²⁸ To facilitate these checks, the Federal Bureau of Investigation (FBI) “maintains a database where all requests are processed through” the National Instant Criminal Background Check System (NICS).²⁹ Four of the 10 states require background checks for the purchase of handguns and long guns; whereas, the remaining six do not.

In addition, the [Giffords Law Center](#) indicated that there is “no federal waiting period.”³⁰ Under NICS, “a dealer may transfer a firearm to a prospective purchaser as soon as he or she passes a background check.”³¹ If, however, the “FBI is unable to complete the background check within three business days, the dealer may complete the transfer by default.”³² Limited information was available on these 10 states regarding legislation on waiting periods.

The [Giffords Law Center](#) defines a straw purchaser as someone who buys a firearm from a licensed dealer on behalf of another person.³³ Based on research, and when found, most of the 10 states have some law that makes straw purchasing illegal.

According to [The National Rifle Association: Institute for Legislative Action](#), “Right-to-Carry (RTC) laws recognize the right to carry concealed handguns when away from home without a permit, or with a permit issued by a state to an applicant who meets requirements established by the state legislature.”³⁴ In eight of the 10 states, the law allows “shall issue” permits - requiring that concealed carry permits be issued to qualified applicants without any discretion to deny the application.

Length of Time Between the Origination and Recovery of a Crime Firearm

In 2019, and based on the report that was prepared for Maryland, the length of time between the origination and recovery of a crime firearm (also known as Time-to-Crime) ranged from less than three months (n = 237) to three years and over (n = 4,600) (*as illustrated on the following*

²⁷ Giffords Law Center. (2020). [Licensing](#).

²⁸ Guns to Carry. (2020). [Gun Laws by State: The Complete Guide](#).

²⁹ Ibid.

³⁰ Giffords Law Center. (2020). [Waiting Periods](#).

³¹ Ibid.

³² Ibid.

³³ Ibid.

³⁴ The National Rifle Association of America: Institute for Legislative Action. (2020). [Concealed Carry | Right-to-Carry](#).

page).³⁵ In addition, Maryland’s average time-to-crime in 2019 consisted of 11.41 years, compared to the national average of 8.29 years.³⁶

| Time-To-Crime Rates for Firearms with a Maryland Recovery (January 1, 2019 - December 31, 2019) | |
|--|---------------------------|
| Time-To-Crime Categories | Number of Firearms |
| Under 3 Months | 237 |
| 3 Months to Under 7 Months | 230 |
| 7 Months to Under 1 Year | 280 |
| 1 Year to Under 2 Years | 574 |
| 2 Years to Under 3 Years | 556 |
| 3 Years and Over | 4,600 |

Individuals Found in Possession Were Previously Prohibited

Between October 1, 2019 and September 30, 2020, and of the 2,772 gun crime cases identified by the Center, 2,188 prohibited persons were found to be in possession of crime firearms (*as illustrated on the following page*).³⁷ The 2,188 prohibited persons were determined to be prohibited by the Maryland Department of State Police, based on the information provided by law enforcement officers who called into the Center, and the following three criteria:

- Illegal transfers
- Illegal possession
- Illegal transportation

³⁵ Bureau of Alcohol, Tobacco, Firearms and Explosives. [Data Source: Firearms Tracing Systems - Maryland](#). “Time-to-Crime was calculated for those traces in which the purchase date could be subtracted from the recovery date.”

³⁶ Ibid.

³⁷ It is important to note that there can be multiple suspects per case.

| Prohibited Persons by County of Incident (October 1, 2019 - September 30, 2020) | |
|--|--------------|
| Allegany | 18 |
| Anne Arundel | 108 |
| Baltimore | 183 |
| Baltimore City | 841 |
| Calvert | 17 |
| Caroline | 10 |
| Carroll | 9 |
| Cecil | 30 |
| Charles | 36 |
| Dorchester | 6 |
| Frederick | 28 |
| Garrett | 3 |
| Harford | 51 |
| Howard | 45 |
| Kent | 8 |
| Montgomery | 41 |
| Not Applicable | 1 |
| Prince George's | 555 |
| Queen Anne's | 9 |
| Somerset | 5 |
| St. Mary's | 23 |
| Talbot | 9 |
| Washington | 50 |
| Wicomico | 58 |
| Worcester | 44 |
| Total | 2,188 |

Major Findings

Based on the results of this *Report on Crime Firearms Study*, the Office identified the following major findings:

- 61.8% of gun crime cases occurred in Baltimore City and Prince George's County.
- Over 76% of gun case charges, that were recommended by the Center, are still pending.
- The most common charge associated with crime firearm cases is illegal possession.
- Over half of all recovered crime firearms, identified by the ATF, originated out-of-state.

- Over 53% of in-State crime firearms were recovered from the purchaser’s county of residence.
- There is variation in the 10 states as it relates to legislation.
- Maryland’s average time-to-crime was 11.41 years, compared to the national average of 8.29 years.
- The majority of all crime firearms were committed by individuals who were prohibited from owning a firearm.

Recommendations

Based on the findings of this *Report on Crime Firearms Study*, the Office identified the following recommendations:

- Provide additional support for the Maryland Gun Center to include increasing staffing levels.
- Establish a statewide database for the tracking of all crime firearms.
- Require law enforcement agencies to report information on any gun-related crime to the Maryland Gun Center.
- Enact legislation that mandates a “one stop shop” for the screening and vetting of gun cases in Maryland to ensure that offenders are systematically held accountable.

Provide Additional Support for the Maryland Gun Center

Given the ongoing and increasing need for immediate guidance and assistance to systematically address every crime firearm incident across the State, additional resources are needed to ensure that each case is completely vetted, thoroughly investigated, and aggressively prosecuted. Since the inception of the Center, the number of calls and/or emails for service have increased by nearly 300% (from 2,828 in 2013 to over 10,500 in 2019); whereas, the resources for staff have only increased by 67% (from six staff in 2013 to 10 staff in 2019). In order for the Center to serve as a “one stop shop” for street-level law enforcement officers, law enforcement agencies, state’s attorney’s offices, and policy makers, additional staff are necessary to provide expertise in, but not limited to, the following areas:

- Prohibitors under state law (n = 13) and federal law (n = 9)
- Specific case histories of persons involved crime firearm cases
- Insight on how persons retrieved the crime firearm
- Charging recommendations
- Analytical component for law enforcement and community safety

Establish a Statewide Database for the Tracking of All Crime Firearms

In addition, and based on the resources available, the Center developed a Microsoft Access database to capture the data elements required by Chapter 335 of 2019, and for the purpose of this *Report on Crime Firearms Study*. In an effort to standardize the collection of crime firearm data to produce measurable metrics and fulfill data requests, it is recommended that funding be provided to the Center to build a SQL Server or reporting component within the Maryland Department of State Police's licensing portal for all crime firearm data, and to replace the current Microsoft Access database. The SQL Server could be incorporated within the Maryland Department of State Police's licensing portal to standardize the collection of data on crime firearms. In doing this, and with the necessary staffing resources, the Center will be able to provide analyses of the crime firearms data which would serve as a critical component. This would also allow the Center to provide statistics and other reporting capabilities in real-time.

Require Law Enforcement Agencies to Report Information on Any Gun-Related Crime to the Maryland Gun Center

The Microsoft Access database, which was created for the purpose of this study, is solely based on the data reported to the Center by law enforcement officers, and therefore may not represent all crime firearm data in the State because not all data is reported. In an effort to improve the reporting of data, and streamline the collection of gun-related incidents in Maryland, it is recommended that all Maryland law enforcement agencies report information on gun-related crimes to the Center. Improving the data reporting process, and providing the necessary resources for staff and technologies, will provide the Center with the assets needed to produce actionable intelligence to ultimately hold offenders accountable. This, in turn, will allow the data to be used to develop policy.

Enact Legislation that Mandates a “One Stop Shop” for the Screening and Vetting of Gun Cases in Maryland to Ensure that Offenders are Systematically Held Accountable

Under the administration of the Maryland Department of State Police, which serves as the regulatory authority for all handgun purchases and permits, the Center provides knowledge and expertise to local law enforcement as it relates to: (1) determining whether a person is prohibited from possessing firearms, (2) recommending specific firearm related charges to ensure that a suspect is appropriately charged and the information is provided in real-time, and (3) providing assistance with other gun enforcement/gun violation reduction efforts. Given this role, and in an effort to address every gun incident across the State to ensure that each case is completely vetted, thoroughly investigated, and aggressively prosecuted, it is recommended that legislation be enacted to designate the Center as Maryland's “one stop shop” for the screening and vetting of

gun cases in Maryland to ensure that offenders are systematically held accountable.³⁸ In doing this, the Center will continue, and expand upon current efforts, to provide assistance and guidance to local law enforcement, as well as analytics from one reliable source for the entire State of Maryland. By designating the Center as Maryland’s “one stop shop,” offenders will be held accountable for their actions which will ensure a safer Maryland for all those who reside within its State.

Conclusion

Pursuant to Chapter 335 of 2019, this *Report on Crime Firearms Study* provides information on crime firearms that resulted in an arrest between October 1, 2019 and September 30, 2020. It also identifies major findings that resulted from the study, and makes recommendations to designate the Maryland Gun Center as a “one stop shop” for the screening and vetting of all gun cases to ensure that offenders are systematically held accountable.

