

MARYLAND FIREARM CRIME, INJURIES, FATALITIES, AND CRIME FIREARMS STUDY

FOR THE PERIOD OF AUGUST 1,
2021 THROUGH JULY 31, 2022

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ABOUT THIS REPORT

This publication was created for the Maryland Office of the Attorney General (OAG) as the third and final report in WYSAC's annual series under contract with OAG.

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Background and Purpose

The Office of the Maryland Attorney General (OAG) contracted with the Wyoming Survey & Analysis Center (WYSAC) at the University of Wyoming to collect, analyze, and report data about firearm crimes, firearm injuries and fatalities, and crime firearms. House Bill (HB) 1186 (2021) requires OAG to submit four reports. The first three reports – submitted December 2021, December 2022, and December 2023 – analyzed data provided by 91, 80, and 82 law enforcement agencies (LEAs) respectively, about firearm crimes that occurred between August 1, 2015, and July 31, 2019 (report 1), August 1, 2019, and July 31, 2020 (report 2), and August 1, 2020, and July 31, 2021 (report 3). This report, the last in the four-part series, provides detailed findings from WYSAC’s analysis of firearm crimes in the State from August 1, 2021, to July 31, 2022.

Key Definitions

Compliance Inspection

Inspections conducted to ensure that Federal Firearms Licensees (FFLs) are following record-keeping requirements. Specifically, FFLs must account for all firearms that they have bought and sold and report all multiple handgun sales and firearms thefts to the United States Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF).

Crime Firearm

HB 1186 § 1(a)(2) (i-ii) defines “crime firearm” as a firearm that is used in the commission of a crime of violence; or recovered by law enforcement in connection with illegal firearm possession, transportation, or transfer.

Crime of Violence

The Public Safety Article §5–101 defines these offenses as crimes of violence:

- 1) abduction;
- 2) arson in the first degree;
- 3) assault in the first or second degree;
- 4) burglary in the first, second, or third degree;
- 5) carjacking and armed carjacking;
- 6) escape in the first degree;
- 7) kidnapping;
- 8) voluntary manslaughter;
- 9) maiming as previously proscribed under former Article 27, § 386 of the Code;
- 10) mayhem as previously proscribed under former Article 27, § 384 of the Code;

- 11) murder in the first or second degree;
- 12) rape in the first or second degree;
- 13) robbery;
- 14) robbery with a dangerous weapon;
- 15) sexual offense in the first, second, or third degree;
- 16) home invasion under § 6-202(b) of the Criminal Law Article;
- 17) a felony offense under Title 3, Subtitle 11 of the Criminal Law Article;

Further, Public Safety Article §5–101 classifies an attempt to commit any of the crimes listed above; or assault with intent to commit any of the crimes listed, or a crime punishable by imprisonment for more than 1 year as a crime of violence.

Firearm Crime

HB 1186 § 1(a)(3) defines “firearm crime” as a crime of violence involving the use of a firearm.

Firearm Injury and Fatality

HB 1186 § 1(a)(4) defines “firearm injury and fatality” as an injury or fatality caused by a firearm.

Jurisdiction

In this report, jurisdiction is synonymous with county, apart from Baltimore City which WYSAC analyzed as its own jurisdiction. For data provided by agencies that operate statewide (e.g., the Maryland State Police [MSP]), the incident’s jurisdiction is the county in which the incident occurred. In this report, data are included from 24 unique jurisdictions, each of Maryland’s 23 counties, and Baltimore City.

Privately Made Firearm

WYSAC asked LEAs to indicate whether a recovered firearm had a serial number. To measure the proliferation of “ghost guns” in the State, WYSAC also asked LEAs to indicate if the firearm was privately made. Based on the ATF Frame or Receiver Rule (2021R-05F), WYSAC defined “ghost gun” as any firearm, including a frame or receiver completed, assembled, or otherwise produced by a person other than a licensed manufacturer; and without a serial number placed by a licensed manufacturer at the time of production.ⁱ

Straw Purchase

Section 5–101 of the Public Safety Article defines “straw purchase” as the sale of a regulated firearm in which a person uses another, known as the straw purchaser, to:

- 1) complete the application to purchase a regulated firearm;
- 2) take initial possession of the regulated firearm; and

3) subsequently transfer the regulated firearm to the person.

Targeted Inspection

Audits initiated as a result of specific data on sales practices (e.g., sales volume, multiple handgun sales, time-to-crime for guns traced to an FFL) indicative of firearm trafficking.

Time-to-Crime

The ATF defines “time-to-crime” as the amount of time between the retail sale of a firearm by an FFL and its recovery by law enforcement.ⁱⁱ

Type of Firearm

WYSAC limited LEA responses to eight firearm types based on the Federal Bureau of Investigation’s (FBI) National Incident-Based Reporting System (NIBRS) definitions: handgun, automatic handgun, rifle, automatic rifle, shotgun, automatic shotgun, other firearm, and other automatic firearm. NIBRS defines an automatic firearm as any firearm that shoots, or is designed to shoot, more than one shot at a time by a single pull of the trigger without manual reloading.ⁱⁱⁱ WYSAC provided the NIBRS definition to LEAs in the data collection template.

Methodology

WYSAC used data from four sources to provide a robust analysis. WYSAC solicited data from Maryland LEAs about firearm crimes including the responding agency; incident date; if the LEA response resulted from a 9-1-1 call; firearms recovered and information about each firearm; associated arrests; and related injuries and fatalities. To supplement LEA charging and disposition data, WYSAC requested data from the Maryland Administrative Office of the Court (AOC) about firearm crimes, crimes of violence, and charging and disposition information. WYSAC also received the results of dealer audits conducted by the MSP. Finally, WYSAC collected data from the ATF about firearms recovered in Maryland, including time-to-crime and state-of-origin.

Data Collection

LAW ENFORCEMENT AGENCIES

Identifying Law Enforcement Agencies

WYSAC utilized the list of agencies and contacts from the previous year and contacted 146 people across 131 agencies on January 12, 2023, to confirm correct contact information. WYSAC

updated contact information as necessary and identified one agency which had not participated in previous years. In total, WYSAC requested data from 132 LEAs.

Collecting Data from Law Enforcement Agencies

On April 5, 2023, OAG emailed each LEA introducing the research team and explaining the requirements of HB 1186 (2021). The following day, WYSAC emailed an Excel data collection template to each LEA and reiterated the requirements of HB 1186 (2021). WYSAC asked LEAs to return completed data templates no later than September 1, 2023. To maximize response rates, WYSAC and OAG sent regular reminder emails and contacted nonresponsive LEAs by phone on July 17, 2023, and again on August 1, 2023. Data for this report were collected concurrently with data for report 3.

In all, 118 (89%) LEAs provided data to WYSAC and 14 (11%) declined to provide data or did not respond (Appendix A: Law Enforcement Agencies). WYSAC closed data collection on September 8, 2023.

Quality Control

Technical Assistance

Some LEAs had difficulties entering data into the Excel template. WYSAC provided technical assistance to these LEAs via phone, email, and Zoom video conferencing. WYSAC adjusted the template for some agencies, upon request, to make the template compatible with their record management system(s). Every email correspondence between WYSAC, OAG, and the LEAs included the study team's contact information and instructions on how to request technical assistance.

Data Collection Template

WYSAC used an Excel data collection template, which featured data validation tools, to enhance user-friendliness and reduce errors. These tools included drop-down lists to standardize entries (e.g., limiting firearm type selections to eight options) and date fields which accepted only incident dates within the reporting period. The template also included a "quick start guide" with instructions and hyperlinks to key definitions.

Requests for Information and Clarification

WYSAC reviewed data templates for completeness and consistency and contacted LEAs when the data provided appeared incomplete or were unclear.

MARYLAND ADMINISTRATIVE OFFICE OF THE COURTS

WYSAC provided offender information (first name, last name, and date of birth) and incident information (date and arresting agency) to AOC. AOC matched these data to court records and provided WYSAC with charging and disposition information related to each incident.

MARYLAND DEPARTMENT OF STATE POLICE – FIREARMS REGISTRATION SECTION

WYSAC requested the dates and outcomes of audits conducted by the MSP Dealer Audit Unit of the top ten dealers of crime firearms in the State. MSP provided the results of audits for nine of the retailers. Three retailers underwent audits only for regulated firearms, licensing, and inventory and transfer compliance (a traditional audit including a compliance inspection report and a supplemental narrative); three retailers underwent inspections only for compliance with security requirements; and three retailers underwent both types of audits. MSP did not conduct any audits for one of the top 10 dealers because it was out of business during the requested time period.

BUREAU OF ALCOHOL, TOBACCO, AND FIREARMS

The ATF's National Tracing Center (NTC) is authorized by the Gun Control Act of 1968 to trace crime firearms and is the only crime gun tracing facility in the United States.^{iv} The NTC traces crime firearms by tracking each firearm's movement through the supply chain from manufacture through distribution, via wholesalers or retailers, using the gun's serial number. Tracing allows the ATF and LEAs to identify unlicensed purchasers and patterns in the sources and types of crime firearms.^v The ATF provides free *eTrace* software, which allows LEAs to request firearm trace data, monitor the progress of requests, retrieve results, and query data. The ATF's *eTrace* software also allows LEAs to download and analyze trace data.^{vi} The ATF publishes aggregate data annually on a calendar year basis.

Analysis

Law Enforcement Data

Of the 118 LEAs that responded to WYSAC's data request, 82 (62%) provided data about one or more firearm crimes, 30 (23%) reported that their agency did not respond to any firearm crimes during the reporting period, and six (5%) reported that a separate agency is responsible for reporting their agency's data.

LIMITATIONS

Differences in Data Reporting

Each LEA has a unique process and system for tracking and managing records. As a result, there are differences in the data LEAs reported. Additionally, LEAs had considerable variations in how they defined data elements such as “illegal possession” or “illegal transfer.” In an attempt to address these differences, WYSAC provided every LEA with a data collection template to limit the range of possible entries and provide clear definitions for key terms. WYSAC consulted with agencies on a case-by-case basis to ensure that they understood all definitions and data elements and provided technical assistance with filling out the templates when needed.

Missing Disposition Data

WYSAC collected arrestee information from LEAs and sent 3,098 cases to the AOC to match filing, charging, and disposition information. WYSAC received 25,636 records back which matched 2,367 of the initial cases.

Missing Crime Firearm Origin Data

Only 25 (21%) LEAs provided information about place of purchase and purchase date for recovered firearms. The remaining LEAs reported that they either: 1) do not keep origin data; or 2) do not trace crime firearms. Fewer than 20% (n=1,184) of recovered firearms included origin data. WYSAC used ATF gun-trace data to supplement missing crime firearm origin data.

Missing or Incomplete Injury and Fatality Data

Most LEAs (n=116, 98%) reported data about firearm-related injuries and fatalities. Neither the MSP nor the Baltimore City Police Department (BPD) could specify whether an incident included more than one injury or fatality, only that an injury or fatality occurred. In addition, BPD was unable to disaggregate injury and fatality data by age or classify injuries and fatalities as accidental or intentional. WYSAC included injuries and fatalities reported by both agencies (MSP and BPD) as a single event. As a result, the total number of injuries and fatalities is likely much higher.

Maryland Department of State Police, Dealer Audit Unit

WYSAC requested the dates and outcomes of audits conducted by the MSP’s Dealer Audit Unit of the top 10 dealers of crime firearms identified in WYSAC’s analysis. The Dealer Audit Unit audited four dealers once, four dealers twice, and one dealer three times; one dealer was not audited because it was out of business. Three dealers underwent targeted inspections. WYSAC summarized the results of the audits of the top 10 dealers of crime firearms.

