



Delaware Will Benefit From a Permit-to-Purchase Law

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By implementing strong gun laws, Delaware has taken important steps to protect its residents and demonstrates lower rates of certain categories of gun violence compared with other states. In 2019, for example, Delaware had the 11th-lowest rate of gun deaths and 10th-lowest rate of gun suicides in the country.¹ These low numbers can likely be attributed in part to the state's requirement of a background check before any gun sale, implementation of extreme risk protection orders,² and strong concealed carry law.³ On the most recent scorecard released by the Giffords Law Center to Prevent Gun Violence, Delaware received a B rating for the strength of its gun laws.⁴

On October 20, 2021, Delaware Gov. John Carney (D) signed into law two comprehensive firearm bills that further closed dangerous gun violence prevention gaps. The first bill, H.B. 124, prohibits individuals subject to a protection from abuse order from purchasing, owning, or possessing a firearm,⁵ which is a critical step toward protecting survivors of domestic violence and their families. The second bill, H.B. 125, prohibits the possession of untraceable and undetectable firearms known as ghost guns—weapons that are easy to make at home and are often recovered from crime scenes in the United States.⁶

While these actions and gun laws are stronger than those found in many states, Delaware has opportunities to further protect its residents from gun violence, including by passing S.B. 3 and implementing a permit-to-purchase (PTP) licensing system. The Senate bill would require anyone wishing to purchase a handgun to first obtain a permit that entails fingerprinting as well as basic live firearm training and safety training.⁷ Additionally, it requires any licensed dealer, manufacturer, or importer to ask individuals to present this permit before they can purchase a handgun.⁸ S.B. 3 has passed in the Delaware Senate and moved through the House Judiciary Committee. The estimated costs associated with the bill have been included in the state's budget pending its passage; it now needs to clear the House Appropriations Committee and be voted on by the Delaware House before the legislative session ends on June 30, 2022.

As of December 2021, 12 states and the District of Columbia have passed similar PTP laws,⁹ which numerous studies and reports have found reduce and prevent gun violence; such a requirement in Delaware would likely have a similar protective impact. This issue brief highlights three challenges around gun violence in Delaware that are ongoing or above national levels that could be addressed with the implementation of this law: gun homicides, internal gun trafficking, and firearm theft.

1. Gun homicides, particularly among young people

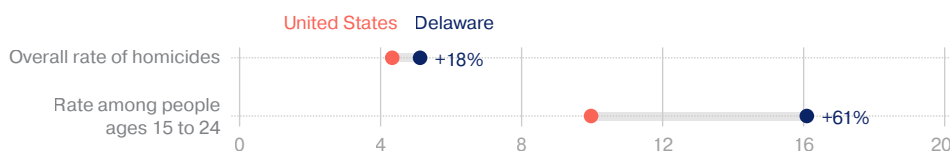
While gun deaths in Delaware are low compared with other states, this small number is driven by lower levels of gun suicides. However, one of the most pressing issues around gun violence in the state is gun homicides, particularly among young people. From 2015 to 2019, Delaware ranked 15th out of 50 states in terms of gun homicides.¹⁰ The state had 5.12 gun homicides for every 100,000 people, a rate 18 percent higher than the national average.¹¹ Unfortunately, as the number of gun purchases increased during 2020,¹² this problem has appeared to worsen. In the city of Wilmington, for example, shootings rose by 50 percent from 2019 to 2020.¹³

Furthermore, gun homicides in Delaware disproportionately affect young people ages 15 to 24. While this age group represented just 12 percent of the population from 2015 to 2019, it suffered 39 percent of gun homicides.¹⁴ During that same period, the state had a rate of gun homicides among young people that was 61 percent higher than the national average; compared with all other states, Delaware ranked ninth.¹⁵

FIGURE 1

Gun homicide rates in Delaware are above national levels

Rates of gun homicides per 100,000 people, 2015–2019



Source: Authors' analysis of Centers for Disease Control and Prevention, "Injury Prevention & Control: Data & Statistics (WISQARS): Fatal Injury and Violence Data," available at <https://webappa.cdc.gov/sasweb/ncipc/mortrate.html> (last accessed November 2021).