³⁸ Governor's Office of Crime Control and Prevention. (2013). [*Maryland's Comprehensive State Crime Control and Prevention Plan 2013 Annual Update*](#).

FIREARM INJURIES, FATALITIES, AND CRIME FIREARM STUDY

For the period of August 1, 2015 through July 31, 2019

December 2021

MSAR # 13276 – Firearm Crimes, Firearm Injuries/Fatalities, and
Crime Firearms (HB 1186, 2021)

MSAR # 12584 – Firearm Crimes, Firearm Injuries/Fatalities, and
Crime Firearms (HB 1629, 2020)

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Introduction

On May 8, 2020, Maryland enacted a new statute, House Bill 1629, entitled, “An Act concerning Office of the Attorney General – Firearm Crime, Injuries, Fatalities, and Crime Firearms – Study.” This law, which became effective on June 1, 2020, requires the Office of the Attorney General (OAG) to study “firearm crimes,” “firearm injuries and fatalities,” and “crime firearms” in the State, HB 1629 § 1(b), over three different periods (i.e., between August 1, 2015 and July 31, 2019, between August 1, 2019 and July 31, 2020, and between August 1, 2020 and July 31, 2021), *id.* at § 1(d), and to submit three corresponding reports with findings and conclusions to the Governor and the General Assembly, *id.* House Bill 1186, enacted on May 30, 2021, extends the study, HB 1186 § 1(e), and requires an additional report covering a period from August 1, 2021, through July 31, 2022, HB 1186 § 1(e)(4).

This report covers the first reporting period, specifically reviewing “firearm crimes,” “firearm injuries and fatalities,” and “crime firearms” in the State between August 1, 2015 and July 31, 2019. It describes the methodology used to generate this report, presents the relevant data, and offers recommendations.

Methodology

Data Collection

The statute placed responsibility on State and local law enforcement agencies and other governmental units (LEAs) to “provide the Office of the Attorney General with any and all information necessary to complete the study.” *Id.* at § 1(c). On June 17, 2020, the OAG issued letters requesting relevant information to over 150 LEAs. To assist in the collection, review, and analysis of the submitted information, and to ensure uniformity and consistency of information provided by the LEAs, the OAG provided templates listing the information needed as well as the following statutory definitions with relevant citations:

- A “firearm crime” is defined as a “crime of violence” under § 5-101 of the Public Safety Article involving the use of a firearm. HB 1629 § 1(a)(3).
- “Firearm injury and fatality” is “an injury or fatality caused by a firearm.” *Id.* at § 1(a)(4).
- A “crime firearm” is defined as a firearm “used in the commission of a crime of violence, as defined in § 5–101 of the Public Safety Article” or “recovered by law enforcement in connection with illegal firearm possession, transportation, or transfer.” *Id.* at § 1(a)(2).

The OAG requested that LEAs respond by September 1, 2020, and provided clarification to LEAs when sought. After HB 1186 took effect on June 1, 2021, the OAG issued follow-up requests to over seventy LEAs that had not yet submitted data, with a response deadline of November 1, 2021.

By December 7, 2021, a total of ninety-one state, local and special jurisdiction LEAs responded by submitting at least one report. Among them, eighty LEAs reported at least one incident. The others either did not respond to the request or confirmed that there were no reportable incidents. Maryland’s Administrative Office of the Courts also provided disposition data (“Court Data”) in firearm cases for the applicable study period. The OAG was able to incorporate data received by December 7, 2021. The LEAs that did not respond by December 7, 2021 are listed in Appendix A.

The General Assembly appropriated funds for the production of the four reports mandated by the statute. The OAG solicited bids from firms with statistical expertise to assist with this report and will do so for the subsequent three reports as well. The OAG awarded the bid for this report period to JY Advisory LLC. Hong Jiang, PhD PMP, of JY Advisory analyzed the submitted data and drafted the non-legal components of this report. OAG authored the states' legal research section of the report.

Data Limitations

For several reasons, the available data does not draw a complete picture of the firearm crimes that occurred in the State for the covered period.

The Court Data is relatively robust in terms of completeness of cases, charges, and dispositions. But it does not provide the data elements that LEAs usually captured (e.g., 911 requests, and arrest). More importantly, the Court Data does not track any cases from three jurisdictions: Prince George's, Montgomery, and Baltimore City (the "Three Counties").

Data from LEAs and Maryland's Courts could complement each other if there were a robust case matching mechanism. Unfortunately, that is not the case, as noted by the Maryland Administrative Office of the Courts.

Last, reporting systems mature over time. Large counties and the Administrative Office of the Courts have implemented centralized record management systems that support high-quality case management and reporting. But the systems were established recently and cases from earlier years were not completely migrated to the systems. Smaller LEAs onboarded into the centralized systems at different times, which means those LEAs' records from earlier years may have been excluded from the centralized systems.

The report templates provided by the OAG were designed to facilitate consistent reporting by various jurisdictions. The data collection and reporting processes, however, are not straightforward, especially because this was the very first time that LEAs were asked to gather and compile specific firearm crime data pursuant to HB 1629 and its successor, HB 1186. Though the significant data access challenges posed by the COVID-19 pandemic eased somewhat in 2021 as LEAs' case management and reporting personnel returned to work in person, some information of interest is not readily available in the existing data systems.

Feedback from the Maryland Chiefs of Police Association and some local LEAs indicate data collection challenges exist in the following areas:

- LEAs in Maryland do not have one system that contains all the requested information. In many cases, data collection requires searching multiple systems, which is often followed by a manual data compilation to comply with statutory reporting requirements.
- LEAs do not have all the required data elements even if a unified record management system is available. For instance, while Prince George's County Police Department has established a unified record management system, it does not track charging or conviction information. It is not uncommon to have missing information regarding the source of the crime firearms or victims, charges, and dispositions.

- Records from early years are incomplete due to record management systems implementation and LEAs' participation timelines. For instance, Prince George's County Police Department reported that the participating LEAs have varying go-live dates on the county's unified record management system. The data from recent years is more complete than that from 2015, when a few LEAs were excluded. Maryland's Administrative Office of the Courts observes a similar system maturity situation, as noted above.
- Data aggregation and reporting are complex. LEAs, with or without a case management system, may manage incidents at a level that does not directly map to the statutory reporting requirements. This becomes even more complex if the data elements in one report are extracted from multiple sources.

Overall, the data available was used for the purposes of completing this study. The best possible data source was chosen to analyze each component aligned with the statutory requirements. Though the numbers and analyses do not fully represent the State's injuries, fatalities, firearm crimes, and crime firearms status due to the limitations described above, the study provides an overview on what information is collectable, the challenges of reporting, and a partial picture of Maryland's crime firearms, firearm crimes, and related injuries and fatalities for the period of interest.

Data Assessment

Every LEA report was evaluated with respect to data completeness and accuracy. There was then follow-up with several state- and county-level LEAs for clarification or updates. Although the submitted reports largely complied with the statutory requirements, data assessment was performed to understand the availability and usability of key data elements in conducting this study. Next, standard data cleansing was conducted, through which obvious errors attributable to manual data entry were corrected. Variations of responses from LEAs were also assessed for the purpose of data utilization and aggregation underlying this study.

Overall, data quality issues are evident. A small number of LEAs submitted reports in 2020 and again in 2021 for the same reporting period with discrepancies (i.e., unmatching incidents) between the two. Some LEAs submitted only one report or truncated reports that only contained a subset of required data elements. LEAs sometimes used different interpretations of some data elements. For example, with respect to the data element "location of recovery," some LEAs responded with phrases such as "backyard," some reported a street address, while the rest either left it empty or filled in county names. Some large LEAs reported multiple records in one day. Due to the absence of a case number for tracking unique cases, potential duplicates could be double-counted.

Overall, LEAs' response rate, report coverage, missing data elements and data quality are all contributing factors that limit this first study in presenting a complete picture of the crime firearms, injuries, fatalities, and firearm crimes that occurred in the State for the relevant study period. The trends discovered in this study are nevertheless informative and may accurately reflect the broader trends in firearm crimes in Maryland during the reporting period.

Data Analysis Methodology

In this study, the data from state and local LEAs are reported at the county level. Specifically, data submitted by municipal LEAs are aggregated to the county where they are located, while data from the

State and special LEAs covering multiple counties are broken down to the counties where the offenses occurred.

The data from Maryland’s Administrative Office of the Courts is utilized to report charges and dispositions, wherever appropriate. The Court Data covers charging and disposition information of 21 out of 24 counties in the State, but does not include the Three Counties. The Court Data is deemed more complete than the county data as it includes cases not directly handled by the local LEAs. For this reason, this study utilizes the Court Data as much as possible, particularly in the areas of charges, dispositions, and firearm crimes. The Three Counties are analyzed separately using the more limited LEA reports.

To account for unique cases, each line in the report is counted as one incident, unless incident tracking numbers or obvious duplicates indicate otherwise. This is especially necessary for analyzing the jurisdictions where multiple incidents occurred in one day. As advised by Maryland’s Administrative Office of the Courts, the tracking numbers in the Court Data resemble the incident tracking numbers in identifying unique cases. To the extent possible, the cases that appeared in both District Courts and Circuit Courts are deduplicated to avoid double counting.

