



January 17, 2023

**Before the Senate Judicial Proceedings Committee Concerning
New York State Rifle & Pistol Ass'n. v. Bruen, 142 S.Ct. 2111 (2022),
and Related Matters**

Introduction: I am the President of Maryland Shall Issue (“MSI”). Maryland Shall Issue is a Section 501(c)(4), all-volunteer, non-partisan organization dedicated to the preservation and advancement of gun owners’ rights in Maryland. It seeks to educate the community about the right of self-protection, the safe handling of firearms, and the responsibility that goes with carrying a firearm in public. I am also an attorney and an active member of the Bar of Maryland and of the Bar of the District of Columbia. I recently retired from the United States Department of Justice, where I practiced law for 33 years in the Courts of Appeals of the United States and in the Supreme Court of the United States. I am an expert in Maryland firearms law, federal firearms law and the law of self-defense. I am also a Maryland State Police certified handgun instructor for the Maryland Wear and Carry Permit and the Maryland Handgun Qualification License (“HQL”) and a certified NRA instructor in rifle, pistol, personal protection in the home, personal protection outside the home and in muzzle-loader.

SB 1, SB 118 and SB 86. SB 1 and SB 118, both sponsored by Senator Waldstreicher (who happens to represent my district), would basically ban a person who has been issued a carry permit by the Maryland State Police from carrying a firearm on “the property of another” without permission or within 100 feet of a place of “public accommodation” (SB 1) or on property “controlled” by a local government or by the State or by the federal government (SB 118). Another major bill, SB 86, raises the age for possession of a long gun (of any type) from 18 to 21. These bills are in response to the June 2022 decision of the Supreme Court in *New York State Rifle & Pistol Association, Inc. v. Bruen*, 142 S.Ct. 2111 (2022), where the Court struck down as unconstitutional New York’s “proper cause” requirement for issuance of a permit to carry a handgun in public. In so holding, the Court ruled that “the Second Amendment guarantees a general right to public carry.” 142 S.Ct. at 2135. See also *Bruen*, 142 S.Ct. at 2156 (“The Second Amendment guaranteed to ‘all Americans’ the right to bear commonly used arms in public subject to certain reasonable, well-defined restrictions.”).

For the reasons explained below, if enacted into law, SB 1 and SB 118 would be “dead on arrival” in federal court as these bills are plainly intended to ban the very carry in public that *Bruen* expressly holds that the State must allow under the Second Amendment. Very similar laws were enacted after the decision in *Bruen* by New York and New Jersey. Those bans were promptly struck down by the federal courts, including by two separate federal district courts in New York and by a federal district court for the District of New Jersey. Three different federal courts have already enjoined very similar provisions of New York

and New Jersey statutes passed in response to *Bruen*. *Koons v. Reynolds*, --- F.Supp.3d ---- 2023 WL 128882 (D.N.J. Jan. 9, 2023) (granting a temporary restraining order); *Antonyuk v. Hochul*, --- F.Supp.3d ---, 2022 WL 16744700 (N.D.N.Y. Nov. 7, 2022) (granting a preliminary injunction) and *Christian v. Nigrelli*, --- F.Supp.3d ---, 2022 WL 17100631 (W.D.N.Y. Nov. 22, 2022) (same). New York has appealed the preliminary injunctions issued in *Antonyuk* and *Christian* to the Court of Appeals for the Second Circuit. The Second Circuit has ordered expedited briefing and argument and scheduled oral argument on those appeals for March 20, 2023. No appeal has been filed in *Koons* (TRO orders are generally not appealable). As Congressman Raskin recently stated in the context of a carry bill enacted by Montgomery County, “there is no reason for us to be passing ordinances that we know that will struck down.” https://youtu.be/TrM4_JVIURs?t=733 (at 13:56).

SB 86, which bans the mere **possession** of ordinary **long guns** by persons between the ages of 18-20, raises different issues than the carry bills, SB 1 and SB 118. But that bill (SB 86) is likewise of questionable constitutionality under *Bruen*. For example, in *Firearms Policy Coalition, Inc. v. McCraw*, --- F.Supp. ---, 2022 WL 3656996 (Aug. 25, 2022), a federal district court struck down, under *Bruen*, a Texas ban **on carry** of a **handgun** by 18–20-year-olds. And in *Hirschfeld v. Bureau of Alcohol, Firearms, Tobacco & Explosives*, 5 F.4th 407, 417 (4th Cir.), *vacated as moot*, 14 F.4th 322 (4th Cir. 2021), *cert. denied*, 142 S.Ct. 1447 (2022), the Fourth Circuit (which includes Maryland) applied intermediate scrutiny and held, pre-*Bruen*, that the federal ban on the **sale** of **handguns** to persons between the ages of 18-20, 18 U.S.C. § 922(b)(1), was unconstitutional under the Second Amendment.

That holding in *Hirschfeld* is obviously applicable, *a fortiori*, to any ban on mere *possession* of a *long gun*, which is far more draconian, both in the item covered (long guns vs. handguns) and the restriction imposed (a possession ban, not merely a ban on sales). As *Hirschfeld*, noted “Congress was careful not to burden use, possession, or non-commercial sales” of handguns. 5 F.4th at 460. Federal law has long permitted the sale to and possession of long guns by 18-year-olds. 18 U.S.C. § 922(b)(1). If the federal ban on *sales* of *handguns* is unconstitutional, as *Hirschfeld* held, then plainly a ban on mere possession of long guns is likewise unconstitutional. In any event, while this issue is different from bans on carry, the text, history and tradition test articulated by the Court in *Bruen* is equally applicable to bans on possession by 18–20-year-olds.

***Bruen* Holdings:** The *Bruen* Court ruled that “the standard for applying the Second Amendment is as follows: When the Second Amendment’s plain text covers an individual’s conduct, the Constitution presumptively protects that conduct. The government must then justify its regulation by demonstrating that it is consistent with the Nation’s historical tradition of firearm regulation.” 142 S.Ct. at 2127. The relevant time period for that historical analogue is 1791, when the Bill of Rights was adopted. 142 S.Ct. at 2135. That is because “Constitutional rights are enshrined with the scope they were understood to have when the people adopted them.” *Id.*, quoting *District of Columbia v. Heller*, 554 U.S. 570, 634–635 (2008). Under that standard articulated in *Bruen*, “the government may not simply posit that the regulation promotes an important interest.” 142 S.Ct. at 2126. *Bruen* expressly abrogates the two-step, “means-end,” “interest balancing” test that the courts had previously used to sustain gun bans. *Id.* Those prior decisions are no longer good law. So, the constitutionality of SB 1, SB 118 and SB 86 will turn on this historical analysis, as there

is no doubt that the term “keep and bear arms” in the text of the Second Amendment necessarily includes the right to possess (“keep”) and the right to carry (“bear”).

Bruen also holds that governments may regulate the public possession of firearms at “legislative assemblies, polling places, and courthouses” and notes that governments may also regulate firearms “in” schools and government buildings. *Bruen*, slip op. at 21, citing *Heller*, 554 U.S. at 599. *Bruen* states that “courts can use analogies to those historical regulations of ‘sensitive places’ to determine that modern regulations prohibiting the carry of firearms in new and analogous sensitive places are constitutionally permissible.” (Id.). But nothing in *Bruen* can be read to allow a State to establish any “buffer zone” around such places, such as the 100-foot zone created around all places of “public accommodation” by SB 1. Such a broad ban on carry would cover sidewalks and extend into the street and thus effectively ban all public carry in virtually all urban areas and many rural areas. Such a ban would plainly violate the holding in *Bruen* that protects a broad right to carry. Again, regulation beyond these five locations must be justified by a “well-established, representative historical analogue” dating back to 1791. Id. at 2133. For example, *Bruen* rejected New York’s attempt to justify its “good cause” requirement as a “sensitive place” regulation, holding that a government may not ban guns where people may “congregate” or assemble. 142 S.Ct. at 2133-34. The Court held that such a ban on places where people typically congregate “defines the category of ‘sensitive places’ far too broadly.”

Bruen ruled that the State may ban guns “in” a “**government building**,” but the Court did not thereby bless gun bans on any “*property*” that a government might merely “*control*.” See *Koons v. Reynolds*, --- F.Supp.3d ---2023 WL 128882 at *12 (D.N.J. Jan. 9, 2023) (holding that “‘sensitive place’ is a term within the Second Amendment context that should not be defined expansively”). Bans in government-controlled property would sweep far too broadly. It would, for example, include vast tracts of State Forest lands and parks and other places where there is no historical support for such bans. See, e.g., *Bridgeville Rifle & Pistol Club, Ltd. v. Small*, 176 A.3d 632, 652 (Del. 2017) (holding that State parks and forests were not “sensitive places” and that Delaware’s regulation broadly banning firearms in such places was unconstitutional under Delaware’s version of the Second Amendment”); *Ezell v. City of Chicago*, 846 F.3d 888, 894-95 (7th Cir. 2017) (holding that Chicago’s zoning restrictions for firing ranges could not be justified as a restriction on sensitive places); *Solomon v. Cook County Board of Commissioners*, 550 F.Supp. 3d 675, 690-96 (N.D. Ill. 2021) (invalidating a county ban on carry in parks); *Morris v. Army Corps of Engineers*, 60 F. Supp. 3d 1120 (D. Idaho 2014), *appeal dismissed*, 2017 WL 11676289 (9th Cir. 2017) (rejecting the government’s argument that Corps’ outdoor recreation sites were sensitive places).

The term “government building” as used in *Bruen* also plainly implies that “government” functions are performed in the building and thus that the building is secured accordingly. As noted, *Bruen* made clear that a government may not ban guns in any place where people may “congregate” or assemble, and that rule does not turn on ownership. 142 S.Ct. at 2133-34 (holding that such a ban on places where people typically congregate “defines the category of ‘sensitive places’ far too broadly”). Indeed, there is a model for a proper regulation on government property, found in 18 U.S.C. § 930. That law bans firearms in “federal facilities” where such possession is done “knowingly.” 18 U.S.C. § 930(a),(b). See *Rehaif v. United States*, 139 S. Ct. 2191, 2196 (2019) (discussing the meaning of a “knowing” violation). This federal ban applies only to possession “in” a federal facility and thus does

not impose any “buffer zone.” In addition, federal law also specifically provides that “[n]otice of the provisions of subsections (a) and (b) *shall be posted conspicuously* at each public entrance to each Federal facility,” and that “*no person shall be convicted ... if such notice is not so posted at such facility, unless such person had actual notice*” of this law. 18 U.S.C. § 930(h) (emphasis added). Finally, Section 930 defines “federal facility” to mean “a building or part thereof owned or leased by the Federal Government, *where Federal employees are regularly present for the purpose of performing their official duties.*” 18 U.S.C. § 930(g)(1) (emphasis added). In other words, a federal facility is **not** covered by this provision *unless* federal employees are “regularly” present in that building for work. Section 930 passes muster under *Bruen*. A ban on all property controlled by a government does not.

Remarkably, SB 118 also presumes to regulate possession on all property controlled by the federal government. There are many tracts of property over which the federal government exercises *exclusive* jurisdiction. See Article I, § 8, cl. 17 of the Constitution; 18 U.S.C. § 7. Stated simply, the State has no jurisdiction to regulate **at all** in such areas. Examples of such exclusive jurisdiction areas include military installations, federal buildings, post offices, and some high-value or security-sensitive sites (which are abundant in Maryland). SB 118 is thus flatly unconstitutional under Article I, § 8, cl. 17, to the extent it purports to ban firearms on **all** property “controlled” by the federal government. Exclusive means just that, exclusive.

To be sure, federal law may *incorporate* State laws by *reference* as to lands over which there is *concurrent* jurisdiction (but not as to exclusive jurisdiction areas). See Assimilative Crimes Act, 18 U.S.C. § 13 (“ACA”). Such “assimilated” crimes are enforced by federal law enforcement and are tried in federal court. But even then, such incorporation may not occur if the State law is contrary to federal policy. See, e.g., *United States v. Kelly*, 989 F.2d 162, 164 (4th Cir.), *cert. denied*, 510 U.S. 114 (1993) (“federal courts have consistently declined to assimilate provisions of state law through the ACA if the state law provision would conflict with federal policy”). For example, Federal policy specifically addresses possession in the National Park System. Pub. Law 113-287, § 3, 128 Stat. 3168 (2014), codified at 54 U.S.C. § 104906. That legislation provides that “[f]ederal laws should make it clear that the 2d amendment rights of an individual at a System unit should not be infringed,” 54 U.S.C. § 104906(a)(7). Permit holders throughout the United States thus carry in the National Park System.

Permit Holders under *Bruen*: *Bruen* squarely holds that the Second Amendment protects the right to carry in public while also making clear that a State may condition that right on obtaining a wear and carry permit from the State, if the permit is issued on an otherwise reasonable and objective “shall issue” basis. 142 S.Ct. at 2138 & n.9. As this holding recognizes, permit holders are treated as a separate class as such individuals have been thoroughly vetted through a permit process. Through their fingerprints, all permit holders are identifiable by the FBI’s RAP BACK system, under which a mere arrest of any permit holder anywhere in United States will be immediately reported to the Maryland State Police. <https://bit.ly/3B8l142>.

All permit holders in Maryland have also received at least 16 hours of training, as required by MD Code, Public Safety, § 5-306(a)(5), unless they are otherwise exempted from such

training by MD Code, Public Safety, § 5-306(a)(6), such as law enforcement officers and certified firearms instructors. Every renewal of a permit must be accompanied by an additional 8 hours of training, again unless the permit holder is training exempt. All permit holders are screened and thoroughly investigated by the State Police, including being fingerprinted. As part of the training requirement, permit holders must pass a live-fire qualification course and achieve a minimum score. COMAR 29.03.02.05 C.(4). The State Police will deny a permit to any person who has “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.” MD Code, Public Safety, § 5-306(a)(6)(i). The State Police have continued to enforce all these requirements, even after *Bruen*. See Maryland State Police Advisory, LD-HPU-22-002 (July 5, 2022). Of the 43 “shall issue” States identified in *Bruen*, 142 U.S. at 2123 n.1, only Illinois requires as many hours of training as Maryland.

As of the end of 2022, the Maryland State Police had issued 85,266 permits. <https://bit.ly/3kolxVR>. That number is comparably quite small for a State with a population of over 6 million. For example, as of August 2022, Pennsylvania had 1.486 *million* permits and Virginia had 717,290 resident permits and 54,404 non-resident permits. Massachusetts had issued 470,012 permits while, as of the end of June of 2021, Florida had over 2.5 *million* permits. Even New York, which was a “good cause” state like Maryland, had 194,145 permit holders as of June 30, 2021, a year prior to the decision in *Bruen* which, as noted, struck down New York’s good cause requirement. Nationally, there are over 21 million permit holders. Stated differently, 8.3% of the adult population in the United States have carry permits. See Lott, J., *Concealed Carry Permit Holders Across the United States: 2021* (2021) (attached). Twenty-four States are “constitutional carry” jurisdictions in which carry is permitted without any permit at all. Those States are Alabama, Alaska, Arizona, Arkansas, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Maine, Mississippi, Missouri, Montana, New Hampshire, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Utah, Vermont, West Virginia and Wyoming. See <https://bit.ly/3QM6Ms0>. In short, Maryland is an outlier in every respect.

The Public Safety: Permit holders are among the most law-abiding individuals in America. Prior to *Bruen*, 43 States issued permits on a “shall issue” basis. *Bruen*, 142 S.Ct. at 2123 & n.1 (listing these States). The crime rate of the permit holders in these States is but a small fraction of that of commissioned police officers. See Lott, at 43-44. Permit holders are simply not the problem. Possession and transport of firearms by **non**-permit holders continues to be strictly regulated by State criminal law. For example, MD Code, Criminal Law, § 4-203(a), bans **any** “wear, carry or transport” of a handgun, subject to limited exceptions, like in the home or transport of an unloaded handgun to a dealer or to a range for target shooting or by an owner of a business. Illegal carry by non-permit holders is already punished by up to 3 years in prison. MD Code, Criminal Law, § 4-203(c)(4)(ii).

Illegal carry by **disqualified** persons, MD Code, Public Safety, § 5-101(g) (defining “disqualified person”), is even more severely punished. Under federal law, the mere possession of any firearm or modern ammunition by a disqualified person is a 10-year federal felony. 18 U.S.C. § 922(g), 18 U.S.C. § 921(a)(20)(B). Under Maryland State law, mere possession of a handgun by any disqualified person who was not previously convicted of a felony is a serious misdemeanor and is punishable by up to 5 years imprisonment and

a \$10,000 fine. MD Code, Public Safety, § 5-144(b). Mere possession by persons previously convicted of a **felony** is an additional felony and is punishable by not less than 5 years but not more than 15 years in prison. MD Code, Public Safety, § 5-133(c)(1). Mere possession by a disqualified person of a long gun is a serious misdemeanor and is punishable by up to 3 years in prison. MD Code, Public Safety, § 5-205(d). Yet, notwithstanding these laws, Maryland's murder rate **substantially exceeds** that of neighboring Pennsylvania and Virginia, where "shall issue" carry permits have long been issued and carry is widely practiced. Maryland has the 4th highest murder rate in the country at a rate of 9 per 100,000. Pennsylvania comes in 19th highest at a rate of 5.8 per 100,000 and Virginia's rate is even lower at 5.3 per 100,000. <https://besttoppers.com/murder-rate-by-state/#C4>. The idea that permit holders are a danger to public safety is simply factually wrong.

Certainly, it is no answer to *Bruen* to assert that violent crime in Maryland is rampant. Violent crime **is** rampant, but, as noted, permit holders are not remotely the reason. The right "to keep and bear Arms" is "an individual right," *Bruen*, 142 S.Ct. at 2125, and for individuals who may find themselves at imminent risk of death or severe bodily harm, a gun may well be the only way for such a person to survive. *Bruen*, 142 S.Ct. at 2158 (Alito, J., concurring) (noting that "defensive firearm use occurs up to 2.5 million times per year"). The law-abiding citizen's right to armed self-defense is thus important *because* of violent crime. See *id.* at 2159 ("it is these very facts that cause law-abiding citizens to feel the need to carry a gun for self-defense").

Indeed, a 2020 Johns Hopkins study found that carry by otherwise law-abiding persons in Baltimore is very common **because** of violent crime and the lack of trust in the ability of the police to protect them. See Johns Hopkins Center for Gun Policy and Research, *Reducing Violence And Building Trust* at 5 (June 2020) ("In Baltimore neighborhoods most impacted by gun violence, residents lack faith in BPD's ability to bring individuals who commit violence to justice. Perceived risk of being shot and perceptions that illegal gun carrying is likely to go unpunished lead some residents to view gun carrying as a necessary means for self-defense."). The law enforcement abuses of the Gun Trace Task Force in Baltimore are too numerous and too recent to ignore. <http://bit.ly/3ZEJwAo>. The social justice issues associated with further criminalizing these individuals should be apparent. As much some may assert that more guns are not the "answer" to violent crime, that belief is not shared by those who are most at risk of a violent attack. As the Hopkins study confirms, otherwise law-abiding people who fear for their safety will simply ignore State laws banning carry, regardless of the penalties. Layering on still more punishments will not deter people who perceive that their survival is at stake. For these people, the far superior option is for them to fulfill the training requirements and obtain carry permits. At least that way, these individuals will have an opportunity to be vetted and trained. Restricting carry with permits is obviously incompatible with that objective.