MSP's standard compliance inspection audit forms are organized into five sections: 1) Regulated Firearms Dealer Information; 2) Licenses; 3) Inventory of Regulated Firearms; 4) Applications to Purchase a Regulated Firearm; and 5) Conclusion. Each form included an attachment with additional notes.

MSP also provided compliance inspection reports for security requirements for six of the top 10 retailers. These forms are organized into two sections: A) Security devices on the premises; B) Lock-up of firearms outside of business hours.

Maryland Administrative Office of the Courts

WYSAC sent AOC arrest data for 3,098 individuals to match charges and dispositions. AOC matched and provided 25,363 unique findings, which included all charging information for the arrestee with an exact match on the date of offense.

AOC extracted filings from four records management systems (CCDC_MDEC, 8th Circuit [Baltimore City], CC Prince George's County, and DC NonMDEC). AOC did not provide records with the following dispositions: remanded to - Juvenile Court; waived from Criminal to Juvenile Court; forwarded - Juvenile Authorities; transferred for Juvenile Sentencing; or forwarded - Circuit Court if the defendant was under 18 pursuant to CP § 4-202(i) and CJ § 3-8A-27.

WYSAC categorized firearm-related charges into eight categories (ammunition; armor, trigger, or magazine violation; altering or possessing an altered firearm; discharging a firearm; illegal possession; illegal sale; illegal transfer; illegal transportation; and straw purchase). WYSAC categorized crimes of violence into 37 categories (Table 1). Researchers relied on § 5-101 of the Public Safety Article for definitions and included charges for an attempt, conspiracy, accessory, and soliciting a crime of violence.

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Table 1: Crimes of Violence Categories

Arson in the first degree	Kidnapping	Attempted robbery
Assault in the first or second degree	Attempted kidnapping	Conspiracy robbery
Attempted assault in the first or second degree	Conspiracy kidnapping	Robbery with a dangerous weapon
Conspiracy assault in the first or second degree	Voluntary manslaughter	Attempted robbery with a dangerous weapon
Burglary in the first, second, or third degree	Murder in the first or second degree	Conspiracy robbery with a dangerous weapon
Attempted burglary in the first, second, or third degree	Attempted murder in the first or second degree	Sexual offense in the first, second, or third degree
Conspiracy burglary in the first, second, or third degree	Conspiracy murder in the first or second degree	Attempted sexual offense in the first, second, or third degree
Solicitation burglary in the first, second, or third degree	Accessory murder in the first or second degree	Conspiracy sexual offense in the first, second, or third degree
Carjacking and armed carjacking	Rape in the first or second degree	Home invasion
Attempted carjacking and armed carjacking	Attempted rape in the first or second degree	Attempted home invasion
Conspiracy carjacking and armed carjacking	Conspiracy rape in the first or second degree	Conspiracy home invasion
Escape in the first degree	Robbery	Human trafficking
Attempted escape in the first degree		

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Equipment used to complete the project

WYSAC used Microsoft Excel to collect, combine, and summarize firearm crime data provided by LEAs; Microsoft Access to track contacts, submissions, and communications; and *Statistical Package for the Social Sciences 29* (SPSS) to analyze data.

Findings

Firearm Crimes Committed in the State of Maryland

LEAs in all 24 jurisdictions provided information about 8,446 firearm crimes (Table 2). Prince George’s County provided data about 3,863 firearm crimes, 46% of the total. Caroline County reported the fewest number of firearm crimes (n=16, 0.2%).

9-1-1 Requests for Emergency Assistance

Sixty percent (n=5,048) of LEA responses were initiated by a 9-1-1 call (Figure 1). 9-1-1 origination data were missing for 7% (n=607) of incidents.

Figure 1: Firearm Crimes, by 9-1-1 Origination

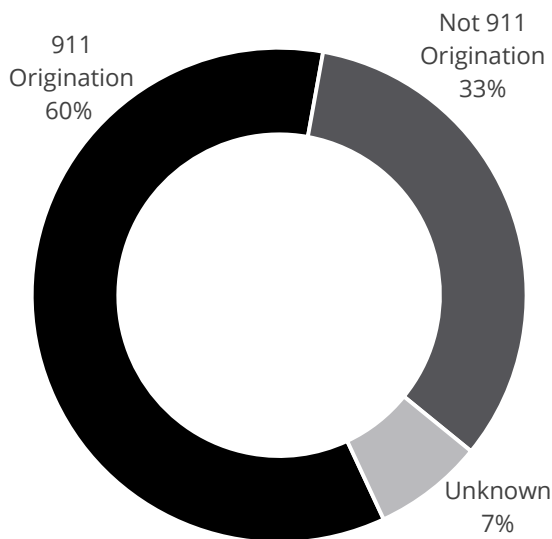


Table 2: Number of Firearm Crimes, by Jurisdiction

Jurisdiction	Number of Crimes
Allegany	69
Anne Arundel	469
Baltimore City	910
Baltimore County	739
Calvert	20
Caroline	16
Carroll	33
Cecil	126
Charles	243
Dorchester	43
Frederick	110
Garrett	17
Harford	98
Howard	187
Kent	18
Montgomery	720
Prince George’s	3,863
Queen Anne’s	27
Somerset	118
St. Mary	35
Talbot	27
Washington	181
Wicomico	157
Worcester	220
Total	8,446

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Table 3: Firearm Crimes with 9-1-1 Requests for Service, by Jurisdiction

Jurisdiction	9-1-1 Origination	Not a 9-1-1 Origination	Unknown or Missing Origination	Arrests from 9-1-1 Originations
Allegany	21	36	21	15
Anne Arundel	135	189	135	96
Baltimore City	801	109	801	86
Baltimore County	661	53	661	356
Calvert	11	0	11	8
Caroline	3	2	3	3
Carroll	18	7	18	14
Cecil	50	31	50	29
Charles	127	86	127	72
Dorchester	19	7	19	12
Frederick	75	21	75	30
Garrett	7	4	7	7
Harford	37	40	37	23
Howard	141	36	141	59
Kent	6	6	6	4
Montgomery	470	172	470	146
Prince George's	2,109	1,698	2109	358
Queen Anne's	3	5	3	2
Somerset	45	49	45	19
St. Mary	14	9	14	5
Talbot	5	11	5	5
Washington	141	29	141	59
Wicomico	93	46	93	34
Worcester	56	143	58	35

Note: Incidents where 9-1-1 origination status or arrest information is missing or unknown are not included in the number of arrests. The actual number of arrests is likely higher.

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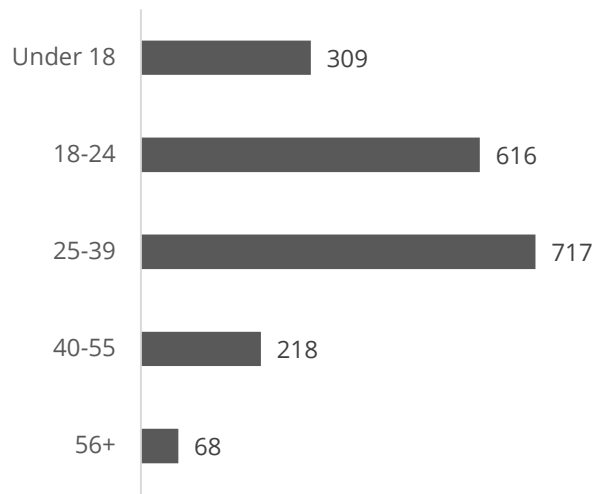
Of the 5,048 LEA incidents initiated by a 9-1-1 call, 1,477 resulted in arrest (29%). WYSAC asked LEAs to provide the age at arrest for each arrestee. LEAs provided ages for 99% (n=1,928) of the arrests for incidents that were called in to 9-1-1. The youngest person arrested was 11 years old and the oldest was 78 years old. The median age of arrestees was 25 years old.

Injuries and Fatalities

WYSAC asked LEAs to report the number of accidental and intentional injuries, fatalities, and suicides for adults and juveniles (Table 4). LEAs reported a total of 3,078 injuries and fatalities. Victim age was not reported for 47 cases (2%), intent was missing for 2,228 cases (72%), and both age and intent were missing for 3 cases (<0.001%) of injuries and fatalities.¹ Most victims with reported ages were adults (n=2,758, 91%); only 273 (9%) were juveniles. Intentional injury was the most common outcome reported by LEAs for both adults and juveniles. Among cases that were not missing information on injury type, intent, and age, 65% (n=483) of adult victims and 66% (n=39) of juvenile victims suffered an intentional injury.

WYSAC used the Centers for Disease Control and Prevention’s (CDC) National Violent Death Reporting System (NVDRS) to supplement LEA-reported death data. Researchers included estimates for all firearm-related deaths, including unintentional, homicide, and undetermined intent. NVDRS reported 295 firearm-related suicides and 527 other firearm-related deaths in Maryland during the calendar year 2020 (the most recent data available).^{vii}

Figure 2: Age of Arrestees in 9-1-1 Originated Firearm Crime



Note: Only includes arrestees in cases that indicated “yes” to arrest and “yes” to 911 call. Does not include cases with missing information.

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¹ MSP and BPD provided limited, if any, information about, victim age, number of victims, and type of injury. WYSAC included injuries and fatalities reported by both agencies as a single event.

Table 4: Firearm Crimes Injuries and Deaths

	Accidental Injury		Intentional Injury		Accidental Homicide		Intentional Homicide		Suicide	
	Adult	Juvenile	Adult	Juvenile	Adult	Juvenile	Adult	Juvenile	Adult	Juvenile
Allegany	0	0	0	0	0	0	2	0	0	0
Anne Arundel	1	0	24	7	0	0	9	2	25	2
Baltimore City	0	0	0	0	0	0	0	0	0	0
Baltimore County	0	0	0	0	0	0	0	0	0	0
Calvert	0	0	0	0	0	0	1	0	0	0
Caroline	0	0	0	0	0	0	0	0	0	0
Carroll	1	0	0	0	0	0	1	0	0	0
Cecil	2	0	11	0	0	0	7	0	2	0
Charles	4	1	19	2	0	0	3	0	10	0
Dorchester	0	0	6	3	0	0	3	1	1	0
Frederick	1	0	10	0	0	0	3	0	3	0
Garrett	0	0	0	0	0	0	0	0	0	0
Harford	1	0	9	0	0	0	4	0	1	0
Howard	4	0	2	0	0	0	7	0	4	0
Kent	0	0	1	0	0	0	0	0	0	0
Montgomery	0	0	1	8	0	0	9	1	14	0
Prince George's	0	0	317	13	0	1	84	9	27	0
Queen Anne's	0	0	1	0	0	0	0	0	1	0
Somerset	1	1	2	0	0	0	1	0	0	0
St. Mary	1	0	17	4	0	0	3	1	1	0
Talbot	0	0	1	0	0	0	1	0	1	0
Washington	2	0	26	2	0	0	7	0	0	0
Wicomico	0	0	9	0	0	0	1	0	1	0
Worcester	0	1	2	0	0	0	0	0	1	0
Total	18	3	483	39	0	1	146	14	93	2

Note: MSP and BPD provided limited, if any, information, about victim age, number of victims, and type of injury. WYSAC included injuries and fatalities reported by both agencies as a single event.