Findings

The findings are structured to align with the three focus areas: firearm crimes, the injuries and fatalities resulting from the firearm crimes, and recovered firearms used to commit crimes. The results reflect the firearm crimes committed during the period between August 1, 2015 through July 31, 2019.

Firearm Crimes Study

Firearm crimes were reported in all 24 counties in Maryland for the study period. The number of firearm crimes, as well as charge and conviction data are based on the Court Data, except for the Three Counties. The number of crime incidents in each of the Three Counties is the total of incidents reported by the county LEA and special LEAs (e.g., Maryland Transportation Authority Police and Maryland State Police) covering part of their jurisdiction. The number of crimes originating from 911 calls and subsequent arrest information are extracted from LEAs’ firearm crimes reports. Table 1 shows the number of firearm crimes by jurisdiction.

Table 1 Number of Firearm Crimes by Jurisdiction

| Jurisdiction | Total Number of Crimes |
|----------------|------------------------|
| Allegany | 331 |
| Anne Arundel | 1,531 |
| Baltimore City | 15,762 |
| Baltimore | 2,704 |
| Calvert | 110 |
| Caroline | 75 |
| Carroll | 126 |
| Cecil | 229 |

| Jurisdiction | Total Number of Crimes |
|-----------------|------------------------|
| Charles | 569 |
| Dorchester | 191 |
| Frederick | 191 |
| Garrett | 22 |
| Harford | 397 |
| Howard | 271 |
| Kent | 27 |
| Montgomery | 389 |
| Prince George's | 3,471 |
| Queen Anne's | 69 |
| St. Mary's | 193 |
| Somerset | 167 |
| Talbot | 71 |
| Washington | 380 |
| Wicomico | 593 |
| Worcester | 135 |

911 Requests for Emergency Assistance Involving Firearm Crimes

Some firearm crimes involve 911 requests for emergency assistance. Others do not. Since the Court Data does not capture this information, LEAs' firearm crimes reports form the basis for this analysis, as shown in Table 2. Based on guidance provided by the Administrative Office of the Courts and data analysis, a perfect match between the Court Data and LEAs' self-reported data is not achievable. Therefore, a direct comparison between crimes involving 911 requests and others is not recommended. Of those offenders arrested following 911 calls, the youngest was 9 years old, and the oldest was 84 years old. The median age was 23 years old. The age distribution in percentile is depicted in Table 3.

Table 2 Number of Firearm Crimes With 911 Request and Resulting Arrest by Jurisdiction

| Jurisdiction | Number of Crimes Had 911 Request | Number of Crimes Resulting in Arrest |
|------------------|----------------------------------|--------------------------------------|
| Allegany | 64 | 44 |
| Anne Arundel | 996 | 417 |
| Baltimore City | 13,439 | 1,593 |
| Baltimore County | 2,973 | 1,175 |
| Calvert | 40 | 34 |
| Caroline | 18 | 11 |
| Carroll | 77 | 50 |

| Jurisdiction | Number of Crimes Had 911 Request | Number of Crimes Resulting in Arrest |
|-----------------|----------------------------------|--------------------------------------|
| Cecil | 151 | 70 |
| Charles | 466 | 257 |
| Dorchester | 5 | 2 |
| Frederick | 169 | 72 |
| Garrett | 13 | 12 |
| Harford | 231 | 122 |
| Howard | 405 | 172 |
| Kent | 14 | 4 |
| Montgomery | 247 | 206 |
| Prince George's | 1,946 | 1,152 |
| Queen Anne's | 25 | 14 |
| Somerset | 27 | 14 |
| St. Mary's | 77 | 59 |
| Talbot | 15 | 15 |
| Washington | 104 | 57 |
| Wicomico | 308 | 115 |
| Worcester | 25 | 19 |

Table 3 Age Distribution of Arrestees

| Percentile | 0% (Youngest) | 10% | 20% | 30% | 40% | 50% | 60% | 70% | 80% | 90% | 100% (Oldest) |
|------------|---------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|---------------|
| Age | 9 | 17 | 18 | 20 | 21 | 23 | 26 | 29 | 34 | 44 | 84 |

Firearm Crime Types

The study captured five types of crimes committed with crime firearms: crimes of violence, illegal transfers, illegal possession, illegal transportation, and straw purchases. The Court Data is utilized to extract charges and convictions for twenty-one counties, while the Three Counties are separately analyzed using LEA data. The crime type classification is based on the “crime of violence only” template, the Court Data’s filing charge description, or LEAs’ self-reported classification. All types except for straw purchases have more than one associated charge code. The types of crimes for the Three Counties are completely self-reported. Prince George’s County Police Department does not track charging or conviction information. Baltimore City also reported the absence of conviction information. Charges not belonging to any of the above-listed five types are not displayed in Table 4 or Table 5. Only the disposition of guilty is counted as a conviction for purposes of these tables. All other dispositions are excluded from the conviction analysis. Table 4 and Table 5 show the numbers of charges and convictions falling under five crime types, respectively.

Table 4 Number of Crimes by Charge Type and Jurisdiction

| Jurisdiction | Crime of Violence | Illegal Possession | Illegal Transfer | Illegal Transportation | Straw Purchase |
|------------------|-------------------|--------------------|------------------|------------------------|----------------|
| Allegany | 52 | 19 | 2 | 7 | 1 |
| Anne Arundel | 468 | 184 | 2 | 29 | |
| Baltimore City | 273 | unavailable | | | |
| Baltimore County | 890 | 383 | 78 | 429 | |
| Calvert | 31 | 8 | 1 | 2 | |
| Caroline | 18 | 9 | | 1 | |
| Carroll | 41 | 22 | 5 | 5 | |
| Cecil | 113 | 16 | | 6 | |
| Charles | 222 | 57 | 16 | 44 | |
| Dorchester | 55 | 13 | 1 | 16 | 1 |
| Frederick | 47 | 20 | 2 | 22 | |
| Garrett | 6 | 3 | | 1 | |
| Harford | 159 | 48 | 9 | 39 | |
| Howard | 136 | 39 | | 12 | |
| Kent | 5 | 6 | | 2 | |
| Montgomery | 179 | 278 | 38 | 319 | 2 |
| Prince George's | unavailable | | | | |
| Queen Anne's | 11 | 9 | | 2 | |
| St. Mary's | 63 | 21 | 1 | 2 | |
| Somerset | 48 | 13 | | 15 | |
| Talbot | 13 | 5 | | 3 | |
| Washington | 142 | 69 | 1 | 47 | |
| Wicomico | 206 | 79 | 2 | 33 | |
| Worcester | 41 | 15 | 2 | 7 | |

Table 5 Number of Crimes by Conviction Type and Jurisdiction

| Jurisdiction | Crime of Violence | Illegal Possession | Illegal Transfer | Illegal Transportation | Straw Purchase |
|------------------|-------------------|--------------------|------------------|------------------------|----------------|
| Allegany | 1 | 2 | | 1 | |
| Anne Arundel | 62 | 16 | | 2 | |
| Baltimore City | unavailable | | | | |
| Baltimore County | 155 | 60 | 5 | 27 | |

| Jurisdiction | Crime of Violence | Illegal Possession | Illegal Transfer | Illegal Transportation | Straw Purchase |
|-----------------|-------------------|--------------------|------------------|------------------------|----------------|
| Calvert | 3 | | 1 | | |
| Carroll | 11 | 3 | | | |
| Cecil | 7 | | | 3 | |
| Charles | 35 | 10 | 3 | 5 | |
| Dorchester | 5 | 5 | | 1 | |
| Frederick | 1 | 8 | | 2 | |
| Harford | 22 | 5 | 1 | 5 | |
| Howard | 26 | 11 | | | |
| Kent | | | | | |
| Montgomery | 78 | 150 | 3 | 103 | 1 |
| Prince George's | unavailable | | | | |
| Queen Anne's | 1 | 2 | | | |
| St. Mary's | 4 | 2 | | 1 | |
| Somerset | 6 | 2 | | | |
| Talbot | 1 | 1 | | | |
| Washington | 16 | 11 | | 7 | |
| Wicomico | 29 | 19 | | 2 | |
| Worcester | 3 | 1 | | 1 | |

Injuries and Fatalities Associated with Firearm Crimes Study

The analysis on injuries and fatalities, as shown in Table 6, relies fully on available LEAs' reports. The majority of the reports do not indicate the causes of injuries or fatalities (i.e., suicides, accidents, or homicides), except for three jurisdictions marking a small number of fatalities as a result of suicide. Demographic information about persons injured or killed was not requested under the templates. Therefore, this report does not detail whether they are minors or adults.

Table 6 Number of Injuries and Fatalities by Jurisdiction

| Jurisdiction | Injury | Fatality | Suicide |
|----------------|--------|----------|---------|
| Allegany | 35 | 17 | 13 |
| Anne Arundel | 3 | | |
| Baltimore City | 2,305 | 1,123 | |
| Baltimore | 81 | 77 | |
| Calvert | 9 | 1 | |
| Caroline | | 3 | 3 |
| Carroll | 34 | 40 | 1 |

| Jurisdiction | Injury | Fatality | Suicide |
|-----------------|--------|----------|---------|
| Cecil | 54 | 6 | |
| Charles | 70 | 21 | |
| Dorchester | 5 | 3 | |
| Frederick | 46 | 29 | |
| Garrett | 12 | 9 | 9 |
| Harford | 40 | 15 | |
| Howard | 73 | 52 | |
| Kent | 3 | 1 | |
| Montgomery | 155 | 51 | |
| Prince George's | 1,258 | 58 | |
| Queen Anne's | 17 | 10 | |
| Somerset | 18 | 6 | |
| St. Mary's | 16 | 1 | |
| Talbot | 5 | 4 | 4 |
| Washington | 19 | 6 | |
| Wicomico | 78 | 25 | |
| Worcester | 12 | 6 | |

Crime Firearms Study

This study examines the firearms recovered by the LEAs within the State for the period of interest.

