



## *Strengthening Colorado's Mental Health System A Plan to Safeguard all Coloradans*

### **Real-time Data Transfer**

Real time data transfer is designed to address the amount of time it takes to send mental health adjudication information to the Colorado Bureau of Investigation (CBI) for the purpose of firearm purchase background checks, and to return individuals' rights to bear arms after they have been rehabilitated. Mental health adjudications are judicial determinations that indicate a person is a danger to him or herself and/or others, or is gravely disabled. This real-time transfer of information will enhance public safety and national security by providing timely and accurate information directly from the courts to the CBI.

Currently, mental health adjudication information is sent via CD-ROM by the Colorado State Judicial System to the FBI's Instant Criminal Background Check System (NICS) twice per year. A real time data transfer will allow disqualifying mental health information to be immediately transferred to the CBI Colorado Crime Information System (CCIC) and subsequently electronically transferred to the FBI NICS data base.

Under this proposal, mental health adjudication information will be immediately available to the CBI and shared with NICS to determine if there is a federal firearms prohibition or restoration. The current possible delay between the time an adjudication is placed on record and the time CBI discovers prohibiting factors in a firearms purchase is a public safety risk. More than 150,000 firearm transactions are processed during a six-month period.

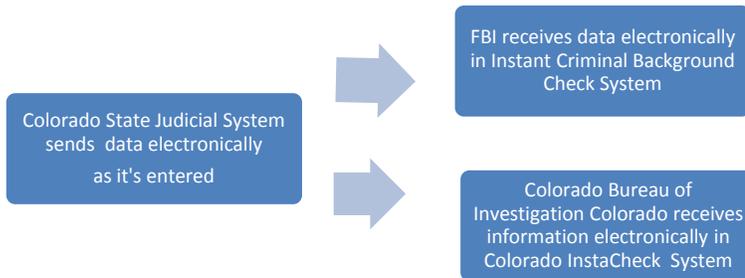
The current system sends this data, approximately every **six months**:



The Governor is proposing to:

- Authorize the State Judicial to transfer mental health commitment records electronically and directly to the CBI in real time so the information is available for firearm purchase background checks conducted by Colorado InstaCheck.
- Establish a statutory process to restore the gun rights of individuals who have received a mental health adjudication.

The new Real-time Data Transfer would communicate data as it's entered:



Below flow chart should have transfer to CBI first, followed by transfer to FBI. It is not a simultaneous transfer of information. Information will hit state CCIC message system first.

This proposed change would improve the efficiency of the system and the safety of all citizens and communities in Colorado and the country. It will also allow a person who has been restored to competency to have more timely access to their constitutional right to bear arms.