

## **Attachments**

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**Attachment I. Proposed 2012 FIST Data Collection Schedule**

<b>Administration Division, Grants Unit - FIST Program Work Plan</b>			
<b>Project/Task</b>	<b>Start Date</b>	<b>Target Complete</b>	<b>Date Completed</b>
<b>2012 FIST Data Collection Schedule (Tentative)</b>			
A. Request FBI & ATF data	July	July	
B. Download state internet data	July	July	
C. Contact agencies & record responses	July	July	
1. Pre-notification letter to local agencies/states	July	July	
2. Local letters & state fax/email with survey	July	July	
3. Thank you or second request note	August	August	
4. Second survey to nonrespondents	August	September	
5. Final contact with nonrespondents	October	October	
D. Enter State & local data into databases	July	October	
E. Data verification & quality checks	July	October	
F. Update agency contact information	Continuous		
<b>Data analysis and report preparation</b>			
A. Prepare national estimate	October	December	
B. Finalize statistical tables & footnotes	December	February (2014)	
C. Write highlights & methodology summary	December	February (2014)	
D. Transmit final draft to BJS for review	March (2014)	March (2014)	
E. Respond to BJS requests for changes	March (2014)	March (2014)	
<b>Prepare responses to OMB on 2012 FIST redesign</b>			
	November	January (2014)	

## Attachment II: FIST Universe

The FIST universe and how to sample from it are key areas of interest for the FIST study redesign. The FIST program is unique in the varied nature of the checking agencies to be surveyed. This uniqueness is a product of Federal law (the Brady Act, specifically) plus a patchwork of state statutes that govern how background checks for firearm transfers and permits are conducted within certain states.

In addition to the FBI NICS states (those who rely entirely on the FBI's instant background check system) and thirty-two state agency reporters<sup>1</sup> the 2012 FIST universe includes local agencies in 12 states (including Washington, D.C.) that conduct a background check for some type of firearm permit or transfer. In these 12 states where local agencies are authorized to conduct checks, however, there is an important distinction to be made between agencies authorized by statute to conduct background checks and those that actually do the checks. Although in certain states local agencies are legally authorized to conduct background checks for firearm transfers or permits, these agencies are not *required* to do so. There are many instances in these states with local checking agencies in which a local agency, legally authorized by state statute to conduct a background check, has never actually done so and will likely never do so. Instead, transfer and permit applicants who might otherwise use such a local agency to apply for a transfer or permit to purchase or carry a firearm are directed to another local authority (usually, but not always the county sheriff) to apply for a transfer or permit. As such, the local agencies that do not in reality conduct checks and have little likelihood of doing so were not included on the frame. The result is that the numbers of local checking agencies are, in some cases, greatly reduced from that authorized by state statute. Thus only agencies that are authorized to conduct checks are included on the FIST frame. This decrease in the size of the frame combined with the majority of FIST reporting coming from the FBI or state-level reporters means that a relatively small proportion of the FIST national estimate comes from the local agency population.

In order to generate the new FIST frame, REJIS utilized multiple data sources combined with a large known pool of past FIST responders. First, REJIS regularly included as part of its annual sample over one third of the number of local agencies now determined to be in the new frame. These agencies were known to have responded to the FIST survey at least once in the prior three years and had a verified status of conducting background checks for firearm transfers. Other data sources used to expand and verify the FIST frame were:

- The 2008 Census of State and local law enforcement
- A recent (as of the time of frame creation) FBI Originating Agency Identifier (ORI) file of all known law enforcement agencies in the U.S.
- Published lists from professional officer associations such as state Sheriffs' and Police Chiefs' association lists and officer standards and training office lists.
- In most states where the authorized background check agency is a county level agency, it is assumed that all of these agencies (often Sheriff's offices) are eligible to be in the FIST frame.

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<sup>1</sup> State agency reporters include full or partial NICS Point of Contact (POC) states and those states for which local agencies may conduct the background checks but local agencies report their activity to a state-level entity. It is this state level entity that provides the complete state-wide counts of applications for firearms transfers or permits, denials, and sometimes reasons for denial, to FIST.

- In certain states, the authorized checking agency or reporting agency is not a law enforcement agency at all, but rather another county government authority. In Georgia, the authorized checking agencies are the county probate courts. In the state of New York, most of the agencies reporting to FIST are county clerks' offices.
- Where the checking status of an agency, law enforcement or otherwise, could not be verified with publicly available information (usually via the agency's website), the agency was contacted directly for verification of its checking status.

### Attachment III. Proposed FIST Sample Determination and Allocation

Information for the FIST data collection will be obtained from state agency reporters (thirty-two states), statewide censuses of local checking agencies (seven states plus Washington, D.C. and some local checking agencies from Michigan), and a sample of local checking agencies in four states. This decision equates to a total data collection of 791 checking agencies plus the FBI NICS data.

In the four states in which agencies are to be sampled (GA, MN, NE & WA), a stratified sample based on population size will be created that roughly equates to the following Categories: 1) rural – places of less than 10,000 population; 2) small cities – places of between 10,000 and 99,999 population; 3) small metropolitan areas – places of between 100,000 and 199,999 population; and 4) large metropolitan areas – places of 200,000 or more population. These population categories were selected to be consistent with definitions of various census place levels. They also allow the proposed collection to maintain some consistency with portions of the methodology of past FIST collections. Further, using population categories in this manner was determined to be an efficient mechanism for dividing the FIST universe in a way that kept the collection within current budgetary constraints while allowing for a stratification and estimation strategy that would keep the burden close to the level approved by OMB.

The optimal situation would be to stratify these four states individually. However, this approach proved to be problematic because the correlated variable used to estimate variance (number of applications in 2010) had information for all strata in only one of the four states. The other three states each had empty or a singular report of information in different strata. Without the estimate of variance, a stratified sample could not be determined individually for each of the four states. Consequently, it was decided to utilize a simple random sample, proportional to size, for each state. This increased the sample size sufficiently such that an estimate and resulting confidence interval can be determined for each of these four states.