Recovered Crime Firearms

The types of firearms are handgun, rifle, shotgun, air gun, and other/unknown. The firearms that are not clearly classified, marked as unknown, or toy guns, fall under the category of “other/unknown.” Table 7 and Table 8 indicate the number of recovered firearms by type for the entire State and by jurisdiction, respectively. All twenty-four jurisdictions that submitted a crime firearms report have had at least one recovery in their areas.

Table 7 Number of Firearms Recovered in the State of Maryland by Type

| Handgun | Rifle | Shotgun | Air Gun | Other/Unknown |
|---------|-------|---------|---------|---------------|
| 5,137 | 709 | 605 | 201 | 157 |

Table 8 Number of Firearms Recovered by Jurisdiction and Type

| Jurisdiction | Handgun | Rifle | Shotgun | Air Gun | Other/Unknow |
|--------------|---------|-------|---------|---------|--------------|
| Allegany | 44 | 15 | 5 | 4 | 10 |
| Anne Arundel | 191 | 37 | 43 | 19 | 38 |

| Jurisdiction | Handgun | Rifle | Shotgun | Air Gun | Other/Unknow |
|------------------|---------|-------|---------|---------|--------------|
| Baltimore City | 902 | 75 | 76 | 47 | |
| Baltimore County | 691 | 210 | 125 | 1 | 1 |
| Calvert | 55 | 10 | 19 | 4 | 2 |
| Caroline | 5 | 5 | 5 | 1 | 7 |
| Carroll | 28 | 17 | 15 | 10 | 1 |
| Cecil | 40 | 40 | 36 | 20 | 2 |
| Charles | 63 | 14 | 21 | 15 | 7 |
| Dorchester | 1 | 1 | 3 | 1 | |
| Frederick | 64 | 24 | 19 | 17 | |
| Garrett | 29 | 23 | 9 | | 3 |
| Harford | 69 | 16 | 12 | 14 | 1 |
| Howard | 82 | 10 | 16 | 5 | |
| Kent | 6 | | | | |
| Montgomery | 187 | 28 | 13 | 1 | |
| Prince George's | 2,439 | 87 | 83 | 6 | 80 |
| Queen Anne's | 7 | 1 | 7 | 1 | |
| Somerset | 29 | 23 | 39 | 9 | 1 |
| St. Mary's | 32 | 10 | 6 | 15 | 2 |
| Talbot | 22 | 10 | 4 | | |
| Washington | 32 | 7 | 6 | 3 | |
| Wicomico | 95 | 40 | 39 | 7 | 2 |
| Worcester | 24 | 6 | 4 | 1 | |

Recovered Firearms Associated with 911 Requests

Firearms' serial numbers are recorded, unless reported as unknown. The number of crime firearms recovered following 911 requests by type can be found in Table 9, which also specifies the firearms with a serial number.

Table 9 Numbers and Types of Crime Firearms Recovered Following 911 Requests

| Type of Firearm | Number of Firearms | Number of Firearms Had a Serial Number |
|-----------------|--------------------|--|
| Handgun | 3,130 | 1,712 |
| Rifle | 458 | 383 |
| Shotgun | 386 | 314 |
| Air Gun | 127 | 51 |

| Type of Firearm | Number of Firearms | Number of Firearms Had a Serial Number |
|-----------------|--------------------|--|
| Other/Unknown | 127 | 66 |

Origin of Crime Firearms

The origin and source of crime firearms data reported by LEAs was frequently sparse. For instance, the Baltimore County Police Department did not report any location of origin data. The sources of the firearms, including the importer, dealer, and first purchaser for recovered firearms, were not reported by almost all LEAs. This suggests that LEAs seldom trace the history of recovered firearms.

Out-of-State Firearms

The study examined the origins of recovered firearms using the limited data reported by LEAs. Recovered firearms originated from forty-three states in the U.S. Table 10 lists the top 10 states (Top 10 States) from which most crime firearms were recovered in Maryland. Since the Baltimore City Police Department reported firearm origin at the country, instead of state, level, Table 10 does not reflect out-of-state U.S. origin of firearms recovered in Baltimore City. In addition, twenty-nine foreign countries appear to be the origins of the crime firearms recovered in the State.

Table 10 Top Ten Out-of-State U.S. Origins of Firearms Recovered in Maryland

| Out-of-State Origin | Number of Firearms |
|---------------------|--------------------|
| Virginia | 214 |
| Pennsylvania | 68 |
| North Carolina | 65 |
| West Virginia | 52 |
| Georgia | 48 |
| Florida | 31 |
| South Carolina | 28 |
| Texas | 26 |
| Ohio | 18 |
| Delaware | 16 |

The jurisdictions that recovered firearms originating from out-of-state are listed in Table 11.

Table 11 Jurisdictions with Recovered Firearms Originating Out-of-State

| Jurisdiction of Recovery | Count |
|--------------------------|-------|
| Baltimore City | 474* |
| Montgomery | 299 |

| Jurisdiction of Recovery | Count |
|--------------------------|-------|
| Anne Arundel | 163 |
| Howard | 87 |
| Washington | 38 |
| Cecil | 36 |
| Prince George's | 22 |
| Worcester | 19 |
| Allegany | 8 |
| Garrett | 7 |
| Frederick | 6 |
| Wicomico | 5 |
| Carroll | 5 |
| Kent | 5 |
| Harford | 3 |
| Dorchester | 1 |
| Charles | 1 |
| Caroline | 1 |
| Baltimore County | 1 |
| Somerset | 1 |

* The number only accounts for recovered firearms that originated in a country other than the U.S.

In-State Firearms

The data analysis (Table 12) suggests that recovered firearms originated in twenty-one Maryland counties. As Table 13 suggests, all these jurisdictions had recovered firearms that originated in Maryland. However, these two tables do not account for firearms recovered in Baltimore City, as its reported origins remain at the country level.

Table 12 In-State Locations Where Recovered Firearms Originated

| In-State Origin | County |
|-----------------|--------|
| Charles | 211 |
| Frederick | 97 |
| Anne Arundel | 71 |
| Carroll | 63 |
| Prince George's | 52 |
| Montgomery | 38 |
| Allegany | 32 |
| Cecil | 32 |
| Worcester | 31 |
| Baltimore City | 25 |
| Howard | 18 |
| Calvert | 17 |
| Washington | 15 |

| In-State Origin | County |
|------------------|--------|
| Baltimore County | 14 |
| Queen Anne's | 7 |
| Caroline | 6 |
| Harford | 6 |
| St. Mary's | 6 |
| Dorchester | 5 |
| Somerset | 2 |
| Talbot | 1 |

Table 13 Jurisdictions Where Firearms Originating In-State Were Recovered

| Jurisdiction of Recovery | Count |
|--------------------------|-------|
| Charles | 205 |
| Anne Arundel | 107 |
| Howard | 101 |
| Montgomery | 99 |
| Frederick | 93 |
| Carroll | 52 |
| Cecil | 36 |
| Allegany | 35 |
| Prince George's | 33 |
| Worcester | 31 |
| Washington | 21 |
| Calvert | 19 |
| Garrett | 14 |
| Dorchester | 7 |
| Caroline | 6 |
| Harford | 4 |
| St. Mary's | 4 |
| Baltimore City | 2 |
| Wicomico | 1 |
| Kent | 1 |
| Somerset | 1 |

LEAs provided very limited dealer information for recovered crime firearms. Therefore, this study does not examine the names or locations of the top 10 dealers of crime firearms in the State.

Length of Time between Origination and Recovery

Similar to the scarce data concerning locations of firearm origination, the dates when firearms were first purchased were rarely provided. Based on the limited data, the length of time between the origination and recovery of crime firearms is calculated as much as possible. The longest duration is 66 years.

Approximately 76% of firearms are one year or shorter, 16% of firearms were recovered at least 5 years since origination, and 12% were recovered after 10 or more years. These statistics are, however, not reliable. In some reports, the location and date of origin are identical to those of recovery, while in other reports this information is missing entirely.

States' Firearm Laws Research

As shown in Table 10, the 10 states where the most crime firearms recovered in Maryland originated, in descending order, are: (1) Virginia; (2) Pennsylvania; (3) North Carolina; (4) West Virginia; (5) Georgia; (6) Florida; (7) South Carolina; (8) Texas; (9) Ohio; and (10) Delaware. What follows is a brief comparison of the laws in those states regarding licensing, background checks, waiting periods, straw purchases, and concealed carry.¹ Each section begins with a short summary of Maryland law—and, as necessary, federal law—to put these laws in perspective.

