

# Firearm Background Checks



## WHAT ARE FIREARM BACKGROUND CHECKS?

**Background checks are utilized to ensure that a prospective firearm-purchaser is not legally prohibited from having a firearm.**

- Since the federal background check requirement for purchases from federally licensed firearm dealers has been in place, over 4 million firearm sales to prohibited purchasers have been blocked. (1)
- Currently, Michigan's background check law can best be described as a permit-to-purchase (or licensing) law for private sales of pistols and a background check-only law for purchases from federally licensed firearms dealers. However, there are gaps that could allow those legally prohibited from having firearms to purchase a firearm.
- In Michigan, to purchase a handgun from private, unlicensed sellers (e.g., online or at a gun show), a purchaser is required to hold a current handgun purchase license (which is good for 30 days) or concealed pistol license (which is good for at least 4 years). (2) Private sellers cannot knowingly sell firearms or ammunition to a person under indictment for a felony or who are otherwise prohibited from possessing a firearm, but enforcement of this expectation can be difficult. (2) That is because there is currently no background check or purchaser licensing requirement for purchase of a long gun from a private seller. Additionally, due to the 4 - 5 year period a concealed pistol license is good for, a seemingly valid concealed pistol license may have been invalidated by a prohibiting condition in the time since its issuance.
- Universal background checks with a licensing requirement for purchase of all firearms would require background checks both from licensed and unlicensed sellers and cover handgun and long gun sales.

## WHAT IS THE EVIDENCE BASE FOR BACKGROUND CHECKS?

Expanding background checks from only licensed firearm dealers to all firearm sales could keep firearms out of the hands of those prohibited from having them, **potentially reducing incidents of firearm-related intimate partner violence, community violence, and mass shootings.**

- Universal background checks and licensing laws are also widely accepted by the public. (3)
- According to an investigation by Everytown for Gun Safety, **1 in 9 people arranging to buy a firearm on the nation's largest firearm marketplace, Armslist.com, were people who could not legally obtain a firearm.** (4) This same investigation found 1.2 million ads for online firearm sales; all of these sales could be completed without a background check. (4)
- Further, a 2015 study completed by Harvard Injury Prevention Center found that **22% of Americans who acquired their firearm in the prior two years did so without completing a background check.** (5)
- **90% of background checks completed using the NICS database are completed immediately, with 99.3-99.8% accuracy.** (6)
- States that go beyond the federal background check requirements have seen **significant reductions in firearm homicides, suicides, and trafficking.** (7, 8, 9)



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