The following formula was used to determine the sample size and weight allocation for the stratified sample of the four states taken as a group.

$$\text{The formula used is: } n = \frac{\sum N_i^2 \sigma_i^2 / w_i}{N^2 D + \sum N_i \sigma_i^2} \quad \text{where } D = \frac{B^2}{4}$$

Reference: *Elementary Survey Sampling* by Scheaffer, Mendenhall & Ott

Definitions:

n = sample size

$N_i$  = population within stratum

$\sigma_i^2$  = stratum variance

$w_i$  = stratum weight

N = population

D =  $B^2/Z^2$  (at a 95% confidence level  $Z^2 \approx 4$ )

B = error bound

The following formula was used to determine the sample size of a simple random sample in each state. The bound on error was 100 applications for GA, NE and WA. The bound was fifty applications for MN.

The formula used is:  $n = \frac{N\sigma^2}{N^2D + \sigma^2}$  where  $D = \frac{B^2}{4}$

Reference: *Elementary Survey Sampling* by Scheaffer, Mendenhall & Ott

Definitions:

n = sample size

$\sigma^2$  = variance

N = population

D =  $B^2/Z^2$  (at a 95% confidence level  $Z^2 \approx 4$ )

B = error bound

A 15% reserve sample will be randomly selected to cover nonresponse. Because all local checking agencies in Categories 3 and 4 are to be surveyed, this reserve sample only impacts agencies in Categories 1 and 2. In total, there will be a 30% reserve sample for each of the four states that are sampled. The 15% sample was taken of the entire population of units in any one category and is added on top of the sample size.

Following is a summary sheet of the actual sample for the four states (Georgia, Minnesota, Nebraska and Washington) that will be sampled along with the distribution of the reserve sample.

Sample Allocation, Simple Random Sample in 4 States, Census in 7 States																		
Population Category	Population Size	States w POCs in SRS prop to size				Sub Sample Add a	Census States							Sub Sample Add b	Other			Total Sample Size
		GA	MN	NE	WA		DE	IA	ID	MT	NC	NV	NY		DC	MI	State-level Reporters	
		Category 1	1 to 9999	20	45		79	37	181	0	23	16	35		3	7	1	
Category 2	10000 to 99999	63	20	15	28	126	0	70	24	19	70	8	33	350				350
Category 3	100000 to 199999	16	2	2	6	26	1	4	3	2	17	0	11	64				64
Category 4	200000+	9	2	2	7	20	2	2	1	0	10	2	14	51				51
		<b>108</b>	<b>69</b>	<b>98</b>	<b>78</b>	<b>353</b>	<b>3</b>	<b>99</b>	<b>44</b>	<b>56</b>	<b>100</b>	<b>17</b>	<b>59</b>	<b>731</b>	<b>1</b>	<b>27</b>	<b>32</b>	<b>791</b>
	SRS n	99	68	98	69	334												
	Bound on error	100	50	100	100													
<b>Reserve Sample</b>		<b>GA</b>	<b>MN</b>	<b>NE</b>	<b>WA</b>													
Category 1	1 to 9999	5	44	17	17	83												
Category 2	10000 to 99999	16	20	4	28	68												
		<b>21</b>	<b>64</b>	<b>21</b>	<b>45</b>	<b>151</b>												

As addressed in Attachment II, the local checking agencies in the FIST frame conduct background checks for different types of permits or transfers as authorized by state law or statute. The following breakdown shows for which types of permits or transfers, by state, local agencies in the FIST frame are authorized to conduct background checks:

**Exempt carry permits<sup>i</sup>:** DE, GA, IA, ID, MI, MN, MT, NE, NV, NC, WA

**Instant checks<sup>ii</sup>:** DE, NV

**Purchase permits<sup>iii</sup>:** IA, MI, MN, NE, NC, NY

**Other approvals<sup>iv</sup>:** DC, MN, WA

<sup>i</sup> State concealed weapons permits, issued after a background check, that exempt the holder from a new check at the time of purchase under an ATF ruling or state law.

<sup>ii</sup> Require a seller to transmit a buyer's application to a checking agency by telephone or computer. The agency is required to respond immediately or as soon as possible.

<sup>iii</sup> Require a buyer to obtain, after a background check, a government-issued document such as a permit, license, or identification that must be presented to a seller before the buyer can receive a firearm.

<sup>iv</sup> Require a seller to transmit an application to a checking agency, with transfers delayed until a waiting period expires or the agency completes a check.

#### **Attachment IV. Data Collection Methodology**

The data collection process will be initiated by a notification letter, sent to the appropriate point of contact, which will explain the purpose of the survey, what the collected data will be used for, and the estimated time burden of completing the survey. In addition to alerting the potential respondent to the survey, REJIS will request to have the addressee of the letter contact the FIST project manager via phone or email if the primary contact information for the survey respondent needs to be updated.

Approximately one week following the mailing of the notification letter, the FIST survey packet will be mailed to all agencies selected into the sample. Each survey packet will contain a cover letter, a survey form, and a self-addressed stamped envelope. In addition to general instructions and a deadline for returning the form, the cover letter contains a request for participation and information for logging on to the web version of the survey form (user ID, password, and survey web address). A toll-free help desk telephone number and email address are provided on both the cover letter and the survey form. Respondents may send an email or call this number to get any questions regarding the survey answered. They may also report their responses in this way. The cover letter, signed by BJS's Deputy Director, will indicate that several modes of data submission are available to the respondent: mail, web, email, fax, and phone. In past FIST collections, the primary modes of response have been mail and fax, with a few respondents choosing to submit their data in an email or over the phone.

One week following the mailing of the survey packet, a survey reminder/thank-you post card or letter will be sent to all agencies in the sample, serving the dual purpose of thanking those that have already responded and reminding those who have not to do so. Approximately 3 weeks after the initial survey packet mailing, a second survey packet will be mailed to agencies that have not yet responded to the survey. The second packet will look much the same as the first, the primary difference being a more strongly worded cover letter to encourage survey participation.