A. Licensing

Maryland

Maryland does not require a license to own a firearm. It does, however, have an application process to purchase, rent, or transfer certain firearms and a specific licensing requirement to purchase, rent, or receive a handgun. As to application requirements, generally speaking, a person must submit a firearm application “before the person purchases, rents, or transfers a regulated firearm.” Md. Code Ann., Pub. Safety (“PS”) § 5-117. The term “regulated firearm” is defined as handguns and specified assault weapons, so this requirement does not apply to non-assault weapon rifles and shotguns. PS § 5-101(r). The firearm application must be submitted to either a licensed firearms dealer or a designated law enforcement agency, PS § 5-118(a), which, in turn, must forward a copy to the Secretary of the Maryland State Police for processing, PS § 5-120.

As part of Maryland’s firearm application, the applicant must state under the penalty of perjury that the applicant: (i) is at least 21 years old; (ii) has never been convicted of a disqualifying crime; (iii) has never been convicted of a violation classified as a common law crime and received a term of imprisonment of more than 2 years; (iv) is not a fugitive from justice; (v) is not a “habitual drunkard”; (vi) is not addicted to a controlled dangerous substance or is not a habitual user; (vii) does not suffer from a mental disorder and have a history of violent behavior; (viii) has never been found incompetent to stand trial; (ix) has never been found not criminally responsible; (x) has never been voluntarily admitted for more than 30 consecutive days to a facility for individuals with mental disorders; (xi) has never been involuntarily committed to such a facility; (xii) is not under the protection of a guardian appointed by a court unless solely as a result of a physical disability; (xiii) is not a respondent against whom protective orders have been entered; and (xiv) if under the age of 30 years at the time of application, has not been adjudicated delinquent by a juvenile court for certain acts. PS § 5-118(b).

On receipt of a firearm application, the Secretary of the Maryland State Police “shall conduct an investigation promptly to determine the truth or falsity of the information supplied and statements made in the firearm application.” PS § 5-121. The Secretary shall disapprove a firearm application if the

¹ This comparison draws from the survey of state gun laws prepared by the Giffords Law Center to Prevent Gun Violence, <https://giffords.org/lawcenter/gun-laws/browse-gun-laws-by-state/> (last visited Nov. 22, 2021).

Secretary determines it contains falsities or is not properly completed, or if the Secretary “receives written notification from the firearm applicant’s licensed attending physician that the firearm applicant suffers from a mental disorder and is a danger to the firearm applicant or to another.” PS § 5-122. An aggrieved applicant may request a hearing in writing within 30 days after the Secretary gives notice that the application has been disapproved, and the Secretary shall grant the hearing within 15 days. PS § 5-126(a). The hearing must be held in the county of the applicant’s legal residence, PS § 5-126(c), and is subject to judicial review, PS § 5-127.

As to licensing requirements, there is a specific provision that requires a license to obtain a handgun. With certain limited exceptions, a person may “purchase, rent, or receive a handgun” only if the person possesses a valid handgun qualification license issued by the Secretary of the Maryland State Police and is not prohibited from purchasing or possessing a handgun under state or federal law. PS § 5-117.1(c). The Secretary “shall issue” a handgun qualification license to a person who the Secretary finds is at least 21 years of age, is a resident of the state, has demonstrated satisfactory completion within the past 3 years of a firearms safety training course approved by the Secretary, and, based on an investigation, is not prohibited by state or federal law from purchasing or possessing a handgun. PS § 5-117.1(d). As part of the investigation, the Secretary must submit a complete set of the applicant’s fingerprints to the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services and apply for a state and national criminal history records check. PS § 5-117.1(f). The Secretary shall issue a handgun qualification license if the application is approved, or a written denial, within 30 days of receipt of the application, and aggrieved applicants have similar appeal rights to those described above. PS § 5-117.1(h). The license expires 10 years from the date of issuance. PS § 5-117.1(i).

Other states

None of the states surveyed require a license to own a firearm nor do they have a firearm application process to obtain or transfer a firearm (beyond the background checks discussed in the next section), although one of the states—North Carolina—requires a license (or permit) to purchase or receive a “pistol,” which does involve the submission of an electronic application. In North Carolina, it is unlawful for any person to “sell, give away, or transfer, or to purchase or receive . . . any pistol” unless a permit is obtained by the purchaser or receiver from the sheriff of the county in which the purchaser or receiver resides, or the purchaser or receiver holds a valid North Carolina concealed handgun permit and is a resident of the state. N.C. Gen. Stat. Ann. § 14-402(a). By the terms of the statute, which refers to the purchase of a “pistol” but verifies a person’s qualifications to purchase a “handgun,” *id.* § 14-403, this requirement does not apply to long guns. A permit to purchase a “pistol” expires five years from the date of issuance. *Id.*

A sheriff “shall issue” a permit to purchase a “pistol” in North Carolina once the sheriff has conducted a criminal background check using state and national databases, is fully satisfied the applicant is of “good moral character” based on conduct for the five-year period immediately preceding the application, and is fully satisfied the applicant “desires the possession of the weapon mentioned for (i) the protection of the home, business, person, family or property, (ii) target shooting, (iii) collecting, or (iv) hunting.” *Id.* § 14-404(a). If the sheriff is not fully satisfied with the application, the sheriff may “for good cause shown,” decline to issue the permit and provide to the applicant within 7 days of the refusal a written statement of the reason for the refusal. *Id.* § 14-404(b). Each applicant for a permit shall be informed by

the sheriff within 14 days of the date of application whether the permit will be granted or denied and, if granted, the permit shall be immediately issued to the applicant. *Id.* § 14-404(f). An applicant may appeal the denial of a permit to the superior court in the district in which the application was filed. *Id.* § 14-404(b).

A permit to purchase a “pistol” in North Carolina may not be issued to a person who: (i) is under an indictment or has been convicted of a felony; (ii) is a fugitive from justice; (iii) is an unlawful user of or addicted to marijuana or any depressant, stimulant, or narcotic drug; (iv) has been adjudicated mentally incompetent or has been committed to any mental institution; (v) is an alien illegally or unlawfully in the United States; (vi) has been discharged from the Armed Forces of the United States under dishonorable conditions; (vii) has renounced his or her citizenship in the United States; or (viii) is subject to a court order restraining the person from harassing, stalking, or threatening an intimate partner or the partner’s child. *Id.* § 14-404(c).

B. Background Checks

In order to understand state laws on background checks, some knowledge of federal law is required. The principal federal law concerning background checks is the Brady Act, which, among other things, requires licensed firearms dealers to request a background check on a purchaser prior to the sale of a firearm. 18 U.S.C. § 922(t). States have the option under that law to serve as the “point of contact” for all firearm transactions and have state and local agencies conduct required background checks using state and federal databases or to have the Federal Bureau of Investigation (“FBI”) conduct background checks using only the National Instant Criminal Background Check System (“NICS”).² The key difference is that point-of-contact states often search records that may not show up in the NICS. Notably, the Brady Act does not require private sellers (i.e., sellers who are not licensed firearms dealers) to request a background check.

Maryland

Maryland is considered a partial point-of-contact state, because the background check process depends on the type of firearm. For handguns, licensed firearms dealers contact the Secretary of the Maryland State Police to request a background check; for long guns, they contact the FBI. PS § 5-117.1(f). Private sellers, meanwhile, must process transfers of regulated firearms through a licensed dealer or designated law enforcement agency, which, in turn, requests a background check from the appropriate entity. PS § 5-124(a).

Other states

One of the states surveyed—North Carolina—is also a partial point-of-contact state. For handguns, licensed firearms dealers contact the county sheriff to request a background check and, for long guns, they contact the FBI. N.C. Gen. Stat. Ann. § 14-402.

Three of the states surveyed—Virginia, Pennsylvania, and Florida—are point-of-contact states. Thus, licensed firearm dealers in those states process all of their background checks through the State Police (in Florida, the Department of Law Enforcement), rather than the FBI. Each state has enacted laws to

² The FBI maintains a NICS Participation Map showing which states presently serve as points of contact. See <https://www.fbi.gov/services/cjis/nics/about-nics> (last visited Nov. 22, 2021).

implement its own background check requirements. For example, Virginia provides that no dealer shall “sell, rent, trade, or transfer from his inventory” any firearm to any other person who is a resident of Virginia until he has (i) obtained written consent and other information from the applicant and (ii) requested criminal history information from the State Police and is authorized by law to complete the sale or transfer. Va. Code Ann. § 18.2-308.2:2. Pennsylvania, meanwhile, requires licensed firearms dealers to request that the State Police conduct a “criminal history, juvenile delinquency and mental health records background check” prior to the transfer of a firearm. 18 Pa. Cons. Stat. Ann. § 6111. Florida prohibits a licensed firearms dealer from selling or delivering a firearm until the licensed firearms dealer has obtained a prescribed form with photo identification, collected a fee, requested a check of information reported in the Florida Crime Information Center and National Crime Information Center systems, and received a unique approval number from the Department of Law Enforcement. Fla. Stat. Ann. § 790.065.³

Six of the states surveyed—Georgia, Delaware, West Virginia, South Carolina, Texas, and Ohio—are not point-of-contact states. Thus, licensed firearms dealers run the background checks required by federal law through the FBI and the NICS. Georgia and Delaware both have state laws reiterating the requirement in federal law that all transfers by licensed firearms dealers are subject to background checks through the NICS. Ga. Code Ann. § 16-11-172; Del. Code Ann. tit. 11, § 1448A. The remaining four states have no state law requiring licensed firearms dealers to initiate background checks prior to transferring a firearm, thus relying solely on federal law.⁴

