

The brady act:
inconsistent but
served a purpose



**ASSIGN
BUSTER**

The Brady Law which is technically known as The Brady Handgun Violence Prevention Act of 1993 was signed as a law under the presidency of Bill Clinton on November 30, 1993. The law requires that whenever someone purchases a gun, he/ she should wait up to five days for a background check. As long as the Federal Bureau of Investigation has undergone the background check and for so long as the Federal Firearm License has not been issued, then a person can never obtain or own a gun (Bowling et al. , 2006).

At the same time, it also required the gun dealers in each of the state should begin conducting and submitting background check requirements on their prospective buyers to the authorities to aid the process of authenticating that buyer's capability and reliability in owning a gun (Ludwig and Cook, 2003). All states should have similar disqualifications for their applicants. These are fugitive status, court restraining orders, mental illness, and other violence convictions. Because of these, of the 12 million applications that were subjected to background check by the National Bureau of Investigation, there were around 1.

4 million that were rejected. However, there are also several rejections done by State and local agency background checks which were argued to be a little inconsistent to the FBI requirements (Bowling et al. , 2006). For instance, most state statutes would require firearm purchasers to have a permit or a license or an identification number right after background check to be presented to the seller before they are allowed to buy a firearm. Within these said statute laws, the background check would require around 7 to 30 days.

This is inconvenient and inconsistent with the original Brady Bill because it only mandated a background check for only less than a week and 30 days is way too far from that requirement. Other state laws and agencies require that a seller should convey buyer's information to the authorities either through mail, telephone, or e-mail. Accordingly, the local agencies would respond in about 7 to 10 days. The same as already mentioned, this is also a little bit inconvenient because it is only by then that they start their background check.

Other than these, there were also instances where the agencies will have to encounter incomplete records of applicants in their databases which will test the capability of the buyer to purchase a firearm. There is also a discrepancy between the state and the local agencies' reason on rejection. Federal laws would likely to applicants with domestic violence conviction or indictment. On one hand, local agencies would likely to reject applicants that are drug addicts and mentally ill. Moreover, other states provide for appeals, but only seventeen of them.

All of these prove that there is discrepancy and inconsistencies in the implementation of this law (Bowling et al. , 2006). However, despite this, I think the law is still very useful in the maintenance of peace and security of the country. This is because the law even when it has been implemented inconsistently by the federal and the state government, it still outlines very concrete requirements and methodology in granting and denying the right of every citizen to possess firearms.

This law is obviously concerned on the circumstances that would entail the irresponsible handling and owning of a dangerous weapon like the firearm. It

mainly aims to secure the safety of every citizen in the United States and to prevent ruthless assassinations. References Bowling, M and Hickman, J. (2006). "Background Checks for Firearm Transfers, 2005". Bureau of Justice Statistics Bulletin. US: US Department of Justice. Ludwig, J and Cook, P. (2003). Evaluating gun policy: effect on crime and violence. USA: Brookings Institution Press.