Arrests

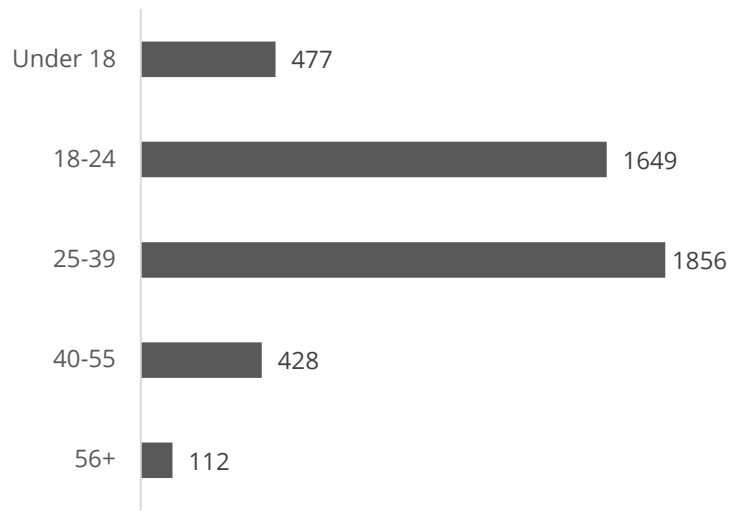
Of the 8,446 reported incidents, 43% (n=3,624) indicated that an arrest was made and 47% (n=3,993) reported no arrest. Arrest status was missing for 10% (n=829) of arrests.

In total, 3,587 (99%) incidents that reported an arrest included arrest-age information for at least one of the . Agencies could report more than one arrest for each incident. The 3,587 incidents that included one or more arrests and provided the age(s) of arrestees resulted in a total of 4,522 people arrested. The youngest person arrested was 11 years old, and the oldest was 78 years old. The average age was 25 years old (Figure 3).

Dispositions

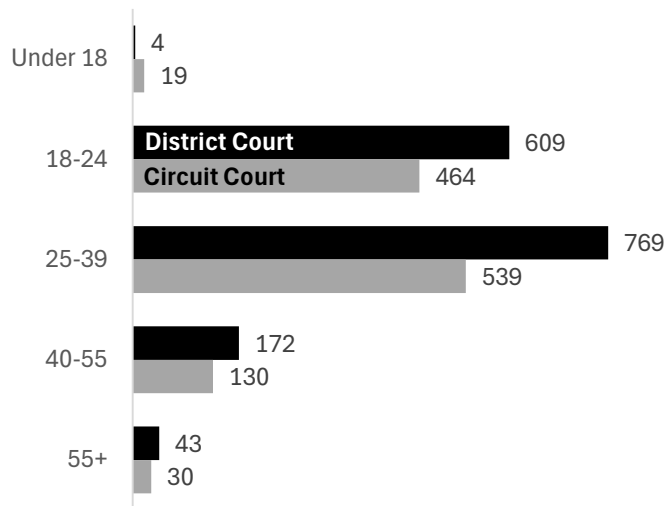
In total, Maryland prosecuted 863 unique cases with a total of 3,230 firearm-related charges in district courts. Among adults and those tried as adults in district courts, most (n=769, 48%) were between the ages of 25 and 39 (Figure 4). The youngest person tried as an adult in district court was 17 years old, and the oldest was 70 years old. The median age was 27.

Figure 3: Age of Arrestees in Firearm Crime Incidents (9-1-1 and Not 9-1-1 Originated)



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Figure 4: Age of Defendant in Firearm Crime Disposition Charges, by Court



Note: Because district court cases are regularly transferred to circuit court, we analyzed district and circuit court dispositions separately.

Source: AOC

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Maryland prosecuted 663 unique cases with a total of 948 firearm related charges in circuit courts. Some circuit court cases started in district court and then transferred to circuit court. Because of this, WYSAC analyzed district and circuit court data separately.

Among adults and those tried as adults, most (n=539, 46%) circuit court defendants were between the ages of 25 and 39 (Figure 4). The youngest person tried as an adult in circuit court was 16 years old, and the oldest was 69 years old. The median age of circuit court defendants was 26.

CHARGE AT DISPOSITION

Table 5 lists the types of firearm crimes by district and circuit court. The 5th District Court (which serves Prince George’s County) had the most (n=4,423) firearm-related charges among district courts. The 10th District Court (serving Carroll and Howard Counties) had the fewest firearm-related charges (n=45) among district courts.

The 7th Circuit Court (serving Calvert, Charles, Prince George’s and St. Mary’s counties) had the most firearm-related charges (n=4,052) among circuit courts. The 3rd Circuit Court (serving Baltimore and Harford Counties) had the fewest firearm-related charges among circuit courts with 304 charges (Table 5).

In district courts, illegal possession was the most commonly charged firearm-related crime (n=4,884), followed by crimes of violence (n=2,612). In circuit courts, crimes of violence were the most common (n=3,304) followed by illegal possession (n=3,278).

Table 6 shows disposition by firearm-crime category for district courts, the majority (n= 3,839, 54%) were forwarded to circuit court.

Table 7 shows disposition by firearm-crime for circuit courts. In circuit court, the majority (n=4,430, 74%) of cases ended with a Nolle Prosequi.

Violent Crimes

Table 8 lists charges at disposition for firearm-related crimes of violence in district and circuit courts. In both courts, assault in the first or second degree was the most common type of violent crime, followed by murder in the first or second degree.

Table 5: Charge at Disposition, by Court

	Violent Crime	Altered Firearm	Ammunition, Armor, Trigger, or Magazine Violation	Discharged Firearm	Illegal Possession	Illegal Sale	Illegal Transport	Straw Purchase	Total
2 nd District	188	5	33	0	197	0	41	2	466
3 rd District	119	1	43	0	217	1	47	0	428
4 th District	435	2	27	0	308	0	77	0	849
5 th District	902	49	336	0	2,555	0	581	0	4,423
6 th District	252	2	53	0	486	1	111	0	905
7 th District	288	7	96	0	652	0	151	0	1,194
8 th District	7	1	5	0	30	0	5	0	48
9 th District	94	0	17	0	106	0	20	0	237
10 th District	28	0	2	0	14	0	1	0	45
11 th District	264	2	37	0	202	0	35	0	540
12 th District	35	3	23	0	119	3	23	3	209
Total	2,612	72	672	0	4,886	5	1,092	5	9,344

	Violent Crime	Altered Firearm	Ammunition, Armor, Trigger, or Magazine Violation	Discharged Firearm	Illegal Possession	Illegal Sale	Illegal Transport	Straw Purchase	Total
1 st Circuit	224	3	33	0	203	0	33	0	496
2 nd Circuit	130	1	33	0	191	0	30	0	385
3 rd Circuit	120	0	20	0	142	1	21	0	304
4 th Circuit	244	4	37	0	195	2	23	2	507
5 th Circuit	265	2	84	0	632	0	159	0	1,142
6 th Circuit	363	1	55	6	376	1	34	0	836
7 th Circuit	1,958	28	277	0	1,539	0	250	0	4,052
Total	3,304	39	539	6	3,278	4	550	2	7,722

Note: Because district court cases are regularly transferred to circuit court, we analyzed district and circuit court dispositions separately.

Source: AOC

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Table 6: District Court - Charge at Disposition, by Disposition

	Violent Crime	Altered Firearm	Ammunition, Armor, Trigger, or Magazine Violation	Illegal Possession	Illegal Sale	Illegal Transport	Straw Purchase	Total
Abate by death	0	0	0	5	0	1	0	6
Acquittal	8	0	3	19	0	5	0	35
Dismissed	31	0	0	16	0	4	1	52
Forwarded - Circuit Court	1,362	20	274	1,805	3	373	2	3,839
Guilty	10	0	0	67	0	32	0	109
Jury trial prayed	28	4	19	204	0	80	0	335
Nolle Prosequi	589	21	148	1,335	0	261	2	2,356
Not guilty	3	1	1	3	0	0	0	8
Probation before judgement	8	1	1	38	1	31	0	80
Stet	18	2	25	154	1	55	0	255

Note: Because district court cases are regularly transferred to circuit court, we analyzed district and circuit court dispositions separately.

Source: AOC

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Table 7: Circuit Court- Charge at Disposition, by Disposition

	Violent Crime	Altered Firearm	Ammunition, Armor, Trigger, or Magazine Violation	Discharged Firearm	Illegal Possession	Illegal Sale	Illegal Transport	Straw Purchase	Total
Abate by death	8	0	2	0	10	0	3	0	23
Appeal withdrawn	0	0	1	0	3	0	1	0	5
Aquittal	9	0	1	0	9	0	2	0	21
Dismissed	16	1	4	0	25	0	4	0	50
Guilty	382	1	28	0	510	1	74	0	996
Jury trial prayed	1	-	-	-	-	-	-	-	1
No verdict	7	-	-	-	-	-	-	-	7
Nolle Prosequi	1729	21	379	3	1973	2	321	2	4430
Colo Contedere	1	-	-	-	-	-	-	-	1
Not criminally responsible	7	-	-	-	-	-	-	-	7
Not guilty	66	0	7	0	64	0	7	0	144
Probation before judgement	15	0	1	0	50	1	36	0	103
Stet	48	5	14	0	95	0	22	0	184
Transferred to other Jurisdiction	1	-	-	-	-	-	-	-	1

Note: Because district court cases are regularly transferred to circuit court, we analyzed district and circuit court dispositions separately.

Source: AOC

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Table 8: Charge at Disposition for Firearm-related Crimes of Violence, by Court Level

	District	Circuit
<i>Not Violent Crime</i>	<i>11,286</i>	<i>7,077</i>
Accessory assault in the first or second degree	11	10
Accessory murder in the first, second, or third degree	4	6
Arson	3	1
Assault in the first or second degree	1,824	2,394
Attempted armed carjacking	1	1
Attempted armed robbery with a dangerous weapon	149	139
Attempted assault in the first or second degree	1	0
Attempted burglary in the first, second, or third degree	12	8
Attempted carjacking	0	2
Attempted home invasion	2	5
Attempted manslaughter	0	1
Attempted murder in the first or second degree	98	133
Burglary in the first, second, or third degree	12	11
Carjacking	28	19
Conspiracy armed carjacking	33	23
Conspiracy armed robbery with a dangerous weapon	27	44
Conspiracy assault in the first, second, or third degree	23	74
Conspiracy attempted murder in the first or second degree	2	1
Conspiracy carjacking	6	22
Conspiracy kidnapping	1	3
Conspiracy murder in the first or second degree	12	44
Conspiracy robbery	21	27
Escape in the first degree	1	0
Home Invasion	17	17
Kidnapping	6	5
Manslaughter	3	2
Murder in the first or second degree	205	189
Rape in the first or second degree	1	1
Robbery	109	122

Note: Because district court cases are regularly transferred to circuit court, we analyzed district and circuit court dispositions separately.

Source: AOC

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Table 9: Other Charges at Disposition

Crime Type	Count
Arson	2
Assault Offenses	24
Bribery	1
Burglary/Breaking and Entering	30
Destruction/Damage/Vandalism of Property	101
Disorderly Conduct	101
Driving Under the Influence	196
Drug/Narcotics Offense	3,183
Drunkenness	8
Escape	2
Fraud Offenses	25
Hunting	12
Kidnapping/Abduction	20
Larceny/Theft Offenses	355
Liquor Law Violations	1
Motor Vehicle Theft	139
Other Offenses	1,232
Pornography/Obscene Material	1
Sex Offenses	3
Stalking	2
Traffic	1,719
Trespass of Real Property	21
Violate Protection Order	24

Note: Because district court cases are regularly transferred to circuit court, we analyzed district and circuit court dispositions separately.

Source: AOC

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Non-Violent Crimes

Table 9 shows the number of dispositions related to firearms but unrelated to crimes of violence and weapons law violations. Among these dispositions, the most common offense types were drug/narcotic (n=3,183, 44%), traffic (n=1,719, 24%), and other (n=1,232, 17%).

Crime Firearms

LEAs recovered one or more firearms in 53% (n=4,497) of reported incidents and provided information about 5,792 recovered firearms. Most incidents reported only one related firearm recovery. A total of 619 (7%) incidents resulted in the recovery of more than one firearm. In a single incident, one LEA recovered 45 firearms.

