



Background Checks Save Lives

The 1993 Brady Bill established the National Instant Criminal Background Check System (NICS) and required that potential buyers at federally licensed gun dealers pass a background check before a firearms transfer.

Federal Law prohibits the following people from possessing or purchasing firearms:

- Convicted felons
- People under indictment for a felony
- Unlawful users or addicts to controlled substances
- Fugitives from justice
- Individuals who have been adjudicated as mentally ill or have been committed to a mental institution
- Illegal aliens
- Individuals who were dishonorably discharged from the military
- People who have renounced their U.S. citizenship
- People convicted of domestic violence misdemeanors
- People subject to certain domestic violence protective orders

In 2000 Colorado voters extended those background checks to all firearms purchases made or initiated at gun shows.

Between 1999 and 2009, NICS processed roughly 100 million background checks and blocked an estimated 1.6 million permit applications and gun sales to people prohibited by law from possessing guns.¹

Colorado background checks are conducted by the Colorado Bureau of Investigation (CBI) in conjunction with the FBI. CBI checks are more thorough because of access to municipal criminal records and restraining order not necessarily accessible to the FBI.

In Colorado between 2001 and 2011, CBI processed nearly 2 million background checks for gun purchases. Nearly 60,000 (3%) of those purchases were denied.²

Background checks catch dangerous criminals. In Colorado between 2001 and 2011, over 2000 arrests were made when persons with outstanding warrants attempted a firearms purchase.

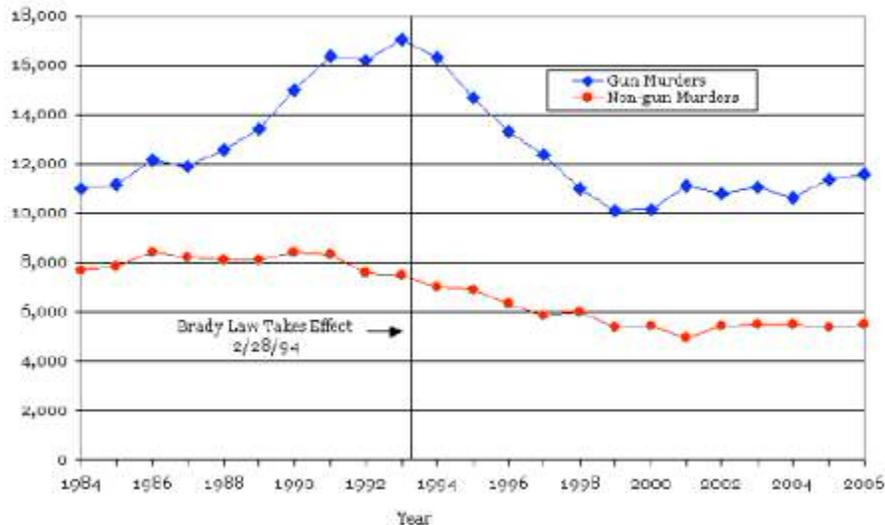
Nationally, the rate of gun robbery and aggravated assault with a gun dropped precipitously after the 1993 passage of the Brady Law.³

¹ U.S. Department of Justice, Federal Bureau of Investigation, Criminal Justice Information Division, <http://www.fbi.gov/about-us/cjis/nics/reports/2009-operations> report.

² CBI statistics at cbi.state.co.us/ic/IC_Current_YR_Stats.html

Nationally, the rate of gun murders dropped precipitously after the 1993 passage of the Brady Law, while the non-gun murder rate dropped at a steady rate.³

The Number of Gun Murders and Non-gun Murders
United States, 1984-2006



There remain a number of serious holes in the background check system. About 40% of gun sales in the United States are with private sellers (not federally licensed firearms dealers).

Criminals can buy guns at gun shows in 33 states without undergoing a background check.

Only 6 states (not including Colorado) require universal background checks (checks made before any transfer of ownership of a firearm).

Not all states and federal agencies are regularly submitting mental health records to NICS.

This is what enabled the Seung Hui Cho (Virginia Tech Shooter) to pass a background check. Although laws passed since that massacre have increased the number of mental health records on NICS, there are still major gaps.

Colorado law (2002) requires submittal of mental health records to NICS, but does so only quarterly.

Reporting of drug abuse data to NICS by state and federal agencies is exceptionally low (only 13,145 records in the database in October 2011).

This may be what enabled Jared Loughner (the Tucson massacre shooter who shot Congresswoman Gabrielle Giffords) to pass a background check.

Colorado has been submitting only a few drug abuse records to NICS.

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³ Brady Center to Prevent Gun Violence, 2008, Brady Background Checks: Fifteen Years of Saving Lives.