A government may not suppress possible adverse secondary effects flowing from the exercise of a constitutional right by suppressing the right itself. See, e.g., *City of L.A. v. Alameda Books, Inc.*, 535 U.S. 425, 449-50 (2002) (Kennedy, J., concurring) ("It is no trick to reduce secondary effects by reducing speech or its audience; but [the government] may not attack secondary effects indirectly by attacking speech"). See *Imaginary Images, Inc. v. Evans*, 612 F.3d 736, 742 (4th Cir. 2010) (same); *St. Michael's Media, Inc. v. Mayor and City Council of*

Baltimore, 566 F.Supp.3d 327, 374 (D. Md. 2021), *aff'd*, 2021 WL 6502219 (4th Cir. 2021) (same). This point applies to Second Amendment rights no less than other constitutional rights. *Grace v. District of Columbia*, 187 F.Supp.3d, 124, 187 (D.D.C. 2016), *aff'd, sub. nom. Wrenn v. Dist. of Columbia*, 864 F.3d 650 (D.C. Cir. 2017) (“it is not a permissible strategy to reduce the alleged negative effects of a constitutionally protected right by simply reducing the number of people exercising the right”) (quotation marks omitted). See *Bruen*, 142 S.Ct. at 2126, 2148 (citing *Wrenn* with approval). “[T]he enshrinement of constitutional rights necessarily takes certain policy choices off the table.” *Heller*, 554 U.S. at 636. As the Supreme Court noted in *Bruen*, “[t]he constitutional right to bear arms in public for self-defense is not ‘a second-class right, subject to an entirely different body of rules than the other Bill of Rights guarantees.’” *Bruen*, 142 S.Ct. at 2156 (citation omitted).

Preemption: A final note. State law, MD Code, Criminal Law, 4-209(a) broadly preempts local regulation of firearms subject to the limited exceptions specified in subsection 4-209(b)(1). Other express preemptions of local regulation are found at Section 6 of Chapter 13, of the 1972 Sessions Laws of Maryland (preempting local regulation of the wear and carry of a handgun); MD Code, Public Safety, § 5-134(a) (preempting local regulation of *transfers* of regulated firearms); MD Code, Public Safety, § 5-207(a) (preempting local regulation of *long gun transfers*); MD Code, Public Safety, § 5-133(a) (preempting local regulation of *possession* of a regulated firearm); and MD Code, Public Safety, § 5-104 (preempting local regulation of *the sale* of a regulated firearm). Such preemption statutes necessarily embody a recognition that regulation of firearms is an important State-wide matter. Indeed, the latest of these preemption provisions, Section 5-207(a), was enacted in 2020 as part of the long-gun background check legislation (SB 208).

Notwithstanding these preemption provisions, some jurisdictions, such as Montgomery County, and even more recently, Charles County, have exploited the limited exception provisions of subsection 4-209(b)(1) to expressly regulate permit holders. Such a broad application of the limited authority accorded by this subsection is highly problematic as a matter of State law. In *Mora v. City of Gaithersburg*, 462 F.Supp.2d 675, 689 (D.Md. 2006), *modified on other grounds*, 519 F.3d 216 (4th Cir. 2008), a federal district court here in Maryland held that “the Legislature” has “occup[ie]d virtually the entire field of weapons and ammunition regulation,” holding further there can be no doubt that “the exceptions [in Section 4-209(b)] to otherwise blanket preemption [in Section 4-209(a)] are narrow and strictly construable.” That holding is in accord with the general rule that exceptions to an otherwise broad provision are to be narrowly construed. See, e.g., *Blue v. Prince George's County*, 434 Md. 681 76 A.3d 1129 (2013) (“Under the canons of statutory construction, ‘[w]hen a general provision in a statute has certain limited exceptions, all doubts should be resolved in favor of the general provision rather than the exceptions.’”) (citation omitted). Of course, the scope of authority conferred by subsection 4-209(b)(1) is irrelevant to the constitutionality of any law, as the Constitution is controlling over local law *and* State law.

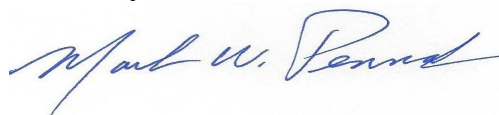
The constitutionality and legality of the Montgomery County ordinance (Bill 21-22E) is currently being challenged by MSI and others in federal district court. *MSI et al. v. Montgomery County, MD*, No. 21-01736 (D. Md.). Plaintiffs have filed a motion for a TRO and a preliminary injunction under the Second Amendment with respect to the County’s ban on carry by permit holders and a decision on that motion should issue soon. The Charles

County bill was withdrawn after encountering furious opposition at the public hearing held January 11, 2023. Given Montgomery County's example, other local jurisdictions can be expected to follow suit. Such local regulation will create a potential minefield of criminal restrictions that will likely widely vary from County to County, jurisdiction to jurisdiction. That reality creates massive traps for the unwary. Permit holders, like most Marylanders, do not live their lives in one county but rather routinely travel throughout the State.

The same standards for permit holders should apply State-wide. Permits are issued by one State agency, the Maryland State Police, under specific laws enacted by the General Assembly, MD Code, Public Safety, §§ 5-303, 5-304, 5-305 and 5-306. Those permits are applicable throughout the State. The State Police are authorized to impose restrictions on permits by MD Code, Public Safety, § 5-307, and the scope of carry is controlled by those restrictions under MD Code, Public Safety, § 4-203(b)(2) (providing that carry under a permit must be "in compliance with any limitations imposed" under Section 5-307). The State Police likewise exclusively handles revocations under MD Code, Public Safety, § 5-310. Regulation of permit holders should likewise be regulated State-wide exclusively *by the State Police*.

Accordingly, and at a minimum, MD Code, Criminal Law, 4-209(b) should be amended to make clear that the exceptions found in subsection § 4-209(b)(1) do not authorize local regulation **of permit holders**. A similar limitation on local regulation is already found in subsection 4-209(b)(2), which provides that a locality "may not prohibit the teaching of or training in firearms safety, or other educational or sporting use of the items listed in subsection (a) of this section." A new subsection 4-209(b)(3) should be enacted to provide that State law supersedes local regulation and that local regulation is preempted concerning wear and carry permits by the State Police. Model preemption language may be found in the preemption provision enacted in 2020 as part of MD Code, Public Safety, § 5-207(a) ("This section supersedes any restriction that a local jurisdiction in the State imposes on the transfer by a private party of a rifle or shotgun, and the State preempts the right of any local jurisdiction to regulate the transfer of a rifle or shotgun.").

Sincerely,



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Report from the Crime Prevention Research Center

Concealed Carry Permit Holders Across the United States: 2021*



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Summary

During the Coronavirus pandemic, the number of concealed handgun permits has soared to over 21.52 million – a 48% increase since 2016. It’s also a 10.5% increase over the number of permits we counted a year ago in 2020. Unlike gun ownership surveys that may be affected by people’s unwillingness to answer personal questions, concealed handgun permit data is the only really “hard data” that we have. This increase occurred despite 21 Constitutional Carry states that no longer provide data on all those legally carrying a concealed handgun because people in those states no longer need a permit to carry.

These numbers are particularly topical given that the U.S. Supreme Court will hear the concealed carry case of New York State Rifle & Pistol Association V. Corlett in November. That case will determine whether those requesting permits need to provide a “proper cause,” which means a good reason, for obtaining a permit.

Among the findings of our report:

- Last year, the number of permit holders grew by a record 2 million. This is more than the previous record increase of 1.8 million in 2017. Part of that is due to many states reopening concealed carry applications after the pause due to COVID-19.
- **8.3% of American adults have permits.** Outside of the restrictive states of California and New York, about 10.0% of adults have a permit.
- In fifteen states, more than 10% of adults have permits. Since 2019, Arkansas and Oklahoma have fallen below 10%, but they are now all Constitutional Carry states, meaning that people no longer need a permit to carry. Virginia’s concealed carry rate has risen to above 10%.
- Alabama has the highest concealed carry rate — 32.1%. Indiana is second with 21.6%, and Iowa is third with 16.5%.
- Six states now have over 1 million permit holders: Alabama, Florida, Georgia, Indiana, Pennsylvania, and Texas. Florida is the first state to have over 2.5 million permits.
- Twenty-one states have adopted constitutional carry for their entire state, meaning that a permit is no longer required. Because of these constitutional carry states, the nationwide growth in permits does not paint

a full picture of the overall increase in concealed carry. Many residents still choose to obtain permits so that they can carry in other states that have reciprocity agreements, but while permits are soaring in the non-Constitutional Carry states, they fell in the Constitutional Carry ones even though more people are clearly carrying in those states.

- In 2021, women made up 28.3% of permit holders in the 14 states that provide data by gender, an increase from the 26.4% last year. Seven states had data from 2012 to 2020/2021, and permit numbers grew 108.7% faster for women than for men.
- Three states that have detailed race and gender data for at least a decade show remarkably larger increases in permits for minorities compared to whites. In Texas, black females saw a 6.3 times greater percentage increase in permits than white males from 2002 to 2020. Oklahoma data from 2002 to 2020 indicated that the increase of licenses approved for Asians and American Indians was more than twice the rate for whites. North Carolina had black permits increase twice as fast as whites from 1996 till 2016.
- From 2015 to 2020/2021, in the four states that provide data by race over that time period, the number of Asian people with permits increased 93.2% faster than the number of whites with permits. Blacks appear to be the group that has experienced the largest increase in permitted concealed carry, growing 135.7% faster than whites.
- Concealed handgun permit holders are extremely law-abiding. In Florida and Texas, permit holders are convicted of firearms related violations at one-twelfth of the rate at which police officers are convicted.
- If the Supreme Court strikes down the “proper cause” requirement in the eight May Issue states, we estimate that there could be at least 2.3 million more concealed handgun permits. The eight states with that rule have issued permits to only 1.24% of their adult population compared to 10.77% for the other states.

Figure 1a: Murder Rates and the Percentage of the Adult Population with Permitted Concealed Handguns

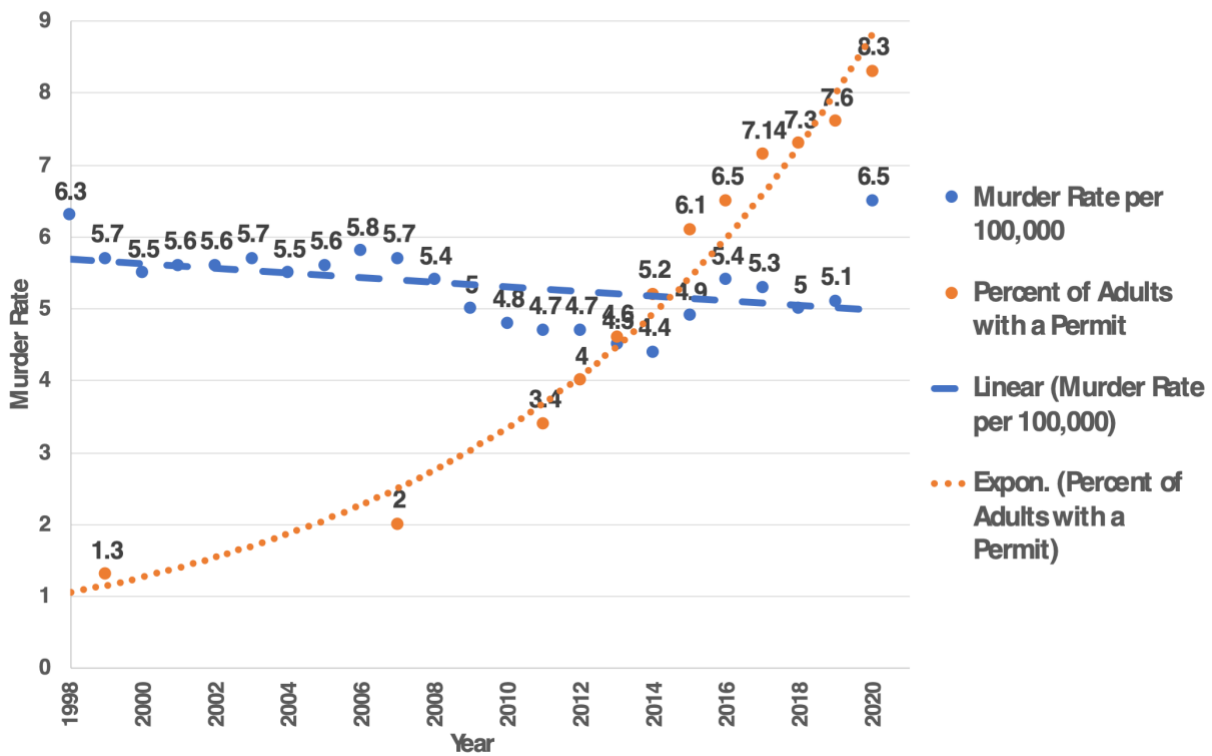
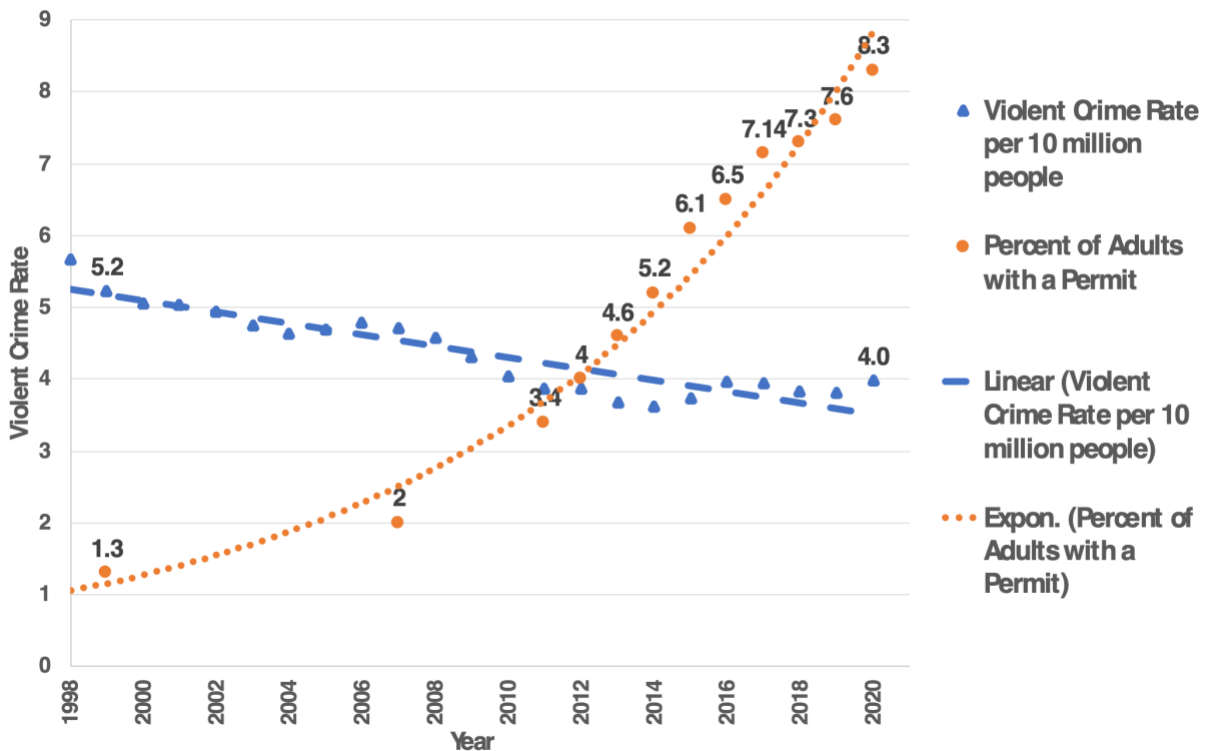


Figure 1b: Violent Crime Rates and the Percentage of the Adult Population with Permitted Concealed Handguns



I. The Exponential Growth in the Number of Permits

Figures 1a and b show how the percentage of adults with concealed handgun permits has been growing exponentially over time. There were 2.7 million concealed handgun permit holders in 1999, 4.6 million in 2007, 8 million in 2011, 11.1 million in 2014, and now 21.5 million in 2021. The growth in permits has been continuous.

At the same time that there has been an exponential growth in permits, there has been a general linear decline in murder and violent crime rates. Except the extraordinary high murder rate (6.5 per 100,000) in 2020, the rate has dropped around 11% for the past two decades. Violent crime fell from 5.23 to 3.99 per 10 million people, a 24% drop. Meanwhile, the percentage of adults with permits soared by five-fold. Such simple evidence by itself isn't meant to show that concealed handgun permits reduce violent crime rates, as many factors account for changes in crime rates, but only that there doesn't seem to be any obvious positive relationship between permits and crime.

Over the years, more and more states have adopted laws allowing individuals to obtain concealed carry permits. Illinois was the last state to do so, issuing its first permits in March 2014. Even Washington, D.C. finally enacted a concealed handgun permit law in September 2014. Today, permitted concealed handguns are allowed in every jurisdiction of the United States. Some of the increase in permits in earlier years was due to more states having permitted concealed handguns.

But the rules vary greatly from state to state, and generally states have made it easier over time to get permits. There are no fees or training requirements in the Constitutional Carry states that do not require permits in all or almost all their state. (There is also Vermont, but it doesn't issue permits.) In 2021, statewide permitless or Constitutional Carry became effective in five more states: Iowa, Montana, Tennessee, Texas, and Utah.

On the other hand, California is at the high end of the spectrum, charging approximately a \$300 fee¹ and requiring a minimum of 8 hours of training. The

¹ The \$100 cap on processing fees for concealed firearm licenses has gone away since January 1, 2020. County sheriffs can now charge "an amount equal to the actual costs for processing the application," according to AB 1297 by Assemblyman Kevin McCarty, D-Sacramento.

training costs also vary widely, from \$150 to \$800. Applicants must also demonstrate to their local sheriff that they really need a gun. In many parts of California, permits only go to the most politically connected applicants.

By contrast, even outside of the Constitutional Carry rules, there are states that make it very easy to get a concealed handgun permit. South Dakota has no training requirement and charges only \$10 for a regular permit valid for five years. Similarly, Pennsylvania has no training requirement and charges \$20 for a five-year permit. You just need to be 21 and pass a background check.

There are only slight changes in fees this year. Kansas lowered the application fee payable to the Office of the Attorney General from \$100 to \$79.5, starting on July 1, 2021; while Indiana's lifetime license to carry has become fee exempt since July 1, 2021.

Not surprisingly, concealed carry is much more popular in states where permits are relatively inexpensive and easy to obtain. Texas has seen dramatic growth in the number of permits after the drop in fees and reduction in training requirements, with it moving from the state with the third most permits to second.

This report will focus on changes in the number of concealed carry permits. From a crime prevention standpoint, the important thing is whether people actually carry guns, not merely whether they are allowed to do so.

All states now allow concealed carry. And they are all issuing more permits. The longer that concealed carry laws have been in effect, the more time that people have had to apply for and receive permits. But President Obama's election in 2008 also seems to have been a major factor. Many have referred to Obama as the best gun salesman ever. Not only did Obama's presidency increase gun sales, it also increased the number of concealed handgun permits.

Conventional wisdom held that the sharp rise in gun sales during Obama's presidency was driven, at least in part, by the threat of gun control. That's why everyone expected gun sales to decline after Trump's victory.

While gun sales cooled down some during the last half of 2019, they have exploded since 2020. During the first seven months of 2021, gun sales surged 13% from the same seven months last year, which blew away all previous figures since sales were first recorded in 1998.

But there are multiple problems with using background checks to measure the number of people buying guns. Some people undergo multiple checks to buy multiple guns, but sometimes multiple guns are sold with a single check. Furthermore, people who have already passed a concealed carry background check are not always required to undergo another one when they buy a gun.