LEAs recovered firearms in all 24 jurisdictions (See Table 10). LEAs responding to incidents in Prince George’s County recovered the greatest number of firearms (n=1,659, 29%), followed by Montgomery County (n=919, 16%), and Baltimore County (n=754, 13%).

Of the 5,792 crime firearms recovered by LEAs, 62% (n=3,600) had a serial number (Figure 5). LEAs were unsure whether there were serial numbers for 3% (n=152) of recovered firearms. Information on serial numbers was missing for 2% (n=122) of recovered firearms.

Thirty-one percent (n=1,796) of the recovered firearms lacked information regarding their privately made status or had an unknown status. Only 8% (n=480) of recovered firearms were recorded as privately made.

Handguns were the most common type of firearm recovered (n=4,274; 74%), followed by rifles (n=515, 9%), and then by shotguns (n=406, 7%; Figure 6). Four percent (n=244) of recovered firearms were unknown or ‘other.’

A total of 2,773 firearms were recovered during incidents initiated by a 9-1-1 call (Figure 7).

Figure 5: Recovered Firearms, by Serial Number Status

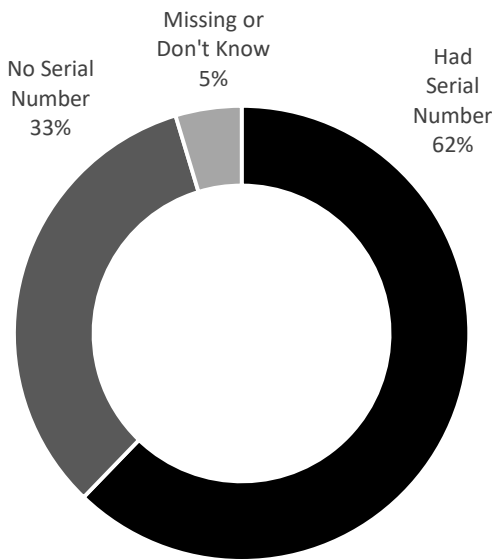


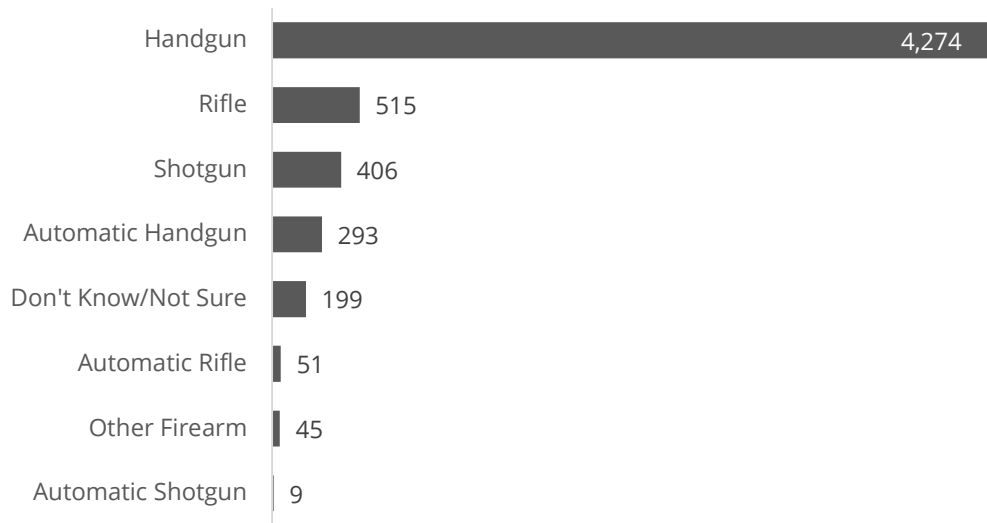
Table 10: Recovered Firearms, by Incident Location

Jurisdiction	Number of Firearms
Allegany	86
Anne Arundel	539
Baltimore City	223
Baltimore County	754
Calvert	62
Caroline	73
Carroll	37
Cecil	169
Charles	218
Dorchester	69
Frederick	85
Garrett	28
Harford	92
Howard	118
Kent	21
Montgomery	930
Prince George's	1,660
Queen Anne's	36
Somerset	39
St. Mary	96
Talbot	49
Washington	100
Wicomico	145
Worcester	257

Note: The jurisdiction is the location the incident was reported in.

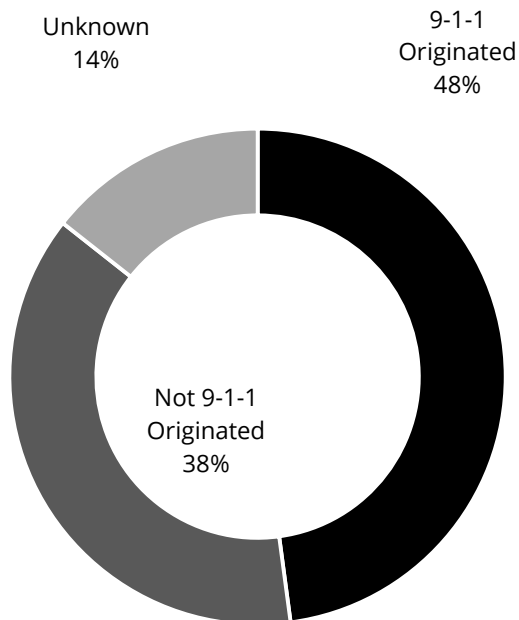
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Figure 6: Recovered Firearm Type



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Figure 7: Firearm Recovery, by 9-1-1 Origination



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Recovery Location

LEAs provided a recovery location for recovered firearms in 72% (n=4,187; Table 12) of the firearm records. A total of 1,605 (28%) firearms did not specify a recovery location.

WYSAC used data from the ATF to supplement recovery location data provided by LEAs (Table 11 and Table 13). The ATF reports the top ten firearm recovery cities each calendar year.

Table 12: Firearm Recovery Location

Jurisdiction	Number of Firearms
Not Specified	1,605
Allegany	69
Anne Arundel	500
Baltimore City	223
Baltimore County	15
Calvert	5
Caroline	44
Carroll	19
Cecil	83
Charles	183
Dorchester	20
Frederick	68
Garrett	16
Harford	62
Howard	85
Kent	8
Montgomery	756
Prince George's	1,619
Queen Anne's	7
Somerset	14
St. Mary	49
Talbot	28
Washington	80
Wicomico	119
Worcester	115

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Table 11: Top-10 Maryland Firearm Recovery Cities, 2021

City	2021
Baltimore	2,631
Frederick	308
Silver Spring	305
Laurel	303
Waldorf	260
Hyattsville	241
Oxon Hill	214
Hagerstown	201
Temple Hills	194
Pasadena	193

Note: ATF data is available by calendar year, not fiscal year.

Source: ATF

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Table 13: Top-10 Maryland Firearm Recovery Cities, 2022

City	2022
Baltimore	3,215
Silver Spring	323
Hyattsville	307
Frederick	305
Oxon Hill	270
Waldorf	269
Ocean City	236
Gaithersburg	233
Temple Hills	226
Hagerstown	224

Note: ATF data is available by calendar year, not fiscal year.

Source: ATF

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Origin of Crime Firearms

WYSAC requested data about each firearm's origin; however, only 1,184 firearms (20%) included origin data. Of firearms with origin data, 58% (n=686) were purchased outside of Maryland. ATF data for calendar years 2021 and 2022 identify Virginia as the top state of origin for recovered firearms, with Georgia as the second.

IN-STATE ORIGIN

Of the recovered crime firearms with origin information, 498 (42%) originated from Maryland.

Atlantic Guns in Rockville sold the largest number of crime firearms (n=59). Table 15 lists the top ten locations with the most crime firearm sales.

RESULTS OF AUDITS OF FIREARM DEALERS

WYSAC summarized the results of the MSP's audits for the top ten Maryland retailers of recovered firearms during the time period of August 1, 2021 to July 31, 2022.

Table 14: Jurisdiction of In-State Originated Recovered Firearms

Jurisdiction	Number of Firearms
Allegany	0
Anne Arundel	180
Baltimore City	0
Baltimore County	0
Calvert	0
Caroline	0
Carroll	1
Cecil	3
Charles	19
Dorchester	1
Frederick	12
Garrett	0
Harford	0
Howard	8
Kent	3
Montgomery	228
Prince George's	6
Queen Anne's	0
Somerset	0
St. Mary	16
Talbot	0
Washington	5
Wicomico	2
Worcester	14

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Table 15: Top-Ten Maryland Retailers of Recovered Firearms

Store Name	Number of Handguns	Number of Rifles	Number of Shotguns	Total Number of Firearms
Atlantic Guns (Rockville)	36	11	12	60*
United Guns (Rockville)	23	7	4	34
Engage Armament (Rockville)	18	8	5	32*
Worth a Shot (Millersville)	14	2	1	17
Scott's Gunsmithing (Glen Burnie)	6	7	2	15
On Target (Severn)	8	2	3	13
Atlantic Guns (Silver Spring)	6	1	4	11
Bass Pro (Hanover)	6	-	4	10
Fred's Outdoors (Waldorf)	10	-	-	10
Realco Guns (Forestville)	8	1	-	9

Note: Of recovered firearms with origin information.

*Includes reported "other" firearms

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Atlantic Guns (Rockville)

The Dealer Audit Unit conducted a compliance audit of *Atlantic Guns* in Rockville, Maryland on April 5, 2022. The audit found the dealer had a valid and properly displayed regulated firearm dealer (RFD) license, federal firearms license (FFL), trader's license, and a Maryland tax license. At the time of inspection, the dealer had 5 regulated firearms (RFs), all of which were properly logged in inventory. The auditor found no issues in the inventory or recorded transfers. The compliance inspection form and supplementary report do not specifically state whether the audit was deemed satisfactory or if further action was recommended.

United Guns Shop (Rockville)

The Dealer Audit Unit conducted a compliance audit of *United Gun Shop* in Rockville, Maryland on March 29, 2022. The audit found the dealer had a valid and properly displayed RFD license, FFL, trader's license, and a Maryland tax license. At the time of inspection, the dealer had 10 RFs, all were properly logged in inventory. The auditor found no issues in the inventory or recorded transfers. However, the auditor did find the dealer had conducted six "Estate Sale Applications" and after discussion with the dealer, the auditor determined that these were all incorrect and should have been "Dealer Sale Applications." All applications were converted to Dealer Sale Applications. The compliance inspection form and supplementary report do not specifically state whether the audit was deemed satisfactory or if further action was recommended.

The Dealer Audit Unit conducted a second audit, an initial inspection of compliance with security requirements, on June 21, 2022. The inspection found that the dealer was in compliance with mandated security requirements.

Engage Armament (Rockville)

The Dealer Audit Unit conducted an initial inspection of compliance with security requirements of *Engage Armament* on June 21, 2022. The inspection found that the dealer was in compliance with mandated security requirements.

Worth a Shot (Millersville)

The Dealer Audit Unit conducted both a compliance and targeted audit of *Worth a Shot* in Millersville, Maryland on March 10, 2022. The targeted audit was conducted due to the frequent number of expired applications that this dealer had and the number of those applications in which the firearms were transferred. The audit found the dealer had a valid and properly displayed RFD license, FFL, trader's license, and a Maryland tax license. The compliance inspection report documented 10 RFs in the store's inventory, and indicated that "yes," there was "incorrect RF info in the A&D book." However, the audit's supplemental report indicated all 10 firearms in the store were properly logged. The auditor found that one firearm transfer was currently showing as expired (over 90 days). After speaking with the dealer, the auditor determined that the firearm was not transferred and cancelled the application. The auditor then showed the dealer how to check for applications over 30 and 60 days. The auditor additionally found that one transaction was recorded with an incorrect serial number in the dealer's A&D log, but it was recorded correctly on the 77R application. The auditor found no other issues in the inventory or recorded transfers. The compliance inspection form and supplementary report do not specifically state whether the audit was deemed satisfactory or if further action was recommended.