Two weeks after the second survey packet mailing, follow-up calls will be made to nonrespondents to 1) if possible, try to obtain responses to critical survey items over the phone, 2) request participation in any other mode of the respondent's choosing. We are confident that these multiple contacts plus the multiple modes available for respondents to submit data will work in concert to maximize response. Should a respondent refuse to participate in the course of this follow-up, an attempt will be made to ascertain and document the reason for refusal.



**ATTACHMENT V.  
Survey Form (sent to local reporting agencies, as applicable)**

OMB NO. 1121-0314: Approval Expires 02/28/2014

**PLEASE RETURN BY <Month, Day, Year>**

**Special Tally Sheet for Firearm Statistics Inquiry (FIST) Program Purchase Permit Statistics  
January - December 2011**

«ORI» «Company»

	Total
Applications	
Rejections	
<b><u>Reasons for Rejection (if known)</u></b>	
Felony Indicted	
Felony Conviction	
Felony No Disp.	
Fugitive	
Juvenile	
Drug Related	
Court Order	
Mental Incompetence	
Illegal Alien	
State Law	
Local Ordinance	
Domestic Violence	
Other*	
<b><u>Arrest and Appeal Information**</u></b>	
Number of Arrests	
Reconsiderations† Received	
Reconsiderations Reversed	
Appeals to Court Filed	
Appeals to Court Reversed	

\*Other includes dishonorable discharge, renunciation of U.S. citizenship, and unspecified reasons.

\*\*Arrest and appeal counts can be sent later, if more time is needed to collect data.

† A reconsideration occurs when the denied person objects to the original decision and asks your agency to reconsider the denial.

If these statistics cover only part of a month, please enter the last date these statistics cover: \_\_\_\_\_

Please fill in at least the first two rows and fax or mail this form back to us as soon as possible. Even if your agency received zero (0) applications, please send this information. **Thank You! For any questions: 1-800-XXX-XXXX FAX: (XXX) XXX-XXXX**

Completed by: \_\_\_\_\_

Telephone: \_\_\_\_\_

FAX: \_\_\_\_\_

E-mail: \_\_\_\_\_

**MAIL: FIST**

<Data Collection Agent>

<Address>

<City, State, Zip Code>

FORM FIST-1

U.S DEPARTMENT OF JUSTICE  
BUREAU OF JUSTICE STATISTICS  
(REJIS ACTING AS DATA COLLECTION AGENT)



**2012 FIREARMS INQUIRY STATISTICS (FIST)**  
**Annual Survey of Background Checks for Firearm Transfers and Permits**

Please correct any errors in the name and address information that is printed below.

**OFFICIAL AGENCY NAME** (If different from above)

**9-DIGIT NCIC-ORI NUMBER**

**PERSON COMPLETING THE FORM**

**NAME**

**TITLE**

**TELEPHONE**

**FAX**

**E-MAIL ADDRESS**

**IMPORTANT – Please answer the following questions before proceeding with the questionnaire. Mark [X] the appropriate box below.**

Did your agency conduct background checks for firearm transfers or permits at any time between January 1, 2012 and December 31, 2012?

Yes

No

↳ If no, the authorized checking agency for your jurisdiction is :

(Agency Name)

**If your response to the above question is "No" or if any of the following conditions apply, you do not need to complete the questionnaire. Mark an [X] in the appropriate box below and return the survey using the instructions below.**

Agency no longer in existence

Agency employed only part-time officers AND the total combined hours of work for these officers averaged less than 35 hours per week

**RETURN INSTRUCTIONS**

- Please submit your completed form by using the web reporting option at <https://websurvey.rejis.org/FIST2012>, mailing it to the Regional Justice Information Service (REJIS) in the enclosed postage paid envelope, or faxing each page to 1-314-535-1729.
- If you have any questions, comments, or feedback about the survey, please call the FIST project manager toll free at 1-800-531-2150, or send an e-mail to [fist@rejis.org](mailto:fist@rejis.org).
- Please retain a copy of your completed survey for 1 year.

**Burden Statement**

Federal agencies may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid OMB Control Number. Public reporting burden for this collection of information is estimated to average 25 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspects of this collection of information, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, NW, Washington, DC 20531. The Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 USC 3732), authorizes this information collection.

## INSTRUCTIONS FOR COMPLETING THE FORM

- Please mark 'X' in the appropriate boxes.
- If possible, please answer all questions for the entire calendar year (January through December) 2012. If data are available for only part of the year, please supply any available information in the spaces provided.
- If the answer to a question is "not available" or "unknown," write "DK" in the space provided.
- If the answer to a question is "not applicable," write "NA" in the space provided.
- If the answer to a question is "none" or "zero," write "0" in the space provided. Please respond with zero only when the actual total reported count is zero, as opposed to when the data are not known or unavailable.
- When an exact numeric response is not available, provide an estimate and mark the estimate box next to the number field. Please provide a brief explanation in Section V to describe how the estimates were calculated.
- Please do not leave any items blank in unless otherwise directed.

### Section I – AGENCY CHARACTERISTICS

**1. Did your agency conduct background checks for firearm transfers or permits for the entire calendar year 2012, January 1, 2012, through December 31, 2012?**

Yes

No → a. **Did your agency start or discontinue being the designated checking agency for your jurisdiction in 2012?**

Started

Discontinued

**b. When did your agency start or discontinue conducting background checks?**

\_\_\_\_ / \_\_\_\_ / \_\_\_\_\_

mm/ dd/ yyyy

**c. Name of old/new designated checking agency:**

\_\_\_\_\_

Agency Name

**2. Does your agency conduct Point of Transfer background checks?** This is a check that occurs after a seller transmits a prospective purchaser's application data to a checking agency by telephone, computer, mail, or other means.