Polling is another problematic method of measuring gun ownership. When asked if they own a gun, many people may be reluctant to answer truthfully. They may feel that it's none of the pollster's business, or be afraid to answer because of mass shootings or distrust of government.² Some polls show an increase in gun ownership, while one shows a decrease.³

Previously, the increase in permits had been relatively slow, growing from roughly 2.7 million permit holders in 1999 to 4.6 million in 2007. But the number of concealed handgun permits exploded during the Obama presidency. In December 2011, the Government Accountability Office estimated that there were at least 8 million concealed handgun permits. By June 2014, it was 11.1 million. Now, in 2021, the number is now up to 21.52 million.⁴

While concealed handgun permit data is a better measure of changing gun

² There are a number of polls that show this increasing distrust of government. The Pew Research Center describes the trust in government a "near historic lows." See for example, Pew Research Center, Public Trust in Government: 1958-2014, November 13 2014 (<http://www.people-press.org/2014/11/13/public-trust-in-government/>).

³ Several NBC News/Wall Street Journal polls over the last year show that about 47% to 48% of American households own a gun. It is up from 44% in 1999. Another Monmouth University Poll in March found that 46% of Americans lived in households with guns, but if you a portion the 7% who refused to answer so that you assume 46% of them live in households without guns, there would be about 50% that live in homes with guns. The one survey that has shown a consistent drop over time is by the General Social survey, which went from the high 40% range in the early 1970s to the low 30% level in 2014. Crime Prevention Research Center, "Gun ownership remains at 47%, but that probably underestimates the true rate," March 25 2018 (<https://crimeresearch.org/2018/03/problems-with-using-the-general-social-survey-to-measure-gun-ownership/>).

⁴ There are 20.80 million permits to residents in those states. Some people hold a permit outside their state simply because it is recognized in states that they want to travel to other states. For some people that might be their only permit. The two states that issue a lot of permits outside their states are Florida (201,676) and Utah (429,985). New Hampshire (23,511) also seems to have a sizeable number. For some others they might hold more than one permit. The total number of permit holders is between 20.80 and 21.52 million.

ownership rates than NICS checks or polls, it clearly underestimates the true number and growth of people who can legally carry concealed handguns. The scale of that underestimation is increasing over time. There are three reasons for this.

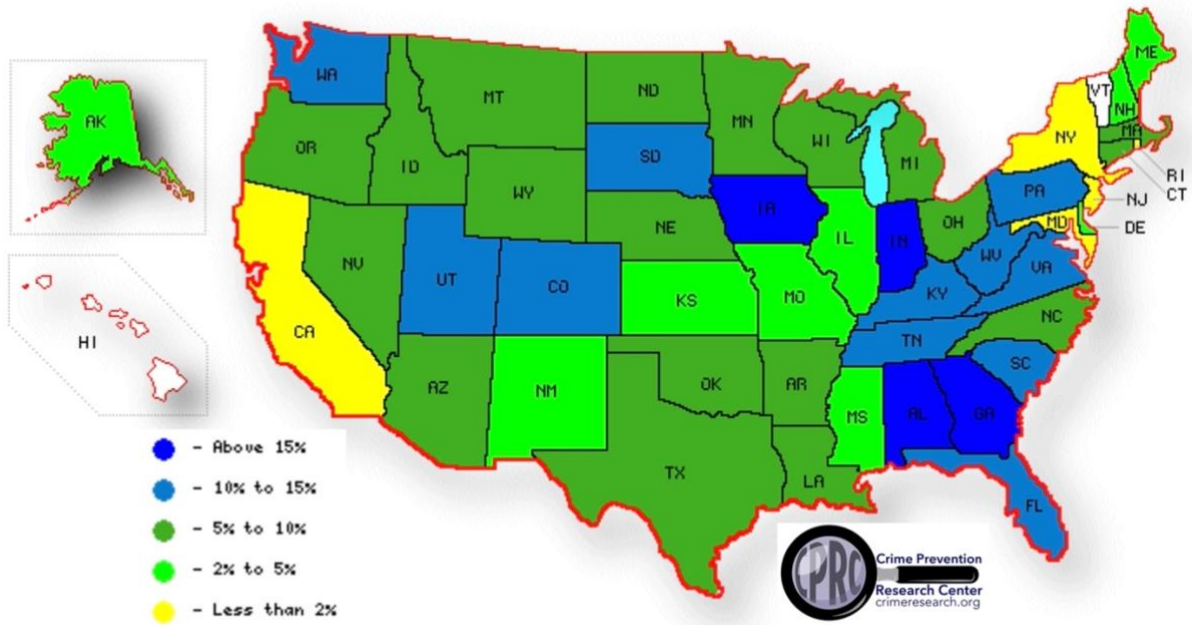
- 1) Permits are now not required in 21 states. Generally, people in these states only obtain permits so that they can carry concealed when traveling outside of their home state. With no fees or other requirements, these states are probably the ones where concealed carry is most common. Indeed, despite the fact that the number of people who actually carried undoubtedly went up significantly when there were no longer any fees or training requirements to carry, the number of permits in Constitutional Carry states actually *fell* by 10,637.⁵
- 2) Data on concealed carry is not readily available for a few states. For example, New Hampshire only collects data on permits issued to non-residents. They weren't willing to give an exact figure, only giving us a conservative estimate. Alabama and New York simply don't collect this data at all on the state level, and it is a very cumbersome process to obtain data from a large number of individual counties or cities.
- 3) For some states, the data is one or more years old and thus misses the recent, accelerated growth in permits.

As more and more states decide not to require permits, the number of people who can legally carry a handgun will increasingly outpace the number of permit holders. The number of people who carry permitted concealed handguns is clearly related to the cost of getting permission. When there is no cost whatsoever, concealed carry becomes very popular.

Due to old and missing data, 21.52 million is undoubtedly an underestimate of the total number of Americans with permits. On the other hand, 724,745 permits are “non-residential,” some of which are issued to people who already have concealed handgun permits from their home states. Most of these non-residential permits are issued by Utah (429,985) and Florida (201,676). We also found some

⁵ When counting the difference, states in which constitutional carry law took effect after May 2021 have been excluded as it is difficult to assess the effects of the changes yet.

Figure 2b: Percent of Adults with Concealed Handgun Permits



While about 8.3% of the adult population has concealed handgun permits, one of the big questions is how frequently permit holders actually carry their guns. The fact that 21 states allow permitless carry doesn't make it any easier to come up with an estimate. But a 2017 Pew Research Center Survey makes it possible to estimate the percentage of American adults who carry guns and how frequently they carry them ("America's Complex Relationship with Guns," Pew Research Center, June 22 2017). The Pew numbers include both concealed and open carry. In most states, permits are not required for open carry. It might be rare for someone to openly carry a handgun on a regular basis, but open carry may account for a large share of those who carry a gun on occasion. The survey also counts people no matter their reason for carrying, even if it is simply for sport on their way to or at a shooting range or hunting. What it means to carry "some of the time" is also not clearly defined.

The Pew survey thus likely overestimates the number of people who carry, especially those who carry occasionally. There are three relevant sets of numbers from the Pew survey:

- 30% of American adults say that they own a gun.
- 72% of the people who own a gun, say they own a handgun or a pistol.
- 11% of handgun owners say that they carry all the time, 26% say they carry most or all the time, and 57 percent say that they carry at least some of the time.

With a little multiplication, we find that:

- 2.4% say that they carry all the time.
- 5.4% carry most or all the time.
- 12.3% carry at least some of the time.

To summarize, the total number of permits in the US is at least 21.52 million. Add in people who legally carry without a permit, and the number clearly becomes much larger. While 8.3% of the adult population has permits, the percentage of Americans who say that they carry most or all the time is about 5.4%.

What does this mean in practice? It means that in most places where people are allowed to carry a concealed handgun, there will be someone carrying a concealed handgun. If the probability that any one person has a concealed handgun permit is 5.4%, in a room with 10 people (assuming that the probabilities are independent), the probability that at least one person will have a permitted

concealed handgun is 43%. In a room with 20 people, that probability goes up to 67%. With 40, that probability rises to 89%.

Growth in Permits Soared after the pause due to Coronavirus Pandemic

U.S. gun sales continue to soar, together with the number of concealed handgun permits in the past year. First, gun sales soared as the Coronavirus prevented police from responding to many calls either because officers were quarantined or departments sought to reduce the contact that police had with those who might be infected. Jails and prisons also released large numbers of inmates. Later as riots consumed many major cities, politicians ordered police to stand down and not respond to calls. Politicians also defunded many police departments. In addition, district attorneys in many major urban areas refused to prosecute violent criminals.⁶

Even in normal times, police themselves realize that they virtually always arrive on the crime scene after the crime has occurred. But with murders and aggravated assaults soaring, these aren't normal times. Many states have even stopped issuing new permits for many months since the start of the coronavirus pandemic. A partial list of thirteen states includes: Florida,⁷ Georgia,⁸ Louisiana,

⁶ John R. Lott, Jr., "Despite What Biden Says, Guns Factor in Only a Small Percentage of Violent Crimes," Real Clear Investigations, July 20, 2021 (https://www.realclearinvestigations.com/articles/2021/07/20/despite_what_biden_says_guns_factor_in_only_a_small_percentage_of_violent_crimes_786128.html).

⁷ Joe Daraskevich, "New concealed carry license applications on hold in Florida due to coronavirus outbreak," WOKV Radio (Jacksonville, Florida), March 23, 2020 (<https://www.wokv.com/news/local/new-concealed-carry-license-applications-hold-florida-due-coronavirus-outbreak/Mv3laFf1qoQStp1WtCVwcp/>).

⁸ Tyler Estep, "Coronavirus pauses processing of Georgia weapons carry licenses," Atlanta Journal-Constitution, March 18, 2020 (<https://www.ajc.com/news/local/coronavirus-pauses-processing-georgia-weapons-carry-licenses/cDhxTH10qc5Ak8zXUqr7aJ/>).

Michigan,⁹ Missouri,¹⁰ Montana,¹¹ Nevada,¹² North Carolina (some counties),¹³ Ohio (some counties),¹⁴ Oregon,¹⁵ Pennsylvania,¹⁶ and Washington state.¹⁷ The surge in the number of concealed handgun permits occurred after many states began reopening their offices.

II. The Comparing Permit Issuing Rates Across States

As just noted, there is a huge variation in the rate that permits are given out by state. The following two tables provide more specific details on these differences. 8.3% of the adult population has concealed handgun permits. If you exclude the May Issue states and the District of Columbia (California, Connecticut, Delaware, DC, Hawaii, Maryland, Massachusetts, New Jersey, New York, Rhode Island),

⁹ Gus Burns, "Michigan police not physically responding to some calls in order to avoid coronavirus spread," MLive, March 17, 2020 (<https://www.mlive.com/public-interest/2020/03/michigan-police-not-physically-responding-to-some-calls-in-order-to-avoid-coronavirus-spread.html>).

¹⁰ Ashley Hoak, "Gov. Parson suspends late fees for concealed carry license renewals," KTVO Television, April 2, 2020 (<https://ktvo.com/news/local/gov-parson-suspends-late-fees-for-concealed-carry-license-renewals>).

¹¹ Perry Backus, "Ravalli County justice system up and running despite coronavirus," Ravalli Republic, March 23, 2020 (https://ravallirepublic.com/news/state-and-regional/crime-and-courts/article_f8397ca6-af8e-59ae-a67b-a9d50c94e021.html).

¹² Staff, "Gov Sisolak taps ex-MGM CEO to head new Coronavirus task force," The Nevada Independent, March 16, 2020 (<https://thenevadaindependent.com/article/coronavirus-live-blog-week-two>).

¹³ Conversation with Paul Valone, Grass Roots North Carolina.

¹⁴ Staff, "Coronavirus: Some Ohio Sheriffs suspending Concealed Handgun License applications and renewals," Buckeye Firearms Association, March 19, 2020 (<https://www.buckeyefirearms.org/coronavirus-some-ohio-sheriffs-suspending-concealed-handgun-license-applications-and-renewals>).

¹⁵ Jayati Ramakrisnan, "Gun sales spike in Oregon as coronavirus spreads." Oregon Live, March 29, 2020 (<https://www.oregonlive.com/coronavirus/2020/03/gun-sales-spike-in-oregon-as-coronavirus-spreads.html>).

¹⁶ William Bender, Jessica Calefati and Mike Newall, "Police in Philly and other Pa. counties stop issuing license-to-carry permits to gun owners amid coronavirus outbreak," Philadelphia Inquirer, March 20, 2020 (<https://www.inquirer.com/health/coronavirus/coronavirus-philadelphia-gun-permits-concealed-carry-police-20200320.html>).

¹⁷ "Coronavirus: Some States Have Stopped Issuing Concealed Handgun Permits," Crime Prevention Research Center, April 8, 2020 (<https://crimeresearch.org/2020/04/coronavirus-some-states-have-stopped-issuing-concealed-handgun-permits/>).

where there is discretion on who gets permits, that raises the percent for the other 41 states to 10.9%.

For the vast majority of the US outside of these coastal areas it is very likely that any place that allows people to carry a concealed handgun will have someone carrying their gun.

Fifteen states have more than 10% of their adult populations and fifteen states and the District of Columbia have less than 5%. Alabama continues to lead other states with the largest share of its adult population with permits, about 32.1%, while California, Hawaii, Maryland, New Jersey, and Rhode Island all have less than one percent with permits.

As Constitutional Carry spread, the average cost of being able to carry in states has fell by 8% (\$4.72) to \$54.48. However, if you want a permit so that you can carry in states outside of the state that you are in, permit costs have increased by \$1.52 to \$80.73.

Florida is the state that has issued the most concealed carry permits at **2.52 million**, followed by Texas with **1.71 million** and Pennsylvania with **1.49 million**.

State	Active Permits	Data Updated
Alabama [¥]	1,255,860	June 30, 2021
Alaska [†]	12,114	August 13, 2021
Arizona [†]	397,731	June 14, 2021
Arkansas [†]	216,550	August 7, 2019
California ^α	120,582	July 1, 2018
Colorado	638,422	June 30, 2021
Connecticut	283,547	March 19, 2021
Delaware ^α	25,895	June 30, 2021
District of Columbia	8,060	July 30, 2021

Florida*	2,522,822 Residential permits = 2,321,146 , non-residential permits = 201,676	June 30, 2021
Georgia [¥]	1,268,562	June 30, 2021
Hawaii ^α	-	December 31, 2016
Idaho [†]	115,562	August 5, 2021
Illinois	434,495	September 1, 2021
Indiana	1,120,144	July 2, 2021
Iowa [†]	405,231	August 16, 2021
Kansas [†]	81,000	August 11, 2021
Kentucky [†]	396,919	December 31, 2020
Louisiana	313,610	December 31, 2020
Maine ^{†*}	Resident: 27,001 ; Non- resident: 15,169	August 9, 2021
Maryland ^α	23,877	August 6, 2021
Massachusetts ^α	470,012	August 16, 2021
Michigan	755,802	July 1, 2021
Minnesota	382,187	August 17, 2021
Mississippi [†]	46,598	June 21, 2016
Missouri [†]	160,184	December 31, 2012
Montana [†]	61,249	August 27, 2021

Nebraska	82,531	July 1, 2021
Nevada	149,436	July 1, 2021
New Hampshire [†]	23,511	June 30, 2021
New Jersey ^α	1,212	2012-2013
New Mexico	48,107	June 30, 2021
New York ^{¥α}	194,145	June 30, 2021
North Carolina	813,844	August 13, 2021
North Dakota [†]	48,356	February 8, 2018
Ohio	783,613	June 30, 2021
Oklahoma [†]	256,032	August 4, 2021
Oregon	300,300	August 4, 2021
Pennsylvania	1,486,038	August 2, 2021
Rhode Island ^α	1,842	August 5, 2021
South Carolina	458,393	August 31, 2021
South Dakota [†]	75,015	June 30, 2021
Tennessee [†]	741,915	July 1, 2021
Texas [†]	1,708,329	August 1, 2021
Utah ^{†*}	727,290 total, 297,305 residential	June 30, 2021
Vermont [†]	N/A	N/A
Virginia [*]	Resident: 717,627 ; Non- resident: 54,404	August 3, 2021
Washington	652,006	September 10, 2021

West Virginia [†]	147,327	May 28, 2020
Wisconsin	459,884	August 2, 2021
Wyoming [†]	31,132	August 2, 2021
TOTAL	21,521,474	

[†] States where permits not required to carry within the state. Permits only obtained to carry outside of state.

* Only Florida's, Maine's, Virginia's, and Utah's residential permits are included here.

^α May Issue States.

¥ Data for three states, Alabama, Georgia and New York State, were obtained by looking at NICS background checks for concealed handgun permits. These data are not perfect. We got similar numbers using select county data for some counties in New York State and then extrapolating up to the state rate, but the table only reports the NICS data. For New York we relied on Broome, Erie, Fulton, Herkimer, Otsego, and Saratoga Counties as well as New York City

<http://crimepreventionresearchcenter.org/2014/09/more-misleading-information-from-bloombergs-everytown-for-gun-safety-on-guns-analysis-of-recent-mass-shootings/>. For NYC, Gawker used a FOIA release of NYPD licensees. 114 pages of carry licenses with 50 names each = 5,700.

<http://gawker.com/5974190/here-is-a-list-of-all-the-assholes-who-own-guns-in-new-york-city>.

Table 2: Ranking States by Percent of the Adult population with Permits	
State	% of Adult Population with concealed carry permit
Alabama [¥]	32.06%
Indiana	21.57%
Iowa [†]	16.54%
Georgia [¥]	15.43%
Pennsylvania	14.35%
Colorado	14.16%
Tennessee [†]	13.78%
Florida [*]	13.39%
Utah ^{†*}	12.79%
South Carolina	11.42%
Kentucky [†]	11.39%
South Dakota [†]	11.21%
Washington	10.82%
Virginia [*]	10.64%
West Virginia [†]	10.28%
North Carolina	9.98%
Wisconsin	9.97%
Connecticut	9.88%

Michigan	9.55%
Arkansas [†]	9.37%
Oregon	8.91%
Louisiana	8.78%
Minnesota	8.71%
Ohio	8.51%
Oklahoma [†]	8.50%
Idaho [†]	8.40%
Massachusetts ^α	8.30%
North Dakota [†]	8.11%
Texas [†]	7.81%
Montana [†]	7.20%
Arizona [†]	7.18%
Wyoming [†]	7.05%
Nevada	6.19%
Nebraska	5.59%
Illinois	4.35%
Kansas [†]	3.63%
Missouri [†]	3.35%
Delaware ^α	3.30%
New Mexico	2.94%
Maine ^{†*}	2.43%
Alaska [†]	2.19%
New Hampshire [†]	2.10%
Mississippi [†]	2.05%
District of Columbia	1.40%

New York ^{¥α}	1.21%
Maryland ^α	0.50%
California ^α	0.39%
Rhode Island ^α	0.21%
New Jersey ^α	0.02%
Hawaii ^α	0.00% (0.02% if include permits for private security)
Vermont [†]	Not Applicable

† States where permits not required to carry within the state. Permits only obtained to carry outside of state. These numbers will dramatically underestimate the true rate that guns are legally carried concealed in these states.

^α May Issue States.

* Only Florida's, Maine's, Virginia's, and Utah's residential permits are included here.

¥ Estimates made using data from NICS background checks for concealed handgun permits.