The Dealer Audit Unit conducted a third audit, an inspection of compliance with security requirements, on April 28, 2022. The inspection found that the dealer was in compliance with mandated security requirements.

Scott's Gunsmithing Service (Glen Burnie)

The Dealer Audit Unit conducted a compliance audit of *Scott's Gunsmithing Service* in Glen Burnie, Maryland on April 21, 2022. The audit found the dealer had a valid and properly displayed RFD license, FFL, trader's license, and a Maryland tax license. At the time of inspection, the dealer had 0 RFs. However, the compliance inspection report indicated "no" for the prompt "Inventory Complete?" The supplemental report did not indicate there were any issues with the logging of RFs. The auditor also found a transaction where the serial number for one firearm was incorrect, and the date was missing next to where the applicant signed. The

compliance inspection form and supplementary report do not specifically state whether the audit was deemed satisfactory or if further action was recommended.

The Dealer Audit Unit conducted a second audit, an initial inspection of compliance with security requirements, on April 28, 2022. The inspection found that the dealer was in compliance with mandated security requirements.

On Target Inc. (Severn)

The Dealer Audit Unit conducted an initial inspection of compliance with security requirements of On Target in Severn, Maryland on May 5, 2022. The inspection found that the dealer was in compliance with mandated security requirements.

Atlantic Guns (Silver Spring)

The Dealer Audit Unit reported that *Atlantic Guns* in Silver Spring, Maryland has gone out of business, and subsequently no audits were conducted during the timeframe of study.

Bass Pro (Hanover)

The Dealer Audit Unit conducted a compliance audit of *Bass Pro* in Hanover, Maryland on September 22, 2021. The audit found the dealer had a valid and properly displayed RFD license, FFL, trader's license, and a Maryland tax license. The compliance inspection report documented 35 RFs in the store's inventory, all properly logged. However, the audit's supplemental report indicated the auditor did an inventory check of 47 RFs of 462 entries in the computerized A&D log, all also properly logged. The auditor found no issues in the inventory or recorded transfers. The audit was satisfactory, with no further action recommended.

The Dealer Audit Unit conducted a second audit, a targeted audit, on January 13, 2022. This targeted audit was initiated as a follow-up regarding an application where a firearm was transferred prior to the 7-day mandatory waiting period. The dealer communicated to the auditor that the employee who had released the firearm early had been terminated from their position, and the manager who had overseen the transfer was moved to a different section of the store. The audit was satisfactory, with no further action recommended.

Fred's Outdoors (Waldorf)

The Dealer Audit Unit conducted both a compliance and targeted audit of *Fred's Outdoors* in Waldorf, Maryland on March 2, 2022. The targeted audit was due to the frequent number of expired applications that this dealer had and the number of those applications in which the firearms were transferred. The audit found the dealer had a valid and properly displayed RFD license, FFL, trader's license, and a Maryland tax license. At the time of inspection, the dealer had 10 RFs, all were properly logged in inventory. The auditor found that eight firearm

transfers were showing as expired (over 90 days). After speaking with the dealer, the auditor determined that the firearm was not transferred and cancelled the application. The auditor then showed the dealer how to check for applications over 30 and 60 days. The auditor found no other issues in the inventory or recorded transfers. The compliance inspection form and supplementary report do not specifically state whether the audit was deemed satisfactory or if further action was recommended.

Realco Guns (Forestville)

The Dealer Audit Unit conducted an initial inspection of compliance with security requirements of *Realco Guns* in Forestville, Maryland on May 26, 2022. The inspection found that the dealer was in compliance with mandated security requirements.

OUT OF STATE ORIGIN

LEAs reported 684 recovered firearms with an out-of-state origin. Table 16 lists the top ten states of origin reported by LEAs during the reporting period. Table 17 lists the ATF’s top ten states-of-origin for calendar year 2021 and Table 18 lists the ATF’s top ten states-of-origin for calendar year 2022.

Table 16: Top Ten States of Origin of Recovered Firearms with Out-of-State Origin

State	Number of Firearms
Virginia	190
Pennsylvania	60
Georgia	50
West Virginia	48
North Carolina	45
South Carolina	37
Delaware	29
Ohio	28
Florida	22
Texas	18

Note: Of recovered firearms with origin information.
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Table 17: Top Ten States of Origin of Recovered Firearms, 2021

State	2021
Virginia	1,128
Georgia	376
Pennsylvania	325
North Carolina	288
South Carolina	259
West Virginia	248
Delaware	141
Ohio	139
Florida	134
Texas	132

Note: ATF data is by calendar year, not fiscal year.

Source: ATF

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Table 18: Top Ten States of Origin of Recovered Firearms, 2022

State	2022
Virginia	1,172
Georgia	411
North Carolina	318
Pennsylvania	314
South Carolina	273
West Virginia	258
Ohio	155
Florida	145
Texas	127
Delaware	113

Note: ATF data is by calendar year, not fiscal year.

Source: ATF

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OTHER STATE’S FIREARM LAWS

As shown in Table 16, for the period August 2021 to July 2022, the ten states in which the most crime firearms recovered in Maryland originated, in descending order, are (1) Virginia; (2) Pennsylvania; (3) Georgia; (4) West Virginia; (5) North Carolina; (6) South Carolina; (7) Delaware; (8) Ohio; (9) Florida; and (10) Texas. Since last year’s report, Georgia and Pennsylvania swapped 2nd and 3rd places, Florida dropped to 9th moving South Carolina and Delaware up one place, Ohio replaced Massachusetts inside the top ten, and Texas dropped from 9th to 10th. What follows is a summary of major changes to those states’ laws regarding licensing, background checks, waiting periods, straw purchases, and concealed carry since 2023’s report, followed by a brief comparison of the laws in those states in those five areas.² Each section begins with a short summary of Maryland law – and, as necessary, federal law – to put these laws in perspective.

Significant Changes Since 2022

In 2024, Delaware enacted a “permit to purchase” law requiring a would-be handgun purchaser to obtain a state license, which, in turn, requires training and a background check; however, the law has not yet taken effect. 2024 Del. Laws, ch. 259. Conversely, South Carolina in 2024 repealed its permit requirement for concealed carry, although the state retained a list of sensitive locations where both concealed and open carry are prohibited. 2024 S.C. Acts 111. Both of these new enactments are discussed in more detail below.

Licensing

Maryland

Maryland does not require a license to own a firearm. It does, however, have an application process to purchase, rent, or transfer certain firearms and a specific licensing requirement to purchase, rent, or receive a handgun. As to application requirements, generally speaking, a person must submit a firearm application “before the person purchases, rents, or transfers a regulated firearm.” Md. Code Ann., Pub. Safety (“PS”) § 5-117. The term “regulated firearm” is defined as handguns and specified assault weapons, so this requirement does not apply to non-assault weapon rifles and shotguns. PS § 5-101(r). The firearm application must be submitted to either a licensed firearms dealer or a designated law enforcement agency, PS § 5-118(a), which, in turn, must forward a copy to the Secretary of the Maryland State Police for processing, PS § 5-120.

As part of Maryland’s firearm application, the applicant must state, under the penalty of perjury, that the applicant: (i) is at least 21 years old; (ii) has never been convicted of a

² This comparison draws from the survey of state gun laws prepared by the Giffords Law Center to Prevent Gun Violence, <https://giffords.org/lawcenter/gun-laws/browse-gun-laws-by-state/> (last visited Nov. 6, 2023).

disqualifying crime; (iii) has never been convicted of a violation classified as a common law crime and received a term of imprisonment of more than 2 years; (iv) is not a fugitive from justice; (v) is not a “habitual drunkard”; (vi) is not addicted to a controlled dangerous substance or is not a habitual user; (vii) does not suffer from a mental disorder and have a history of violent behavior; (viii) has never been found incompetent to stand trial; (ix) has never been found not criminally responsible; (x) has never been voluntarily admitted for more than 30 consecutive days to a facility for individuals with mental disorders; (xi) has never been involuntarily committed to such a facility; (xii) is not under the protection of a guardian appointed by a court unless solely as a result of a physical disability; (xiii) is not a respondent against whom protective orders have been entered; and (xiv) if under the age of 30 years at the time of application, has not been adjudicated delinquent by a juvenile court for certain acts. PS § 5-118(b).

On receipt of a firearm application, the Secretary of the Maryland State Police “shall conduct an investigation promptly to determine the truth or falsity of the information supplied and statements made in the firearm application.” PS § 5-121. The Secretary shall disapprove a firearm application if the Secretary determines that it contains falsities or is not properly completed, or if the Secretary “receives written notification from the firearm applicant’s licensed attending physician that the firearm applicant suffers from a mental disorder and is a danger to the firearm applicant or to another.” PS § 5-122. An aggrieved applicant may request a hearing, in writing, within 30 days after the Secretary gives notice that the application has been disapproved, and the Secretary shall grant the hearing within 15 days. PS § 5-126(a). The hearing must be held in the county of the applicant’s legal residence, PS § 5-126(c), and is subject to judicial review, PS § 5-127.

As to licensing requirements, there is a specific provision that requires a license to obtain a handgun. With certain limited exceptions, a person may “purchase, rent, or receive a handgun” only if the person possesses a valid handgun qualification license issued by the Secretary of the Maryland State Police and is not prohibited from purchasing or possessing a handgun under state or federal law. PS § 5-117.1(c). The Secretary “shall issue” a handgun qualification license to a person who the Secretary finds is at least 21 years of age, is a resident of the state, has demonstrated satisfactory completion within the past 3 years of a firearms safety training course approved by the Secretary, and, based on an investigation, is not prohibited by state or federal law from purchasing or possessing a handgun. PS § 5-117.1(d). As part of the investigation, the Secretary must submit a complete set of the applicant’s fingerprints to the Criminal Justice Information System Central Repository of the Department of Public Safety and Correctional Services and apply for a state and national criminal history records check. PS § 5-117.1(f). The Secretary shall issue a handgun qualification license if the application is approved, or a written denial, within 30 days of receipt of the application, and aggrieved applicants have

similar appeal rights to those described above. PS § 5-117.1(h). The license expires 10 years from the date of issuance. PS § 5-117.1(i). A person who meets the requirements for a permit to carry, wear, or transport a handgun (*i.e.*, a concealed carry permit), may also be issued a handgun qualification license without an additional application or fee. PS § 5-306(e). The en banc Fourth Circuit upheld the constitutionality of Maryland’s handgun qualification license statute in 2024. *Maryland Shall Issue, Inc. v. Moore*, __ F.4th __, 2024 WL 3908548 (4th Cir. Aug. 23, 2024) (en banc), *petition for cert. filed*, No. 24-373 (U.S. Sept. 27, 2024).

Other States

In 2024, Delaware enacted a new requirement that a person must have a “handgun qualified purchaser permit” to purchase a handgun in the state. 2024 Del. Laws, ch. 259 (codified as Del. Code Ann., tit. 11, § 1448D). These permits are issued by the Division of State Police on a “shall issue” basis, but only if the applicant is at least 21 years old, is not a prohibited purchaser, has completed required firearms training, and does not pose a danger of physical injury to self or others. Del. Code Ann., tit. 11, § 1448D(b). To evaluate the danger of physical injury, the State Police will conduct a background check and contact local law enforcement in every community where the applicant has resided for the last five years. *Id.* § 1448D(h). In determining whether the applicant poses a danger, a “probable cause” standard applies. *Id.* § 1448D(f)(3). Once obtained, the permit is valid for two years, though it may be revoked sooner upon a finding that the person has become disqualified. *Id.* § 1448D(j), (k). The permit to purchase requirement will take effect within eighteen months from the date of the law’s enactment on May 16, 2024. 2024 Del. Laws, ch. 259, § 5.