Yes

No

Don't know

**3. Does your agency conduct background checks for Purchase Permits?** A purchase permit is a document (referred to as a permit, license, identification card, or other name) that a prospective purchaser must present to a seller to receive a firearm.

Yes

No

Don't know

**4. Does your agency conduct background checks for exempt Concealed Carry Permits?** An exempt concealed carry permit, for the purposes of this survey, is a state concealed firearm permit (issued after a background check) that exempts the holder from a check at the time of a firearm purchase under a Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) regulation or state law.

Yes

No

Don't know

## Section II –APPLICATIONS AND DENIALS

**5. Between January 1, 2012, and December 31, 2012, how many applications were received by your agency?**

Mark 'x' if estimate

- a. Point of transfer checks (if applicable)
- b. Purchase permits (if applicable)
- c. Concealed carry permits (if applicable)

**6. Between January 1, 2012, and December 31, 2012, how many applications were denied?** A denial occurs when an applicant is prohibited from receiving a firearm or permit that can be used to obtain a firearm because a disqualifying factor was found during a background check.

Mark 'x' if estimate

- a. Point of transfer checks (if applicable)
- b. Purchase permits (if applicable)
- c. Concealed carry permits (if applicable)

**7. In 2012, did your agency track the reason(s) why an application was denied?**

- Yes
- No (skip to question number 11)

**8. For denials issued in 2012, why was the application denied?** List total counts (including zeros, where applicable) for each reason for a denial (please include all federal, state, and local law reasons for denial within the most appropriate category). Mark 'x' in the checkbox provided for any estimated counts.

	Point of Transfer	Purchase Permit	Concealed carry Permit
a. Felony indictment or charge.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Felony conviction.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Felony arrest with no disposition.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Fugitive or outstanding warrant.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Domestic violence misdemeanor.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Domestic violence, protective or restraining order.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g. Addicted to or unlawful user of a controlled substance.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
h. Mental health commitment or adjudication.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i. Illegal or unlawful alien.....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
j. State law prohibitor (if not included in above categories).....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
k. Local law prohibitor (if not included in above categories).....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
l. Other reasons not included above (including juveniles and dishonorable discharge).....	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**9. If multiple reasons are found for a denial, what is recorded and reported?**

- All reasons for denial are recorded and reported (skip to question 11)
- Only one reason for the denial is recorded and reported
- Don't know (skip to question 11)

**10. If only one reason for the denial is recorded or reported, what reason is reported?**

- The first reason found during the background check
- The most serious charge listed on the criminal history record
- Other method (Please explain. If more space is needed, please use the space provided in Section V)
- Don't know

**13. In 2012, did your agency track appeals made to your agency for reconsideration of denial?** An appeal, for the purposes of this survey, is an objection to a denial decision and includes reconsiderations, challenges, and other informal procedures.

- Yes
- No (skip to question number 15)

**14. How many denied persons appealed to your agency, requesting that your agency reconsider its initial denial decision between January 1, 2012, and December 31, 2012?**

Mark 'x' if estimate

- a. Point of transfer checks (if applicable)
- b. Purchase permits (if applicable)
- c. Concealed carry permits (if applicable)

**15. In 2012, did your agency track reversals by your agency of initial denial decisions?**

- Yes
- No (skip to question number 17)

**16. Between January 1, 2012, and December 31, 2012, how many initial denial decisions were reversed by your agency?**

Mark 'x' if estimate

- a. Point of transfer checks (if applicable)
- b. Purchase permits (if applicable)
- c. Concealed carry permits (if applicable)

**17. In 2012, did your agency track appeals to a court of any denial decision?**

- Yes
- No (skip to question number 19)

**Section III –ARRESTS AND APPEALS**

**11. In 2012, did your agency track arrests that occurred as a result of a denied application?**

An arrest, for the purposes of this survey, occurs when a denied person who submitted a false application or has an outstanding warrant is arrested by the checking agency or another agency that is notified.

- Yes
- No (skip to question number 13)

**12. Between January 1, 2012, and December 31, 2012, how many arrests occurred as a result of a denied application?**

Mark 'x' if estimate

- a. Point of transfer checks (if applicable)
- b. Purchase permits (if applicable)
- c. Concealed carry permits (if applicable)



## **Attachment VII. Responses to survey testing**

In accordance with approved OMB survey testing protocol, the survey was sent to five agencies with a request to complete the revised survey and provide feedback. Of the five agencies, four were local agencies and one was a state agency. The local agencies represented the different population strata (size A, B, and C) of those in the sample. Three local agencies responded (referred to as respondents): Clarke County, IA Sheriff (size A); Caldwell County, NC Sheriff (size B); and Cortland County, NY Clerk (size B). Additionally, the revised survey was presented to two subject matter experts that have significant experience in firearm background check activities and procedures for review and comment.

Respondents and subject matter experts were asked to complete a pretest evaluation form and respond to the following seven questions:

1. Were the return instructions on the form clear?
2. Were the instructions on how to complete the form clear?
3. Were the instructions accompanying each question clear?
4. The definitions provided with certain questions are intended to be generic and apply to all states in the survey. Do the definitions included with the applicable questions (ex. the definition of Purchase Permit) make clear what is being referred to?
5. How easy or difficult were most of the questions to understand?
6. Did the order of the questions asked and the flow of the survey make sense to you?
7. How much time did you spend on the survey (including review of instructions, searching existing data sources, gathering data, and filling out the form)?

Questions used a four-point semantic differential scale, ranging from Clear to Unclear for questions 1-4; Easy to Difficult for question 5; and Made Sense to Did Not Make Sense for question 6. Question 7 was open-ended.