Table 3: Cost of Getting Permits by State 2021				
State	Permit Type	Initial Handgun Carry Permit Fee	Length Permit is Valid (years)	Cost to carry for 5 years
Alabama	Concealed pistol permit	\$5-\$20 per year (Varies by County)	1-5 years (chosen by applicant)	\$25-\$100 (Varies by County)
Alaska†	Constitutional carry/permit for reciprocity with other states	\$88.25	5	\$88.25
Arizona†	Constitutional carry/permit for reciprocity with other states	\$60	5	\$60
Arkansas†	Constitutional carry/permit for reciprocity with other states	\$91.90; age 65+: \$66.15 (Includes on-line application and background check fee.)	5	\$91.90; age 65+: \$66.15
California	Concealed carry weapons license (May Issue only)	The fee is determined by the DOJ, and shall be "an amount equal to the reasonable costs for processing the application for a new license, issuing the license, and enforcing the license, including any required notices, excluding fingerprint and training costs." In addition, if psychological testing on the initial application is required by the licensing authority, "the applicant may be charged for the actual cost of the testing in an amount not to exceed one hundred fifty dollars (\$150)." (Varies by Issuing Agency)	2	DOJ and local fees: Around \$250-\$350 (Varies by Licensing Authority)

Colorado	Concealed handgun permit	\$52.5 plus additional fees up to \$100 (Varies by County)	5	\$52.5 plus additional fees up to \$100 (Varies by County)
Connecticut	Permit to carry pistol or revolver permit	Residents: \$228.25 = \$70 (Temporary Local Permit Cost) + \$75 (State Background Check) + \$13.25 (Federal Background Check) + \$70 (State Permit Cost); Non-residents with valid permit by recognized jurisdiction: \$158.25 = \$75 (State Background Check) + \$13.25 (Federal Background Check) + \$70 (State Permit Cost)	5	\$228.25 for residents; \$158.25 for non-residents
Delaware	Concealed deadly weapon permits	\$65 for issuing; \$65 for renewal	initial application valid for 3 years; renewal every 5 years thereafter	\$91
District of Columbia	Concealed carry pistol license	\$75 (Application Fee) + \$35 (Fingerprint Processing Fee if your fingerprints are not already on file with the Metropolitan Police Department)	2	\$222.5
Florida	Concealed weapon or firearms license	\$97 = \$55 (Initial License Fee) + \$42 (Fingerprint Fee); Tax collector offices may charge an additional convenience fee of up to \$22 for new licenses.	7	\$69.3
Georgia	Firearms license	\$75 average fee for licensing and fingerprinting (Varies by County)	5	\$75 average fee (Varies by County)
Hawaii	License to carry handgun	\$10	1	\$10
Idaho†	Constitutional carry/permit for reciprocity with other states	\$20 plus additional fees for processing fingerprints and materials (Varies by County)	5	\$20 plus additional fees (Varies by County)

Illinois	Concealed carry handgun license	\$150 for residents; \$300 for out-of-state residents	5	\$150 for residents; \$300 for out-of-state residents
Indiana	License to carry handgun	There is no fee for a qualified or unlimited license. All NEW license applications incur a \$12.95 fee for IDEMIA Electronic Fingerprinting.	5 or Lifetime	\$12.95
Iowa†	Constitutional carry/permit for reciprocity with other states	\$50	5	\$50
Kansas†	Constitutional carry/permit for reciprocity with other states	\$112 = \$79.5 (Office of the Attorney General) + \$32.5 (Local Sheriff's Office); \$25 for renewal	4	\$118.25
Kentucky†	Constitutional carry/permit for reciprocity with other states	\$60 = \$20 (Local Sheriff's Office) + \$40(Kentucky State Treasurer)	5	\$60
Louisiana	Concealed handgun carry permit	Five Year Permit: \$125 (age 21-64) or \$62.5 (age 65+); Lifetime Permit: \$500 (age 21-64) or \$250 (age 65+)	5 or Lifetime	\$125; age 65+: \$62.5
Maine†	Constitutional carry/permit for reciprocity with other states	Residents: \$35 for an original application and \$20 for a renewal; Nonresidents: \$60 for an original or renewal application	4	\$40 for residents; \$75 for non-residents
Maryland	Handgun wear and carry permit	\$75 plus fingerprint fees for original; \$50 for renewal	initial application valid for 2 years; renewal every 3 years thereafter	\$125 plus fingerprint fees
Massachusetts	License to carry	\$100	6	\$83.3
Michigan	Concealed pistol license	\$100	4-5	\$100

Minnesota	Permit to carry pistol	not to exceed the actual and reasonable direct cost of processing the application or \$100 (Varies by County)	5	Up to \$100 (Varies by County)
Mississippi†	Constitutional carry/permit for reciprocity with other states	\$112	5	\$112
Missouri†	Constitutional carry/permit for reciprocity with other states	a nonrefundable fee not to exceed \$100 for processing an application (Varies by County)	5	Up to \$100 (Varies by County)
Montana†	Constitutional carry/permit for reciprocity with other states	\$55 = \$50 (Issuance Fee) + \$5 (Fingerprint Processing Fee); \$25 for renewal	4	\$61.25
Nebraska	Permit to carry a concealed handgun	\$100	5	\$100
Nevada	Concealed carry handgun permit	not to exceed \$60 (FBI fees will be extra)	5	Up to \$60 (FBI fees will be extra)
New Hampshire†	Constitutional carry/permit for reciprocity with other states	\$10 for residents; \$100 for non-residents	5	\$10 for residents; \$100 for non-residents
New Jersey	Concealed carry handgun permit	\$20	2	\$50
New Mexico	Concealed handgun carry permit	\$100 = \$56 (Application Fee paid to NMDPS) + \$44 (Background Check paid to Cogent) for application; \$75 = \$31 (Application Fee paid to NMDPS) + \$44 (Background Check paid to Cogent) for renewal	4	\$118.75
New York	Firearms license to carry concealed	\$10-\$200 plus fingerprint fees (Varies by County)	5	\$10-\$200 plus fingerprint fees (Varies by County)

New York City	Concealed carry handgun license	\$340 plus fingerprint fees	3	\$566.67 plus fingerprint fees
North Carolina	Concealed handgun permit	\$80 (Non-refundable Fee) plus fingerprint fees up to \$10	5	\$90
North Dakota†	Constitutional carry/permit for reciprocity with other states	\$60	5	\$60
Ohio	License to carry a concealed handgun	\$67 for applicants with 5+ years residency; \$67 plus the actual cost of having a background check performed by FBI (generally \$77 in total) for applicants with less than 5 years residency	5	\$67 for 5+ years residents; \$77 for less than 5 years residents
Oklahoma†	Constitutional carry/permit for reciprocity with other states	\$125 = \$25 (Local Sheriff's Office) + \$100 for 5-year license	5 or 10	\$125
Oregon	Concealed handgun license	\$65 = \$15 (Fingerprint Check Fee paid to State Police) + \$50 (Local Sheriff's Office) for issuance; \$50 for renewal	4	\$77.5
Pennsylvania	License to carry handgun	\$20	5	\$20
Rhode Island	License to carry a concealable weapon	\$40	4	\$50
South Carolina	Concealed weapon permit	\$50	5	\$50
South Dakota†	Constitutional carry/permit for reciprocity with other states	\$10	5	\$10
Tennessee†	Constitutional carry/permit for reciprocity with other states	\$65	8	\$40.63

Texas†	Constitutional carry/permit for reciprocity with other states	\$40 for an original LTC; \$40 for renewal	initial licenses last 4 years; renewal licenses last 5 years	\$48
Utah†	Constitutional carry/permit for reciprocity with other states	\$53.25 for residents; \$63.25 for non-residents	5	\$53.25 for residents; \$63.25 for non-residents
Vermont†	No permits required/does not issue permits	N/A	N/A	N/A
Virginia	Concealed handgun permit	not to exceed \$50 for residents; \$100 for non-residents	5	\$50 for residents; \$100 for non-residents
Washington	Concealed pistol license	\$36 plus fingerprinting fees	5	\$36 plus fingerprinting fees
West Virginia†	Constitutional carry/permit for reciprocity with other states	\$50 = \$25 (Application Fee) + \$25 (if approved)	5	\$50
Wisconsin	Concealed weapon license	\$40 = \$30 (Application Fee) + \$10 (Background Check Fee)	5	\$40
Wyoming†	Constitutional carry/permit for reciprocity with other states	\$64 (Attorney General/DCI) plus processing and fingerprinting fee (Local Sheriff's Office)	5	\$64 plus processing and fingerprinting fee
	Average cost of permits (Looks at the cost of permits even if it isn't necessary to have a permit in a Constitutional Carry state.)			\$80.73
	Average cost of permits (The fee in pure Constitutional Carry states is zero.)			\$54.48
† States where permits not required to carry within the state. Permits only obtained to carry outside of state.				

III. How much will Permits Increase if the U.S. Supreme Court Strikes Down the “Proper Cause” Requirement?

The U.S. Supreme Court case of *New York State Rifle & Pistol Association V. Corlett* in November could have a major impact on the number of people with concealed handgun permits. That case will determine whether those requesting permits need to provide a “proper cause” for obtaining a permit. The eight states with that rule have issued permits to only 1.24% of their adult population compared to 10.8% for all the other states.

One state that used to have similarly restrictive rules but dropped them by court order is Illinois. Illinois now has 4.35% of its adult population with permits, though it has taken seven years to get to that rate. When courts forced Illinois to adopt Right-to-Carry rules, they made it as difficult as possible. The total cost of a permit with fees and training in Illinois is over \$400. Presumably, these May Issue states will behave similarly and also make it difficult to get permits.

Seven May Issue have lower permitting rates than Illinois (California, Delaware, Hawaii, Maryland, New Jersey, New York, and Rhode Island), with an average of just 0.59% of the adult population. Massachusetts is the one exception with 8.3%, but that rate varies tremendously across the state.

If these other seven states were with lower permit rates raised their permits to the same rate as Illinois by the Supreme Court striking down a “proper cause” regulation, they would eventually have at least 2.3 million more permits.

IV. The Changing Gender and Race of Permit Holders

Fourteen states, with about 9.2 million permit holders between them, have reported permit data by gender for 2021 (Louisiana, Oklahoma, and Tennessee have that data for 2020). Among those states, women averaged 28.3% of permit holders – slightly increased from 2020. The states represent all regions of the country: Arizona, Connecticut, Florida, Illinois, Indiana, Iowa, Louisiana, Massachusetts, Montana, New Mexico, Oklahoma, Tennessee, Texas, and Washington. No longer including North Carolina in the count.

For seven states, we have the data to make a comparison over a seven or eight-year period. All of these states experienced a general upward trend in female permit holders, though Oklahoma and Texas experienced slight drops in 2018.

- Arizona: the percentage of permit holders who are women rose from 20.8% in 2012 to 21.2% in 2016 to 22.0% in 2018 to 24.1% in 2021.
- Connecticut: from 16.7% in 2012 to 22.3% in 2018 to 23.7% in 2021.
- Florida: from 18.0% in May 2012 to 24.1% in May 2016 and 26.3% in June 2018 and 28.6% in June 2021.
- Indiana: from 19.6% in 2012 to 23.8% in 2015, 27.6% in 2018 and 31.0% in July 2020.
- Louisiana: from 18.3% in 2009 to 24.1% in 2016, 25.6% in 2018, and 25.3% in 2020.
- North Carolina: from 21.3% in June 2012 to 27.5% in June 2016 to 28.7% in March 2017 (the state stopped providing this information after 2017).
- North Dakota: from 11.2% in 2010 to 24.9% in 2014.
- Oklahoma: from 28.9% in 2012 to 36.3% in 2016 to 33.1% in 2018 and 29.4% in 2020.
- Tennessee: from 25.9% in 2012 to 34.3% in 2016 to 34.6% in 2020.
- Texas: from 22.0% in 2012 to 27.5% in 2018 and 29.2% in August 2021.

- Washington State: between 2005 and 2014, “the growth rate for women getting new permits [was] twice as fast as that of men.”¹⁸ We don’t know the exact percentages in those two years, but by 2017, women held 25.2% of permits and 26.7% in September 2021.

In the seven states where we have data by gender for both 2012 and the latest year 2020/2021, the number of permits increased by 248% for women and by 119% for men — a 108.7% faster rate among women.

Fewer states are releasing data on the race of permit holders. Four states have data on permit issuance by race for 2015 and 2020/2021. In these states (Arizona, Louisiana, Oklahoma, and Texas) the number of permits grew at a 135.7% faster rate for blacks than for whites. Permits for Asians grew 93.2% faster than whites.

Several states provide detailed data since 2002 or earlier. Texas provides detailed issuance information on both race and gender from 1996 through 2020.¹⁹ The data indicate that permitting has increased fastest among blacks, followed closely by Asians, but whites still hold the vast majority of permits.

After Texas reduced its minimum training hours from ten to four in 2012, the growth in permits for Asians, Blacks, and American Indians was rapid. While the number of permits to Blacks grew by 71% in the four years prior to the reduced training requirement, it grew by almost 140% in the four years after 2012. The growth rate of permits for American Indians also doubled after the training requirements were reduced.

When permit data is broken down by race and gender, we find that black females have had the fast growth, especially during the pandemic. The rates of permit holding among American Indian, Asian, Black, and White females all grew much faster than the rates for males in those racial groups. Concealed carry has increased most rapidly among black females. From 2000 to 2020, the rate of

¹⁸ Justin Mayo, Brian M. Rosenthal, and Erika Schultz, “Concealed-carry permits skyrocket, especially for women,” *The Seattle Times*, May 31 2014 (<http://www.seattletimes.com/seattle-news/concealed-carry-permits-skyrocket-especially-for-women/>).

¹⁹ Those who indicated that they were of multiple races were excluded because people’s willingness to say that they are of multiple races has changed over time. Thus, it is not possible to know how much of the change is due to people’s willingness to identify themselves this way or an actual change in the number of people in this category.

growth was more than four times faster than among white females.

North Carolina has detailed data on the race of permit holders from 1996 to 2016. Again, Asians show the largest growth, followed by American Indians and then Blacks. The growth rate for Blacks is still about twice as fast as that for Whites.

Oklahoma data from 2002 to 2020 also show a similar pattern. Asians are the fastest growing groups, with Blacks and American Indians tied for second the fastest growth rate. The growth in the number of Blacks permits was three times the growth for White permit holders.

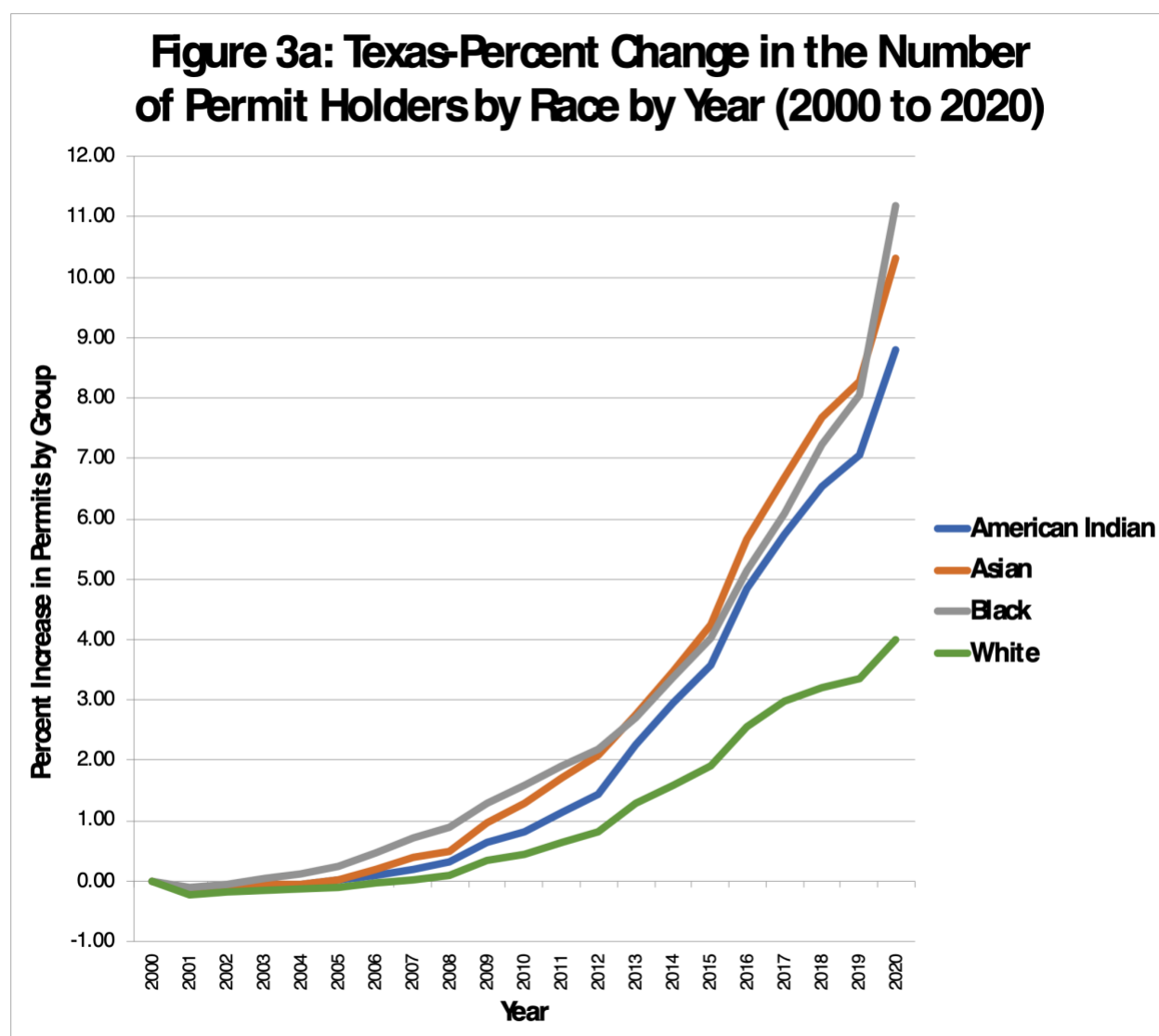


Figure 3b: Texas-Percent Change in the Number of Permit Holders by Race and Gender by Year (2000 to 2020)

