



# BCI Brady Section Newsletter

February 2016

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## Newsletter Information

The purpose of the BCI newsletter is to provide dealers with information regarding firearm transfers. Changes in laws, policies, and procedures will be included, as well as answers to questions we receive from dealers. It is important that you read this newsletter and brief your staff on its contents. The newsletter is only available electronically at our BCI website. It is located at [publicsafety.utah.gov](http://publicsafety.utah.gov). Go to the Criminal Identification Link under the "Divisions" tab, then follow the path: Firearm Transfers-Dealers-Firearms Section Newsletters. On the left will be listed the current newsletter under the Firearm Transfer Newsletters.

## 2015 Calendar Year Checks

2015 was the 3<sup>rd</sup> highest year for back ground checks and the 2<sup>nd</sup> highest for validations of concealed permits. It was also the most consistent high year we have ever had with every month being the 1<sup>st</sup> - 3<sup>rd</sup> highest months for the respective months in the programs history. We ran 102,641 regular background checks in 2015 and validated 87,642 concealed firearm permits. This was only the 3<sup>rd</sup> time we have ever gone over 100,000 checks in a single year. This was an increase of over 11,000 checks from 2014 which had dipped from the previous two years. Checks for 2016 have started off high in January.

## **Web-based Gun Checks/System Enhancements**

If you would like to run background checks on the Internet, contact Lance Tyler at (801) 964-4517 or [lt Tyler@utah.gov](mailto:lt Tyler@utah.gov) to request the application/waiver to set up your company or you may find this on our website also. We may be able to do on-site training in your store. In addition to running background checks, you will be able to see all the checks your store has run in the last twenty days. This can help you in verifying your billing on a daily or weekly basis. You will not be able to use the web-based gun check system for running CFP's, out-of-state driver's license checks, or a check involving an immigrant/non-immigrant. These must all be called in still. The web-system does allow you expand the time frame for running background checks beyond normal business hours at BCI. Beginning in August 2016 (approximately) the FBI NICS plans on going 24/7, 365 days of the year. This will be phase 1 of their "New NICS" expansion. This means any dealer in the state of Utah will be able to run a back ground check at any time of the day, any day of the year as long as they have an account on our web based system. Of course, if you get a pending response during non-business hours you will still have to wait until a technician is able to look at it during normal business hours. Also, if you get a research response on your web check submission at any time, please wait until you receive a return call from BCI before releasing the firearm. Remember your permanent password is only good for 90 days. Before the expiration date of the password you will not receive a prompt to renew it unless you log into the system. You will be able to see the expiration date of the password every time you log in. If it shows your log-in expires on May 23, 2016 (for example), the password actually expires at 12:00 am that day and not 11:59 pm, so don't wait until the very last day to renew the password or you will probably be calling BCI to get a new temporary 3 day password.

## **Denials**

For dealers in the Salt Lake area, please do not send your customers to BCI over the weekend to find out why they have been denied. The office is closed and we are not able to help them. Our office hours are Monday through Friday, 8:00AM-5:00PM. BCI is not able to disseminate denial information over the phone. Please do not tell your customers to call BCI to find out why they were denied. We can only tell them how to obtain the reason for denial and discuss the reasons why we might deny a potential buyer. There are two ways to retrieve denial information: in person at our office, or through a notarized letter (it may be mailed or faxed in). They must use the form that is provided on our website to retrieve their denial/research information. No handwritten notes requesting the information are accepted anymore. We are happy to answer any other questions your customers have. If you do not have any denial pamphlets in your store, they may be retrieved on our website listed at the beginning of the newsletter.

Just go to the consumer and dealer sections under the Firearms Transfer Link. The denial pamphlets should be given out to every customer who is denied.

### **Pre-Checks or Prior Authorizations**

Please remember not to send your constituents to BCI for a “pre-check”. We are not able to run a check on a customer at BCI and tell them if they would be approved or not. We are not supported by statute to run these checks unless they have filled out the proper forms at your establishments, plan on purchasing a firearm, and you initiate the check with BCI. They are able to purchase their Right of Access (ROA) at BCI which is a copy of their Utah Criminal History and then we can discuss anything on that criminal history with them as it pertains to firearm rights but this is not a complete background check. It only gives their Utah Criminal History.

### **Upcoming Enhancements**

As we mentioned last year, phase I of the New NICS was scheduled to be rolled out at the FBI in August 2015. The FBI had to move this date back to 2016. Previously, the FBI shut down for maintenance from 11 pm to 6 am each night. This made it so anyone who wanted to run a check during these hours were not able to complete the transaction, even using our web based internet system. However, the new system will be 24/7 and 365 days of the year. This means if you are one of those night owls who likes to run a check between 11 pm and 6 am, you will be able to do it sometime in August 2016 (Approximately). We have no scheduled enhancements for the upcoming year that will impact you on your end. We continue to enhance our system to better serve you and your customer’s needs.

