



Concealed Carry Reciprocity: Overriding State Public Safety Laws

- ❑ **Bottom Line:** Concealed carry reciprocity would force each state to recognize the concealed carry standards from every other state, even those that have dramatically weaker standards—and those that don't require any permit at all. Law enforcement overwhelmingly opposes this legislation, which would put police in danger for doing their jobs.
 - Reciprocity would force states to let violent offenders and people with no firearm safety training carry hidden, loaded handguns—even if those people could not otherwise legally purchase a gun in the state.
 - Legislation pushed by the gun lobby (H.R. 38; S.446) would even force states to allow concealed carry by many people **with no permit whatsoever**—allowing people who have never been screened by a background check to carry throughout the country.
- ❑ **Reciprocity would be an extraordinary encroachment on states' rights.**
 - **State concealed carry standards vary dramatically.** Each state sets its own requirements for carrying concealed, loaded guns in public. For example, some states require extensive firearms training, while others require no training. Some systems are so ineffectively run that they issue permits to people with felonies, while twelve states require no permit at all.
 - **Three in four Americans live in a state that refuses to recognize all or some out-of-state carry permits.** For nearly one in three Americans, their home state does not recognize *any* out-of-state permits.¹ In most other US states, only *some* out-of-state permits are recognized—typically those with equivalent or higher standards.²
 - **Reciprocity simply overrides state laws.** It would force each state to recognize standards from all other states—even if a person would otherwise not be allowed to possess a gun.
 - Under H.R. 38, a person denied a permit *in his home state*—e.g. after a criminal conviction—could simply get an out-of-state permit, **and carry back at home.**
- ❑ **Reciprocity would have a profound impact on state public safety.** Recent research shows that, when states weaken law enforcement authority to deny permits to people who pose a danger, violent crime rates rise by 13-15 percent over what would have been expected without the change. Using multiple methods, the researchers consistently found the same result: When more people are allowed to carry in public, violent crime goes up.³
- ❑ **Reciprocity would make states with the weakest standards into the law of the land, and let criminals and other people who pose a danger carry concealed guns across the country.**⁴
 - **No Training:** Thirty-one states and Washington DC require gun safety training to carry concealed guns in public,⁵ and 21 of those states and DC require live-fire training experience.⁶ Reciprocity would force all states to allow concealed carry without any training whatsoever.
 - **Certain Domestic Abusers:** Thirty-six states and DC prohibit abusive boyfriends (in addition to husbands) convicted of abuse and/or subject to domestic violence restraining orders from carrying concealed guns in public.⁷ Under reciprocity, these abusers could carry hidden weapons across the country.



- **People Who Pose a Danger:** Twenty-five states and DC allow law enforcement to prohibit people who pose a danger to the public from carrying concealed guns in public.⁸ Local authorities may know a person has a red flag in their history—for example, domestic disturbances, assault arrests, or dangerous mental health issues. In several states, the law also requires an applicant to demonstrate “good cause” (or a similar showing) in order to carry. Reciprocity would gut those laws.
 - **Violent Criminals:** Twenty-seven states and DC prohibit people convicted of misdemeanor crimes of violence from carrying concealed guns in public.⁹ Reciprocity would allow people with these violent criminal convictions to carry across the country, even if they are barred from possessing guns at all in a given state.
 - **Convicted Stalkers:** Twenty-eight states and DC will not allow convicted stalkers to carry concealed guns.¹⁰ Reciprocity would override those states’ laws and force them to allow people with stalking convictions to carry hidden, loaded guns.
 - **Teenagers:** Thirty-four states and DC will only allow people 21 and older to carry.¹¹ Eighteen- to 20-year-olds commit gun homicides at a rate nearly four times higher than adults 21 and older.¹² Reciprocity would force these states to allow 18- to 20-year-olds to carry.
 - **Felons and Other Prohibited People:** Even states that require permits to carry vary widely in the *quality and effectiveness* of their permitting. Some states have such poorly administered systems that they have mistakenly granted permits to (or failed to revoke them from) people legally prohibited from having guns under federal law.¹³ Under reciprocity, all states would have to recognize permits that are inadvertently issued to felons or other dangerous people.
- ❑ **The gun lobby’s legislation would even allow people from several states *with no permit whatsoever* to carry firearms across the country.**
- Twelve states have no permitting or background check requirement, including eight that have effectively dismantled their permit systems since 2015. H.R. 38 and S.446 would force all states to allow residents from those “permitless” states to carry *with no permit whatsoever*.
 - Repealing the permit requirement is profoundly dangerous for public safety. Indeed, in the first year after Missouri repealed its concealed carry permit requirement, aggravated assaults with a firearm increased 23 percent in St. Louis.¹⁴ Similarly, in the six years after Arizona repealed its permit requirement in 2010, aggravated assault committed with a firearm increased by 44 percent across the state.¹⁵
- ❑ **This legislation would present serious risks to law enforcement, and one bill would put officers in danger of being sued for trying to confirm that an out-of-state permit is valid.**
- Unlike with driver’s licenses, police often have no way to verify the validity of an out-of-state permit—meaning they would be unable to confirm if a person presenting a carry permit is a law-abiding gun owner. And because some bills would even allow concealed carry by people from states *with no permit whatsoever*, out-of-state visitors would be armed without being screened by a background check—and law enforcement would have no permit to evaluate.
 - Some legislation would put police in danger of lawsuits if they *attempt* to verify a permit.