None of the other states surveyed require a license to own a firearm nor do they have a firearm application process to obtain or transfer a firearm (beyond the background checks discussed in the next section).

Background checks

In order to understand state laws on background checks, some knowledge of federal law is required. The principal federal law concerning background checks is the Brady Act, which, among other things, requires licensed firearms dealers to request a background check on a purchaser prior to the sale of a firearm. 18 U.S.C. § 922(t). States have the option, under that law, to serve as the “point of contact” for all firearm transactions and have state and local agencies conduct required background checks using state and federal databases or to have the Federal Bureau of Investigation (“FBI”) conduct background checks using only the National Instant Criminal Background Check System (“NICS”).³ The key difference is that point-of-

³ The FBI maintains a NICS Participation Map showing which states presently serve as points of contact. See <https://www.fbi.gov/services/cjis/nics/about-nics> (last updated Feb. 1, 2024).

contact states often search records that may not show up in the NICS. Notably, the Brady Act does not require private sellers (i.e., sellers who are not licensed firearms dealers) to request a background check.

Maryland

Maryland is considered a partial point-of-contact state because the background check process depends on the type of firearm. For handguns, licensed firearms dealers contact the Secretary of the Maryland State Police to request a background check; for long guns, they contact the FBI. PS § 5-117.1(f). Private sellers, meanwhile, must process transfers of regulated firearms through a licensed dealer or designated law enforcement agency, which, in turn, requests a background check from the appropriate entity. PS § 5-124(a).

Other states

Four of the states surveyed—Virginia, Pennsylvania, Delaware, and Florida—are currently point-of-contact states. Thus, licensed firearm dealers in those states process all of their background checks through the State Police (in Florida, the Department of Law Enforcement), rather than the FBI. Each state has enacted laws to implement its own background check requirements. For example, Virginia provides that no dealer shall “sell, rent, trade, or transfer from his inventory” any firearm to any other person who is a resident of Virginia until he has (i) obtained written consent and other information from the applicant and (ii) requested criminal history information from the State Police and is authorized by law to complete the sale or transfer. Va. Code Ann. § 18.2-308.2:2. Pennsylvania, meanwhile, requires licensed firearms dealers to request that the State Police conduct a “criminal history, juvenile delinquency and mental health records background check” prior to the transfer of a firearm. 18 Pa. Cons. Stat. Ann. § 6111. In 2022, Delaware enacted legislation to require dealers to submit requests for background checks to the State Bureau of Identification of the Delaware State Police, which will then transmit a request for a background check to the NICS system and also “search other available databases” to determine if the requesting individual is a prohibited purchaser. Del. Code Ann. tit. 11, § 8572. Florida prohibits a licensed firearms dealer from selling or delivering a firearm until the licensed firearms dealer has obtained a prescribed form with photo identification, collected a fee, requested a check of information reported in the Florida Crime Information Center and National Crime Information Center systems, and received a unique approval number from the Department of Law Enforcement. Fla. Stat. Ann. § 790.065.⁴

⁴ In 2018, following the Marjory Stoneman Douglas High School mass shooting in Parkland, Florida, Maryland and two of the surveyed states, Florida and Delaware, enacted “red flag” laws permitting state courts to order the temporary removal of firearms from individuals who pose a danger to themselves or others, known as a “risk protection order,” Fla. Stat. Ann. § 790.401, “lethal violence protective order,” Del. Code Ann. tit. 10, § 7701 *et seq.*, or “extreme risk protective order,” PS § 5-601 *et seq.* Virginia enacted a similar law in 2020. Va. Code Ann. § 19.2-152.14. Maryland’s law allows law enforcement officers, spouses, cohabitants, persons related by blood, marriage, or adoption, individuals who

Six of the states surveyed—Georgia, West Virginia, North Carolina, South Carolina, Texas, and Ohio—are not point-of-contact states. Licensed firearms dealers in those states run the background checks required by federal law through the FBI and the NICS. Georgia has a state law reiterating the requirement in federal law that all transfers by licensed firearms dealers are subject to background checks through the NICS. Ga. Code Ann. § 16-11-172. The remaining five states have no state law requiring licensed firearms dealers to initiate background checks prior to transferring a firearm, thus relying solely on federal law.⁵

Three of the states surveyed—Virginia, Delaware, and Pennsylvania—have enacted state laws that require private sellers to obtain a background check. In Virginia, private sellers must obtain verification from a licensed firearms dealer that information on the prospective purchaser has been submitted for a background check and that a determination has been received by the State Police that the purchaser is not prohibited from possessing a firearm. Va. Code Ann. § 18.2-308.2:5. Similarly, in Delaware, private sellers must request a licensed firearms dealer to facilitate a firearms transaction, including the background check, prior to transferring a firearm to another unlicensed person. Del. Code Ann. tit. 11, § 1448B. In Pennsylvania, private sellers may only sell a handgun or short-barreled rifle or shotgun at “the place of business of a licensed importer, manufacturer, dealer or county sheriff’s office” and the licensed entity must conduct a background check “as if [it] were the seller of the firearm.” 18 Pa. Cons. Stat. Ann. § 6111(c).

Seven of the states surveyed—Florida, Georgia, North Carolina, South Carolina, West Virginia, Ohio, and Texas—do not require private sellers to initiate a background check when transferring a firearm. However, the Florida Constitution states that “[e]ach county shall have the authority to require a criminal history records check . . . in connection with the sale of any firearm occurring within such county.” The term “sale” for purposes of this section “means the transfer of money or other valuable consideration for any firearm when any part of the transaction is conducted on property to which the public has the right of access.” Fla. Const.

have a child in common, current dating or intimate partners, current or former legal guardians, and medical professionals or social workers to petition for such an order, which requires a person to surrender any firearm in the person’s possession and prohibits the person from purchasing or possessing a firearm for the duration of the order, up to one year. See PS § 5-601 *et seq.* West Virginia, in contrast, affirmatively prohibits the enforcement of “red flag” orders. W. Va. Code § 61-7B-6.

⁵ Individuals who hold certain permits issued by state or local authorities, often referred to as Brady permits, may bypass the federally required background check, provided the permit has been issued (1) within the previous five years in the state in which the transfer is to take place and (2) after an authorized government official has conducted a background investigation to verify that the purchaser is not prohibited from possessing a firearm. See 18 U.S.C. § 922(t)(3); see also Bureau of Alcohol, Tobacco, Firearms and Explosives, Permanent Brady Permit Chart, <https://www.atf.gov/rules-and-regulations/permanent-brady-permit-chart> (last updated Aug. 10, 2023). Six of the states surveyed—Georgia, West Virginia, North Carolina, South Carolina, Ohio, and Texas—issue Brady permits. Maryland does not.

Art. VIII § 5(b). Notably, this local option provision does not extend to “[h]olders of a concealed weapons permit as prescribed by general law” when purchasing a firearm. *Id.*

Under federal law, if a licensed firearms dealer who has initiated a background check has not been notified within three business days that the purchaser is prohibited from possessing a firearm, the dealer may proceed with the sale by default. 18 U.S.C. § 922(t)(1). Four of the states surveyed—Virginia, Delaware, Pennsylvania, and Florida—have enacted laws that extend this timeframe either directly or indirectly. In Virginia, if a licensed firearms dealer is told that the background check will not be available by the end of the dealer’s fifth business day, the dealer may immediately complete the sale. Va. Code Ann. § 18.2-308.2:2(B)(2). In Delaware, if 25 days have elapsed from the time the background check is requested and the State Police still have not issued a denial, the transfer may proceed. Del. Code Ann. tit. 11, § 1448A(b). In a departure from those specified extensions, Pennsylvania law provides that if the criminal history or juvenile delinquency check indicates a conviction for a misdemeanor that the State Police cannot determine is or is not related to an act of domestic violence, the State Police shall issue a temporary delay and investigate as expeditiously as possible, but no firearm may be transferred during the temporary delay. 18 Pa. Cons. Stat. Ann. § 6111(b)(7). Thus, the transfer is held not for a specific number of days but rather pending the investigation. In all other cases, Pennsylvania law allows ten days for completion of the background check. *Id.* § 6111(b)(1.1)(iii). Florida’s mandatory waiting period for the delivery of a firearm, discussed further below, ends after three days or upon completion of a background check, whichever is later. Fla. Stat. Ann. § 790.0655.

Waiting Periods

Maryland

In Maryland, except for transfers to certain law enforcement and military personnel, no person—regardless of whether they are a licensed firearms dealer or a private seller—may “sell, rent, or transfer a regulated firearm,” that is, a handgun or specified assault weapon, until 7 days after a firearm application is forwarded to the Secretary of the Maryland State Police. PS §§ 5-123(a), 5-124(a)(1), 5-137(b).

Other states

Only one of the states surveyed—Florida—has enacted a waiting period law. In Florida, there is a mandatory waiting period between the purchase and delivery of any firearm. The waiting period is 3 days, excluding weekends and legal holidays, or the time that it takes to complete the background check, whichever is later. Fla. Stat. Ann. § 790.0655. However, there are exemptions to this requirement. For example, the waiting period does not apply when the purchaser of any firearm has a concealed carry permit, when the purchaser of a rifle or shotgun has completed a hunter safety course, or when the purchaser of a rifle or shotgun is a law

enforcement officer, correctional officer, or service member. *Id.* The waiting period also does not apply to the trade-in of another firearm. *Id.*

The remaining states do not have any express waiting period. As discussed above, though, some states effectively have waiting periods to the extent the purchase or transfer of a firearm cannot be completed until the appropriate license or permit has been issued or required background checks have been completed.

Straw Purchases

The term “straw purchase” generally refers to the situation where a purchaser is buying a firearm on behalf of someone else who is ineligible to purchase or possess that firearm. Federal law prohibits any person from selling or otherwise disposing of a firearm to a person if the seller “know[s]” or has “reasonable cause to believe” the buyer is prohibited from possessing a firearm. *See* 18 U.S.C. § 922(d).

The federal Safer Communities Act, enacted in 2022, added a new prohibition on straw purchases. The statute makes it a federal crime to knowingly purchase, or conspire to purchase, a firearm for another person, “knowing or having reasonable cause to believe” that the other person is prohibited from purchasing a firearm under federal law, intends to use the firearm in furtherance of a felony, terrorism, or drug trafficking, or intends to sell or dispose of the firearm to a prohibited person. 18 U.S.C. § 932.

Maryland

Maryland law expressly defines “straw purchase” to mean “a sale of a regulated firearm in which a person uses another, known as the straw purchaser, to: (1) complete the application to purchase a regulated firearm; (2) take initial possession of the regulated firearm; and (3) subsequently transfer the regulated firearm to the person.” PS § 5-101(v). A person may not “knowingly or willfully participate” in a straw purchase of a regulated firearm. PS § 5-136(b). If the regulated firearm is a gift to the purchaser’s spouse, parent, grandparent, grandchild, sibling, or child, the recipient must nonetheless complete a firearm application and forward a copy to the Secretary within 5 days of receipt of the firearm. PS § 5-136(a). A person may not “knowingly give false information or make a material misstatement in a firearm application or in an application for a dealer’s license.” PS § 5-139.

Other states

Seven of the states surveyed—Virginia, Florida, Delaware, North Carolina, Pennsylvania, Texas, and Ohio—prohibit providing false information in connection with a firearms transfer. In Virginia and Florida, the law prohibits both the buyer from “willfully” providing false information and the seller from requesting criminal history information “under false pretenses.”