### *Summary of results:*

- Respondents and subject matter experts indicated that all questions were “Clear” with the exception of one definition on the survey for exempt carry permits. One respondent indicated that this question was “Unclear.” The question has since been reworded to provide additional clarification.
- Two of the respondent local checking agencies were responsible for conducting background checks for two permit type and one respondent local checking agency was responsible for conducting background checks for one permit type. The median time it took for the respondents to complete the survey was thirty minutes. BJS estimates the respondent burden to complete the survey will be twenty-five minutes. This estimate is based on the fact that agencies that completed background checks for two permit types were overrepresented in the respondent pool and also on BJS’s prior experience administering the FIST survey. BJS also factored into the estimate the fact that some of the reported burden was likely associated with time spent on the cognitive review of the survey to assess its readability and clarity. See also Attachment VIII.
- Respondents and subject matter experts were given the option to provide additional comments and suggestions. One subject matter expert felt that the form was too long. However, this individual did not actually complete the form. No other comments were provided.

**Attachment VIII.**

**Local Checking Agencies with 1 Permit Type**

State	Number of reporting agencies
DC	1
DE	3
GA	108
ID	44
MI*	27
MN	69
MT	56
NE	98
NV	17
NY	59
<b>Total</b>	<b>482</b>

Assuming an average of 20 min per agency with one type of permit, total burden estimate = 9,640 total min

\*Some local agencies in MI will be sampled.

**Local Checking Agencies with 2 Permit Types**

State	Number of reporting agencies
IA	99
NC	100
WA	78
<b>Total</b>	<b>277</b>

Assuming an average of 30 min per agency with two permits, total burden estimate = 8,310 total min

**State Checking Agencies**

State POC agencies	Number of reporting agencies
<b>Total</b>	<b>32</b>

Assuming an average of 30 min, total burden estimate = 960 min

**Total number of agencies conducting checks = 791**  
**Total combined minutes for all agencies = 18,910**  
**Avg minutes per agency = 23.9 (rounded up to 25)**





U.S. DEPARTMENT OF JUSTICE  
BUREAU OF JUSTICE STATISTICS  
(REJIS ACTING AS DATA COLLECTION AGENT)

## 2012 FIREARMS INQUIRY STATISTICS (FIST) Annual Survey of Background Checks for Firearm Transfers and Permits

*Welcome to the 2012 FIST Annual Survey. Please enter your User ID and Password Below to enter the survey.*

**User ID**

**Password**

ENTER

### **Burden Statement**

Federal agencies may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid OMB Control Number. Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspects of this collection of information, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, NW, Washington, DC 20531. The Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 USC 3732), authorizes this information collection.

This Web site is funded through a grant from the Bureau of Justice Statistics, Office of Justice Programs, U.S. Department of Justice. Neither the U.S. Department of Justice nor any of its components operate, control, are responsible for, or necessarily endorse, this Web site (including, without limitation, its content, technical infrastructure, and policies, and any services or tools provided).



## 2012 FIREARMS INQUIRY STATISTICS (FIST)

### INSTRUCTIONS FOR COMPLETING THE WEB FORM

- If possible, please answer all questions for the entire calendar year (January through December) 2012. If data are available for only part of the year, please supply any available information in the spaces provided.
- If the answer to a question is "none" or "zero," enter "0" in the space provided. Please respond with zero only when the actual total reported count is zero, as opposed to when the data are not known or unavailable.
- When an exact numeric response is not available, provide an estimate and mark the estimate box next to the number field. Please provide a brief explanation in Section IV to describe how the estimates were calculated.
- Please do not use commas when entering numbers.
- Please do not leave any items blank in unless otherwise directed.
- Please make sure you are connected to a printer when completing this survey as we request that you print a copy of your responses at the end of the survey and retain them for one year.
- Important: Do not click on the "Back" button on your web browser. Doing so will require you to re-enter the survey. Please use the "Previous Screen" and "Next Screen" buttons at the bottom of your screen to advance the survey or go back to previous pages.

### Burden Statement

Federal agencies may not conduct or sponsor an information collection, and a person is not required to respond to a collection of information, unless it displays a currently valid OMB Control Number. Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate, or any other aspects of this collection of information, including suggestions for reducing this burden, to the Director, Bureau of Justice Statistics, 810 Seventh Street, NW, Washington, DC 20531. The Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 USC 3732), authorizes this information collection.

If you have any questions, comments, or feedback about the survey, please call the FIST project manager toll free at 1-800-531-2150, or send an e-mail to [fist@rejis.org](mailto:fist@rejis.org). If you have technical difficulties with the site, please send a message to [sassist@us.ibm.com](mailto:sassist@us.ibm.com).



### Section I – AGENCY CHARACTERISTICS

**Does your agency conduct Point of Transfer background checks?** This is a check that occurs after a seller transmits a prospective purchaser's application data to a checking agency by telephone, computer, mail, or other means.

- Yes
- No
- Don't know

**Does your agency conduct background checks for Purchase Permits?** A purchase permit is a document (referred to as a permit, license, identification card, or other name) that a prospective purchaser must present to a seller to receive a firearm.

- Yes
- No
- Don't know

**Does your agency conduct background checks for exempt Concealed Carry Permits?** An exempt concealed carry permit, for the purposes of this survey, is a state concealed firearm permit (issued after a background check) that exempts the holder from a check at the time of a firearm purchase under a Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) regulation or state law.

- Yes
- No
- Don't know

<< Previous Screen

Next Screen >>

Save and Complete Later

If you have any questions, comments, or feedback about the survey, please call the FIST project manager toll free at 1-800-531-2150, or send an e-mail to [fist@rejis.org](mailto:fist@rejis.org). If you have technical difficulties with the site, please send a message to [sassist@us.ibm.com](mailto:sassist@us.ibm.com).



**Section II –APPLICATIONS AND DENIALS: POINT OF TRANSFER CHECKS**

Between January 1, 2012, and December 31, 2012, how many **transfer** applications were **denied**? A denial occurs when an applicant is prohibited from receiving a firearm or permit that can be used to obtain a firearm because a disqualifying factor was found during a background check.

