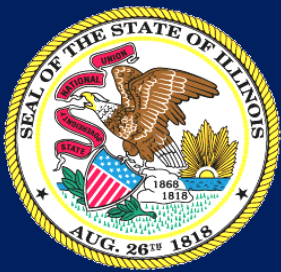


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State of Illinois  
Office of the Auditor General

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Management Audit of the

**Firearm Owner's Identification  
Card and Concealed Carry  
License Programs**

September 29, 2021

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**Frank J. Mautino**  
*Auditor General*

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OFFICE OF THE AUDITOR GENERAL  
FRANK J. MAUTINO

*To the Legislative Audit Commission, the Speaker  
and Minority Leader of the House of Representatives,  
the President and Minority Leader of the Senate, the  
members of the General Assembly, and the  
Governor:*

This is our report of the management audit of the Illinois State Police's administration of the Firearm Owners Identification Card Act and the Firearm Concealed Carry Act.

The audit was conducted pursuant to Legislative Audit Commission Resolution Number 155. This audit was conducted in accordance with generally accepted government auditing standards and the audit standards promulgated by the Office of the Auditor General at 74 Ill. Adm. Code 420.310.

The audit report is transmitted in conformance with Sections 3-14 and 3-15 of the Illinois State Auditing Act.

**SIGNED ORIGINAL ON FILE**

FRANK J. MAUTINO  
Auditor General

Springfield, Illinois  
September 2021





Management Audit of the

## Firearm Owner's Identification Card and Concealed Carry License Programs

### Background:

On July 21, 2020, the Legislative Audit Commission adopted Resolution Number 155 requiring a management audit of the Illinois State Police's administration of the Firearm Owners Identification Card Act (430 ILCS 65) and the Firearm Concealed Carry Act (430 ILCS 66) for 2018 and 2019. The Resolution contained eight determinations.

Illinois residents are required by the Firearm Owners Identification Card Act to have a valid Firearm Owner's Identification (FOID) card in order to possess or purchase firearms or ammunition. The Act originally became effective in 1968.

The Firearm Concealed Carry Act, effective July 2013, allows an individual to carry a handgun on or about a person completely or mostly concealed from view of the public or on or about a person within a vehicle.

### Key Findings:

- The current Firearm Owner's Identification (FOID) card and Concealed Carry License (CCL) application **processes are labor intensive** with some steps being completed multiple times for the same application. While some checks, such as those for mental health, are run daily by data match, others, such as checking for matching information with the Illinois Secretary of State, are completed manually by an Illinois State Police Firearms Eligibility Analyst. There is also significant overlap between the FOID and CCL application processes as they contain many of the same steps. Further, the new and renewal application processes also contain similar steps.
- According to Illinois State Police (Department) officials, there are over 40 steps an application must go through before an eligibility determination is made. These steps include both electronic and manual checks to confirm information and determine eligibility. If a match/hit is identified that may prohibit an applicant from possessing a FOID card or CCL, a Firearms Eligibility Analyst must manually resolve the issue. **Having a process that relies heavily on Firearms Eligibility Analysts manually completing steps that could be conducted via an electronic matching process is inefficient and vulnerable to potential mistakes or oversights.** Manually verifying information that could be automated slows the time it takes to process applications.
- The number of FOID and CCL applications increased substantially from 2018 to 2019 driven by an increase in renewal applications.
  - **FOID applications received increased** from 266,836 in 2018 to 306,217 in 2019 or **14.8 percent**.
  - **FOID renewal applications increased** from 106,862 in 2018 to 146,912 in 2019 or **37.5 percent**.
  - **CCL applications increased** from 58,669 in 2018 to 104,049 in 2019 or **77.3 percent**.
  - **CCL renewal applications increased** from 6,341 in 2018 to 61,253 in 2019 or **866.0 percent**.
- Overall, **very few FOID or CCL applications were denied**. For applications received during the two-year period 2018-2019, there were 20,642 FOID applications denied (3.6%). The most common reasons for denial were felony convictions (26.5%), mental health matters (20.3%), and crimes punishable by imprisonment for a term exceeding one year (18.1%). For the same period, there were 2,438 CCL applications denied (1.5%). The most common reasons for denial were danger to self or others (45.5%) and not having a valid FOID card (30.4%).
- **The timeliness of processing FOID and CCL applications decreased significantly from 2018 to 2019**. Overall, 79.5 percent of FOID applications received during the two-year period were processed within the statutorily required timeframes. However, the percentage of FOID applications processed within statutorily required timeframes