- ❑ **Law enforcement organizations have denounced concealed carry reciprocity—including the Fraternal Order of Police, the International Association of Chiefs of Police, the Police Foundation, and the Major Cities Chiefs Association, which includes the Chiefs of Police and Sheriffs of the sixty-six largest law enforcement organizations in the country.**¹⁶
- ❑ **The gun lobby has been trying to pass reciprocity legislation for over two decades.**
 - Gun lobby-backed Congress members have introduced more than two dozen bills¹⁷ to override state laws on who is too dangerous to carry concealed weapons on their streets. Mayors Against Illegal Guns, now part of Everytown, has led the fight to defeat these bills—including when 58 senators voted for it in 2009¹⁸ and when it passed the House in 2011.¹⁹

¹ 32.5% of Americans live in CA, CT, DC, HI, IL, MA, MD, NJ, NY, OR, or RI, states that do not recognize any out-of-state permits. 2015 Census estimates.

² 75.3% of Americans live in either a state that does not recognize *any* out-of-state permits or else one of the following states that do not recognize *all* out-of-state permits: AZ, CO, DE, FL, GA, KS, LA, ME, MN, MT, NE, NV, NH, NM, ND, PA, SC, TX, VT, VA, WA, WV, WI, WY. 2015 Census estimates.

³ John Donohue et al, Right-to-Carry Laws and Violent Crime: A Comprehensive Assessment Using Panel Data and a State-Level Synthetic Controls Analysis, NBER Working Paper No. 23510, June 2017, available at <http://www.nber.org/papers/w23510>

⁴ Federal law prohibits several narrow categories of people from possessing a handgun; prohibited people may not carry handguns in any state. These categories include felony offenders (but not most misdemeanor offenders), certain abusers convicted of domestic violence or under restraining orders (generally including abusive spouses and generally excluding abusive boyfriends), and people under 18 (with certain exceptions). The state concealed carry standards discussed in this document generally surpass this federal floor.

⁵ AR, CA, CO, CT, DE, DC, FL, HI, IL, IA, KY, LA, MD, MA, MI, MN, MT, NE, NV, NJ, NM, NC, OH, OK, OR, RI, SC, TN, TX, UT, VA, and WI. In addition, eight permitless carry states – AK, AZ, KS, ME, MO, ND, WV, and WY – require training in order to get a carry permit, even though the permit is not required.

⁶ AR, CT, DE, DC, FL, IL, KY, LA, MD, MI, MN, NE, NV, NJ, NM, NC, OH, OK, RI, SC, TN, and TX. In addition, four permitless carry states – AK, KS, MO, and WV – require live fire training in order to get a carry permit, even though the permit is not required.

⁷ CA, CT, DE, FL, DC, HI, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MT, NE, NV, NH, NJ, NM, NY, NC, OH, OK, OR, RI, TN, TX, UT, VA, VT, WA, WI, and WV. In addition, one permitless carry state – MO – denies permits to abusive boyfriends, even though the permit is not required.