	Mark if estimate	Don't know
<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you have any questions, comments, or feedback about the survey, please call the FIST project manager toll free at 1-800-531-2150, or send an e-mail to [fist@rejis.org](mailto:fist@rejis.org). If you have technical difficulties with the site, please send a message to [sassist@us.ibm.com](mailto:sassist@us.ibm.com).



**Section II –APPLICATIONS AND DENIALS: POINT OF TRANSFER CHECKS**

For denials issued in 2012, **why was the transfer application denied?** List total counts (including zeros where applicable) for each reason for a denial (please include all federal, state, and local law reasons for denial within the most appropriate category). Mark the checkbox provided for any estimated counts.

		Mark if estimate	Don't know
Felony indictment or charge	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
Felony conviction	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
Felony arrest with no disposition	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fugitive or outstanding warrant	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
Domestic violence misdemeanor	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
Domestic violence, protective or restraining order	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
Addicted to or unlawful user of a controlled substance	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mental health commitment or adjudication	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
Illegal or unlawful alien	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
State law prohibitor (if not included in above categories)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
Local law prohibitor (if not included in above categories)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other reasons not included above (including juveniles and dishonorable discharge)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you have any questions, comments, or feedback about the survey, please call the FIST project manager toll free at 1-800-531-2150, or send an e-mail to [fist@rejis.org](mailto:fist@rejis.org). If you have technical difficulties with the site, please send a message to [sassist@us.ibm.com](mailto:sassist@us.ibm.com).



Section II –APPLICATIONS AND DENIALS: POINT OF TRANSFER CHECKS

If only *one* reason for the *transfer denial* is recorded or reported, what reason is reported?

- The first reason found during the background check
- The most serious charge listed on the criminal history record
- Other method (*Please explain*)

- Don't know

<< Previous Screen

Next Screen >>

Save and Complete Later

If you have any questions, comments, or feedback about the survey, please call the FIST project manager toll free at 1-800-531-2150, or send an e-mail to [fist@rejjs.org](mailto:fist@rejjs.org). If you have technical difficulties with the site, please send a message to [sassist@us.ibm.com](mailto:sassist@us.ibm.com).



**SUMMARY PAGE**

Please review your answers. If you need to make any revisions, go back to the question you need to change using the Previous Screen button. Otherwise, if you are done, please print a copy of the summary of your completed survey. Please retain a copy of your completed survey for 1 year.

**Sheriff/Police Chief Information**

Sheriff/Police Chief Name:	Sheriff_Police_Chief_Name04
Agency Name:	Agency_Name04
Address:	address04
City:	city04
State:	state04
ZIP:	12345
9-Digit NCIC-ORI Number:	123456789

**Person Completing Form**

NAME	John Doe
TELEPHONE	3213213214
E-MAIL ADDRESS	john@sheriff.gov
TITLE	Deputy
FAX	4564564567

**Section I - Agency Characteristics**

Did your agency conduct background checks for firearm transfers or permits for the entire calendar year 2012, January 1, 2012, through December 31, 2012?

- Yes
- No

Does your agency conduct Point of Transfer background checks? This is a check that occurs after a seller transmits a prospective purchaser's application data to a checking agency by telephone, computer, mail, or other means.

Attachment IX. Screenshots of web-based FIST survey form

In 2012, did your agency track *appeals* made to your agency for *reconsideration* of a *transfer denial*? An appeal, for the purposes of this survey, is an objection to a denial decision and includes reconsiderations, challenges, and other informal procedures.

- Yes
- No

In 2012, did your agency track *reversals* by your agency of initial *transfer denial* decisions?

- Yes
- No

In 2012, did your agency track *appeals to a court* of any *transfer denial* decision?

- Yes
- No

In 2012, did your agency track *reversals by a court* of initial *transfer denial* decisions?

- Yes
- No

#### Section IV - Partial Year Counts

Do any of the *transfer* counts you provided for any of the items throughout the survey cover only *part* of the year?

- Yes *(please specify in Section V which counts cover only part of the year and the months that are covered)*
- No

#### Section V - Comments

Please include any comments that would better explain how your agency collects information on background checks. If the reported totals are estimates please provide a brief explanation to describe how the estimates were calculated.

If you have any questions, comments, or feedback about the survey, please call the FIST project manager toll free at 1-800-531-2150, or send an e-mail to [fist@rejis.org](mailto:fist@rejis.org). If you have technical difficulties with the site, please send a message to [sassist@us.ibm.com](mailto:sassist@us.ibm.com).



## **Attachment X. Web-based survey implementation plan**

Previous iterations of the FIST collection experienced continually declining response rates prior to the 2010 collection. In 2010 a regimented multiple follow-up contact strategy was employed and this strategy helped to improve the local agency response rate from 69% to 85%. For the 2012 FIST collection, with the multiple contact strategy and extensive follow up with non-respondents, in conjunction with a redesign of the data collection instrument and the introduction of a web response mode, BJS seeks to increase the response rate to greater than 90%, and minimize both unit and item nonresponse. Please see the Data Collection Methodology section of this document for a detailed description of the multiple stages involved in contacting respondents and the efforts to maximize response through these multiple follow-ups.

The redesigned data collection instrument was designed with input from survey methodologists, subject matter experts and stakeholders in the background checking agency community. In adherence with OMB testing protocol, four agencies were asked to complete the web-form and provide feedback; despite multiple follow up requests, none of the agencies responded to the request. Given that the web-form was designed to closely mirror the format of the paper survey, BJS estimates that the respondent burden will be the same (twenty-five minutes). To ensure clarity of the questions asked and to encourage better item response, explanations of terms are included with each question. To reduce burden, the respondent is given multiple opportunities to skip through questions that do not pertain to them. Participants in the test of the revised survey form reported that the instructions for completing the form were quite clear, and that the questions were either clear or somewhat clear.

The introduction of the web-based data collection instrument is intended to encourage participation by providing a secure, convenient mode of responding to the FIST survey. The web survey is designed streamline the survey process by eliminating questions that the respondent may not need to see, and thus also reduce burden. It is also designed to reduce item nonresponse, by requiring a response to critical items before continuing on in the survey. While the web form is designed to ensure logical responses given previous responses, data will be monitored as it is submitted to check for item completeness and logic to ensure data quality.