**dropped from 87.1 percent in 2018 to 72.9 percent in 2019.** For Concealed Carry Licenses, overall 64.5 percent of applications submitted in 2018 and 2019 were processed within the statutorily required timeframes. However, the percentage of applications that were processed timely **dropped from 93.4 percent in 2018 to only 48.2 percent of applications submitted in 2019.**

- The increase in the number of applications that were not processed timely was due primarily to the applications not being started in a timely manner.
  - In 2018, there was an average 15 day delay to begin processing a FOID application which increased to 22 days in 2019.
  - For FOID renewals in 2018, there was an average 19 day delay to begin processing the renewal which increased to 46 business days in 2019.
- **There were a total of 19,275 FOID cards revoked during 2018 and 2019.** The most common prohibitor categories were for mental health and Order of Protection/Restraining Order. The majority of revoked FOID cards are not returned to the Department as is required and a Firearm Disposition Record showing that the weapons had been transferred to someone else was filed in only about one-third of cases. The percentage of revoked FOID cards that were returned to the Department was 44.8 percent in 2018 and 45.8 percent in 2019.
- **There were a total of 9,566 Concealed Carry Licenses revoked during 2018 and 2019.** The most common prohibitor was Inactive FOID Card at 81.5 percent of all prohibitors. The percentage of licenses returned dropped from 22.4 percent in 2018 to 14.4 percent in 2019.

### ***Key Recommendations:***

The audit report contains six recommendations directed to the Illinois State Police including:

- The Illinois State Police should seek to reduce manual verifications and checks of applicant information, reduce multiple and overlapping checks, and seek legislative remedies, if necessary, in order to increase the efficiency of the FOID and CCL application processes.
- The Illinois State Police should ensure that all FOID and CCL applications are approved or denied within the required statutory timeframes.
- The Illinois State Police should:
  - Ensure that Sheriffs are notified of revocations as is required by the Firearm Owners Identification Card Act; and
  - Continue to work with local law enforcement agencies to ensure revoked FOID cards and Concealed Carry Licenses are returned to the Department in accordance with the Firearm Owners Identification Card Act and the Firearm Concealed Carry Act.
- The Illinois State Police should consider including enforcement details in its procedures to ensure consistency among zones.
- The Illinois State Police should:
  - Establish a case management system for tracking appeals; and
  - Update its administrative rules to reflect the current appeals process.
- The Illinois State Police should update its administrative rules to reflect the current process for determining issuance date and expiration date.

This management audit was conducted by the staff of the Office of the Auditor General.

## Report Digest

On July 21, 2020, the Legislative Audit Commission adopted Resolution Number 155 requiring a management audit of the Illinois State Police’s (Department) administration of the Firearm Owners Identification Card Act (430 ILCS 65) and the Firearm Concealed Carry Act (430 ILCS 66) for 2018 and 2019. The Resolution contained eight determinations. Our assessment of these determinations is shown in Digest Exhibit 1. (pages 1-2)