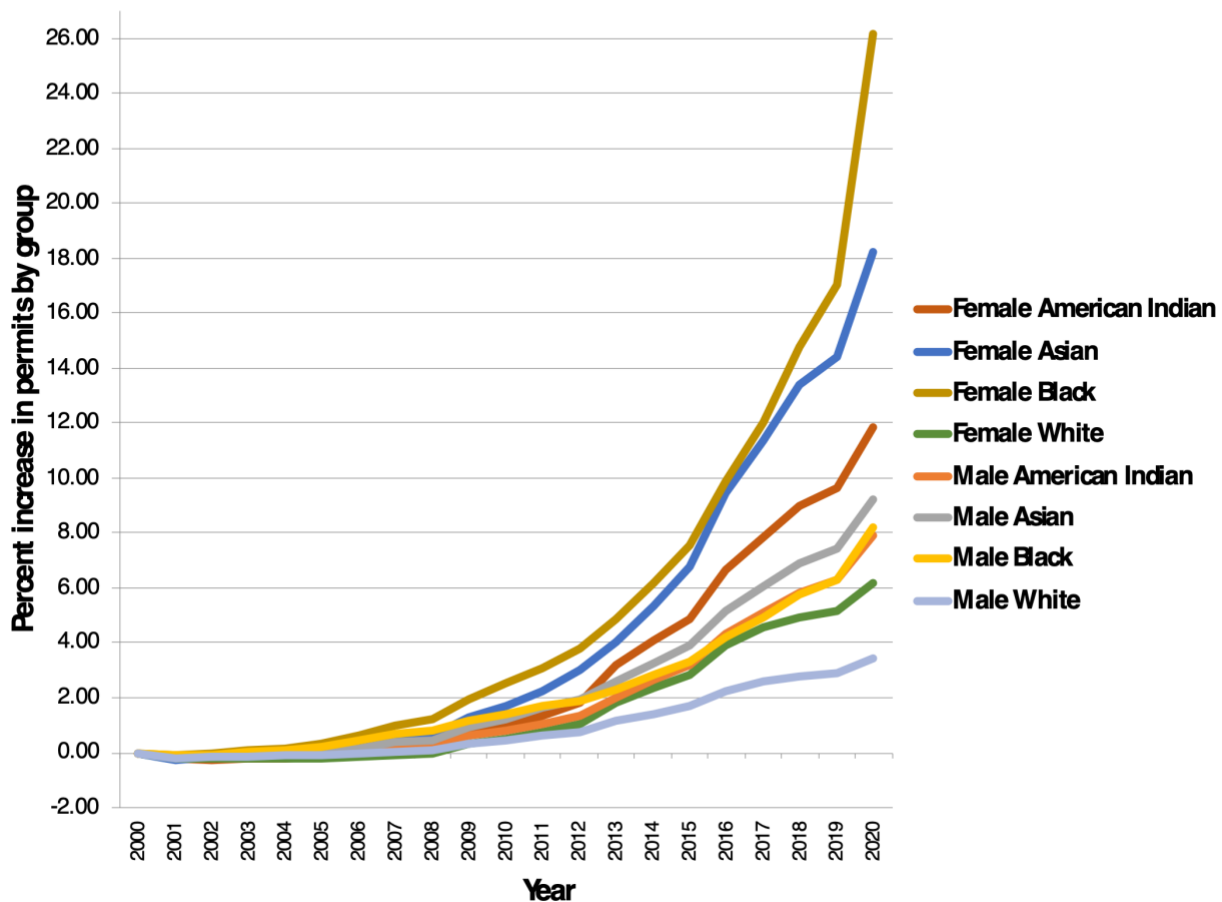


Figure 3c: Percent of Texas Permit Issued to Holders who are Black by Year (1996-2020)

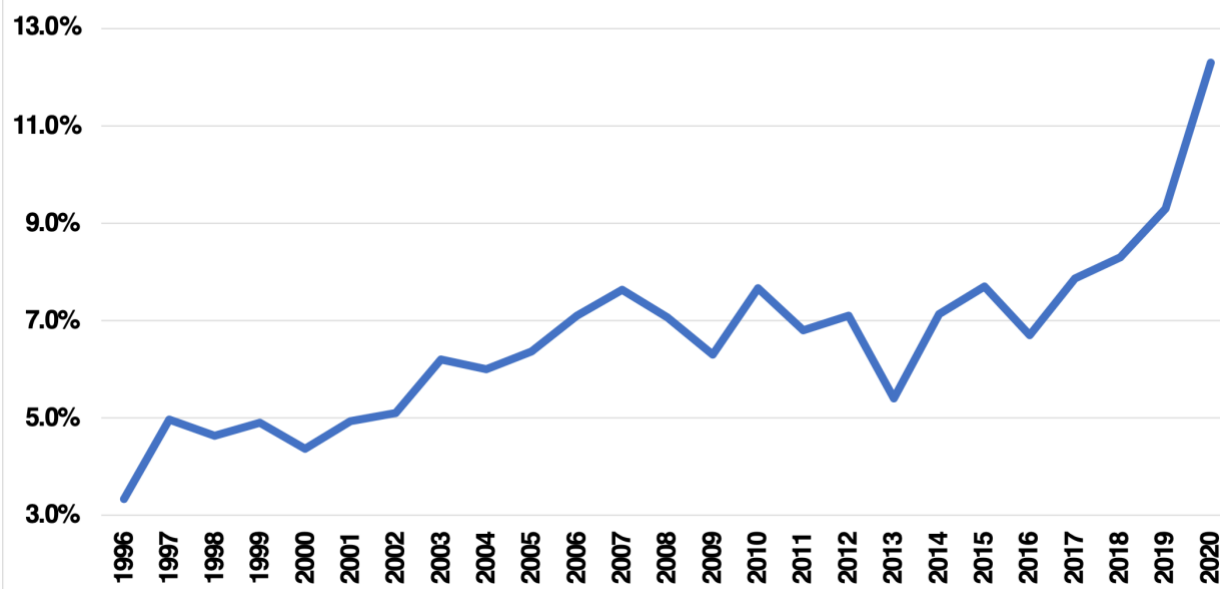


Figure 3d: Percent of Texas Permit Issued to Holders who are Female by Year (1996-2020)

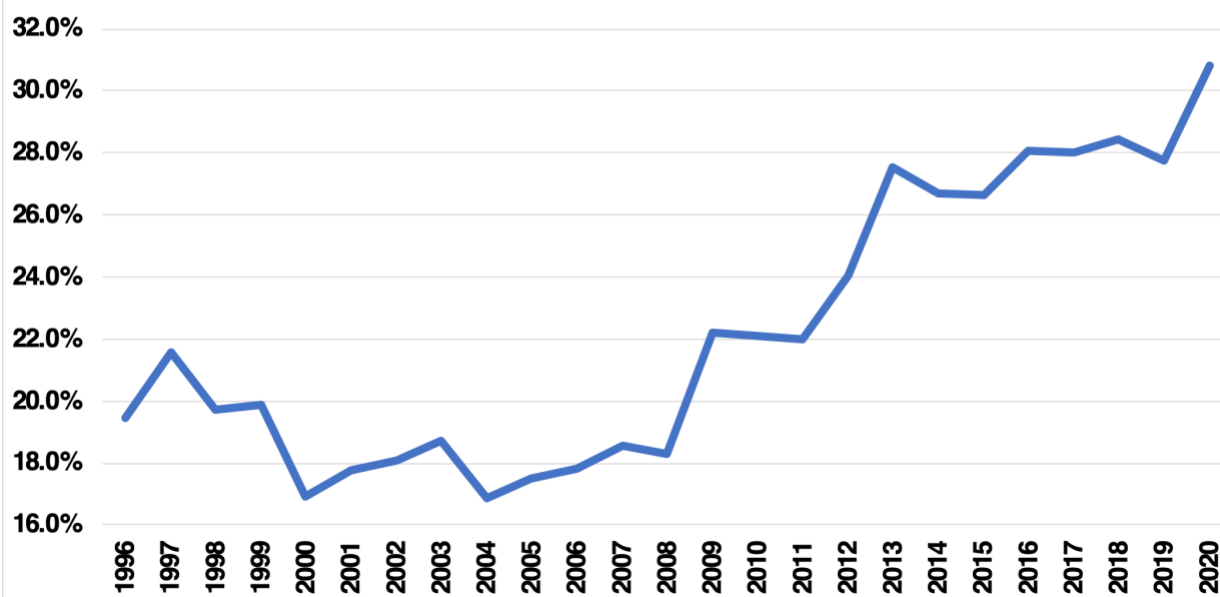


Figure 4a: North Carolina: Percent Change in the Number of Active Permit Holders Issued by Race by Year

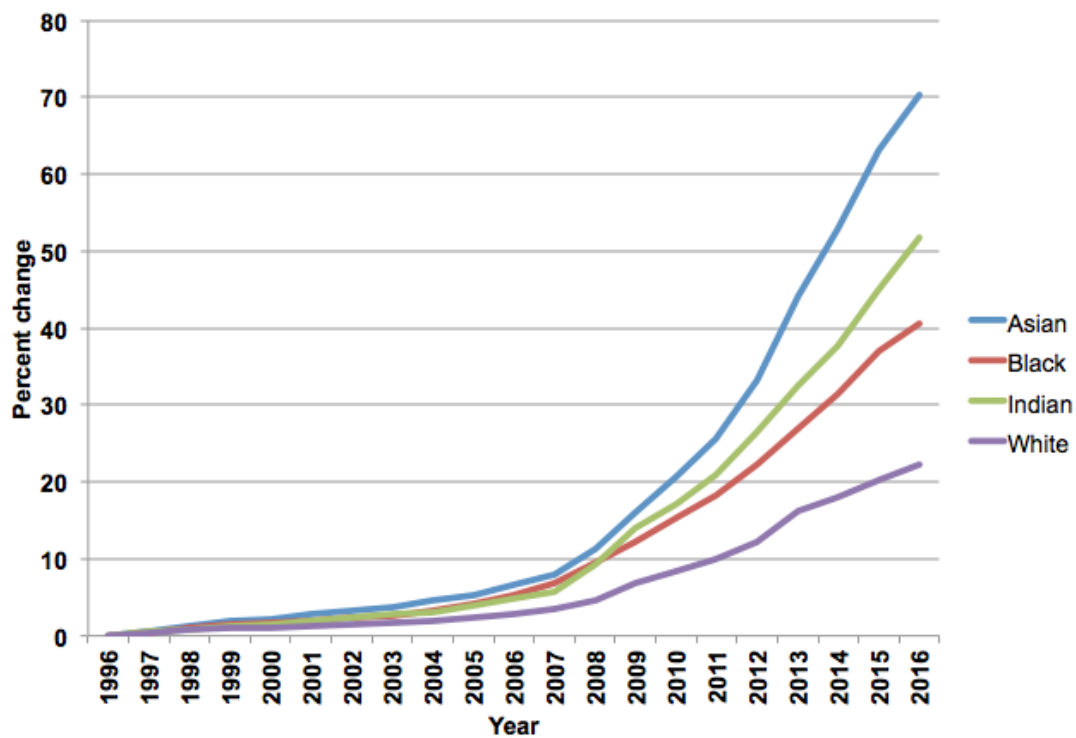


Figure 4b: North Carolina: Percent of Permits held by Blacks

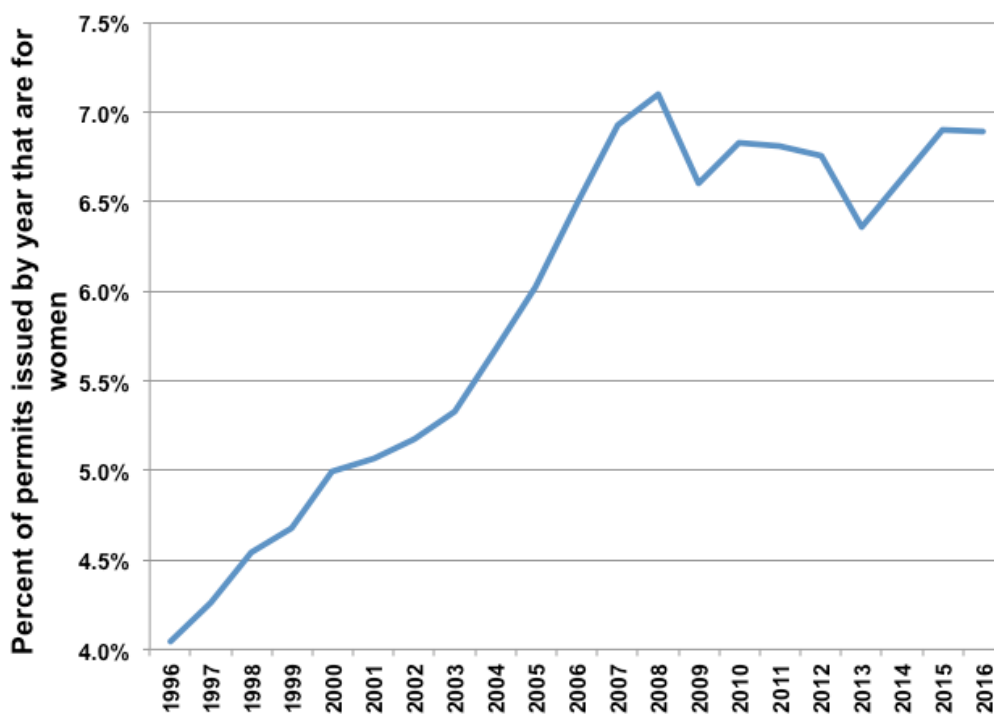


Figure 4c: North Carolina: Percent of Permits held by Women

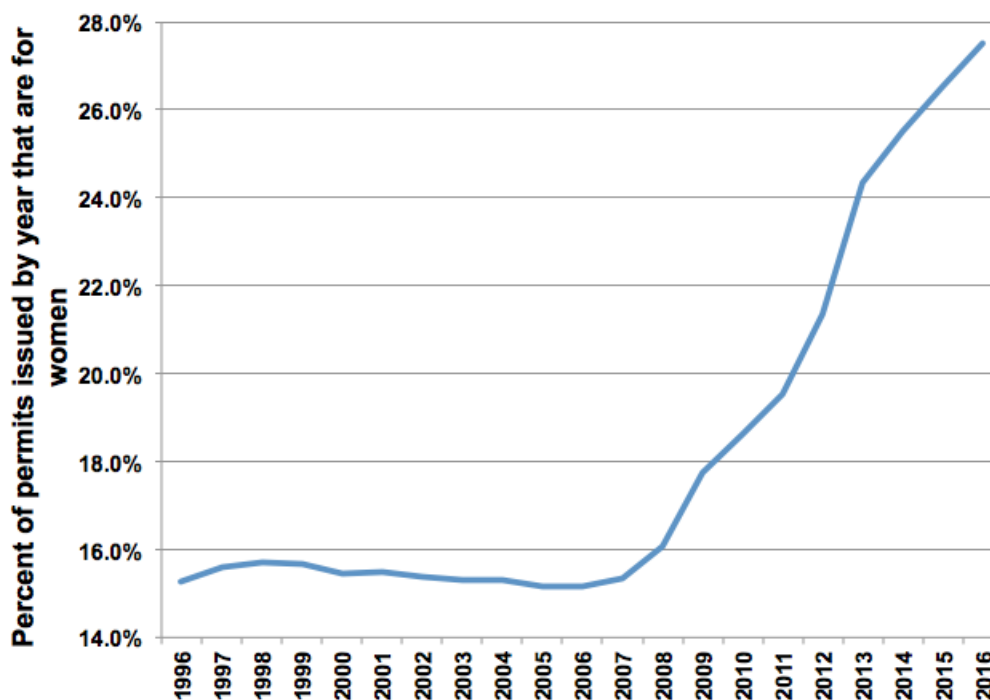


Figure 5a: Oklahoma-Percent Change in the Number of Active Permit Holders Issued by Race by Year

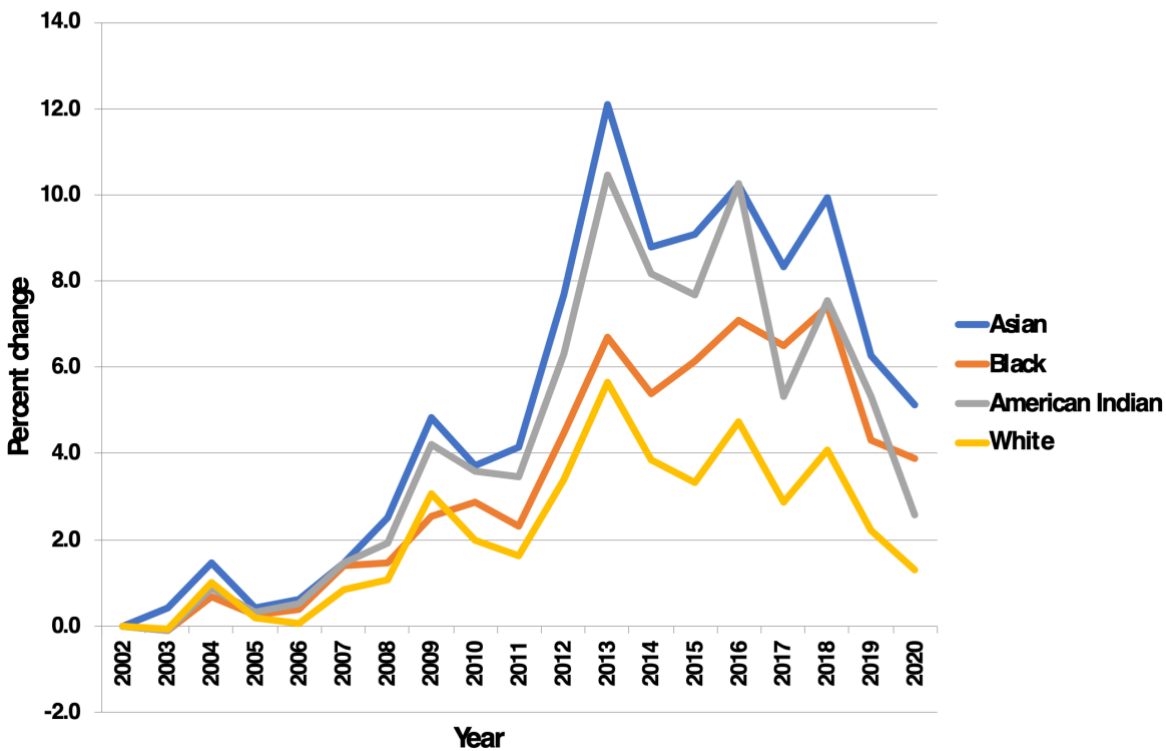
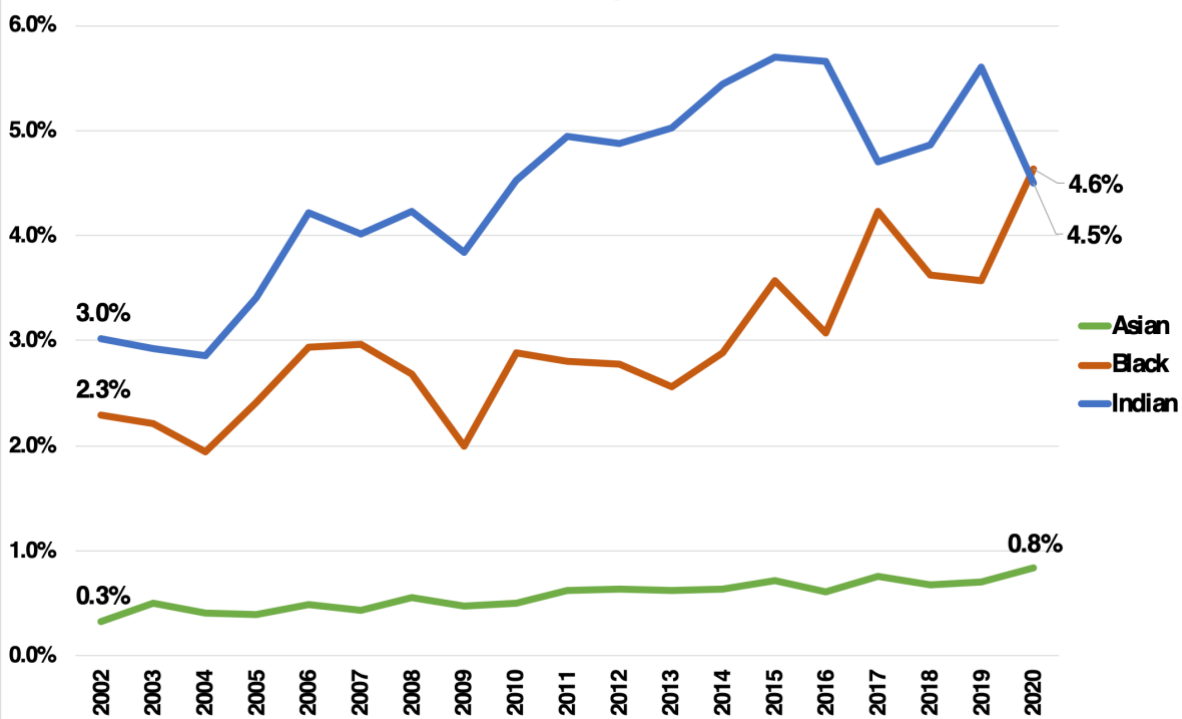


Figure 5b: Oklahoma-Percent of Permit Holders Issued by Race



V. Evidence that “Proper Cause” requirements discriminate against Hispanic and Women when giving out permits

In 2013, **LA Weekly** obtained a list of the 341 concealed carry permit holders in Los Angeles County, California.²⁰ That is only about 0.0045% of the **7.7 million** adults living in the county in 2013. LA Weekly pointed out that the people given permits were judges, reserve deputy sheriffs, and a small group who gave campaign contributions or gifts to then-Sheriff Lee Baca. Something that LA Weekly didn't do was look at the list to determine the race of those lucky few getting permits. In Los Angeles County in 2013, about **48.1%** of the people living there were Hispanic, 9% were black, and 50.7% women.