See Va. Code Ann. § 18.2-308.2:2(E), (K); Fla. Stat. Ann. § 790.065(7), (12)(a). The other states focus more on information that is provided by the buyer in order to deceive the seller. For example, Delaware prohibits a “materially false oral or written statement” that is “intended or likely to deceive” the seller. Del. Code Ann. tit. 11, § 1448A(g). North Carolina similarly prohibits any person from providing “information that the person knows to be materially false information with the intent to deceive the dealer or seller about the legality of a transfer.” N.C. Gen. Stat. Ann. § 14-408.1(c). In Pennsylvania, the law prohibits “any person, purchaser or transferee” from “knowingly and intentionally” making materially false oral or written statements, and also penalizes one who “willfully furnishes or exhibits any false identification intended or likely to deceive the seller.” 18 Pa. Cons. Stat. Ann. § 6111(g)(4).⁶ In Texas, a person who is prohibited from possessing a firearm under state or federal law commits an offense if they knowingly make a “material false statement” on a legally required form submitted to a federally licensed firearms dealer. Tex. Penal Code § 46.06(a)(7). Finally, Ohio prohibits knowingly, and with intent to deceive, providing materially false information to a federally licensed firearms dealer or private seller. Ohio Rev. Code § 2923.20(a)(4).

Six of the states surveyed—Delaware, Virginia, Georgia, North Carolina, Florida, and Ohio—have laws that target the “straw purchaser,” that is, the person who buys a firearm on behalf of a prohibited person. (And, as noted above, there is now a federal prohibition on straw purchasing applicable in all states.) The laws in these states primarily differ in terms of the level of knowledge that is required for culpability. Delaware simply prohibits “engaging in a firearms transaction on behalf of another” who is not qualified to purchase, own, or possess a firearm. Del. Code Ann. tit. 11, § 1455. Virginia imposes penalties if the buyer intends to resell or otherwise provide a firearm to a person that the buyer “knows or has reason to believe is ineligible . . . for whatever reason.” Va. Code Ann. § 18.2-308.2:2(M). Georgia imposes penalties on any person who “knowingly attempts to solicit, persuade, encourage, or entice any dealer to transfer or otherwise convey a firearm to an individual who is not the actual buyer,” as well as on any person who “willfully and intentionally aids or abets such person.” Ga. Code Ann. § 16-11-113(a). While Georgia’s law focuses on dealers, North Carolina has a similar provision that penalizes any person who “knowingly solicits, persuades, encourages, or entices a licensed dealer or private seller” to transfer a firearm under circumstances that the person knows are illegal. N.C. Gen. Stat. Ann. § 14-408.1(b) (emphasis added). Florida imposes penalties only if the buyer “knowingly acquires a firearm . . . intended for the use of a person who is prohibited by state or federal law from possessing or receiving a firearm.” Fla. Stat.

⁶ Pennsylvania also requires the buyer of a handgun to affirm, on a form, that he or she is the “actual buyer.” The form explains that a person is not the actual buyer under Pennsylvania law if the buyer is acquiring the firearm on behalf of another person, unless it is a gift for a spouse, parent, child, grandparent, or grandchild. 18 Pa. Cons. Stat. Ann. § 6111(b)(1).

Ann. § 790.065(12)(d). Lastly, Ohio law prohibits *recklessly* selling, lending, giving, or furnishing a firearm to a prohibited person, or possessing a firearm with the purpose of doing so. Ohio Rev. Code § 2923.20(a)(1)-(2).

Two of the states surveyed—Virginia and West Virginia—have laws that target the “actual buyer,” that is, the prohibited person who receives the firearm.⁷ Virginia penalizes any ineligible buyer who solicits another person to purchase a firearm on his or her behalf. Va. Code Ann. § 18.2-308.2:2(N). West Virginia penalizes a person who willfully procures another person to entice a seller to transfer a firearm knowing the transfer is illegal. W. Va. Code Ann. § 61-7-10(e).

Pennsylvania is the only surveyed state with a law targeting the seller in a straw purchase.⁸ Specifically, Pennsylvania penalizes any seller who “knowingly or intentionally sells, delivers, or transfers a firearm under circumstances intended to provide a firearm” to a person ineligible to possess one. 18 Pa. Cons. Stat. Ann. § 6111(g)(2).

South Carolina has no state laws to address straw purchases.

Concealed Carry

Maryland

Maryland requires a person to have a permit “before the person carries, wears, or transports a handgun.” PS § 5-303. The Secretary of the Maryland State Police “shall issue a permit within a reasonable time” to a person who the Secretary finds meets the statutory criteria. PS § 5-306. Those criteria include, as an initial matter, that the person is at least 21 years old (or 18 or older and a member of the military); has not been convicted of (and is not on supervised probation for) certain crimes; is not presently an alcoholic, or addicted to or a habitual user of a controlled dangerous substance other than under legitimate medical direction; does not suffer from a mental disorder with a history of violent behavior; has not been involuntarily admitted for more than 30 consecutive days to a mental health facility; is not subject to a court order prohibiting the purchase or possession of firearms; and has successfully completed a firearms training course. *Id.* House Bill 824 of 2023 modified the requirements for the training course, which now must include 16 hours of *in-person* instruction for a new applicant (8 hours for a renewal), and classroom instruction on a number of topics. PS § 5-306(a-1).

⁷ The federal prohibition on straw purchases also prohibits conspiracy to commit a straw purchase, which might, depending on the facts, allow federal prosecution of the actual buyer. See 18 U.S.C. § 932(b).

⁸ Other states have laws targeted at misconduct by gun sellers more generally, for example, prohibitions on knowingly selling a firearm to a prohibited person, *e.g.*, Va. Code Ann. § 18.2-308.2:1, or selling a firearm without the required background check, *e.g.*, Del. Code Ann. tit. 11, §1448A(a).

Before issuing a carry permit, the Secretary must also find, based on an investigation, that the person “has not 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.” PS § 5-306(a)(10)(i). For applicants under the age of 30 years, the Secretary must also find that the applicant has not been committed for juvenile detention for longer than a year or been adjudicated delinquent for an act that would be a crime of violence or carry certain penalties if committed by an adult. PS § 5-306(c). If a permit is issued, that permit must be carried “whenever the person carries, wears, or transports a handgun.” PS § 5-308.

Other states

Six of the states surveyed—Georgia, West Virginia, Florida, Texas, Ohio, and South Carolina—allow people to carry concealed weapons in public without a license or permit. Georgia allows any “lawful weapons carrier” (defined as any person who is either licensed or merely eligible for a license in Georgia, or licensed in any other state, and not otherwise prohibited by law) to carry a firearm. Ga. Code Ann. §§ 16-11-125.1(2.1), 16-11-126. Similarly, in West Virginia, any person who is 21 years of age or older and a U.S. citizen or legal resident may carry a concealed deadly weapon unless otherwise prohibited by law. W. Va. Code Ann. § 61-7-7(c). Under Florida law, any person who would satisfy the requirements for a permit (other than the training requirement) may carry a concealed firearm in Florida without obtaining a permit. Fla. Stat. § 790.01. Texas allows anyone who is 21 or older, and who is not prohibited from possessing a firearm under Texas law, to carry a firearm, either concealed or openly in a holster. Tex. Penal Code § 46.02.⁹ Ohio similarly allows anyone who is 21 or older, and not a prohibited purchaser, to carry a concealed handgun, with certain limited exceptions for weapons defined as “dangerous ordnance,” Ohio Rev. Code §§ 2923.111; *see also id.* § 2923.11(k) (definition of “dangerous ordnance”). South Carolina became the most recent state to join this group in 2024, repealing its prohibition on concealed carry without a permit, but retaining a list of sensitive locations where both concealed and open carry are prohibited, including polling places, athletic

⁹ All six of the states that do not require a concealed-carry permit nonetheless issue such permits, presumably because having a permit may be relevant to the permit holder if another state offers reciprocity. All six states are “shall issue” jurisdictions and, although the exact prerequisites vary slightly, all six generally impose an age requirement, a citizenship or legal residency requirement, and a requirement that the person not have certain criminal convictions or pending charges, and not have certain mental health and/or substance abuse issues. *See* Ga. Code Ann. § 16-11-129; W. Va. Code Ann. § 61-7-4a; Fla. Stat. § 790.06; Tex. Gov’t Code § 411.177; Ohio Rev. Code § 2923.125; S.C. Code Ann. § 23-31-215. All but Georgia require firearms safety training as a prerequisite for a permit, but not for permitless carry. W. Va. Code § 61-7-4(d); Fla. Stat. § 790.06(2)(h); Ohio Rev. Code § 2923.125(b); Tex. Gov’t Code § 411.174(a)(7); S.C. Code Ann. § 23-31-210. In Texas, a permit is required to carry a firearm on a college or university campus. Tex. Penal Code § 46.03(a)(1).

events, places of worship, and where prohibited by the property owner. 2024 S.C. Acts 111 (amending S.C. Code Ann. § 16-23-20).

The states that do require a license or permit to carry a concealed weapon in public vary in terms of the qualifications they set, and the level of discretion authorities have when determining whether an applicant meets the qualifications. Notably, Delaware requires good character as a qualification for receiving a concealed carry permit. In Delaware, an applicant must file a certificate from five “respectable citizens” of the county stating that the applicant is of good moral character, has a reputation for peace and good order, and that possession of a concealed deadly weapon is necessary for the protection of the applicant or the applicant’s property. Del. Code Ann. tit. 11, § 1441(a)(2). That qualification—and the others set forth in state law—must be “strictly complied with” before an applicant “may be licensed.” *Id.* § 1441(a). Indeed, the statute provides that “[t]he Court may or may not, in its discretion, approve any application.” *Id.* § 1441(d). The Supreme Court in *Bruen*, however, did not call Delaware’s permitting regime into question, listing it among the “shall issue” states on the ground that it rarely denies permits in practice. 142 S. Ct. at 2123 n.1.¹⁰

Two additional states—Virginia and Pennsylvania—do not have character requirements, but, instead, allow authorities to deny an application when there is reason to believe the applicant is dangerous. In Virginia, a person is disqualified from obtaining a permit if “the court finds, by a preponderance of the evidence, based on specific acts by the applicant, [that the applicant] is likely to use a weapon unlawfully or negligently to endanger others.” Va. Code Ann. § 18.2-308.09. The sheriff, chief of police, or attorney for the Commonwealth may submit to the court a sworn, written statement on this matter, if it is “based upon personal knowledge of such individual or of a deputy sheriff, police officer or assistant attorney for the Commonwealth . . . or upon a written statement made under oath before a notary public of a competent person having personal knowledge of the specific acts.” *Id.* In Pennsylvania, the sheriff “shall not” issue a license to “[a]n individual whose character and reputation is such that the individual would be likely to act in a manner dangerous to public safety.” 18 Pa. Cons. Stat. Ann. § 6109.

