



BCI Brady Section Newsletter

March 2018



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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. 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.

Straw Purchase Information

Many FFL dealers wonder how we determine a potential straw purchase. Many times on the buyers/sellers end, everything seems to be very legitimate. You may not realize that even though we cannot see what is happening at your location, our computer has linked two buyers together; the first buyer either a restricted person or currently in a delay status who within a relatively short period of time has tried to purchase the same or similar firearms and both participants either are currently living together or have lived together in the past.

2017 Calendar Year Checks

2017 was the 4th highest year for back ground checks and the 2nd highest for validations of concealed firearm permits. We ran 104,770 regular background checks in 2017 and validated 106,033 concealed firearm permits. This was only the 5th time we have every gone over 100,000 checks in a single year. This was a decrease of almost 9000 regular checks over our previous high year of 2016. Permit validations were almost 800 less than the previous high year of 2016. Checks for 2018 have started off high for the first quarter also.

Web-based Gun Checks/System Enhancements

If you would like to run background checks on the Internet, contact Lance Tyler at (801) 281-5015 or lyler@utah.gov to request the user agreement form to set up your company. You may find this form 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 out-of-state driver's license checks, or a check involving an immigrant/non-immigrant. These checks must still be called in.

You are now able to use the web to run your permit validations. The web system does allow you expand the time frame for running background checks beyond normal business hours at BCI. Beginning in August 2016 the FBI rolled out their "New NICS" program allowing checks to be run 24/7 as long as system maintenance was not being performed. Users are currently running over 50% of their regular checks on the web and almost 75% of their permit verifications. This is the fastest way to complete your checks and get the highest priority over phone and fax requests. It is a benefit to use this system rather than wait for the limited resources that are able to answer phones.

*****IMPORTANT: IF YOU RUN A CHECK AFTER HOURS AND DO NOT GET A RESPONSE, THE CHECK WILL BE RUN FIRST THING IN THE MORNING AND YOU CAN FIND THE RESULTS IN YOUR LOGS. YOU DO NOT NEED TO RUN THE CHECK ANOTHER TIME. IF YOU DO, YOU WILL INCUR THE FEE. PLEASE CHECK YOUR LOGS FIRST*****

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. 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 downloaded and printed from our website listed at the top of this 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.

The FBI is changing their policy and are referring anyone who appeals a denial through them back to the state who initiated the check. Your customers will save time and money by sending the denial form to the Brady Section or coming in to see us first.

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.

Enhancements

As mentioned earlier, CFP checks are now able to be run on the same web system as regular checks. When you log in, simply click on the Concealed Firearm link on the left of the page and fill in the required boxes. Then check the message box for the approval number or a message to complete some further action. Q permits will still have to be called in to BCI. We will still be working on enhancing this system in the coming years to meet the demand of the Utah FFL users.

Year 2017 Sales/Denial Statistics

The following table shows the total number of regular checks performed in the year 2017 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 '17	16,043	184	8	27	45	13	32	8	4	33	14	0	1.15%
Nov '17	12,501	163	6	39	41	7	29	10	4	12	15	0	1.3%
Oct '17	8351	144	1	23	44	12	28	4	1	24	7	0	1.7%
Sep '17	7740	132	1	29	37	16	20	4	2	11	12	0	1.7%
Aug '17	6737	130	4	30	25	6	20	14	2	24	5	0	1.9%
Jul '17	5843	83	3	17	20	5	15	3	5	8	6	1	1.4%
Jun '17	7145	122	1	24	30	13	18	3	4	20	9	0	1.7%
May '17	7156	110	3	17	37	6	17	6	3	15	6	0	1.5%
Apr '17	8014	109	0	32	23	6	21	5	4	12	5	1	1.4%
Mar '17	9421	131	0	26	19	19	20	12	3	22	10	0	1.39%
Feb '17	9207	158	27	32	17	19	20	5	3	21	14	0	1.72%
Jan '17	6612	118	39	18	14	10	17	2	0	13	5	0	1.78%
TOTALS	104,770	1584	93	314	352	132	257	76	35	215	108	2	1.5%

* 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

2017 Top 40 Dealers As Listed By Number of Background Checks Performed

- 1) Cabelas - Lehi
- 2) Cabelas - Farmington
- 3) Gunnies - Orem
- 4) Scheels – Sandy
- 5) Sportsman’s Warehouse - Midvale
- 6) Gallenson’s - SLC
- 7) Sportsman’s Warehouse - Provo
- 8) Impact Guns – Ogden
- 9) Al’s Sporting Goods Inc -Logan
- 10) Sportsman’s Warehouse - Riverdale
- 11) Impact Guns – SLC
- 12) Sportsman’s Warehouse – St. George
- 13) Sportsman’s Warehouse –S. Jordan
- 14) Smith and Edwards - Ogden
- 15) Doug’s Shoot’n Sports – T-ville
- 16) Get Some –Midvale
- 17) Sportsman’s Warehouse - Logan
- 18) Sportsman’s Warehouse- Cedar
- 19) Ready Gunner – Orem
- 20) The Gun Vault – South Jordan
- 21) Jiffys - Vernal
- 22) Sportsman’s Warehouse Heber
- 23) Basin Sports - Vernal
- 24) Get Some - Orem
- 25) Beaver Sport - Beaver
- 26) Get Some - Layton
- 27) Dixie Gun & Fish – St. George
- 28) Sportsman’s Warehouse - Vernal
- 29) Cal Ranch – West Jordan
- 30) Cal Ranch – Spanish Fork
- 31) Cal Ranch – St. George
- 32) Cal Ranch – Tooele
- 33) Cal Ranch – Cedar City
- 34) West Jordan Pawn – West Jordan
- 35) Jiffy’s Roosevelt
- 36) TNT Guns - Murray
- 37) 12th Streen Pawn - Ogden
- 38) Cal Ranch – American Fork
- 39) Kent’s Shooter Supply - Ogden
- 40) Cal Ranch – Farr West

New Information for Prospective New Firearms Being Introduced

It has come to the attention of the Utah Bureau of Criminal Identification (BCI) that several manufacturers have begun to produce firearms similar to the Mossberg Model 590, 12 gauge, pump action firearm, which incorporate a “bird’s head” style grip rather than a shoulder stock.

When classifying firearms of this type, please consult the guidelines provided by ATF; BCI is not able to make this determination for you. BCI will run the check under the classification you give to us when running your check. It is your responsibility to accurately represent the style of firearm to BCI when performing the NICS check.