To check the race of those who received permits, we used two approaches. First, we did Google searches as well as searches on social media to find information on people. Using this, we identified the race of 135 people: 4 Hispanics (3%), 7 blacks (5.2%), 15 Asians (11.1%), and 109 whites. Only 16 were females (11.9%). Hispanics and women had much lower permitting rates than the general population and the rates that those groups obtained concealed handgun permits in places that don't allow authorities discretion in determining whether people have a justifiable need to carry a gun for protection. Asians were not as different than their 14.4% of the population in 2013.

For all 341 names, we used a **website** that listed the probability that the last name is Hispanic.²¹ We included any last name as Hispanic when the probability of them being Hispanic was at least 5%. Doing that implied that a total of just 22 of the 341 people could be Hispanic (6.5%), still a number dramatically lower than their share of the population. There are three names that we couldn't classify as male or female (Bobbie, Tracy, Robbie), but if you assume that they are all women, only 26 of the 341 permit holders are women (7.6%).

By comparison, this is dramatically lower than 29% of the permit holders being women that we found for eight states in 2012. Eight states that had similar information on race showed that 11% of permit holders were black.

²⁰ Gene Maddaus, “Who's Packing Heat in L.A. County? Sheriff Lee Baca's Gun Permit List Includes Many Personal Friends,” LA Weekly, February 14 2013 (<http://www.laweekly.com/news/whos-packing-heat-in-la-county-sheriff-lee-bacas-gun-permit-list-includes-many-personal-friends-4174664>).

²¹ The website that we used is called “Most common last names for Latinos in the U.S.” (<http://names.mongabay.com/data/hispanic.html>).

Previous work that we have done has discussed the impact of how gun control in **Chicago** on the poor obtaining handguns.²² In Chicago and DC, the zip codes that have guns under Democrat rules tend to be higher income and much more heavily white areas.

VI. The Impact of Concealed Handgun Permit Fees and Training Requirements on The Type of People Who Get Permits

As noted previously, there are dramatic differences in the costs of concealed handgun permits across states. That has two effects: it determines the number of people who get permits and the type of people who get them. That has important implications for how much concealed handgun laws reduce crime. Empirical research shows that the people who are the most likely victims of violent crime — poor blacks who live in high crime urban areas — are the ones who benefit the most from having concealed handgun permits.²³ Yet, higher fees and longer training periods prevent poor people from getting permits.

Illinois and Washington, D.C. are the two places that courts have previously forced to move from either no issue or May-Issue to Right-to-Carry rules (Moore v. Madigan 702 F.3d 933 (7th Cir 2012) and Wrenn v. District of Columbia, 864 F.3d 650 (D.C. Cir. 2017)). But while 9.2 percent of American adults outside of California and New York have concealed handgun permits, only 3.37 percent of adults in Illinois and 0.79 percent in D.C. have permits. With only one exception, these rates are lower than all the May-Issue states and a few of the Constitutional Carry states where permits are not required. When courts forced Illinois and D.C. to adopt Right-to-Carry rules, they made it as difficult as possible. As previously mentioned, the total cost of a permit with fees and training in Illinois is over \$400. In D.C., it is about \$570.²⁴

Texas provides unique information on the race of permit holders as well as having significant changes in both the permit fees and training requirements. On September 1, 2013, Texas reduced the training requirement to obtain a permit

²² John R. Lott, Jr., "Can poor people be trusted with guns?"

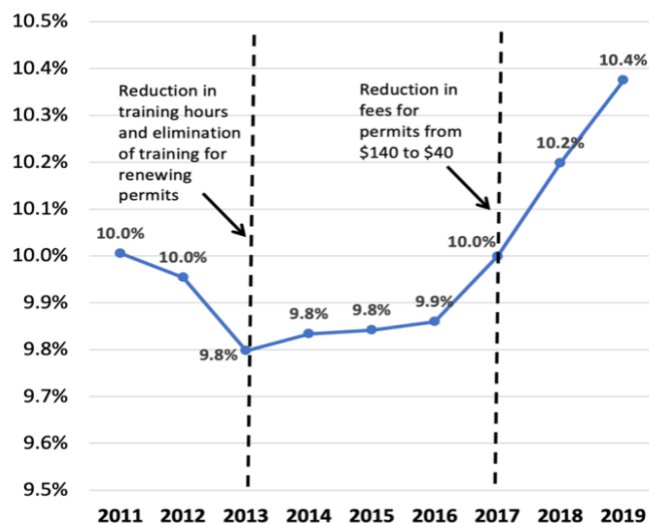
Fox News, March 12 2013 (<http://www.foxnews.com/opinion/2013/03/12/can-poor-people-be-trusted-with-guns.html>).

²³ John R. Lott, Jr., *More Guns, Less Crime: Understanding Crime and Gun Control Laws*, University of Chicago Press, 2010.

from ten hours to four hours and eliminated the training requirement for renewing the permit. On September 1, 2017, Texas reduced permit fees for a five-year permit from \$140 to \$40. The question is: do higher costs of getting a permit differentially impact blacks and other minorities? The answer looks clearly yes.

Figure 6

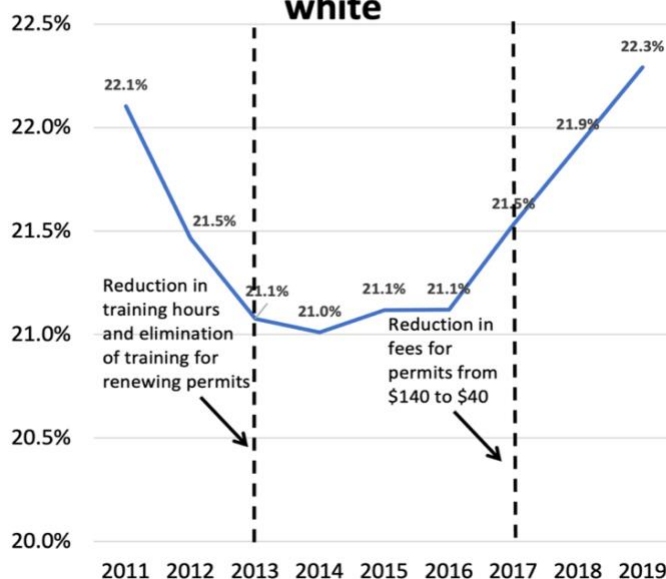
Percent of Concealed Handgun Permit Holders who are Black



The graphs show a common pattern: the percent of concealed handgun permits held by blacks and non-whites fell before Texas reduced the training requirement in 2013. Reducing both the costs of training and fees quickly increased blacks' and minorities' share of the permits. Blacks' share of permits fell to 9.8% in 2013 and then rose to 10.4% in 2019.²⁵ While permits increased dramatically from 691,475 in 2013 to 1,416,698 in 2019, permits for blacks and non-whites were growing faster than for whites.

²⁵ All the data for Texas is available in Reports and Statistics, Texas Department of Public Safety (<https://www.dps.texas.gov/section/handgun-licensing/reports-statistics-1>).

Figure 7
Percent of Concealed Handgun
Permit Holders who are Non-
white



This discussion raises the concern that requiring New York to issue concealed handgun permits on a Right-to-Carry basis will result in them adopting rules that make permits very costly and prevent many of those who need permits the most from obtaining them. This prevents poor minorities, the very people who benefit the most from owning guns, from having them. This underscores why the Court needs to clearly reaffirm the fundamental nature of the right, to prevent states from engaging in regulations to limit the effect of the Court's decisions.

VII. Examples of People who are facing death threats and prevented from getting permits in states with discretionary permitting rules

-- Cases in San Francisco²⁶

- Woman who had a criminal protective order (2014)
- Corrections officer, denied three times, last time in October 2013. Inmates had clearly threatened him.
- Former Del Norte County (California) deputy district attorney who was worried that past felons that he had put in prison would harm him.

-- New Jersey

- Israel Albert Almeida had evidence that a “tenant's live-in boyfriend threatened to kill him” (2015).²⁷
- Marc Stephens faced multiple death threats (2013)²⁸
- Lt. Col. Terry Russell “applied for a concealed carry permit as military personnel and especially personnel that work at highly sensitive areas (like the Picatinny Armory) are at higher risk of terrorist attacks.” (2016)²⁹

-- New York

²⁶ Matt Drange, “Want to carry a concealed gun? Live in Sacramento, not San Francisco,” *Reveal*, June 12 2015 (<https://www.revealnews.org/article/want-to-carry-a-concealed-gun-live-in-sacramento-not-san-francisco/>).

²⁷ Joe Carlson, “Second Amendment group backs Andover Twp. man’s bid to carry gun,” *New Jersey Herald*, March 1 2015 (<http://www.njherald.com/story/28230557/second-amendment-group-backs-andover-twp-mans-bid-to-carry-gun#>).

²⁸ Chris Eger, “New Jersey man fights state gun permit law all the way to Supreme Court,” *Guns.com*, January 30 2017 (<http://www.guns.com/2017/01/30/new-jersey-man-fights-state-gun-permit-law-all-the-way-to-supreme-court/>).

²⁹ Sam Hooper, “CCW Weekend: What Constitutes “Good Cause” In May-Issue States,” *Daily Caller*, November 5 2016 (<http://dailycaller.com/2016/11/05/ccw-weekend-what-constitutes-good-cause-in-may-issue-states/>).

- John Stossel, Fox News Host, New York City 2013: Denied a permit despite providing evidence of many death threats.³⁰
- Sean McCarthy served as a key witness that sent members of the “Pagans Outlaw Motorcycle Club” to prison. In 2017, he tried to get a permit as he was worried that he faced retribution.³¹
- Washington, DC
 - In 2016, Corrections Officers Robert Smith, Ronald DuBerry, Harold Bennette, and Maurice Curtis, who had all received death threats from inmates that they had once guarded, were finally granted permit licenses but only after a case that they took to the DC Circuit Court.³²

VIII. Permit Holders are Extremely Law-abiding

It is very rare for permit holders to violate the law. In order to appreciate how incredibly rare these violations are, one needs to remember that there are over **21.52 million permit holders** in the US. Indeed, it is impossible to think of any other group in the US that is anywhere near as law-abiding.

To get an idea of just how law-abiding concealed handgun permit holders are, we need only compare them to police. According to a study in *Police Quarterly*, police committed an average of 703 crimes per year from 2005 to 2007.³³ 113 of these involved firearms violations. This is likely to be an underestimate, since not all

³⁰ "The Insane Gun Laws of NYC," Fox News, November 16 2013 (<https://www.youtube.com/watch?v=24jRaxXT7JQ>).

³¹ Michael O’Keeffe, “Former club manager sues county over gun permit denial,” *Newsday*, March 30 2017 (<http://www.newsday.com/long-island/former-club-manager-sues-county-over-gun-permit-denial-1.13340941>).

³² Fox News, "DC must let ex-prison guards pack heat, federal court rules," Fox News, June 3 2016 (<http://www.foxnews.com/us/2016/06/03/dc-must-let-ex-prison-guards-pack-heat-federal-court-rules.html>).

³³ Phil Stinson, J Liederbach and TL Freiburger, “Exit Strategy: An Exploration of Late-Stage Police Crime,” *Police Quarterly* December 2010 13: 413-435. Data on the number of full-time law enforcement employees is available from the FBI Uniform Crime Reports from 2005 to 2007, Table 74 (https://www2.fbi.gov/ucr/05cius/data/table_74.html).

police crimes receive media coverage. The authors of the study may also have missed some media reports.

With about 685,464 full-time police officers in the U.S. from 2005 to 2007, we find that there were about 103 crimes per hundred thousand officers. For the U.S. population as a whole, the crime rate was 37 times higher -- 3,813 crimes per hundred thousand people.

Perhaps police crimes are underreported due to leniency from fellow officers, but the vast crime gap between police and the general populace is indisputable.

Even given the low conviction rate for police, concealed carry permit holders are even more law-abiding than police. Between June 30, 2020 and June 30, 2021, Florida revoked 819 concealed handgun permits for any reason, including misdemeanors or felonies. With over 2.5 million permit holders during this period, this is a rate in the hundredths of one percentage point. Of the 26,304 total convictions in the Texas DPS 2020 report, only 114 — or. 0.43 percent — were convictions of LTC holders, a conviction rate of 6.7 per 100,000.³⁴

Between October 1, 1987 and December 31, 2011, there were 168 revocations for firearms related violations in Florida (after **January 2011**, Florida stopped breaking out the firearms related violations by themselves). Over that period the average number of valid permits per year was 284,423, so the average annual revocation rate for firearm violations was 0.002%. **For Texas, permit revocations for firearms related violations amounted to 21 or 0.0012% of permit holders.**

Among police, firearms violations occur at a rate of 16.5 per 100,000 officers. Among permit holders in Florida and Texas, the rate is only 1.4 per 100,000. That is a rate of just 1/12th the rate for police officers. But there's no need to focus on Texas and Florida — the data are similar in other states.

³⁴ <https://www.dps.texas.gov/sites/default/files/documents/rsd/ltc/reports/convictionratesreport2020.pdf>

Table 4: Revocation Rates for permit holders in 2021		
State	Rate	Source
Alaska	0.083%	Eric Gaffney, Records & Licensing Supervisor, Department of Public Safety (907) 269-5634
Arizona	0.009%	https://www.azdps.gov/services/public/cwp?qt-cwp_menu_=11#qt-cwp_menu_
Connecticut	0.585%	Imisa Rivera, Unit Supervisor, Special Licensing & Firearms Unit (860) 685-8011
Florida	0.032%	https://www.fdacs.gov/content/download/7499/file/cw_monthly.pdf
Louisiana	0.010%	http://www.lsp.org/pdf/2020_CHP_Annual_Legislative_Report.pdf
Maryland	0.335%	Patrick McCrory Jr., First Sergeant / Assistant Commander, Maryland Department of State Police, Licensing Division (410) 653-4465
Massachusetts	0.033%	Michaela Dunne, Deputy Commissioner, Massachusetts Department of Criminal Justice Information Services (617) 660-4682
Michigan	0.204%	https://www.michigan.gov/documents/msp/CPL_Annual_Report_2019-2020_711670_7.pdf
Montana	0.104%	Alden Tonkay, Office of The Attorney General, Montana Department of Justice (406) 444-2026
New Mexico	0.025%	Santana L. Villanueva, IPRA Coordinator, Department Of Public Safety, Law Enforcement Records Bureau

		(505) 827-9225
North Carolina	0.097%	Shannon Hanes, Business and Technology Application Analyst, North Carolina State Bureau of Investigation (919) 582-8600
Ohio	0.055%	https://www.ohioattorneygeneral.gov/Files/Reports/Concealed-Carry-Annual-Reports-(PDF)/2020-CCW-Annual-Report
Oklahoma	0.052%	https://osbi.ok.gov/file/9406/download?token=9cZTCb8m
South Carolina	0.266%	https://www.sled.sc.gov/cwp.html#stats
Tennessee	0.120%	https://www.tn.gov/content/dam/tn/safety/documents/handgun-permit-reports/HandgunCarryPermitsReport2020.pdf
Texas	0.034%	https://www.dps.texas.gov/sites/default/files/documents/rsd/lrc/reports/2020calendar/byrace_sex/4licensesrevoked.pdf
Utah	0.107%	https://bci.utah.gov/firearm-transfers/history-overview-statistics/firearm-transfer-concealed-firearm-permit-statistics/
Virginia*	0.145%	Michael S. Matthews, Manager of Firearms Transaction Center, Va. State Police (804) 674-2210
Washington	This data is problematic, waiting for WPDC's clarification	Gaylene Schave, Washington Public Disclosure Coordinator

Wisconsin	0.249%	Paul M. Ferguson, Office of Open Government, Wisconsin Department of Justice (608) 267-2220
*Virginia resident concealed handgun permits data.		

Listed above are the recent revocation rates in 20 states. Most of these rates include revocations for any reason, including people moving out of the state, and for the states where the revocation rates are higher than hundredths of a percentage point are due to residency revocations. People can also lose their permits for some types of traffic violations, for forgetting to have their permits with them, or for being charged with or convicted on a violent misdemeanor or felony. In Ohio, most of these revocations were apparently a result of handgun course teachers not spending the required number of hours teaching their classes.³⁵

Since permit holders commit virtually no crimes, right-to-carry laws can't increase violent crime rates (see appendix).³⁶

IX: Deterring Crime

Many factors affect crime rates: arrest and conviction rates, policing policies, prison, demographics, income, poverty, and education. But concealed carry laws

³⁵ "Concealed carry instructor allegedly gave out 170 invalid training certificates," The News-Herald (Ohio), May 25 2015 (<http://www.news-herald.com/general-news/20150525/concealed-carry-instructor-allegedly-gave-out-170-invalid-training-certificates>); "About 50 gun permits invalid after two instructors accused of forgery," The Columbus Dispatch, July 15 2016 (<http://www.dispatch.com/content/stories/local/2016/07/14/Concealed-carry-permits-bad.html>); Lynn Thompson, "Silent Justice for gun permits," Bryan (Ohio) Times, February 4 2015 (http://www.bryantimes.com/news/local/article_35d9b7bd-10c7-5d86-b9fe-a56843d73d91.html); "CCW Instructors get jail for cutting class short," Lima (Ohio) News, November 25 2014 (<http://limaohio.com/archive/18890>);

³⁶ A detailed discussion of these numbers and how the percentages are calculated is available here (<https://crimeresearch.org/2017/07/badly-flawed-misleading-donohue-aneja-weber-study/>).

are also part of the story, especially when a large percentage of the population has permits. The overwhelming majority of peer-reviewed academic research by economists and criminologists concludes that ownership of permitted concealed handguns causes a reduction in violent crime. The debate is between those claiming a reduction in crime and those denying any effect (for a survey of the academic research, see Lott, "What a balancing test will show for right-to-carry laws," *University of Maryland Law Review* (2012): 1205-1218).

Most research, however, focuses on what states allow right-to-carry, not the more relevant question of how many people actually have permits. (Only peer-reviewed studies by John Lott in the second and third editions of *More Guns, Less Crime* [University of Chicago Press, 2000 and 2010] use the number of permits to measure the impact of concealed carry laws). Empirical tests should measure whether crime rates fell relatively sharply in those states with the largest percentage of permit holders.

In 2014, the seven states with constitutional carry had much lower rates of murder and violent crime than did the seven jurisdictions with the lowest percentages of permit holders. Indeed, the murder rate was 31 percent lower in the states not requiring permits. The violent crime rate was 28 percent lower.

Compared to the rest of the country, the 25 states with the highest concealed carry rates experienced markedly lower rates of murder and violent crime.

Of course, such a comparison is far too simplistic. There are many factors that influence crime rates, and simple, cross-sectional comparisons are unable to account for all of them. We can account for differences across states only by looking at how crime rates vary before and after changes in a state's concealed carry laws.

States have adopted concealed handgun laws in different years and issued permits at different rates. This allows for revealing comparisons (see Appendix for a large and growing body of peer-reviewed literature). We must look across states and compare changes in crime rates with changes in the rates of permit holding. Doing so has consistently revealed a very strong relationship between more permits and less violent crime (e.g., Lott, *More Guns, Less Crime*, University of Chicago Press 2010 and Lott 2012).