| Digest Exhibit 1<br><b>ASSESSMENT OF AUDIT DETERMINATIONS</b>  |   |
|--|---|
| <b>Determination from Audit Resolution</b>   | <b>Auditor Assessment</b>   |
| <i>What steps the Department takes to determine whether an applicant is eligible or ineligible to receive a Firearm Owner’s Identification Card and a Firearm Concealed Carry License.</i>   | <ul style="list-style-type: none"> <li>The current FOID and CCL application processes are labor intensive with some steps being completed multiple times for the same application. While some checks, such as those for mental health, are run daily by data match, others, such as checking for a matching address with the Illinois Secretary of State, are completed manually by a Firearms Eligibility Analyst. There is significant overlap between the FOID and CCL application processes as they contain many of the same steps. Further, the new and renewal application processes also contain similar steps. (pages 10-21)</li> </ul> |
| <i>The total number of Firearm Owner’s Identification Card or Concealed Carry License applicants during the past two calendar years, the number of those applicants approved, and the number who were denied, and the reasons for denials.</i> | <ul style="list-style-type: none"> <li>According to data provided by the Department for the two-year period 2018-2019, there were 573,053 FOID applications and 162,718 CCL applications. There were 20,642 FOID applications denied and 2,438 CCL applications denied. The most common reasons for FOID denial were felony convictions (26.5%), mental health matters (20.3%), and crimes punishable by imprisonment for a term exceeding one year (18.1%). The most common reasons for CCL denial were danger to self or others/threat to public safety (45.5%) and inactive FOID card (30.4%). (pages 23-27)</li> </ul>                      |
| <i>Whether the Department is approving or denying all new Firearm Owner’s Identification Card applications within 30 days after the date they are received.</i>  | <ul style="list-style-type: none"> <li>The percentage of new FOID applications processed within the 30 day statutory requirement dropped from 87.9 percent in 2018 to 73.0 percent in 2019. (pages 28-31)</li> </ul>  |
| <i>Whether the Department is approving or denying all Firearm Owner’s Identification Card renewal applications within 60 days after the date they are received.</i>  | <ul style="list-style-type: none"> <li>The percentage of FOID renewal applications processed within the statutory requirement dropped from 86.0 percent in 2018 to 72.7 percent in 2019. During 2018, the statutory requirement for processing renewal applications was 30 calendar days. Effective January 1, 2019, the statutory requirement was changed to 60 business days. (pages 28-31)</li> </ul>  |

| Determination from Audit Resolution   | Auditor Assessment  |
|---|---|
| <i>Whether the Department is approving or denying all new Concealed Carry applications within timeframes required by the Firearm Concealed Carry Act.</i>                           | <ul style="list-style-type: none"> <li>Overall 64.5 percent of CCL applications submitted in 2018 and 2019 were processed within the statutorily required timeframes. However, the percentage of applications that were processed timely dropped from 93.4 percent in 2018 to only 48.2 percent of applications submitted in 2019. (pages 31-37)</li> </ul> |
| <i>The total number of Firearm Owner's Identification Cards and Firearm Concealed Carry Licenses revoked during the last two calendar years and the reason for the revocations.</i> | <ul style="list-style-type: none"> <li>According to data provided by the Department, 19,275 FOID cards were revoked during 2018 and 2019. There were a total of 9,566 Concealed Carry Licenses that were revoked during 2018 and 2019. (pages 39-44)</li> </ul>   |
| <i>Whether the Department is receiving revoked Firearm Owner's Identification Cards and Firearm Concealed Carry Licenses from local law enforcement as required.</i>                | <ul style="list-style-type: none"> <li>The percentage of revoked FOID cards that were returned to the Department was 44.8 percent in 2018 and 45.8 percent in 2019. The percentage of CCLs returned dropped from 22.4 percent in 2018 to 14.4 percent in 2019. (pages 39-44)</li> </ul>   |
| <i>Whether the Department has procedures in place to ensure that all firearms are transferred from persons whose Firearm Owner's Identification Cards were revoked.</i>             | <ul style="list-style-type: none"> <li>Although the Department has established some procedures, the procedures cannot ensure that all firearms are transferred from persons whose FOID cards were revoked. During the audit period, there were no statutory requirements for the Department to implement procedures. (pages 47-49)</li> </ul>               |

Source: OAG assessment of the audit determinations contained in LAC Resolution Number 155.

**Background**

Illinois residents are required by the Firearm Owners Identification Card Act (430 ILCS 65) to have a valid Firearm Owner’s Identification (FOID) card in order to possess or purchase firearms or ammunition. The Act originally became effective in 1968.