Four of the states surveyed—Virginia, Delaware, Pennsylvania, and North Carolina—have enacted state laws that require private sellers to obtain a background check. In Virginia, private sellers must obtain verification from a licensed firearms dealer that information on the prospective purchaser has been submitted for a background check and that a determination has been received by the State Police that

³ In 2018, Florida enacted a “risk protection order” law that authorizes law enforcement to petition a court for a civil order preventing a dangerous person from accessing firearms for the period of time stated in the order, which is forwarded for entry into the Florida Crime Information Center and National Crime Information Center within 24 hours of issuance. Fla. Stat. Ann. § 790.401. That same year, Delaware enacted a similar law where family members, individuals in some intimate relationships, or law enforcement may petition for a “lethal violence protective order” that prohibits a person from “controlling, owning, purchasing, possessing, having access to, or receiving a firearm” for up to one year. Del. Code Ann. tit. 10, § 7701 *et seq.* Virginia enacted a similar law in 2020, requiring a “substantial risk order” to be forwarded to the Virginia Criminal Information Network no later than the end of the business day on which it was issued. Va. Code Ann. § 19.2-152.14. For its part, Maryland’s extreme risk protection order law—enacted in 2018—allows law enforcement officers, spouses, cohabitants, persons related by blood, marriage, or adoption, individuals who have a child in common, current dating or intimate partners, current or former legal guardians, and medical professionals or social workers to petition for such an order, which requires a person to surrender any firearm in the person’s possession and prohibits the person from purchasing or possessing a firearm for the duration of the order, up to one year. *See* PS § 5-601 *et seq.*

⁴ Individuals who hold certain permits issued by state or local authorities, often referred to as Brady permits, may bypass the federally required background check, provided the permit has been issued (1) within the previous five years in the state in which the transfer is to take place and (2) after an authorized government official has conducted a background investigation to verify that the purchaser is not prohibited from possessing a firearm. *See* 18 U.S.C. § 922(t)(3); *see also* Bureau of Alcohol, Tobacco, Firearms and Explosives, Permanent Brady Permit Chart, <https://www.atf.gov/rules-and-regulations/permanent-brady-permit-chart> (June 21, 2021). Six of the states surveyed—Georgia, North Carolina, Ohio, South Carolina, Texas, and West Virginia—issue Brady permits. Maryland does not.

the purchaser is not prohibited from possessing a firearm. Va. Code Ann. § 18.2-308.2:5. Similarly, in Delaware, private sellers must request a licensed firearms dealer to facilitate a firearms transaction, including the background check, prior to transferring a firearm to another unlicensed person. Del. Code Ann. tit. 11, § 1448B. In Pennsylvania, private sellers may only sell a handgun or short-barreled rifle or shotgun at “the place of business of a licensed importer, manufacturer, dealer or county sheriff’s office” and the licensed entity must conduct a background check “as if [it] were the seller of the firearm.” 18 Pa. Cons. Stat. Ann. § 6111(c). In North Carolina, if the firearm being transferred is a “pistol,” private sellers must verify that the purchaser holds either a permit to purchase or a concealed carry permit, both of which require a background check; like Pennsylvania, however, background checks are not required when the firearm is a long gun. N.C. Gen. Stat. Ann. § 14-402.

Six of the states surveyed—Florida, Georgia, Ohio, South Carolina, Texas, and West Virginia—do not require private sellers to initiate a background check when transferring a firearm. However, the Florida Constitution states that “[e]ach county shall have the authority to require a criminal history records check . . . in connection with the sale of any firearm occurring within such county.” The term “sale” for purposes of this section “means the transfer of money or other valuable consideration for any firearm when any part of the transaction is conducted on property to which the public has the right of access.” Fla. Const. Art. VIII § 5(b). Notably, this local option provision does not extend to “[h]olders of a concealed weapons permit as prescribed by general law” when purchasing a firearm. *Id.*

Under federal law, if a licensed firearms dealer who has initiated a background check has not been notified within three business days that the purchaser is prohibited from possessing a firearm, the dealer may proceed with the sale by default. 18 U.S.C. § 922(t)(1). Four of the states surveyed—Virginia, Delaware, Pennsylvania, and North Carolina—have enacted laws that extend this timeframe either directly or indirectly. In Virginia, if a licensed firearms dealer is told that the background check will not be available by the end of the dealer’s fifth business day, the dealer may immediately complete the sale. Va. Code Ann. § 18.2-308.2:2(B)(2). In Delaware, if 25 days have elapsed from the time the background check is requested and the FBI still has not issued a denial, the transfer may proceed. Del. Code Ann. tit. 11, § 1448A(b). In a departure from those specified extensions, Pennsylvania law provides that if the criminal history or juvenile delinquency check indicates a conviction for a misdemeanor that the State Police cannot determine is or is not related to an act of domestic violence, the State Police shall issue a temporary delay and investigate as expeditiously as possible, but no firearm may be transferred during the temporary delay. 18 Pa. Cons. Stat. Ann. § 6111(b)(7). Thus, the transfer is held not for a specific number of days but rather pending the investigation. Although not framed as an extension of time, North Carolina, as discussed above, provides the sheriff up to 14 days to grant or deny a permit to purchase a “pistol,” effectively extending the timeframe within which to complete the required background check. N.C. Gen. Stat. Ann. § 14-404(f).

C. Waiting Periods

Maryland

In Maryland, except for transfers to certain law enforcement and military personnel, no person—regardless of whether they are a licensed firearms dealer or a private seller—may “sell, rent, or transfer a regulated firearm,” that is, a handgun or specified assault weapon, until 7 days after a firearm application is forwarded to the Secretary of the Maryland State Police. PS §§ 5-123(a), 5-124(a)(1), 5-137(b).

Other states

Only one of the states surveyed—Florida—has enacted a waiting period law. In Florida, there is a mandatory waiting period between the purchase and delivery of any firearm. The waiting period is 3 days, excluding weekends and legal holidays, or the time that it takes to complete the background check, whichever is later. Fla. Stat. Ann. § 790.0655. However, there are exemptions to this requirement. For example, the waiting period does not apply when the purchaser of any firearm has a concealed carry permit, when the purchaser of a rifle or shotgun has completed a hunter safety course, or when the purchaser of a rifle or shotgun is a law enforcement officer, correctional officer, or service member. *Id.* The waiting period also does not apply to the trade-in of another firearm. *Id.*

The remaining states do not have any express waiting period. As discussed above, though, some states effectively have waiting periods to the extent the purchase or transfer of a firearm cannot be completed until the appropriate license or permit has been issued or required background checks have been completed.

D. Straw Purchases

The term “straw purchase” generally refers to the situation where a purchaser is buying a firearm on behalf of someone else who is ineligible to purchase or possess that firearm. Although federal law prohibits any person from selling or otherwise disposing of a firearm to a person if the seller “know[s]” or has “reasonable cause to believe” the buyer is prohibited from possessing a firearm, the practical effect of that law can sometimes be limited by the fact that only licensed firearms dealers are required to conduct background checks that would discover such information. *See* 18 U.S.C. § 922(d).

Maryland

Maryland law expressly defines “straw purchase” to mean “a sale of a regulated firearm in which a person uses another, known as the straw purchaser, to: (1) complete the application to purchase a regulated firearm; (2) take initial possession of the regulated firearm; and (3) subsequently transfer the regulated firearm to the person.” PS § 5-101(v). A person may not “knowingly or willfully participate” in a straw purchase of a regulated firearm. PS § 5-136(b). If the regulated firearm is a gift to the purchaser’s spouse, parent, grandparent, grandchild, sibling, or child, the recipient must nonetheless complete a firearm application and forward a copy to the Secretary within 5 days of receipt of the firearm. PS § 5-136(a). A person may not “knowingly give false information or make a material misstatement in a firearm application or in an application for a dealer’s license.” PS § 5-139.

Other states

Six of the states surveyed—Virginia, Florida, Delaware, North Carolina, Pennsylvania, and Ohio—prohibit providing false information in connection with a firearms transfer. In Virginia and Florida, the law prohibits both the buyer from “willfully” providing false information and the seller from requesting criminal history information “under false pretenses.” *See* Va. Code Ann. § 18.2-308.2:2(E), (K); Fla. Stat. Ann. § 790.065(7), (12)(a). The other states focus more on information that is provided by the buyer in order to deceive the seller. For example, Delaware prohibits a “materially false oral or written statement” that is “intended or likely to deceive” the seller. Del. Code Ann. tit. 11, § 1448A(g). North Carolina similarly prohibits any person from providing “information that the person knows to be materially false information with the intent to deceive the dealer or seller about the legality of a

transfer.” N.C. Gen. Stat. Ann. § 14-408.1(c). In Pennsylvania, the law prohibits “any person, purchaser or transferee” from “knowingly and intentionally” making materially false oral or written statements, and also penalizes one who “willfully furnishes or exhibits any false identification intended or likely to deceive the seller.” 18 Pa. Cons. Stat. Ann. § 6111(g)(4).⁵ Finally, in Ohio, it is unlawful to “knowingly provide materially false information to a federally licensed firearms dealer or private seller.” Ohio Rev. Code Ann. § 2923.20(A)(4).