Each FIST participant will be given their own unique User ID and password in the survey packet, with which to securely access the web form. Following data entry into the web survey, respondents will have the opportunity to review their responses for accuracy prior to submission, and will be able to print their responses easily with a built-in print button. Should any responses require correction, respondents will be able to access and amend their previous responses. If at any time, a web respondent has a question, a toll-free help number is provided at the bottom of each screen, in addition to two email addresses (one for technical issues, and one for questions about the survey itself) that when clicked upon, will sync with Outlook to easily generate an email.

In order to help reduce any differences in response as a result of the mode by which a respondent chooses to participate in the survey (mode effects), particularly mode effects due to the different web and mail response modes, the web form has been designed to mimic the look and feel of the

paper survey as much as possible. All question wording remains the same between the two modes.

Further, the web-based survey is linked to the data management database. Because data from both modes will reside in the same database and any data not submitted via the web survey will be entered from a web-based portal (though it will still be possible to decipher the mode by which a survey was submitted), logical consistency checks on both response modes will be the same, as will data quality monitoring. As data is obtained, analyses will be conducted on the two response modes prior to the end of the survey period to see what differences, if any emerge.

Because this is the inaugural year of the web-based collection for FIST, BJS cannot yet be certain what proportion of our survey response will come from the web mode. BJS anticipates somewhere around 40% of response to come from the web. Though past FIST respondents who remained in the perennial FIST sample have been conditioned to a different survey form and mail and fax response modes, BJS is confident that, given past feedback from some respondents that the web form will be well received and utilized.

## **Attachment XI. Revised correspondence**

- Pre-notification letter
  - Survey cover letter
- Thank you letter and 1<sup>st</sup> follow up
  - 2<sup>nd</sup> follow up letter
    - Phone script



**U.S. Department of Justice**

Office of Justice Programs

*Bureau of Justice Statistics*

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Washington, D.C. 20531

January \_\_, 2013

Name / Address

Dear \_\_\_:

Within the next week you will receive via <insert mode of transmission: mail, fax, or email> a request to complete a brief survey for the Firearm Inquiry Statistics (FIST) Program. The Regional Justice Information Service (REJIS) is the data collection agent for the FIST Program and is authorized to collect data on behalf of BJS.

BJS began the FIST Program in 1995 to provide national estimates of the total number of firearm purchase applications received and denied pursuant to the Brady Act and similar state laws. The FIST program collects counts of firearm transfers and permit checks conducted by state and local agencies and combines this information with the Federal Bureau of Investigation (FBI) National Instant Criminal Background Check System (NICS) transaction data to produce national estimates of background check activity. Additional information on reasons for denials, appeals of denials, and law enforcement actions the FBI and the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) take against denied persons is also collected.

Our records indicate that your agency currently conducts <list type/s of background checks> for the state of <name>. You are receiving this letter to request in advance your cooperation in this important data collection initiative. A survey will be enclosed with the request to participate in the FIST data collection that you will receive next week as well as instructions on how to complete a new web-based version of the survey. We anticipate that the completion of the survey will take you approximately 25 minutes and REJIS will be available to answer any questions you may have about the survey or FIST Program.

Your participation in this data collection is critical to help ensure the reliability of the national estimates produced for firearm background check activities. BJS and REJIS thank you in advance for your support of the FIST Program and participation in the 2012 data collection. Should you have any immediate questions please contact Allina Lee, FIST Program Manager, at 202-305-2696, or [Allina.Lee@usdoj.gov](mailto:Allina.Lee@usdoj.gov).

Sincerely,

Gerard R. Ramker  
Deputy Director, BJS



**U.S. Department of Justice**

Office of Justice Programs

*Bureau of Justice Statistics*

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Washington, D.C. 20531

January \_\_, 2013

Name / Address

Dear \_\_\_\_:

Since 1995, the Bureau of Justice Statistics (BJS) has conducted the Firearm Inquiry Statistics (FIST) survey. With assistance from the Regional Justice Information Service (REJIS) of Saint Louis, Missouri, BJS has collaborated with federal, state, and local agencies to provide data on firearm transfers and permits that are regulated by the Brady Act and similar state laws. We are requesting your participation in this important data collection to obtain data on background check activities conducted by your agency during calendar year 2012.

Data provided by your agency and other background checking agencies from across the nation will be combined with information obtained from the Federal Bureau of Investigation (FBI) and the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) to produce 2012 national estimate of firearm applications and denials, along with reasons for denials, appeals, and arrests. The data obtained will be published in the "Background Checks for Firearm Transfers" series on the BJS website ([www.bjs.gov](http://www.bjs.gov)).

The survey form enclosed is designed to capture your data for the 2012 calendar-year. Instructions for completing and returning the survey are included on the form. You may return the form by mail via the enclosed postage-paid envelope, by fax to 314-535-1729, or by email to [fist@rejis.org](mailto:fist@rejis.org). There is also the option of entering your data on our secure web site. To complete the survey online, please go to <https://websurvey.rejis.org/FIST2012> and enter your User ID (Agency ID) and Password (psswd1). This unique identifying information can be found in the enclosed packet. **We would greatly appreciate your return of a completed survey by \_\_\_\_ \_\_, 2013.**

Participation by your agency and other agencies in this voluntary effort has provided a wealth of data for policymakers, researchers, administrators, and others who use the data to study background check trends and activities nationwide and to understand the impact of the Brady Act and its enforcement. Please note that the data collected are summary statistics of an administrative nature and do not allow for identification of any individual. Data collected are in the public domain and are not subject to confidentiality assurances.

Thank you for your support of the FIST Program and contributions to the FIST data collection. BJS and REJIS greatly appreciate your efforts. You may direct general comments, feedback, or questions about the FIST Program to the REJIS FIST Project Manager at 1-800-531-2150, or send an e-mail to [fist@rejis.org](mailto:fist@rejis.org).

