



The University of Alabama, Tuscaloosa

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## Policy Memorandum: A Response to Permitless Carry in Alabama

June 10<sup>th</sup>, 2024

To: Governor Kay Ivey  
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Montgomery, AL 36130  
(334) 242-7100

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To Governor Ivey:

This memorandum has been written in response to the “Constitutional Carry” act that you signed in March 2022 and was put into effect on January 1<sup>st</sup>, 2023 (Tuscaloosa County Sheriff, 2024). At the time of the bill’s passing, you stated that “Unlike states who are doing everything in their power to make it harder for law-abiding citizens, Alabama is reaffirming our commitment to defending our Second Amendment rights” (Cason, 2022). While I respect your mission to retain the constitutional right to bear arms, this bill comes at a cost to public safety and Alabama’s economy. The Alabama Sheriffs Association as well as other law enforcement agencies in the state have expressed concern over the passing of this bill, as it will likely result in more “street guns”—or guns that float from one individual to another without proper licensure—and a reduced ability for police to distinguish between law-abiding and law-breaking gun owners (Barton, 2022). As of 2022, Alabama had the second-highest rate of gun violence and third-highest societal cost of gun violence in the United States (Everytown for Gun Safety, 2022). Furthermore, gun violence is the leading cause of death among Alabamian minors, 62% of which are homicides and 29% of which are suicides (Everytown for Gun Safety, 2022).

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In addition to public safety concerns, permitless carry laws will impact the funding of law enforcement agencies and will require said agencies to adopt a new tracking system for purchased guns throughout the state (Chapoco, 2023; Cason, 2023; ALEA News Release, 2022). In Shelby County, pistol permits amount to \$20.00 per year and \$100.00 for five years (Shelby County Sheriff). If nearly 60% of Alabama adults own guns, then it can be expected for the state to make upwards of \$47 million per year (United States Census Bureau, 2023; Learish & Fieldstadt, 2022). Based on these data, I recommend that your office reconsider the repeal of The Alabama Permitless Carry Law.

### **Background Information:**

Permitless carry laws have been strongarmed by the NRA and NRA-ILA for more than 30 years, resulting in 27 states enacting permitless carry as of 2023 (Brownlee, 2023; NRA-ILA, 2022). Vermont was the first state to set a permitless gun carry precedent, as its rural, wooded landscape and sparse population accommodated a less structured gun policy (Benson, 2015). It makes sense, then, that Wyoming followed suit in 2021, starting a ripple effect throughout the country (Buchholz, 2023). While several gun owners saw the passing of “Vermont carry” laws as a legislative win, the repercussions of eliminating permits in most states manifest in public safety concerns and slashed funding for police agencies (Chapoco, 2023; Cason, 2023).

To begin, gun laws in Alabama have been historically lax, with the state’s concealed carry rate leading the nation at 32.5% (Lott, 2022). When purchasing a gun in Alabama, no background checks are required, the Extreme Risk Law is not applied, and there is no tracing system of guns involved in prior criminal activity (Everytown Research & Policy, 2024). It is not a surprise, then, that Alabama spent \$8 billion on gun deaths and injuries in 2021 (Everytown for Gun Safety, 2022). The repeal of Alabama’s pistol permit requirement comes after 10 years of fighting in the legislature, much of the pushback coming from law enforcement officers and agencies, who see permits as an important public safety tool (Cason, 2022).

Next, sheriff departments rely on the revenue from pistol permits in the state. Just in the second half of 2022 alone, Mobile County lost approximately \$800,000.0 in revenue from pistol permits (Sharp, 2023). Much of this revenue goes to the county commission fund, with a portion also going to the sheriff’s department (Barton, 2022). Sheriff Abernathy of Tuscaloosa County voiced his opposition to the bill, citing funding difficulties and endangerment to police: “I think it’s an endangerment to all law enforcement officers as they do their job...and to the citizens out there” (Barton, 2022). Sheriff Abernathy goes on to comment: “If they take the money away, then that’s fine, OK? We’ll find another way. Will it make an impact on law enforcement or on sheriffs’ offices financially? It will some. The larger ones, it won’t be a dramatic impact. But the smaller ones, it will hurt some” (Barton, 2022).

### **My summarized findings and methodology:**

Based on the extant literature, there is evidence that ridding of pistol permits may increase gun violence without holding perpetrators responsible for their crimes (Lundstrum et al., 2023;

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Stansfield et al., 2023; Crifasi, et al., 2023). Further, Alabama’s economy will pay a price—literally and figuratively—for the implementation of such a law.