Our analysis here doesn't provide such sophisticated estimates, simply because the necessary data will not be available for at least a couple of years. Thus, this

report should only be viewed as suggestive.³⁷

Instead of just comparing states that don't require permits with those that do, it is also possible to look just at states that require permits. After accounting for the per capita number of police, new prison admissions, and demographics, this state level permit data suggests that each 20 percent increase in the rate of adults with permits (about one percentage point) is roughly associated with a 15 percent drop in the murder rate. Since the latest state level crime data is only available through 2014, the 2011 and 2014.³⁸

Using permit and murder data from 2011 through 2014, we find that states with the sharpest increases in permits had the largest percentage drops in murder rates. A 10 percent increase in the share of the adult population with permits reduces the murder rate by 1.4 percent.³⁹

³⁷ Regressing the natural log of the murder rate on the percent of the adult population with permits, the number of full-time sworn police officers per 1,000 Americans, and a time trend finds:

$\ln(\text{murder rate}) = -.2499 (7.15) \text{ percent of adults with permits} - .8197 (5.50) \text{ police per } 1,000 \text{ Americans} - 0.0023 (3.41) \text{ Prison Population per } 100,000 \text{ people} + 0.0068 (2.51) \text{ year time trend} - 8.95 (1.76) \text{ Constant}$

Using the percent of the population in prison instead of a time trend produced very similar results.

³⁸ To estimate this we ran a couple simple regressions on the murder rate on the percentage of adult population with permits as well as with and without state and year fixed effects. There is a lot of noise in these estimates both because the permit numbers come from many different years as well as the estimated number of murders in 2013. These estimates have a great deal of measurement error and should only be taken as suggestive. That said, the simplest estimate regressing the murder rate on the percentage of the adult population with permits produces a coefficient and absolute t-statistics of - 12.68 (1.66). With fixed effects, the estimate was 6.8 (0.82).

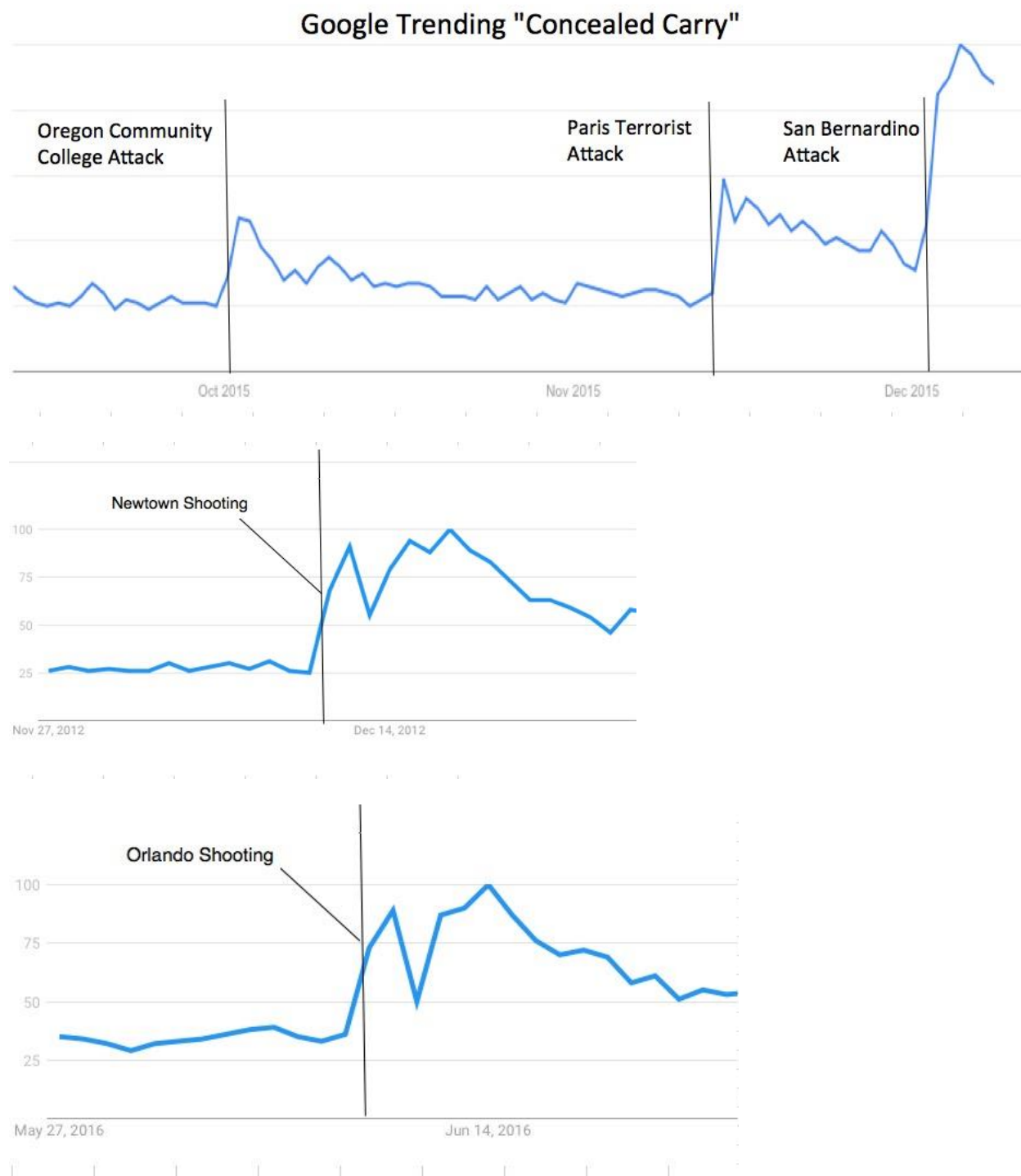
³⁹ Regressing the percent change in murder rates on the percent change in the share of the adult population between 2011 and 2014 gives us this:

$\text{Percent change in murder rates} = -.136 (1.38) \text{ the percent change in the share of the adult population} + .212 (0.99) \text{ Constant}$

F-statistics = 1.92, Adjusted R-squared = 0.0242

X. Why is the Number of Permits Increasing?

A simple Google Trends search shows that people's interest in concealed carry has spiked in the wake of recent mass public shootings. Here is the search activity after four notable attacks.



These attacks have also been followed by sharp increases in the number of

permits being issued. With about 2.04 million new concealed handgun permits issued in just the last year — bringing the total to 21.52 million — Americans have clearly done more than simply look up information on the Internet.

The surge in concealed handgun permits corresponds closely with opinion polls on guns. Take a series of polls by the Pew Research Center. In December 2012, 48% of respondents said that owning a gun “protected them from being crime victims” as opposed to 37% who answered that it would be “putting people’s safety at risk.”⁴⁰ By December 2014, people’s positive impressions of gun ownership had grown to a margin of 57-to-38.

Similar changes can be seen in polls by Gallup and ABC News-Washington Post.⁴¹ They asked a more narrow question: whether having a gun in the home makes the home safer or more dangerous. The change has been dramatic. In 2000, Gallup found that only 35 percent of Americans thought that owning a gun made their home safer. By 2014, that number had soared to 63 percent.

It's not just that Americans think that having a gun makes them safer as individuals. They also feel better knowing that their neighbors are armed. A Rasmussen poll from this past June found that a 68-to-22 percent margin of Americans “feel safer in a neighborhood where guns are allowed.”⁴²

A poll by PEW helps to explain why there has been such a large increase in concealed handgun permits among blacks and women. The poll shows a 25 percentage point increase in the proportion of blacks with a favorable view of gun ownership. This is the largest increase of any group. The increase among all women was 11 percentage points, and the increase among men was 8 percentage points.

⁴⁰ Pew Research Center, “Growing Public Support for Gun Rights: More Say Guns Do More to Protect Than Put People at Risk,” December 10 2014 (<http://www.people-press.org/2014/12/10/growing-public-support-for-gun-rights/>).

⁴¹ Justin McCarthy, “More Than Six in 10 Americans Say Guns Make Homes Safer,” Gallup, November 7, 2014 (http://www.gallup.com/poll/179213/six-americans-say-guns-homes-safer.aspx?utm_source=alert&utm_medium=email&utm_content=morelink&utm_campaign=syndication). Scott Clement and Peyton Craighill, “Majority of Americans say guns make homes safer,” Washington Post, April 18, 2013 (<http://www.washingtonpost.com/blogs/the-fix/wp/2013/04/18/majority-of-americans-say-guns-make-homes-safer/>).

⁴² Rasmussen Reports, “Americans Prefer Living in Neighborhoods With Guns,” June 12 2015 (http://www.rasmussenreports.com/public_content/politics/current_events/gun_control/americans_prefer_living_in_neighborhoods_with_guns).

Data Sources for Number of Concealed Handgun Permits, fees for permits, and the length of time that a permit is valid.

State	Data Source
Alabama	<p>NICS Firearm Checks https://www.fbi.gov/file-repository/nics_firearm_checks_-_month_year_by_state_type.pdf/view Chad Petri, "Sheriffs, police chiefs oppose ending concealed carry permits," Times Daily, February 20, 2019. https://www.timesdaily.com/news/sheriffs-police-chiefs-oppose-ending-concealed-carry-permits/article_d49d2fab-5f75-572f-8826-12d640323d7c.html</p>
Alaska	<p>Eric Gaffney, Records and Licensing Supervisor, Alaska Department of Public Safety Alaska Department of Public Safety, Records and Information, Permits Licensing-Permits https://dps.alaska.gov/Statewide/R-I/PermitsLicensing/Permits</p>
Arizona	<p>Arizona Department of Public Safety, Concealed Weapons and Permits - Statistics and Fees http://www.azdps.gov/services/public/cwp Arizona Administrative Code, Department of Public Safety (DPS) - Concealed Weapons Permits R13-9-204 http://apps.azsos.gov/public_services/Title_13/13-09.pdf</p>
Arkansas	<p><u>Bill Sadler, Arkansas State Police - Public Information Officer</u> <u>Arkansas State Police – Concealed Handgun Carry Licensing</u> https://www.ark.org/asplicense/chcl_application/chcl.aspx <u>Arkansas Code - Concealed Handgun Carry Licensing §5-73-302</u> https://static.ark.org/eeuploads/asp/CHCL_statutes_effective_11042013.pdf</p>

California	<p>David G. Savage, "Supreme Court agrees to decide whether gun owners have right to carry a weapon in public," Los Angeles Times, April 26, 2021. https://www.latimes.com/politics/story/2021-04-26/supreme-court-agrees-to-decide-whether-gun-owners-have-right-to-carry-a-weapon-in-public California Penal Code sections 26185, 26190, and 26220 "How to Get a CCW Permit in California", Pride Legal, March 19, 2021 https://pridelegal.com/ccw-permit-california/</p>
Colorado	<p><u>CBI Firearms InstaCheck Unit – InstaCheck Statistics</u> https://cbi.colorado.gov/sections/firearms-instacheck-unit/instacheck-statistics <u>CBI Firearms InstaCheck Unit – Concealed Handgun Permit (CHP) Fees</u> https://cbi.colorado.gov/sections/firearms-instacheck-unit/concealed-handgun-permit-chp <u>CBI Firearms InstaCheck Unit – Concealed Handgun Permit (CHP) Statutes C.R.S. 18-12-204 (Permit contents-validity-carrying requirements.)</u> https://cbi.colorado.gov/sites/cbi/files/C.R.S.%2018-12-204.pdf</p>
Connecticut	<p>Imisa Rivera, Unit Supervisor, Special Licensing & Firearms Unit https://portal.ct.gov/DESPP/Division-of-State-Police/Special-Licensing-and-Firearms/State-Pistol-Permit https://portal.ct.gov/-/media/DESPP/CSP/files/DPS-799-C.pdf?la=en</p>
Delaware	<p>Carrying Concealed Deadly Weapon (CCDW) Monthly Report https://courts.delaware.gov/forms/download.aspx?ID=125408 Delaware Courts - Concealed Deadly Weapons http://courts.delaware.gov/superior/weapons.aspx</p>

District of Columbia	<p>Hugh Carew, Officer, Public Information Office, Office of Communications, Metropolitan Police Department</p> <p>Instructions for Submitting an Application for a Concealed Carry Pistol License</p> <p>https://dcmv.gov/seamlessdocs.com/f/InstructionsForConcealedCarryPistolLicenseApplication</p> <p>D.C. Mun. Regs. tit. 24 § 2340.5</p> <p>https://mpdc.dc.gov/sites/default/files/dc/sites/mpdc/page_content/attachments/DC%20Regulations%20for%20Licenses%20for%20Concealed%20Pistols_through%20August%2025%202017.pdf</p>
Florida	<p>Florida Department of Agriculture and Consumer Services, Division of Licensing, Concealed Weapon or Firearm License Summary Report</p> <p>http://www.freshfromflorida.com/content/download/7499/118851/cw_monthly.pdf</p> <p>Concealed Weapon or Firearm: Section 790.06, Florida Statutes, Fee Schedule</p> <p>http://www.freshfromflorida.com/content/download/7438/118429/License_Fees.pdf</p> <p>Florida Department of Agriculture and Consumer Services, Concealed Weapon License – Concealed Weapon License FAQ https://www.freshfromflorida.com/Consumer-Resources/Concealed-Weapon-License/Concealed-Weapon-License-FAQ</p>
Georgia	<p>NICS Firearm Checks https://www.fbi.gov/file-repository/nics_firearm_checks_-_month_year_by_state_type.pdf/view</p> <p>Georgiacarry.org</p> <p>Applying for a Firearms License https://georgia.gov/apply-firearms-license</p>
Hawaii	<p>Hawaii Rifle Association - Hawaii Gun Laws</p> <p>http://hawaiiirifleassociation.org/hawaii-gun-laws/</p> <p>HRS §134-9 Licenses to carry</p>

	https://www.capitol.hawaii.gov/hrscurrent/Vol03_Ch0121-0200D/hrs0134/HRS_0134-0009.htm
Idaho	Jennifer Hecock, ISP/BCI Auditing and Training Specialist/Applicant, Idaho State Police Statute 18-3302. Issuance of Licenses to Carry Concealed Weapons https://legislature.idaho.gov/statutesrules/idstat/Title18/T18CH33/SECTION18-3302/
Illinois	<u>E-mail: Illinois State Police, Freedom of Information Officer</u> <u>ISP.FOIA.Officer@illinois.gov; FOIA_Officer@isp.state.il.us</u> <u>https://www.ispfsb.com/Public/AboutTheAct.aspx</u>
Indiana	Indiana State Police Firearms Licensing Statistics https://www.in.gov/isp/2963.htm Indiana State Police, Firearms Handgun Licensing Application Fees https://www.in.gov/isp/firearms-licensing/get-more-information/fees/
Iowa	Rusty Ringler, Program Services Bureau Chief, Iowa Department of Public Safety, Program Services Bureau Iowa Department of Public Safety, Division of Administrative Services – Weapon Permit https://dps.iowa.gov/divisions/administrative-services/weapons-permit Chapter 724 of the Iowa Code and Administrative Rules, 661, Chapter 91 HF756 - Iowa's New Weapon Permit Law https://dps.iowa.gov/hf756-iowas-new-weapon-permit-law
Kansas	Sara Miller, Licensing Unit Director, Office of Kansas Attorney General Derek Schmidt Kansas Personal and Family Protection Act [K.S.A 75-7c01 et. seq.] https://ag.ks.gov/docs/librariesprovider15/documents/concealed-carry-statutes.pdf?sfvrsn=d8ad9753_30 Kansas Attorney General, Concealed Carry Licensing Unit

	https://ag.ks.gov/licensing/concealed-carry
Kentucky	Kentucky State Police-CCDW Annual Stats Reports http://kentuckystatepolice.org/ccdw/ccdw-home/ccdw-annual-stats-reports/ Kentucky State Police, Concealed Deadly Weapons http://kentuckystatepolice.org/ccdw/ccdw-home/ccdw-faqs/
Louisiana	<u>Louisiana.gov, Department of Public Safety, Louisiana State Police, Sections of LSP, Concealed Handgun Permit Unit</u> http://www.lsp.org/handguns.html
Maine	<u>Det. Jarod I. Stedman, Detective - Weapons and Professional Licensing Unit, Commander - MSP Underwater Recovery Team</u> <u>State of Maine Laws Relating to Permit to Carry Concealed Handguns</u> http://www.maine.gov/dps/msp/licenses/documents/Weapons/CFP%20Booklet.pdf
Maryland	<u>Patrick Mccrory Jr., First Sergeant / Assistant Commander, Maryland Department of State Police, Licensing Division</u> <u>Maryland State Police - Handgun Wear and Carry Permit</u> https://mdsp.maryland.gov/Organization/Pages/CriminalInvestigationBureau/LicensingDivision/Firearms/WearandCarryPermit.aspx
Massachusetts	Michaela Dunne, Deputy Commissioner, Massachusetts Department of Criminal Justice Information Services Massachusetts Government - Gun Ownership in Massachusetts https://www.mass.gov/info-details/gun-ownership-in-massachusetts#Training%20Requirements

Michigan	<p><u>Michigan State Police - CPL Applications by County and Status</u> https://www.michigan.gov/documents/msp/All_Statuses_Report_647845_7.pdf</p> <p>Michigan State Police - Concealed Pistol Application and Instructions https://www.michigan.gov/msp/0,4643,7-123-1878_1591_3503_4654-10929--,00.html</p> <p><u>Michigan State Police - Concealed Pistol License Renewal Information</u> https://www.michigan.gov/msp/0,4643,7-123-1878_1591_3503_4654-10955--,00.html</p>
Minnesota	<p>Judith M. Strobel, Senior Legal Analyst, Minnesota Bureau of Criminal Apprehension Bureau of Criminal Apprehension-Firearms https://dps.mn.gov/divisions/bca/bca-divisions/administrative/Pages/firearms.aspx Minnesota Bureau of Criminal Apprehension – Permit to Carry FAQ https://dps.mn.gov/divisions/bca/bca-divisions/administrative/Pages/Permit-to-Carry-FAQ.aspx</p> <p>Minnesota Statutes §624.714 https://www.revisor.mn.gov/statutes/cite/624.714</p>
Mississippi	<p>Robert E. Wentworth, Staff Officer, Legal Dept., MS Dept. of Public Safety Mississippi Dept. of Public Safety, Firearm Permit Applications & Forms – Firearm Permit Fees https://www.driverservicebureau.dps.ms.gov/sites/default/files/2021-07/Firearm%20Permit%20Fees.pub_.pdf</p>

	<p>Miss. Code Ann. § 45-9-101(1)(a) https://www.driverservicebureau.dps.ms.gov/sites/default/files/2020-06/IFP%20Application%20Covid-19_1.pdf</p>
Missouri	<p>Email: Missouri State Highway Patrol mshppied@mshp.dps.mo.gov Missouri Revised Statutes §571.101 https://revisor.mo.gov/main/OneSection.aspx?section=571.101&bid=33875&hl=</p>
Montana	<p><u>Alden Tonkay, Attorney General's Office, Montana</u> <u>Department of Justice</u> <u>Montana Code § 45-8-322</u> https://leg.mt.gov/bills/mca/title_0450/chapter_0080/part_0030/section_0220/0450-0080-0030-0220.html H.B. 102 (2021) https://leg.mt.gov/bills/2021/billpdf/HB0102.pdf</p>
Nebraska	<p>Nebraska State Patrol, Public Records https://nebraskastatepatrol.govqa.us/WEBAPP/_rs/(S(ugyitkpiruwswd0cgr5w44c0))/supporthome.aspx <u>Nebraska State Patrol – CHP Frequently Asked Questions</u> https://statepatrol.nebraska.gov/services/concealed-handgun-permits/chp-frequently-asked-questions</p>
Nevada	<p>Nevada Department of Public Safety - Number of Active Carry Concealed Weapon Permits by Sheriff's Office https://rccd.nv.gov/uploadedFiles/gsdnvgov/content/Resources/Active%20CCW%20Permits%20by%20SO%20(1%20Sept%202021)FINAL.pdf Nevada Code - Concealed Firearms NRS 202.3653- 202.369 https://www.leg.state.nv.us/NRS/NRS-202.html</p>