Sincerely,

Gerard F. Ramker  
Deputy Director, BJS

**<<To be formatted on a postcard template>>**

On \_\_\_\_\_, 2013, a survey on background check activity for firearm transfers and permits (FIST) was mailed to you as part of the Firearm Inquiry Statistics (FIST) data collection effort by the Bureau of Justice Statistics (BJS), United States Department of Justice. The Regional Justice Information Service (REJIS) is the data collection agent authorized by BJS to collect data for this collection.

If you have already completed and returned the survey, please accept our sincere appreciation. If not, we request that you do so as soon as possible so that we can complete our efforts to produce national estimates of the total number of transfer and permit applications and denials resulting from the Brady Act and similar state laws. Your efforts are critical to ensure the reliability of these estimates.

If you did not receive the survey or if it was misplaced, please call us toll-free at 1-800-531-2150 and we will send you another one right away. You can also complete the survey online at <https://websurvey.rejis.org/FIST2012>. Directions including your username and password were included in the information packet we sent you. Please call us at the above number if you need help accessing this information.

Thank you again for your efforts.

Jennifer C. Karberg, FIST Project Manager, REJIS



Date

4255 West Pine Blvd.  
St. Louis, MO 63108  
314.535.1950

Name  
Title  
Address

www.rejis.org

Dear \_\_\_\_\_ :

In \_\_\_\_\_ we sent a letter to your office, on behalf of the Bureau of Justice Statistics (BJS), United States Department of Justice, that requested data from your agency on background checks for firearm transfers and permits, including the number of applications received, denials, reasons for denials, arrests, and appeals. This information is collected as part of BJS's Firearms Inquiry Statistics (FIST) Program. According to our records, we have not yet received the requested information.

We are following up with you to again request your participation in the FIST data collection and convey the importance that your agency's totals will have on our efforts to obtain accurate data for the "Background Checks for Firearm Transfers" series published on the BJS website ([www.bjs.gov](http://www.bjs.gov)). This series provides a national estimate of firearm background check activity pursuant to Brady Act and similar state laws. Your input is critical to ensure the reliability of these estimates.

Jerald L. Kent  
*Chairman*

Lewis E. Reed  
*Secretary-Treasurer*

Chief Daniel Isom

Chief Tim Fitch

Pamela Reitz

Robbyn Wahby

If you have already submitted your agency's data for 2012 and we simply have not yet received it, we sincerely thank you for your participation. If you still need to submit your data, a survey is enclosed with this letter to collect information on the background check activities conducted by your agency in 2012. The materials can be returned by fax to 314-535-1729, by email ([fist@rejis.org](mailto:fist@rejis.org)), or by mail to the address listed on the accompanying postage-paid envelope. We encourage you to also avail yourself of the secure Web reporting option as well. To complete the survey online, please go to <https://websurvey.rejis.org/FIST2012> and enter your User ID (Agency ID) and Password (psswd1). **In order for us to complete our analyses of the 2010 data, please complete the online survey or return the completed survey and your signed review by \_\_\_\_\_, 2013.**

Dr. William R. Powell, Jr.  
*General Manager*

Thank you for your assistance and participation in this important effort. If you have any questions, comments, or concerns about this request, or if there is any way we may be of assistance to you, please contact us by phone at 1-800-531-2150 or by email at [FIST@rejis.org](mailto:FIST@rejis.org).

Sincerely,

A handwritten signature in black ink that reads "Jennifer C. Karberg".

Jennifer C. Karberg, FIST Project Manager  
Enclosures

## FIST Phone Script

Hello, my name is (insert name) and I am calling from the Regional Justice Information Service on behalf of the Bureau of Justice Statistics, United States Department of Justice. May I please speak with (CONTACT)? [If contact no longer there, ask for person in charge of (insert state terminology)].

(Caller can leave contact information if leaving a message).

(Again) Hello, my name is (insert name) and I am calling from the Regional Justice Information Service. We are working with the Bureau of Justice Statistics to conduct the Firearm Inquiry Statistics Program survey – also known as FIST.

Are you familiar with the FIST program? If yes, continue to next question. If no, provide a brief explanation of purpose and data collected: Since 1995, BJS has been providing national estimates of the total number of firearm purchase applications received and denied pursuant to the Brady Act and similar state laws. The FIST program collects counts of firearm transfers and permit checks conducted by state and local agencies and combined this information with FBI transaction data to produce national estimates of background check activity. Additional information on reasons for denials, appeals, and law enforcement actions the FBI and ATF take against denied persons is also collected.

We have previously mailed two surveys to your agency but have not received a response, so I am calling to see if you received the survey. [If no, offer to send another copy] [If yes, would you be able to fill out the survey or complete the online version. Provide directions for the Web-based form?]

[If respondent needs details of survey]:

We are asking for summary data on background checks for (use state terminology), which you could report on the survey for (use FIST terminology).

- Point – of – transfer background checks for firearm transfers
- Background checks on permits to purchase a firearm (Purchase Permit)
- Background checks on permits to carry a concealed weapon or purchase a firearm (Carry Permit)
- Background checks on permits both to just purchase a firearm, or to carry a concealed weapon and/or purchase a firearm (P&C Permits)



- Background checks on permits for a handgun license to purchase a firearm (NY – Purchase Permit)
- Background checks on permits to purchase a firearm (WA - Purchase Check)

We anticipate that the survey will take about 25 minutes to complete and we are more than happy to walk you through it and discuss any questions you may have. This data collection is very important because it highlights the application and denial rates for firearm background checks being conducted throughout the country. Your agency's responses are critical to ensure that BJS is able to produce the most reliable national estimates of firearm background check activity.

(After phone data collection or a promise to return data at a later time)

We and the Bureau of Justice Statistics sincerely appreciate your time and efforts on this important initiative.