Numerous studies have demonstrated the association between PTP laws and gun homicides. For example, after Connecticut passed its PTP law, gun homicides decreased by 40 percent during the first 10 years of implementation.¹⁶ Other studies show that the repeal of such laws had the opposite effect, leading to an increase in gun homicides. After Missouri repealed its PTP law in 2007, gun homicides increased by 25 percent,¹⁷ and a recent study found that the law's repeal was associated with a 22 percent increase in gun homicides among young people ages 19 to 24.¹⁸ By passing a PTP law, Delaware could reduce the number of gun homicides, especially among young people.

2. Internal gun trafficking

Another challenge that PTP laws could address is the ease with which firearms are diverted to criminal activities within the state. By using data from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) tracing reports, it is possible to estimate the percentage of crime guns—firearms used to perpetrate crimes—within each state that are traced to in-state sources.¹⁹ In 2020, 69 percent of crime guns recovered by police agencies in Delaware originated within the state, compared with a national average of 68 percent.²⁰

FIGURE 2

States with permit-to-purchase (PTP) laws have lower levels of internal gun trafficking

Average percentage of crime guns traced to in-state sources, 2020



Note: This analysis does not include data from Puerto Rico, the U.S. Virgin Islands, and Guam.

Source: Authors' analysis of Bureau of Alcohol, Tobacco, Firearms and Explosives, "U.S. Firearms Trace Data - 2020," available at <https://www.atf.gov/resource-center/firearms-trace-data-2020> (last accessed December 2021).

By mandating a PTP license, policymakers in Delaware could help prevent this problem. Academic studies have shown that states with PTP requirements present significantly lower percentages of crime guns that are later traced to in-state sources.²¹ This is further supported by 2020 data from ATF. Figure 2 shows that in states requiring a permit to purchase, the average percentage of crime guns originating in state was 49 percent—20 percentage points below Delaware and 19 percentage points behind the national average.²² In contrast, states that do not have PTP requirements had an average of 76 percent.

Evidence suggests that by implementing permit-to-purchase laws, states help reduce internal gun trafficking.

As expected, states that have removed their PTP requirements have seen a subsequent increase in internal gun trafficking. One ATF study found that the average percentage of crime guns traced to in-state sources in Missouri was less than 60 percent before the state removed its PTP law in 2007; this rose to 74 percent by 2014²³ and 80 percent by 2020.²⁴ Overall, evidence suggests that the implementation of PTP laws can help reduce internal gun trafficking.

3. Stolen firearms

Studies have also shown an important link between PTP laws and gun theft—not a minor issue in the state of Delaware. According to ATF data, from 2012 to 2020, 278 firearms were stolen from federal firearm licensed dealers in the state.²⁵ However, most guns are stolen from private owners. Data from the FBI suggest that from 2010 to 2019, the value of stolen firearms in Delaware rose to roughly \$3.6 million,²⁶ or an estimated 7,950 guns.²⁷ Unfortunately, stolen guns are often used to perpetrate crimes or are recovered from individuals who are prohibited from possessing a gun.

A 2021 analysis examined data from the FBI and showed that after Connecticut passed its PTP law in 1995, gun theft reported by local police agencies decreased by 44 percent.²⁸ The same analysis showed that when Missouri repealed its PTP law in 2007, police agencies reported a 42 percent increase in gun theft.

Conclusion

While Delaware has taken steps to prevent gun violence in the state, more significant prevention initiatives are needed, including better implementation around existing policies. These actions should continue with the passage and effective implementation of the PTP law in S.B. 3. This law is supported by 78 percent of Delaware voters—including 61 percent of gun owners²⁹—and similar measures have proven to reduce gun violence in other states. If implemented, it could contribute to the reduction of gun homicides, internal gun trafficking, and firearm theft in the state.

Finally, while passing PTP laws would be a major step, the state could also consider implementing restrictions on assault weapons, banning large capacity magazines, and mandatory waiting periods on gun purchases. Delaware can also close loopholes that allow some domestic abusers to access firearms, increase support for community-based violence intervention programs, and improve the implementation of its safe storage law. These complementary measures, along with new PTP requirements, could help ease gun-related challenges in Delaware and turn it into one of the safest states in the country.

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Endnotes

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