⁸ AL, AR, CA, CO, CT, DC, DE, GA, HI, IL, IN, IA, LA, MD, MA, MN, MT, NJ, NY, OK, OR, PA, RI, SD, UT, and VA. In addition, five permitless carry states – KS, ME, MO, ND, and WY – empower law enforcement to deny permits to these people, even though the permit is not required.

⁹ CA, CT, DE, DC, FL, HI, IL, IA, KY, LA, MD, MA, MI, MN, MT, NE, NV, NJ, NM, NY, NC, ND, OH, OK, OR, TX, UT, and VA. In addition, Three permitless carry states – AK, MO, and WV – deny permits to these people, even though the permit is not required. These states block people convicted of a) misdemeanor "crimes of violence," as classified by the state; or of b) certain serious violent misdemeanors such as assault and battery, threatening, or crimes committed with a weapon. Some disqualifiers lapse after several years. Alaska's permit disqualifier applies to people with multiple offenses. New Jersey disqualifies offenders convicted of offenses punishable by more than 6 months. While New Jersey crimes in this category are generally punishable by at least 18 months, misdemeanor crimes from other states are disqualifying in New Jersey.

¹⁰ Some state stalking crimes are felonies, and convictions are therefore prohibiting under federal law. The following is a full list of states where all stalkers are disqualified: AZ, CA, CO, DE, DC, HI, IL, IN, IA, LA, MD, MA, MI, MN, NV, NJ, NY, NC, OH, OK, OR, PA, RI, SC, TN, TX, VT, VA, and WI.

¹¹ AK, AZ, AR, CO, CT, DC, FL, GA, HI, IL, IA, KY, KS, LA, MA, MI, MN, NE, NV, NJ, NM, NY, NC, OH, OK, OR, PA, RI, SC, TN, TX, VA, WA, WI, and WY. In addition, Mississippi will only issue permits to persons 21 or older, even though the permit is not required.

¹² FBI Supplementary Homicide Report, 2010-2014, and US Census Population Data, 2010-2014. Persons aged 18-20 made up 4.24% of of the US population and were the primary offender in 17.16% of all gun homicides for which the age of the offender was known. Adults aged 21 and over made up 72.25% of the population and were the primary offender in 76.24% of all gun homicides for which the age of the offender was known.

¹³Everytown for Gun Safety, "Federally Mandated Concealed Carry Reciprocity: How Congress Could Undercut State Laws on Guns in Public", January 2015, available at: <http://every.tw/1jGKyXL>.

¹⁴ St. Louis Metropolitan Police Department. Report: CRM0013-BY: Part 1 Crime Comparison Based on UCR Reporting Neighborhood Report. p. 91, Run Date: January 8, 2018. Retrieved from http://www.slmpd.org/crime_stats.shtml.

¹⁵ Arizona Department of Public Safety. Report: Crime in Arizona 2010: An annual report compiled by Access Integrity Unit of the Arizona Department of Public Safety. p. 24. Retrieved from: <https://www.azdps.gov/about/reports/crime>; Arizona



Department of Public Safety. Report: Crime in Arizona 2016: p. 33. Retrieved from:
<https://www.azdps.gov/about/reports/crime>.

¹⁶ National Law Enforcement Partnership to Prevent Gun Violence, April 15, 2013, available at: <http://bit.ly/14AQyJE>.

¹⁷ H.R. 2634 (1995); H.R. 3838 (1996); H.R. 2722 (1997); H.R. 407 (1997); H.R. 950 (2001); S.514 (2001); H.R. 990 (2003); H.R. 1243 (2005); H.R. 226 (2007); S.388 (2007); H.R. 861 (2007); H.R. 5782 (2008); S.3207 (2008); H.R. 197 (2009); S.371 (2009); S.Amdt.579 to S.160 (2009); H.R. 1620 (2009); S.Amdt.1618 to S.1390 (2009), H.R. 822 (2011); S.2188 (2012); S.2213 (2013); H.R. 578 (2013); H.R. 2959 (2013); H.R. 986 (2015); S.498 (2015); H.R. 402 (2015)

¹⁸ S.Amdt.1618 to S.1390 (2009). <http://bit.ly/2fGBD7G>

¹⁹ H.R. 822 (2011)