The Firearm Concealed Carry Act (430 ILCS 66), effective July 2013, allows an individual to carry a handgun on or about a person completely or mostly concealed from view of the public or on or about a person within a vehicle. According to the Department, as of December 31, 2019, there were 2,227,538 active FOID cards and 333,042 active Concealed Carry Licenses. (page 2)

**Application Process**

The current FOID and CCL application processes are labor intensive with some steps being completed multiple times for the same application. While some checks, such as those for mental health, are run daily by data match, others, such as checking for a matching address with the Illinois Secretary of State, are completed manually by an Illinois State Police Firearms Eligibility Analyst. There is also significant overlap between the FOID and CCL application



processes as they contain many of the same steps. Further, the new and renewal application processes also contain similar steps.

The Illinois State Police run daily Department of Human Services (DHS) mental health and State criminal history background checks on all FOID cardholders. Any matches/hits are reviewed to determine if the FOID card and/or the CCL needs to be revoked. However, where the DHS mental health checks are only run as part of the initial FOID application and as a daily check, the Illinois Criminal History Record Information (CHRI) is run for the initial FOID application, the FOID renewal, the CCL initial application, the CCL renewal application, and as a daily check. The Law Enforcement Agencies Data System (LEADS) checks are also run for new and renewal applications as well as a daily check. If a check is done at the initial FOID application and also daily, it would seem duplicative to run these checks for FOID renewal applications and both new and renewal CCL applications.

In addition to other checks conducted as part of the application process, every time a weapon is purchased through a Federal Firearm Licensed dealer, a Firearm Transfer Inquiry Program (FTIP) transaction is completed, which involves running a federal background check. According to a Department official, essentially anything checked during a FOID background check is also checked during an FTIP transaction.

According to Department officials, most steps have to be completed manually by a Firearms Eligibility Analyst. For example, checking that the applicant's information matches the Illinois Secretary of State's (SOS) system involves a Firearms Eligibility Analyst comparing the application and manually verifying the information to the SOS system. This is done in the Department's application tracking software by a Firearms Eligibility Analyst via a hyperlink to the information. A Firearms Eligibility Analyst verifies that the applicant's name, date of birth, address, and other demographics match the response received from the Illinois Secretary of State as a result of running a check on the applicant's Driver's License or Identification Card. The photo submitted by the applicant is also compared to the applicant's Driver's License or Identification Card to verify identity.

According to Department officials, there are over 40 steps an application must go through before an eligibility determination is made. These steps include both electronic and manual checks to confirm information and determine eligibility. If a hit is identified that may prohibit an applicant from possessing a FOID card or CCL, a Firearms Eligibility Analyst must manually resolve the issue. Having a process that relies heavily on Firearms Eligibility Analysts manually completing steps that could be conducted via an electronic matching process is inefficient and vulnerable to potential mistakes or oversights. Manually verifying information that could be automated slows the time it takes to process applications.

We recommended that the Department seek to reduce manual verifications and checks of applicant information, reduce multiple and overlapping checks, and

seek legislative remedies, if necessary, in order to increase the efficiency of the FOID and CCL application processes. (pages 10-21)

**FOID and CCL Approvals and Denials**

The number of FOID and CCL applications increased substantially from 2018 to 2019 driven by an increase in renewal applications. The total number of FOID applications received increased from 266,836 in 2018 to 306,217 in 2019 or 14.8 percent. FOID renewal applications increased from 106,862 in 2018 to 146,912 in 2019 or 37.5 percent. The total number of CCL applications increased from 58,669 in 2018 to 104,049 in 2019 or 77.3 percent. CCL renewal applications increased nearly 10 fold from 6,341 in 2018 to 61,253 in 2019.

For applications submitted during the two-year period 2018-2019, 534,128 FOID card applications were approved and 159,055 Concealed Carry License applications were approved. Overall, very few FOID or CCL applications were denied. For applications submitted during the two-year period 2018-2019, there were 20,642 FOID applications denied (3.6%), with a total of 33,101 reasons. The most common reasons for denial were felony convictions (26.5%), mental health matters (20.3%), and crimes punishable by imprisonment for a term exceeding one year (18.1%). For the same period, there were 2,438 CCL applications denied (1.5%), with a total of 2,646 reasons. The most common reasons were danger to self or others/threat to public safety (45.5%) and not having a valid FOID card (30.4%). The number of approved and denied applications does not add to the total applications because of applications that had other issues; for example, applications that were rejected or cancelled. (pages 23-27)