Six of the states surveyed—Delaware, Virginia, Georgia, North Carolina, Florida, and Ohio—have laws that target the “straw purchaser.” The laws in these states primarily differ in terms of the level of knowledge that is required for culpability. Delaware simply prohibits “engaging in a firearms transaction on behalf of another” who is not qualified to purchase, own, or possess a firearm. Del. Code Ann. tit. 11, § 1455. Virginia imposes penalties if the buyer intends to resell or otherwise provide a firearm to a person that the buyer “knows or has reason to believe is ineligible . . . for whatever reason.” Va. Code Ann. § 18.2-308.2:2(M). Georgia imposes penalties on any person who “knowingly attempts to solicit, persuade, encourage, or entice any dealer to transfer or otherwise convey a firearm to an individual who is not the actual buyer,” as well as on any person who “willfully and intentionally aids or abets such person.” Ga. Code Ann. § 16-11-113(a). While Georgia’s law focuses on dealers, North Carolina has a similar provision that penalizes any person who “knowingly solicits, persuades, encourages, or entices a licensed dealer *or private seller*” to transfer a firearm under circumstances that the person knows are illegal. N.C. Gen. Stat. Ann. § 14-408.1(b) (emphasis added). Florida imposes penalties only if the buyer “knowingly acquires a firearm . . . intended for the use of a person who is prohibited by state or federal law from possessing or receiving a firearm.” Fla. Stat. Ann. § 790.065(12)(d). Lastly, Ohio prohibits possessing a firearm with a purpose to “recklessly sell, lend, give, or furnish” it to a prohibited person. Ohio Rev. Code Ann. § 2923.20(A)(2).

Two of the states surveyed—Virginia and West Virginia—have laws that target the “actual buyer,” that is, the prohibited person who receives the firearm. Virginia penalizes any ineligible buyer who solicits another person to purchase a firearm on his or her behalf. Va. Code Ann. § 18.2-308.2:2(N). West Virginia penalizes a person who willfully procures another person to entice a seller to transfer a firearm knowing the transfer is illegal. W. Va. Code Ann. § 61-7-10(e).

Two of the states surveyed—Virginia and Pennsylvania—have laws that target the seller. Virginia makes it a crime to sell or furnish a firearm to any person the seller or transferor knows is prohibited from possessing or transporting a firearm. Va. Code Ann. § 18.2-308.2:1. Pennsylvania penalizes any seller who “knowingly or intentionally sells, delivers, or transfers a firearm under circumstances intended to provide a firearm” to a person ineligible to possess one. 18 Pa. Cons. Stat. Ann. § 6111(g)(2).

Two of the states surveyed—South Carolina and Texas—have no state laws to address straw purchases.

E. Concealed Carry

Maryland

⁵ Pennsylvania also requires the buyer of a handgun to affirm, on a form, that he or she is the “actual buyer.” The form explains that a person is not the actual buyer under Pennsylvania law if the buyer is acquiring the firearm on behalf of another person, unless it is a gift for a spouse, parent, child, grandparent, or grandchild. 18 Pa. Cons. Stat. Ann. § 6111(b)(1).

Maryland requires a person to have a permit “before the person carries, wears, or transports a handgun.” PS § 5-303. The Secretary of the Maryland State Police “shall issue a permit within a reasonable time” to a person who the Secretary finds meets the statutory criteria. PS § 5-306(a). Those criteria include, as an initial matter, that the person is an adult, has not been convicted of certain crimes, is not presently an alcoholic, addict, or habitual user of a controlled dangerous substance other than under legitimate medical direction, and has successfully completed a firearms training course approved by the Secretary. *Id.* The training course must include, for an initial application, a minimum of 16 hours of instruction by a qualified handgun instructor, and, for a renewal application, a minimum of 8 hours of instruction. PS § 5-306(a)(5). The course must include classroom instruction on state firearm law, home firearm safety, and handgun mechanism and operations, as well as a firearms qualification component that demonstrates the applicant’s proficiency and use of the firearm. *Id.*

As to additional criteria, before issuing a carry permit, the Secretary must also find, based on an investigation, that the person “has not exhibited a propensity for violence or instability that may reasonably render the person’s possession of a handgun a danger to the person or to another” and “has good and substantial reason to wear, carry, or transport a handgun, such as a finding that the permit is necessary as a reasonable precaution against apprehended danger.” PS § 5-306(a)(6). For applicants under the age of 30 years, the Secretary must also find that the applicant has not been committed for juvenile detention for longer than a year or been adjudicated delinquent for an act that would be a crime of violence or carry certain penalties if committed by an adult. PS § 5-306(c). If a permit is issued, that permit must be carried “whenever the person carries, wears, or transports a handgun.” PS § 5-308.

Other states

Two of the states surveyed—Texas and West Virginia—allow people to carry a concealed weapon in public without a license or permit. In Texas, any person who is 21 years of age or older may carry a handgun, unless they have a violent conviction or are otherwise barred by law. Tex. Penal Code Ann. § 46.02. Similarly, in West Virginia, any person who is 21 years of age or older and a U.S. citizen or legal resident may carry a concealed deadly weapon unless otherwise prohibited by law. W. Va. Code Ann. § 61-7-7(c).⁶

The states that do require a license or permit to carry a concealed weapon in public vary in terms of the qualifications they set, and the level of discretion authorities have when determining whether an

⁶ Although no license or permit is required, both of these states nonetheless issue licenses to carry concealed weapons, presumably because having a license may be relevant to the license holder if another state offers reciprocity. A person is eligible for a license to carry a handgun in Texas if the person is a legal resident of the state for 6 months preceding the application, is at least 21 years of age, and meets a variety of other criteria. Tex. Gov’t Code Ann. § 411.172. For example, the person must not have a disqualifying criminal history, but also may not be a “chemically dependent person,” delinquent in child support or taxes, or subject to a restraining order affecting the spousal relationship. *Id.* To receive a license to carry a concealed deadly weapon in West Virginia, residents must apply to the sheriff in their county (nonresidents may apply to the sheriff in any county) and complete a training course in handling and firing a handgun that includes the actual live firing of ammunition by the applicant. W. Va. Code Ann. § 61-7-4. Upon receipt of the application, the sheriff must conduct a criminal background check and issue or deny the license within 45 days after the application is filed if all required background checks are completed. *Id.* Individuals who are at least 18 years of age, but less than 21 years of age, may similarly apply for a provisional license. W. Va. Code Ann. § 61-7-4a.

applicant meets the qualifications. For example, two of the states surveyed—Delaware and Georgia—require good character as a qualification for receiving a concealed carry permit.⁷ In Delaware, an applicant must file a certificate from five “respectable citizens” of the county stating that the applicant is of good moral character, has a reputation for peace and good order, and that possession of a concealed deadly weapon is necessary for the protection of the applicant or the applicant’s property. Del. Code Ann. tit. 11, § 1441(a)(2). That qualification—and the others set forth in state law—must be “strictly complied with” before an applicant “may be licensed.” *Id.* § 1441(a). Indeed, the statute provides that “[t]he Court may or may not, in its discretion, approve any application.” *Id.* § 1441(d). By contrast, in Georgia, a judge “shall issue” a license to carry a weapon unless the applicant is found ineligible based on the criminal background check, has failed to meet other requirements, or “is not of good moral character,” although there is no specific mechanism by which character is evaluated. Ga. Code Ann. § 16-11-129.

Two additional states—Virginia and Pennsylvania—do not have character requirements but instead allow authorities to deny an application when there is reason to believe the applicant is dangerous. In Virginia, a person is disqualified from obtaining a permit if “the court finds, by a preponderance of the evidence, based on specific acts by the applicant, [that the applicant] is likely to use a weapon unlawfully or negligently to endanger others.” Va. Code Ann. § 18.2-308.09. The sheriff, chief of police, or attorney for the Commonwealth may submit to the court a sworn, written statement on this matter, if it is “based upon personal knowledge of such individual or of a deputy sheriff, police officer or assistant attorney for the Commonwealth . . . or upon a written statement made under oath before a notary public of a competent person having personal knowledge of the specific acts.” *Id.* In Pennsylvania, the sheriff “shall not” issue a license to “[a]n individual whose character and reputation is such that the individual would be likely to act in a manner dangerous to public safety.” 18 Pa. Cons. Stat. Ann. § 6109.

Six of the states surveyed—Virginia, Florida, North Carolina, South Carolina, Ohio, and Delaware, require firearm safety training in order to receive a concealed carry permit. Two additional states—Texas and West Virginia—have training requirements as well, but obtaining a permit is optional. In any event, the state laws in this area vary based on the range of courses that qualify and the extent to which the content of those courses is prescribed. In Virginia, the law outlines a variety of courses that would qualify but also allows “any other firearms training that the court deems adequate.” Va. Code Ann. § 18.2-308.02. Similarly, Florida lists a number of training courses that can “[d]emonstrate[] competence” but does not prescribe the content of those courses. Fla. Stat. Ann. § 790.06. In North Carolina, applicants must complete an “approved firearms safety and training course which involves the actual firing of handguns and instruction in the laws of this State governing the carrying of a concealed handgun and the use of deadly force.” N.C. Gen. Stat. Ann. § 14-415.12. An approved course is one that satisfies the law’s requirements and that is certified or sponsored by the North Carolina Criminal Justice Education and Training Standards Commission, the National Rifle Association, or a law enforcement agency, college, private or public institution or organization, or firearms training school taught by instructors certified by either of the first two entities. *Id.*

⁷ Notably, Delaware also requires good cause, that is, an applicant must submit a statement that the applicant desires to carry a concealed deadly weapon “for personal protection or protection of the person’s property, or both,” and submit to a criminal background check. Del. Code Ann. tit. 11, § 1441(a)(1).