Using the methodological structure from public health and safety research, I will base a portion of my recommendation on the use of Interrupted Time Series Analysis (ITSA) (Lundstrum et al., 2023; Schaffer et al., 2021). Because gun safety is as much a public health concern as a policy issue, I find the application of this framework appropriate. In ITSA, “an outcome variable is observed over multiple, equally spaced time periods before and after the introduction of an intervention that is expected to interrupt a trend” (Linden, 2015). Researchers observed the impact of permitless carry in West Virginia by comparing the differences in gun violence in the state before implementation (1995-2015) and after (2016-2020) (Lundstrum et al., 2023). Using both descriptive and inferential statistics, the research team was able to decipher the impact HB 4145, the permitless carry law has on monthly firearm casualties and sales in the state (Lundstrum et al., 2023). Descriptive statistics revealed that the number of handgun deaths was higher after the enactment of HB 4145, but no such increase was observed among long guns, which are unconcealable (Lundstrum et al., 2023). Furthermore, gun-involved homicide rates increased by 48% throughout West Virginia (Lundstrum et al., 2023). Lastly, while there was only a mild spike in gun purchases following HB 4145, the increased gun violence cited above implies that guns that were previously not permitted were used more freely after the passing of this law (Lundstrum et al., 2023).

Using gun violence data in Alabama obtained from Gun Violence Archive (GVA), I assessed the percent change in gun violence before the passing of permitless carry (October 19<sup>th</sup>, 2021, to December 31<sup>st</sup>, 2022) and afterward (January 1<sup>st</sup>, 2023, to March 5<sup>th</sup>, 2024). I chose these time intervals so that exactly 1329 cases could be compared before and after the passing of this law. Unlike West Virginia, gun violence in Alabama was not statistically significant before and after the passing of this bill. The population in Alabama, however, is nearly three times larger than that of West Virginia, which means that population density may counteract any tangible changes we may see after the passing of this bill.

If we compare the implementation of this law to a state of a similar population to Alabama, such as Kentucky, we can see the long-term effects of permitless carry. Kentucky established permitless carry in mid-2019, nearly three and a half years before Alabama did the same (Pereira, 2023). While only short-term effects could be observed using the ITSA method above, we can observe long-term effects in Kentucky. Sure enough, from June 2014 to the implementation of permitless carry in June 2019, 22.6% of gun violence cases resulted in the death of a victim and 62% of cases resulted in the arrest of a suspect (Gun Violence Archive, 2023). After June 26<sup>th</sup>, 2019, until March 7<sup>th</sup>, 2024 (present-day), 34.7% of gun violence cases resulted in the death of a victim and only 38% of all cases resulted in the arrest of a suspect (Gun Violence Archive, 2023). In other words, the state of Kentucky experienced a 53.5% increase in homicides by gun violence and a 38.7% decrease in arrests of gun-wielding suspects (Gun Violence Archive, 2023). Greater rates of homicide and fewer arrests for said crimes imply that permitless carry may encourage guns to end up in the wrong hands with little information on how to track down the gun owner. Therefore, we can infer that similar long-term effects can be anticipated for the state of Alabama.

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Next, I continue my analyses by calculating the budgeting differences for law enforcement offices in Alabama before and after the bill's implementation. In 2023, car registration, fingerprinting, and court document service fees increased for community members of Talladega County, to compensate for revenue lost from pistol permits (Chapoco, 2023). Meanwhile, the sheriff of Montgomery County anticipated a total annual loss of \$550,000 in revenue due to a lack of pistol permit sales (Chapoco, 2023). While the Alabama Department of Economic and Community Affairs created a grant program of \$5 million to help supplement lost funding for law enforcement agencies across Alabama, the grant only covers a fraction of the total anticipated loss statewide (Chapoco, 2023).

Lastly, I explore the societal and tangible cost of the new database that will be replacing permit-tracking systems in Alabama. The Alabama Law Enforcement Agency (ALEA) announced the Firearm Prohibited Person (FPP) database on December 30<sup>th</sup>, 2022 (ALEA News Release, 2022). The system was put in place to provide law enforcement with the appropriate information needed when approaching an armed civilian now that permits are no longer a requirement to carry within the state (ALEA News Release, 2022). The estimated cost of this new system is \$400,000.0 and then an annual fee of \$45,000.0 (ALEA News Release, 2022). Compounded with the overall cost of eliminating the pistol permit requirement in the state, the adoption of this new tracking system, while beneficial to public safety, is likely to cost the state millions in revenue (Cason, 2023).

### **My recommendation:**

Based on the data and analyses calculated above, I recommend that your office repeal The Alabama Permitless Carry Law. Although my ITSA calculations above did not find any statistically significant changes in gun violence before and after the implementation of permitless carry in Alabama, data from a state of comparable size reveal that failure to track gun ownership can pose a threat to public security. While the adoption of the FPP is a positive advancement, funding for sheriff offices throughout the state will continue to dry out, leading to increases in other fees for Alabamians.

Although gun policy remains highly politicized, extant research on this topic reveals an objective reality: guns have the capacity to endanger human life, and pistol permits help both fund police agencies and help our officers keep track of guns sold. Thus, the elimination of this system has both cost the state millions in revenue and increased the number of permitless guns in our neighborhoods.

Sincerely,

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