| <b>FOID and CCL Applications by Type</b> |                |                |
|--|----------------|----------------|
|  | <b>FOID</b>    | <b>CCL</b>     |
| <b>2018</b>                              |                |                |
| New                                      | 159,974        | 52,328         |
| Renewal                                  | 106,862        | 6,341          |
| <b>Total</b>                             | <b>266,836</b> | <b>58,669</b>  |
| <b>2019</b>                              |                |                |
| New                                      | 159,305        | 42,796         |
| Renewal                                  | 146,912        | 61,253         |
| <b>Total</b>                             | <b>306,217</b> | <b>104,049</b> |

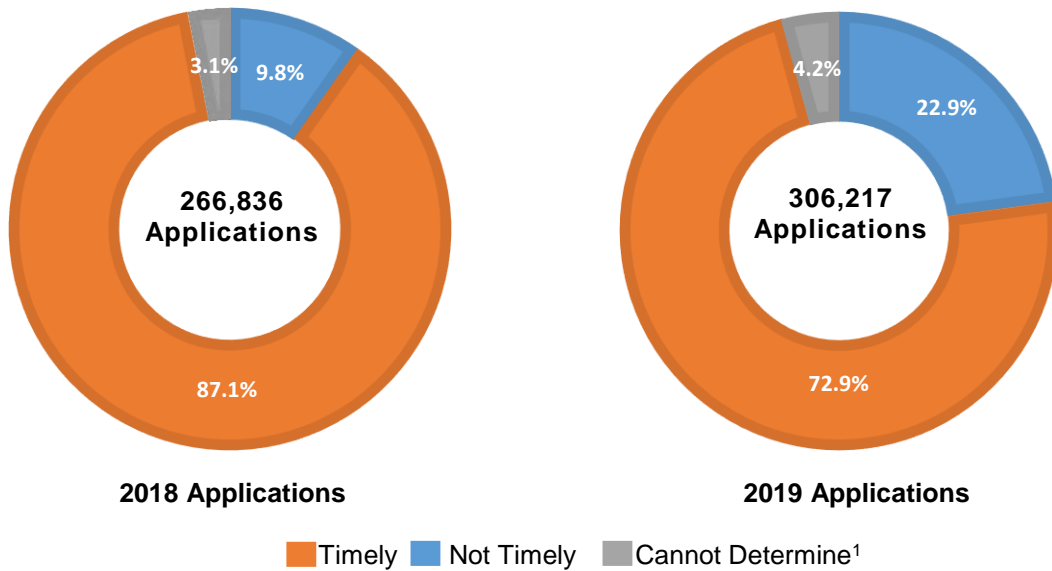
**Timeliness of FOID Application Approval and Denial**

The timeliness of processing FOID applications decreased significantly from 2018 to 2019. The Department is required by the Firearm Owners Identification Card Act to approve or deny all new applications within 30 days and all renewal applications within 60 business days from the date it was received. The 60 business day requirement for renewals became effective January 1, 2019; prior to that all applications had to be approved or denied within 30 days.

According to FOID application data provided by the Department for 2018-2019, 79.5 percent of FOID applications were processed within the statutorily required timeframes. The percentage processed within statutorily required timeframes dropped from 87.1 percent in 2018 to 72.9 percent in 2019. The average time to process new applications remained unchanged between 2018 and 2019 at approximately 34 days. However, the average time to process renewal applications increased from 25 calendar days in 2018 to 56 business days in 2019. There were 40,050 more renewal applications in 2019 than in 2018 or an increase of 37.5 percent. Digest Exhibit 2 shows applications for 2018-2019 and the percent processed within the statutorily required timeframes.

The increase in the number of applications that were not processed timely was due primarily to the applications not being started in a timely manner. In 2018, there was an average 15 day delay to begin processing a FOID application which increased to 22 days in 2019. For FOID renewals in 2018, there was an average 19 day delay to begin processing the renewal which increased to 46 business days in 2019.