South Carolina requires “proof of training” to receive a concealed weapons permit, S.C. Code Ann. § 23-31-215, requiring an applicant to have, “within three years of filing an application, completed a basic or advanced handgun education course offered by a state, county, or municipal law enforcement agency or a nationally recognized organization that promotes gun safety.” S.C. Code Ann. § 23-31-210. The course must include: (i) information on the statutory and case law of the state relating to handguns and to the use of deadly force; (ii) information on handgun use and safety; (iii) information on the proper storage practice for handguns with an emphasis on storage practices that reduces the possibility of accidental injury to a child; (iv) the actual firing of the handgun in the presence of the instructor, provided that a minimum of twenty five rounds must be fired; (v) properly securing a firearm in a holster; (vi) “cocked and locked” carrying of a firearm; (vii) how to respond to a person who attempts to take your firearm from your holster; and (viii) de-escalation techniques and strategies. *Id.* Certain individuals who have completed military basic training and retired law enforcement officers must only provide proof of training on the first element, that is, on the statutory and case law of the state relating to handguns and to the use of deadly force, while other individuals, such as active military and handgun instructors, need only provide documentation of that status to satisfy the requirement. *Id.*

Ohio and Delaware are similarly prescriptive in terms of course content. In Ohio, training courses must include at least eight hours of training in the safe handling and use of a firearm including: (i) the ability to name, explain, and demonstrate the rules for safe handling of a handgun and the proper storage practices for handguns and ammunition, (ii) the ability to demonstrate and explain how to handle ammunition in a safe manner; (iii) the ability to demonstrate the knowledge, skills, and attitude necessary to shoot a handgun in a safe manner; (iv) gun handling training; and (v) a minimum of two hours of in-person training that consists of range time and live-fire training. Ohio Rev. Code Ann. § 2923.125. The applicant must pass a competency exam that includes both a written section and an in-person physical demonstration of competence. *Id.*⁸ In Delaware, training courses must include: (i) instruction regarding knowledge and safe handling of firearms; (ii) instruction regarding safe storage of firearms and child safety; (iii) instruction regarding knowledge and safe handling of ammunition; (iv) instruction regarding safe storage of ammunition and child safety; (v) instruction regarding safe firearms shooting fundamentals; (vi) live fire shooting exercises conducted on a range, including the expenditure of a minimum of 100 rounds of ammunition; (vii) identification of ways to develop and maintain firearm shooting skills; (viii) instruction regarding federal and state laws pertaining to the lawful purchase, ownership, transportation, use and possession of firearms; (ix) instruction regarding the laws of the state pertaining to the use of deadly force for self-defense; and (x) instruction regarding techniques for avoiding a criminal attack and how to manage a violent confrontation, including conflict resolution. Del. Code Ann. tit. 11, § 1441(a)(3).

Two of the states surveyed—Pennsylvania and Georgia—do not require firearms safety training in order to receive a concealed carry permit.

⁸ In addition to its standard provision to apply for a concealed carry permit, Ohio has an emergency license provision. A person seeking a concealed handgun license on a temporary emergency basis is required to submit to the sheriff evidence of imminent danger to the person or a member of the person’s family, a sworn affidavit containing all the required information for a license, a nonrefundable fee, and a set of fingerprints. Ohio Rev. Code Ann. § 2923.1213. The sheriff, in turn, must immediately process a criminal background check and immediately upon receipt of the results issue a license that is valid for 90 days but may not be renewed. *Id.*

Recommendations

Based on the foregoing, the OAG offers the following recommendations that can potentially help enhance and ease the data collection process for the next three reports.

- Report template redesign.
 - Including incident tracking number in all templates will enable the case matching across reports and avoid double counting.
 - Establish a clear level of reporting for each template. If one-line records one incident, all the information associated with that incident should be filled out in one line.
 - Remove the data elements that LEAs or other state agencies do not own or track. This will reduce the reporting burden, encourage cooperation, and improve data quality.
- Standardizing responses.
 - LEAs' responses suggest a misunderstanding of some data elements and expected inputs. For example, with respect to location of recovery, some LEAs responded with phrases such as "backyard," some reported a street address, while the rest either left it empty or filled in county names.
 - Provide lists of in-scope charge codes for definite crime categorizations. This will help reduce inconsistency and difficulty of classifying crimes.
 - Define firearms under federal or Maryland law. Clarify if the firearms under study include air gun or toy gun.
 - Analyze the responses and LEAs' feedback from the first year and offer a sample report to LEAs for the future data collection. To reduce ambiguity, the sample report should clarify the level of reporting, the format of response, and the expected values of each field.
- Jurisdiction reporting delegation.
 - If possible, delegate the data collection task to the largest LEA in each county. For example, Prince George's County Police Department would collect all the data on behalf of its local LEAs as the county department established a unified record management system that tracks all the local LEAs' incidents. The system is more mature in terms of reporting firearm crimes that took place in 2019 and onward. Request the large LEA representatives to provide small LEAs' system onboarding timeline to the OAG.

HB 1629 suggests a specific sequence involving the LEAs, the OAG, and the Governor and General Assembly. In particular, the LEAs are to provide information to the OAG; the OAG is to assemble and study the submitted data, and provide a corresponding report to the Governor and General Assembly; and the Governor and General Assembly are to then consider and address any policy implications of the data. With this understanding of its role in the statutory process, the OAG limited, and will limit, its recommendations to ascertaining how the sufficiency and reliability of the data may be enhanced, and therefore how the Governor and General Assembly may possess better information upon which to make any policy decisions.

Conclusion

The OAG transmits this report to the Governor and General Assembly according to its statutory responsibility under HB1629 and HB1186. The OAG expresses its appreciation to the LEAs for complying with the OAG's requests for information, notwithstanding the difficulties posed by the COVID-19 pandemic and other logistical challenges. The LEAs contributions were substantial, and the conditions unprecedented. The OAG also expects that, with continued experience and adoption of the OAG's recommendations, the burdens on LEAs will ease and the quality of the data will improve. This initial report establishes a baseline for this iterative process to unfold.

Appendix A. Nonresponsive LEAs as of December 7, 2021

| LEA | County |
|--|------------------------|
| Annapolis City Police Department | Anne Arundel County |
| Baltimore City Community College Department of Public Safety | Baltimore City |
| Baltimore City Public Schools Police | Baltimore City |
| Baltimore City Sheriff's Department | Baltimore City |
| Baltimore County Sheriff's Office | Baltimore County |
| Baltimore Environmental Police | Baltimore County |
| Berwyn Heights Police Department | Prince George's County |
| Boonsboro Police Department | Washington County |
| Bowie State University Department of Public Safety | Prince George's County |
| Cambridge Police Department | Dorchester County |
| Capitol Heights Police Department | Prince George's County |
| Colmar Manor Police Department | Prince George's County |
| Coppin State University Department of Public Safety | Baltimore City |
| Department of General Services | Baltimore City |
| District Heights Police Department | Prince George's County |
| Fairmount Heights Police Department | Prince George's County |
| Federalsburg Police Department | Caroline County |
| Forest Heights Police Department | Prince George's County |
| Frostburg City Police Department | Allegany County |
| Garrett county State's Attorney | Garrett County |
| Gibson Island Police Department | Anne Arundel County |
| Glenarden Police Department | Prince George's County |
| Hagerstown City Fire Marshal | Washington County |
| Hagerstown Police Department | Washington County |
| Howard County Sheriff's Office | Howard County |
| Landover Hills Police Department | Prince George's County |
| Lonaconing Police Department | Allegany County |
| Luke Police Department | Allegany County |
| Maryland Motor Vehicle Administration | |
| Maryland Natural Resources Police | |
| Maryland State Forest & Park Services | |
| Morgan State University Police and Public Safety Department | Baltimore City |
| Morningside Police Department | Prince George's County |
| Mount Rainier Police Department | Prince George's County |
| Ocean Pines Police Department | Worcester County |
| Oxford Police Department | Talbot County |
| Prince George's County Public Schools | Prince George's County |

| LEA | County |
|--|------------------------|
| Prince George's County Sheriff's Office | Prince George's County |
| Rising Sun Police Department | Cecil County |
| Rockville City Police Department | Montgomery County |
| Salisbury University Police Department | Wicomico County |
| Smithsburg Police Department | Washington County |
| Spring Grove Hospital Center Police | Baltimore County |
| Taneytown Police Department | Carroll County |
| University of Maryland Eastern Shore Department of Public Safety | Somerset County |
| University of Baltimore Police Department | Baltimore City |
| University Park Police Department | Prince George's County |
| Worcester County Fire/Explosive Investigator | Worcester County |
| Worcester County State's Attorney | Worcester County |