Three of the states surveyed—Virginia, North Carolina, and Delaware—require firearm safety training before a concealed carry permit will be issued. Five additional states—West Virginia, Florida, Ohio, Texas, and South Carolina—have training requirements for a permit, but obtaining a permit is optional. *Supra* note 7. In any event, the state laws in this area vary based on the range of courses that qualify and the extent to which the content of those courses is

¹⁰ Delaware also requires good cause, that is, an applicant must submit a statement that the applicant desires to carry a concealed deadly weapon “for personal protection or protection of the person’s property, or both,” and submit to a criminal background check. Del. Code Ann. tit. 11, § 1441(a)(1). Again, the *Bruen* Court did not question this aspect of Delaware law. 142 S. Ct. at 2123 n.1.

prescribed. In Virginia, the law outlines a variety of courses that would qualify but also allows “any other firearms training that the court deems adequate.” Va. Code Ann. § 18.2-308.02. In North Carolina, applicants must complete an “approved firearms safety and training course which involves the actual firing of handguns and instruction in the laws of this State governing the carrying of a concealed handgun and the use of deadly force.” N.C. Gen. Stat. Ann. § 14-415.12. An approved course is one that satisfies the law’s requirements and that is certified or sponsored by the North Carolina Criminal Justice Education and Training Standards Commission, the National Rifle Association, or a law enforcement agency, college, private or public institution or organization, or firearms training school taught by instructors certified by either of the first two entities. *Id.*

In Delaware, training courses must include: (i) instruction regarding knowledge and safe handling of firearms; (ii) instruction regarding safe storage of firearms and child safety; (iii) instruction regarding knowledge and safe handling of ammunition; (iv) instruction regarding safe storage of ammunition and child safety; (v) instruction regarding safe firearms shooting fundamentals; (vi) live fire shooting exercises conducted on a range, including the expenditure of a minimum of 100 rounds of ammunition; (vii) identification of ways to develop and maintain firearm shooting skills; (viii) instruction regarding federal and state laws pertaining to the lawful purchase, ownership, transportation, use and possession of firearms; (ix) instruction regarding the laws of the state pertaining to the use of deadly force for self-defense; and (x) instruction regarding techniques for avoiding a criminal attack and how to manage a violent confrontation, including conflict resolution. Del. Code Ann. tit. 11, § 1441(a)(3).

Two of the states surveyed—Pennsylvania and Georgia—do not require firearms safety training to receive a concealed carry permit.

Table 19: Comparison of State Firearm Laws

	Licensing		Background Checks		Waiting Periods		Straw Purchases ¹				Concealed Carry			
	To Own	To Buy	Point of Contact	Private Sellers	Express Period	Extend Checks	False Info	Straw Purchaser	Actual Buyer	Initial Seller	Permit Required	Character	Evaluate Danger	Safety Training
VA			✓	✓		✓	✓	✓	✓		✓		✓	✓
PA			✓	✓		✓	✓			✓	✓		✓	
GA								✓						
WV									✓					✓ ²
NC							✓	✓	✓		✓			✓
SC														✓ ²
DE		✓	✓	✓		✓	✓	✓			✓	✓		✓
OH							✓	✓						✓ ²
FL			✓		✓	✓	✓	✓						✓ ²
TX							✓							✓ ²
MD		✓ ³	Partial	✓	✓		✓	✓	✓	✓	✓		✓	✓

Notes

* A gray cell indicates a change in law in 2024.

¹ See also 18 U.S.C. § 932 (federal prohibition on knowingly purchasing or conspiring to purchase a firearm for a prohibited purchaser).

² Applies only to persons who choose to obtain an optional concealed-carry permit.

³ Requirement applies only to specified “regulated firearms,” including handguns.

Source: MD OAG

WYOMING SURVEY & ANALYSIS CENTER

Time-to-Crime

In 2021, the average time-to-crime for traced firearms in Maryland was 8.75 years (compared to the national average, 6.24 years).^{viii} In 2022, the average time-to-crime was 8.71 years (compared to the national average, 6.34 years).^{ix} A time-to-crime of less than three years is considered a potential indicator of trafficking.^x

Table 20: Time-To-Crime in Maryland, 2021 & 2022

	Under 3 Months	3 Months to Under 7 Months	7 Months to Under 1 Year	1 Year to Under 2 Years	2 Years to Under 3 Years	3 Years and Over
2021	432	484	555	829	424	3,902
2022	352	347	487	1,148	734	3,973
Total	784	831	1,042	1,977	1,158	7,875

Note: ATF data are provided by calendar year.

Source: ATF

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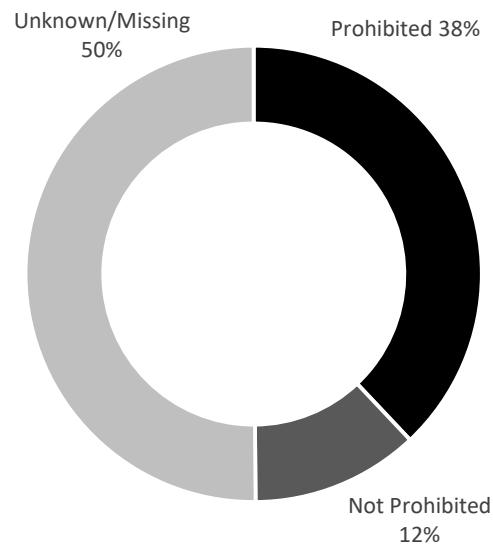
Persons Prohibited from Possessing a Firearm

WYSAC asked the LEAs to indicate whether individuals arrested in connection with a firearm crime/crime firearm were previously disqualified from possessing a firearm.

Around 38% (n=1,732) of individuals arrested were disqualified from possessing a firearm.

The remaining 62% were either not a disqualified person (n=543, 12%), or the possessor’s disqualification status was either unknown or missing (n=2,287, 50%).

Figure 8: Firearm Recovery, by Prohibited Status



WYOMING SURVEY & ANALYSIS CENTER

Recommendations and Conclusions

- WYSAC recommends requesting or requiring that LEAs collect crime firearm trace data. ATF trace data captures information from manufacturer through distribution to the first retail purchase. All LEAs can request trace data from the ATF with free *eTrace* software or by fax.
- WYSAC recommends that LEAs develop and implement stronger data collection practices, including standardized indicators and required information fields for each case or incident. This will support further analysis and exploration. The National Opinion Research Center (NORC) at the University of Chicago has published several resources on improving firearms data infrastructure to help reduce firearms violence.^{xi}

Appendix A: Law Enforcement Agencies

Non-Responsive LEAs

1. Baltimore City School Police
2. Bowie State University
3. Brentwood Police Department
4. Cottage City Police Department
5. District Heights Police Department
6. Fairmount Heights Police Department
7. Forest Heights Police Department
8. Frostburg City Police Department
9. Montgomery County Sheriff's Office
10. Morgan State University Police Department
11. Morningside Police Department
12. Seat Pleasant Police Department
13. Washington Suburban Sanitary Commission
14. Wicomico County Sheriff's Office

Responding Agencies

1. Aberdeen Police Department
2. Allegany County Sheriff's Office
3. Annapolis Police Department
4. Anne Arundel C C Public Safety & Police
5. Anne Arundel County Police Department
6. Anne Arundel County Sheriff's Office
7. Baltimore City Community College
8. Baltimore City Police Department
9. Baltimore County Police Department
10. Baltimore Environmental Police
11. Bel Air Police Department
12. Berlin Police Department
13. Berwyn Heights Police Department
14. Bladensburg Police Department
15. Boonsboro Police Department
16. Bowie Police Department
17. Brunswick Police Department
18. Calvert County Sheriff's Office
19. Cambridge Police Department
20. Capitol Heights Police Department
21. Caroline County Sheriff's Office
22. Carroll County Sheriff's Office
23. Cecil County Sheriff's Office
24. Centreville Police Department
25. Charles County Sheriff's Office
26. Chestertown Police Department
27. Cheverly Police Department
28. Chevy Chase Village Police Department
29. Colmar Manor Police Department
30. Coppin State University of Police Department
31. Crisfield Police Department
32. Crofton Police Department
33. Cumberland Police Department
34. Delmar Police Department
35. Denton Police Department
36. Dorchester County Sheriff's Office
37. Easton Police Department
38. Edmonston Police Department
39. Elkton Police Department

40. Federalsburg Police Department
41. Frederick City Police Department
42. Frederick County Sheriff's Office
43. Frostburg State University Police Department
44. Fruitland Police Department
45. Gaithersburg Police Department
46. Garrett County Sheriff's Office
47. Gibson Island Police Department
48. Glenarden Police Department
49. Greenbelt Police Department
50. Greensboro Police Department
51. Hagerstown Community College
52. Hagerstown Police Department
53. Hampstead Police Department
54. Hancock Police Department
55. Harford County Sheriff's Office
56. Havre de Grace Police Department
57. Howard County Police Department
58. Howard County Sheriff's Office
59. Hurlock Police Department
60. Hyattsville Police Department
61. John's Hopkins Police Department & Public Safety
62. Kent County Sheriff's Office
63. La Plata Police Department
64. Landover Hills Police Department
65. Laurel Police Department
66. Manchester Police Department
67. Maryland Capitol Police Department
68. Maryland Natural Resources Police
69. Maryland State Police
70. Maryland Transit Administration
71. Maryland Transportation Auth. Police
72. Maryland-National Capital Park Police - Montgomery County Division
73. Maryland-National Capital Park Police - Prince George's County Division
74. Montgomery Co. Fire & Explosives Inv. Sect.
75. Montgomery County Police Department
76. Mount Airy Police Department
77. Mount Rainier Police Department
78. New Carrollton Police Department
79. North East Police Department
80. Oakland Police Department
81. Ocean City Police Department
82. Ocean Pines Police Department
83. Oxford Police Department
84. Perryville Police Department
85. Pocomoke City Police Department
86. Prince George's County Community College Department of Public Safety
87. Prince George's County Police Department
88. Prince George's County Sheriff's Office
89. Princess Anne Police Department
90. Queen Anne's County Sheriff's Office
91. Ridgely Police Department
92. Rising Sun Police Department
93. Riverdale Park Police
94. Rock Hall Police Department
95. Rockville City Police Department
96. Saint Mary's County Sheriff's Office
97. Saint Michael's Police Department
98. Salisbury City Police Department
99. Salisbury University Police Department
100. Smithsburg Police Department
101. Snow Hill Police Department
102. Somerset County Sheriff's Office
103. Sykesville Police Department
104. Takoma Park Police Department
105. Talbot County Sheriff's Office
106. Taneytown Police Department
107. Thurmont Police Department

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| 108. Towson University Police Department | 113. University Park Police Department |
| 109. University of MD Baltimore County
Police Department | 114. Upper Marlboro Police Department |
| 110. University of MD Baltimore Police
Department | 115. Washington County Sheriff's Office |
| 111. University of MD College Park Police | 116. Washington Metropolitan Area Transit
Authority |
| 112. University of MD Eastern Shore
Department of Public Safety | 117. Westminster Police Department |
| | 118. Worcester County Sheriff's Office |

References

- ⁱ United States Department of Justice. (2022). <https://bit.ly/3DxKiFk>
- ⁱⁱ Bureau of Alcohol, Tobacco, Firearms and Explosives. (2012). *ATF firearms tracing guide: Tracing firearms to reduce violent crime*. <https://bit.ly/3VHfRoi>
- ⁱⁱⁱ Criminal Justice Information Services Division. (2021). 2021.1 National Incident-Based Reporting System User Manual. U.S. Department of Justice, Federal Bureau of Investigation. <https://bit.ly/3FvXKvP>
- ^{iv} Bureau of Alcohol, Tobacco, Firearms and Explosives. (2022). <https://bit.ly/3yXe9FH>
- ^v Bureau of Alcohol, Tobacco, Firearms and Explosives. (2022). <https://bit.ly/3SnMOTD>
- ^{vi} Bureau of Alcohol, Tobacco, Firearms and Explosives. (2015). *National tracing center (NTC)*. <https://bit.ly/3sNZBVo>
- ^{vii} Centers for Disease Control and Prevention. (2024). National Violent Death Reporting System. <https://bit.ly/3FtXv4x>
- ^{viii} Bureau of Alcohol, Tobacco, Firearms and Explosives. (2021). <https://bit.ly/3B5L6ne>
- ^{ix} Bureau of Alcohol, Tobacco, Firearms and Explosives. (2022). <https://bit.ly/3XJpuWH>
- ^x BRADY. (2022). *About: FAQs*. <https://bit.ly/3NkjYmu>
- ^{xi} National Opinion Research Center (*n.d.*). Building a National Firearms Data Infrastructure. <https://www.norc.org/research/projects/a-blueprint-for-collecting-national-firearms-data.html>