Digest Exhibit 2  
**FOID APPLICATION TIMELINESS**  
 Calendar Years 2018-2019



Note:  
<sup>1</sup> “Cannot Determine” represents applications in which a timeliness determination could not be made, either because there was no decision date (for example rejected or canceled applications) or the decision date was prior to the application submitted date.

Source: OAG analysis of Illinois State Police data.

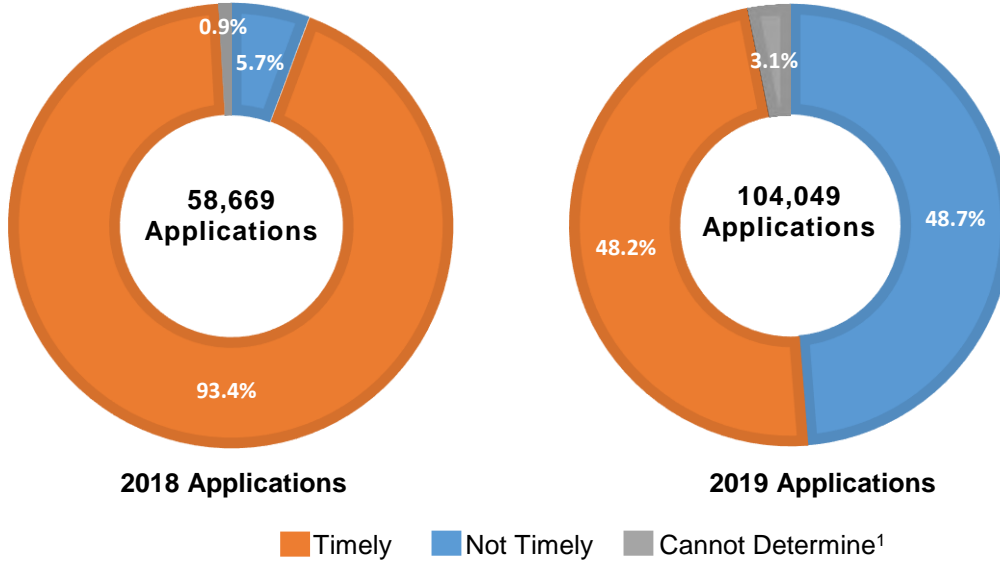
**Timeliness of CCL Application Approval and Denial**

The timeliness of processing CCL applications decreased significantly from 2018 to 2019. The Department is required by the Firearm Concealed Carry Act (430 ILCS 66) to issue or deny a license within 90 days from the date it received a completed application. If an application for license is submitted without a set of fingerprints, the Department is allowed an additional 30 days (120 days).

The number of CCL applications processed within statutory timelines decreased significantly from 2018 to 2019. According to CCL application data provided by the Department, overall 64.5 percent of CCL applications submitted in 2018 and 2019 were processed within the statutorily required timeframes. However, as is shown in Digest Exhibit 3, 93.4 percent of applications submitted in 2018 were

processed timely compared to only 48.2 percent of applications submitted in 2019.

Digest Exhibit 3  
**CCL APPLICATION TIMELINESS**  
 Calendar Years 2018-2019



Note:  
<sup>1</sup> “Cannot Determine” represents applications in which a timeliness determination could not be made, either because there was no decision date (for example rejected or canceled applications) or the decision date was prior to the application submitted date.

Source: OAG analysis of Illinois State Police data.

We recommended the Department should ensure that all FOID and CCL applications are approved or denied within the required statutory timeframes. (pages 28-38)

**FOID Revocations**

Under State law, if a FOID card is revoked, the person must surrender their card to local law enforcement where they live, and file a Firearm Disposition Record disclosing the make, model, and serial number of each firearm owned by or under the control or custody of the revoked cardholder and its disposition. However, the responsibility for compliance with these requirements rests with local law enforcement.

According to data provided by the Department, the number of revoked FOID cards increased from 9,251 in 2018 to 10,024 in 2019. The number of cards that were returned to the Department was 4,140 in 2018 (44.8% of revoked cards) and 4,591 in 2019 (45.8% of revoked cards). In 2018 only 30.0 percent of revoked FOID cards had a Firearm Disposition Record submitted; that number increased to 35.5 percent in 2019. There were revoked FOID cards in all 102 counties.