	<p>Nevada Carry - Concealed Carry http://www.nevadacarry.org/concealed-carry.html</p>
New Hampshire	<p><u>Tiffany L. Foss, Permits and Licensing Unit Supervisor, New Hampshire State Police</u></p> <p>NHRS XII § 159:6 License to Carry http://www.gencourt.state.nh.us/rsa/html/XII/159/159-6.htm</p>
New Jersey	<p>New Jersey State Police - Applying for a Permit to Carry a Handgun https://www.njsp.org/firearms/pdf/Permit_to_Carry_Instructions_v1.pdf</p> <p>N.J. Admin. Code § 13:54-2.4 https://casetext.com/regulation/new-jersey-administrative-code/title-13-law-and-public-safety/chapter-54-firearms-and-weapons/subchapter-2-handguns/section-1354-24-application-for-a-permit-to-carry-a-handgun</p>
New Mexico	<p>Daniel Stine, Senior IPRA Coordinator, Department of Public Safety, Law Enforcement Records Bureau New Mexico Department of Public Safety - Concealed Handgun Carry https://www.dps.nm.gov/concealed-carry-faqs</p> <p>New Mexico Concealed Handgun Carry Act https://www.dps.nm.gov/images//ConcealCarry/NMAC_11-1-2019.pdf</p>

New York/New York City	<p>Counties used to estimate the number of concealed handgun permit in the state includes Broome County, Erie County, Fulton County, Herkimer County, Otsego County, and Saratoga County.</p> <p>The New York State Senate – NY Safe Fact Sheet https://www.nysenate.gov/newsroom/press-releases/kenneth-p-lavalle/ny-safe-fact-sheet</p> <p>New York State Police – Firearms https://troopers.ny.gov/Firearms/ NYPD, License Division, New Application Instructions https://licensing.nypdonline.org/new-app-instruction/?AspxAutoDetectCookieSupport=1</p>
North Carolina	<p>Shannon Hanes, Business and Technology Application Analyst, North Carolina State Bureau of Investigation</p> <p>NC DOJ, Law Enforcement Training & Standards, Law Enforcement Liaison, Concealed Handguns Reciprocity https://ncdoj.gov/law-enforcement-training/law-enforcement-liason/concealed-weapon-reciprocity/</p>
North Dakota	<p>North Dakota Attorney General, Concealed Weapon Licenses, Online Application - New and Renewal https://attorneygeneral.nd.gov/public-safety/concealed-weapons-licenses/online-application-new-and-renewal</p> <p>Office of Attorney General, North Dakota Concealed Weapon License https://attorneygeneral.nd.gov/sites/ag/files/documents/CWL-Manual.pdf</p>

Ohio	<p><u>Ohio Attorney General-Concealed Carry Annual Reports</u> https://www.ohioattorneygeneral.gov/Files/Reports/Concealed-Carry-Annual-Reports-(PDF)</p> <p><u>Ohio's Concealed Carry Laws and License Application</u> https://www.ohioattorneygeneral.gov/Files/Publications-Files/Publications-for-Law-Enforcement/Concealed-Carry-Publications/Concealed-Carry-Laws-Manual-(PDF).aspx</p> <p>ORC § 2923.125(B)(1)(a) https://codes.ohio.gov/ohio-revised-code/section-2923.125</p>
Oklahoma	<p><u>Oklahoma State Bureau of Investigation-Self-Defense Act Statistics</u> https://osbi.ok.gov/handgun-licensing/sda-statistics</p> <p><u>Oklahoma State Bureau of Investigation-Handgun Licensing-Application Instructions</u> https://osbi.ok.gov/handgun-licensing/application-instructions</p>
Oregon	<p>Kyle Kanaeholo, Public Records Request Coordinator, Central Records Section, Oregon State Police</p> <p>ORS § 166.291 - 166.292; https://oregon.public.law/statutes/ors_166.291; https://oregon.public.law/statutes/ors_166.292</p>
Pennsylvania	<p>Corporal Brent Miller, Communications Director, Pennsylvania State Police</p> <p>Pennsylvania Statutes Title 18 Pa.C.S.A. Crimes and Offenses § 6109. Licenses</p> <p>https://www.legis.state.pa.us/WU01/LI/LI/CT/HTM/18/00.061.009.000..HTM</p> <p>Pennsylvania State Police-Firearms Information-Carrying Firearms in Pennsylvania https://www.psp.pa.gov/firearms-information/Pages/Carrying-Firearms-in-Pennsylvania.aspx</p>

Rhode Island	<p>Adam D. Roach, Special Assistant Attorney General, Civil Division,</p> <p>Rhode Island General Laws § 11-47-12. License or permit fee.</p> <p>http://webserver.rilin.state.ri.us/Statutes/TITLE11/11-47/11-47-12.HTM</p>
South Carolina	<p>Audrey O. Brown, Freedom of Information Office, South Carolina Law Enforcement Division</p> <p><u>South Carolina Law Enforcement Division- Concealed Weapon Permit</u> https://www.sled.sc.gov/cwp.html</p> <p><u>South Carolina Concealed Weapon Permit Application</u> https://www.sled.sc.gov/forms/regulatory/CWPApplicationForm.pdf</p> <p><u>South Carolina Code of Laws § 23-31</u></p> <p>http://www.scstatehouse.gov/code/t23c031.php</p>
South Dakota	<p><u>South Dakota Secretary of State- Pistol Permit Statistics</u> https://sdsos.gov</p> <p><u>/general-services/concealed-pistol-permits/pistolstatistics.aspx</u></p> <p>South Dakota Secretary of State-Concealed Pistol Permits</p> <p>https://sdsos.gov/general-services/concealed-pistol-permits/default.aspx</p>
Tennessee	<p><u>Tennessee Department of Safety and Homeland Security - Handgun Data</u> https://www.tn.gov/content/tn/safety/stats/handgun.html</p> <p><u>Tennessee Department of Safety and Homeland Security - Handgun Permit Types</u> https://www.tn.gov/safety/tnhp/handgun/permittypes.html</p>

Texas	<p><u>Texas Department of Public Safety - Reports & Statistics</u> https://www.dps.texas.gov/section/handgun-licensing/reports-statistics-1</p> <p><u>Mandy Tennill, Records Analyst, Operations and Shared Services, Regulatory Services Division, Texas Department of Public Safety</u> <u>Texas License to Carry a Handgun (LTC) Fee Table</u> https://www.dps.texas.gov/sites/default/files/documents/rsd/ltc/documents/ltcfeeschedule.pdf</p> <p><u>Texas Department of Public Safety, Handgun Licensing, Application FAQs</u> https://www.dps.texas.gov/section/handgun-licensing/faq/application-faqs</p>
Utah	<p>Utah Department of Public Safety-Firearm Transfer/Concealed Firearm Permit Statistics https://bci.utah.gov/firearm-transfers/history-overview-statistics/firearm-transfer-concealed-firearm-permit-statistics/</p> <p>Utah Department of Public Safety, Bureau of Criminal Identification, Concealed Firearm https://bci.utah.gov/concealed-firearm/</p>
Vermont	<p>No permits required to carry and offered for those who carry out of state.</p>
Virginia	<p>Corinne N. Geller, Public Relations Director, Virginia State Police</p> <p>Virginia State Police, CJIS, Firearms/Concealed Weapons - Resident Concealed Handgun Permits https://www.vsp.virginia.gov/Firearms_ResidentConcealed.shtm</p> <p>Virginia State Police, CJIS, Firearms/Concealed Weapons - Nonresident Concealed Handgun Permits</p>

	<p>https://www.vsp.virginia.gov/Firearms_NonresidentConcealed.shtm</p> <p>Code of Virginia § 18.2-308.03. Fees for concealed handgun permits.</p> <p>https://law.lis.virginia.gov/vacode/18.2-308.03/</p>
Washington	<p>Washington Department of Licensing - Public Record Requests https://wadolpublicrecords.nextrequest.com/</p> <p>Washington State Department of Licensing - Concealed pistol license (CPL) https://www.dol.wa.gov/business/firearms/faconcealreq.html</p> <p>Washington State Department of Licensing - Fees: Firearms https://www.dol.wa.gov/business/firearms/fafees.html</p>
West Virginia	<p>Lt Scott M. Pettry, Director of Criminal Records, West Virginia State Police</p> <p>West Virginia Code §61-7-4</p> <p>https://code.wvlegislature.gov/61-7-4/</p> <p>H.B. 4955 (2020)</p> <p>https://www.wvlegislature.gov/Bill_Text_HTML/2020_SESSIONS/RS/signed_bills/house/HB4955%20ENR_signed.pdf</p>
Wisconsin	<p>Email: Office of Open Government, Wisconsin Department of Justice opengov@widoj.gov</p> <p>Wisconsin Department of Justice - Concealed Carry Annual Reports https://www.doj.state.wi.us/dles/cib/conceal-carry/concealed-carry-annual-reports</p> <p>Wisconsin Department of Justice – Concealed Carry https://concealedcarry.doj.wi.gov/ccwonline/steps/startAppl</p>

	<p>ication.html;jsessionid=686F87BE01355D5D7E378AAD060F6284.ccwonline1#!</p>
Wyoming	<p>Heather Calvert, Wyoming Division of Criminal Investigation, Concealed Firearms Permit Unit</p> <p>Wyoming Division of Criminal Investigation, Concealed Firearms Permits-Frequently Asked Questions https://wyomingdci.wyo.gov/criminal-justice-information-services-cjis/concealed-firearm-permits/cfp-faq</p>

Appendix on rates that permit holders are convicted of violent crimes.

Louisiana: Here are the percentages of permit holders who were charged or convicted of any type of felony, whether violent or nonviolent (aggravated assault is one type of felony, but felonies also typically include traffic violations). Including charged cases skews the number substantially, since permit holders have very low conviction rates in general. After all, permit holders are usually arrested even if they used their guns in justifiable self-defense. Police and prosecutors can't just let them off the hook until they are sure about what happened. The vast majority of these cases are unlikely to involve firearms, however. ([reports](#))

2016: [16. Percent of permit holders who are charged or convicted of a felony: 0.0092%](#)

2015: [19. Percent of permit holders who are charged or convicted of a felony: 0.0123%](#)

2014: [15. Percent of permit holders who are charged or convicted of a felony: 0.0109%](#)

Share of violent crimes

2015: There were 25,208 violent crimes in Louisiana, with 19 felony charges or convictions against permit holders. Assuming that these felonies were all violent and that the accused were guilty of the charges, permit holders would account for just **0.08%** of the total. Again, this is an overestimate of permit holders' share of violent crimes.

2014: There were 23,983 violent crimes in Louisiana, with 15 felony charges or convictions against permit holders. Assuming that these felonies were all violent and that the accused were guilty of the charges, permit holders would account for just **0.06%** of the total. Again, this is an overestimate of permit holders' share of violent crimes.

Michigan: Below is the percentage of permit holders who were convicted of aggravated assault (with and without a weapon)

2015-2016: [17. Percent of permit holders who are convicted of an aggravated assault: 0.003%](#)

2014-2015: [11. Percent of permit holders who are convicted of an aggravated assault: 0.002%](#)

Also, the percentage of permit holders who were convicted of any type of violent crime (Murder, manslaughter, criminal sexual conduct, armed robbery, unarmed robbery, aggravated assault)

2015-2016: [22. Percent of permit holders who are convicted of a violent crime: 0.00396%](#)

These 22 cases compare to a total of 41,231 violent crimes in Michigan, that is a 0.053% share.

2014-2015: [18. Percent of permit holders who are convicted of a violent crime: 0.00352%](#)

These 18 cases compare to a total of 42,348 violent crimes in Michigan, that is a 0.044% share.

Minnesota: Permit revocations due to any type of assault

[2015: 0. Percent of permit holders who are convicted of an assault: 0.000%](#)

[2014: 0. Percent of permit holders who are convicted of an assault: 0.000%](#)

[2013: 0. Percent of permit holders who are convicted of an assault: 0.000%](#)

[2012: 0. Percent of permit holders who are convicted of an assault: 0.000%](#)

[2011: 0. Percent of permit holders who are convicted of an assault: 0.000%](#)

[2010: 0. Percent of permit holders who are convicted of an assault: 0.000%](#)

There were 7,094 aggravated assaults in Minnesota in 2015 and no concealed handgun permit holders were convicted of these crimes.

Oregon: Permit holders who were convicted of any type of felony, violent or nonviolent. The vast majority of these cases are unlikely to involve firearms.

2016: [19. Percent of permit holders who are convicted of a felony: 0.0074%](#)

There were 10,468 violent crimes in Oklahoma in 2015. Even though felonies involve more violent crimes, the 19 felonies that permit holders were convicted of in 2016 equal only 0.182% of violent crimes.

Oklahoma: Permit holders who were convicted of any type of felony. ([reports](#))

2016: [20. Percent of permit holders who are convicted of a felony: 0.0071%](#)

2015: [16. Percent of permit holders who are convicted of a felony: 0.0062%](#)

2014: [15. Percent of permit holders who are convicted of a felony: 0.0069%](#)

2013: [15. Percent of permit holders who are convicted of a felony: 0.0078%](#)

2012: [10. Percent of permit holders who are convicted of a felony: Unknow rate because we don't have permit data for 2012.](#)

There were 16,506 violent crimes in Oklahoma in 2015. Even though felonies involve more violent crimes, the 16 felonies that permit holders were convicted of equal only 0.097% of violent crimes.

Tennessee: Revocations due to any type of assault other than vehicular assault

2016: [Zero. Percent of permit holders who are convicted of a non-vehicular assault: 0.000%](#)

2015: [Zero. Percent of permit holders who are convicted of a non-vehicular assault: 0.000%](#)

Permit holders who were convicted of any type of felony.

2016: [29. Percent of permit holders who are convicted of a felony: 0.0049%](#)

2015: [31. Percent of permit holders who are convicted of a felony: 0.0061%](#)

There were 40,400 violent crimes in Tennessee in 2015. Even though felonies involve more violent crimes, the 31 felonies that permit holders were convicted of equal only 0.077% of violent crimes.

Texas: Convictions for aggravated assault with any type of weapon

2016: [8. Percent of permit holders who are convicted of an aggravated assault: 0.00067%](#)

2015: [10. Percent of permit holders who are convicted of an aggravated assault: 0.0011%](#)

There were 67,727 aggravated assault in Texas in 2015. Even though felonies involve more violent crimes, the 31 felonies that permit holders were convicted of equal only 0.077% of violent crimes.

Appendix of some academic research showing that right-to-carry laws reduce violent crime

John R. Lott, Jr. and David B. Mustard, Crime, Deterrence, and Right-to-Carry Concealed Handguns, *Journal of Legal Studies*, 1997.

William Alan Bartley and Mark A Cohen, The Effect of Concealed Weapons Laws: An Extreme Bound Analysis, *Economic Inquiry*, April 1998. (Copy available [here](#))

Stephen G. Bronars and John R. Lott, Jr., Criminal Deterrence, Geographic Spillovers, and Right-to-Carry Concealed Handguns, *American Economic Review*, May 1998.

John R. Lott, Jr., "The Concealed –Handgun Debate," *Journal of Legal Studies*, January 1998: 221-243

David Mustard, The Impact of Gun Laws on Police Deaths, *Journal of Law and Economics*, October 2001.

Bruce L. Benson and Brent D. Mast, Privately Produced General Deterrence, *Journal of Law and Economics*, October 2001.

Florenz Plassmann and T. Nicolaus Tideman, Does the Right to Carry Concealed Handguns Deter Countable Crimes?: Only a Count Analysis Can Say, *Journal of Law and Economics*, October 2001.

Carlisle E. Moody, Testing for the Effects of Concealed Weapons Laws: Specification Errors and Robustness, *Journal of Law and Economics*, October 2001.

David E. Olson and Michael D. Maltz, Right-to-Carry Concealed Weapon Laws and Homicide in Large U.S. Counties: The Effect on Weapon Types, Victim Characteristics, and Victim-Offender Relationships, *Journal of Law and Economics*, October 2001.

Thomas B. Marvell, The Impact of Banning Juvenile Gun Possession, *Journal of Law and Economics*, October 2001.

John R. Lott, Jr. and John E. Whitley, Safe-Storage Gun Laws: Accidental Deaths, Suicides, and Crime, *Journal of Law and Economics*, October 2001

John R. Lott, Jr. and John E. Whitley, Measurement Error in County-Level UCR

Data, *Journal of Quantitative Criminology*, June 2003, Volume 19, Issue 2, pp 185-198

Florenz Plassmann and John Whitley, *Confirming More Guns, Less Crime*, *Stanford Law Review*, 2003

Eric Helland and Alexander Tabarrok, *Using Placebo Laws to Test “More Guns, Less Crime,”* *Advances in Economic Analysis and Policy*, 4 (1): Article 1, 2004.

John R. Lott, Jr. and William Landes, *Multiple Victim Public Shootings, Bombings, and Right-to-Carry Concealed Handgun Laws: Contrasting Private and Public Law Enforcement*, published in *The Bias Against Guns* (2003).

Florenz Plassmann and John R. Lott, Jr., *More Readers of Gun Magazines, But Not More Crimes*.

John R Lott, Jr., *“More Guns, Less Crime”* (University of Chicago Press 2010, 3rd edition).

Carlisle E. Moody, Thomas B. Marvell, Paul R Zimmerman, and Fasil Alemante, *“The Debate on Shall-Issue Laws,”* *Review of Economics & Finance* 2014

Mark Gius, *“An examination of the effects of concealed weapons laws and assault weapons bans on state-level murder rates,”* *Applied Economics Letters*, Volume 21, Issue 4 2014

Carlisle E. Moody and Thomas B. Marvell, *“The Debate on Shall-Issue Laws,”* *Econ Journal Watch*, volume 5, number 3, September 2008 It is also available here.

Carlisle E. Moody and Thomas B. Marvell, *“The Debate on Shall Issue Laws, Continued,”* *Econ Journal Watch*, Volume 6, Number 2 May 2009

Carlisle E. Moody, Thomas B. Marvell, and John R. Lott, Jr., *“Did John Lott Provide Bad Data to the NRC? A Note on Aneja, Donohue, and Zhang,”* *Econ Journal Watch*, Volume 10, Number 1, January 2013

Carlisle E. Moody and Thomas B. Marvell, *“On the Choice of Control Variables in the Crime Equation”* by Carlisle E. Moody and Thomas B. Marvell, *Oxford Bulletin of Economics and Statistics*, Volume 72, Issue 5, pages 696–715, October 2010.

John R. Lott, Jr., *More Guns, Less Crime: A Response to Ayres and Donohue’s 1999*

book review in the American Law and Economics Review, Yale Law & Economics Research Paper No. 247, 1999.

John R. Lott, Jr., Right-to-Carry Laws and Violent Crime Revisited: Clustering, Measurement Error, and State-by-State Break downs, American Enterprise Institute Working paper, 2004.

John R. Lott, Jr., Comment on 'The Deterrence of Crime Through Private Security Efforts: Theory and Evidence', Crime Prevention Research Center, November 2014.

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