## Year 2015 Sales/Denial Statistics

The following table shows the total number of regular checks performed in the year 2015 by month and the number of denials broken down into categories. The number of checks does not reflect the number of sales of firearms, only the number of individual checks as a buyer may have purchased more than one firearm during a single transaction.

### **Brady Monthly Totals (12 Months) REGULAR FIREARM CHECKS (Not Individual Sales)**

Month	Total	Denials	Denial Reasons										Denial
			WAR	Fel	State	D V	Drug	Ment	IA	P O	PF	DD	
Dec '15	18,976	294	84	70	24	23	27	4	4	50	8	0	1.55%
Nov '15	11,116	228	77	45	34	14	21	5	5	17	10	0	2.05%
Oct '15	7660	215	75	55	17	15	18	6	4	17	8	0	2.81%
Sep '15	7766	221	72	56	23	11	24	5	0	20	10	0	2.85%
Aug '15	7011	186	65	35	25	3	19	9	0	21	9	0	2.65%
Jul '15	6298	190	57	51	19	13	17	6	1	19	6	1	3.0%
Jun '15	6057	134	43	30	16	4	14	4	0	16	7	0	2.2%
May '15	6718	144	47	33	18	10	9	3	0	17	7	0	2.1%
Apr '15	6718	160	52	32	14	14	17	5	2	20	4	0	2.4%
Mar '15	8071	241	80	51	30	14	23	5	1	30	7	0	3.0%
Feb '15	9004	266	102	60	27	16	20	4	3	26	8	0	2.95%
Jan '15	7246	190	57	60	21	13	13	1	3	20	2	0	2.6%
<b>TOTALS</b>	<b>102,641</b>	<b>2469</b>	<b>811</b>	<b>578</b>	<b>268</b>	<b>150</b>	<b>222</b>	<b>57</b>	<b>23</b>	<b>273</b>	<b>86</b>	<b>1</b>	<b>2.41%</b>

\* Note: WAR = Warrant, Fel = Felony, State = State Prohibitor, DV = Domestic Violence, Drug = Drug Prohibitor, Ment = Mental Defective, IA = Illegal Alien, P O = Protective Order, PF = Pending Felony, DD = Dishonorable Discharge

2015 Top 40 Dealers As Listed By Number of Background Checks Performed

- 1) Cabelas - Lehi
- 2) Gunnies - Orem
- 3) Scheels - Sandy
- 4) Sportsman's Warehouse - Midvale
- 5) Impact Guns - Ogden
- 6) Gallenson's - SLC
- 7) Sportsman's Warehouse - Provo
- 8) Sportsman's Warehouse - Riverdale
- 9) Sportsman's Warehouse - St. George
- 10) Doug's Shootin Sports
- 11) Al's Sporting Goods - Logan
- 12) Get Some LLC - Murray
- 13) Smith and Edwards
- 14) Get Some - Layton
- 15) Jiffy's - Vernal
- 16) Impact Guns - SLC
- 17) Basin Sports - Vernal
- 18) Dixie Gun & Fish
- 19) Sportsman's Warehouse - Logan
- 20) Gun Vault - South Jordan
- 21) Get Some - Orem
- 22) Sportsman's Whse - Vernal
- 23) Beaver Sports
- 24) Sportsman's Whse - Heber
- 25) Cal Ranch - Cedar City
- 26) Cal Ranch - West Jordan
- 27) Jiffy's - Roosevelt
- 28) Kent's - Ogden
- 29) Cal Ranch - Spanish Fork
- 30) Cal Ranch - St. George
- 31) Discount Guns & Ammo - SLC
- 32) Cal Ranch - American Fork
- 33) Extreme Pawn - West Jordan
- 34) Salt Lake Wholesale
- 35) Cal Ranch - Tooele
- 36) Jorgensen's - Richfield
- 37) Cal Ranch - Logan
- 38) Cal Ranch - Layton
- 39) West Jordan Pawn
- 40) Hy & Mikes - Roy

New Rule for Class 3 Instruments to be implemented in July 2016

The ATF has informed BCI that new regulations have been adopted regarding the CLEO signature on the Form 4 for Class 3 instruments. This will not go into effect until 180 days from January 4, 2016. Please contact the ATF regarding this new change and how it will affect your operations. BCI will change its rule also when this goes into effect. A background check will still be required on the person who is picking up the instrument at the time of transfer. Remember, the old policy is still in effect until the new one is implemented.