Digest Exhibit 4  
**FOID and CCL REVOCATIONS**  
 Calendar Years 2018-2019

|   | FOID  |        | CCL   |       |
|---|-------|--------|-------|-------|
|   | 2018  | 2019   | 2018  | 2019  |
| Number of Revocations                       | 9,251 | 10,024 | 3,570 | 5,816 |
| Number of Cards/Licenses Returned           | 4,140 | 4,591  | 839   | 837   |
| Percent of Revoked Cards/Licenses Returned  | 44.8% | 45.8%  | 22.4% | 14.4% |
| Firearm Disposition Records Submitted       | 2,771 | 3,555  | N/A   | N/A   |
| Percentage of Disposition Records Submitted | 30.0% | 35.5%  | N/A   | N/A   |

Source: OAG analysis of Illinois State Police data.

According to data provided by the Department, for the 19,275 revoked cards during 2018 and 2019 there were a total of 27,800 reasons (prohibitors). There were 22,145 State prohibitors and 5,655 federal prohibitors. The most common

**Prohibitors** are conditions that exclude an applicant from obtaining or maintaining a FOID card or Concealed Carry License.

prohibitor categories were for mental health (29.9%) and Order of Protection/Restraining Order (24.7%). Digest Exhibit 4 shows the number of FOID and CCL revocations, the number and percent of cards/licenses returned, and the number and percentage of Firearm Disposition Records submitted.

**CCL Revocations**

Concealed Carry License revocation requirements generally mirror the FOID revocation requirements. The Department is required to provide written notice to the licensee of a suspension, revocation, or invalidation. The Firearm Concealed Carry Act (430 ILCS 66/70) requires that a licensee whose license is revoked, suspended, or denied shall, within 48 hours of receiving notice of the revocation, suspension, or denial, surrender his or her Concealed Carry License to the local law enforcement agency where the person resides.

There were a total of 9,566 Concealed Carry Licenses that were revoked during 2018 and 2019 (3,750 in 2018 and 5,816 in 2019). The percentage of licenses returned dropped from 22.4 percent in 2018 to 14.4 percent in 2019.

According to the data from the Department, there were 10,973 reasons (prohibitors) for the 9,566 revocations for 2018-2019. The most common reason was Inactive FOID Card at 81.5 percent of all reasons followed by Inactive Illinois Driver’s License or ID Card at 8.3 percent.

We recommended the Department continue to work with local law enforcement agencies to ensure revoked FOID cards and Concealed Carry Licenses are returned to the Department. (pages 39-46)

**Firearm Transfer Procedures**

Although the Department has established some procedures, the procedures cannot ensure that all firearms are transferred from persons whose FOID cards were

revoked. There are no statutory requirements for the Department to implement procedures. Further, the Firearm Owners Identification Card Act only affords the sheriff or local law enforcement, where the person resides, the authority to petition the court for a search warrant. The Department has conducted enforcement details in an effort to recover revoked FOID cards and transfer firearms. (pages 47-49)

**Appeals**

The Department does not have a case management system in place to track appeals and could not provide information for the audit period in order to determine, for certain types of FOID appeals cases, if appeals were being adjudicated in a timely manner. Due to a lack of a case management system, all appeals numbers provided by the Department were approximate. According to the Department, approximately 6,821 FOID appeals were received during 2018-2019. In addition, approximately 485 total CCL appeals were received during 2018-2019. In 2020 the Department changed the process for filing an appeal but the administrative rules have not been amended to reflect the current process. (pages 50-54)

**Audit Recommendations**

The audit report contains six recommendations directed to the Illinois State Police. The Department agreed with the recommendations. The complete response from the Department is included in this report as Appendix J.

This performance audit was conducted by the staff of the Office of the Auditor General.

**SIGNED ORIGINAL ON FILE**

JOE BUTCHER  
Division Director

This report is transmitted in accordance with Sections 3-14 and 3-15 of the Illinois State Auditing Act.

**SIGNED ORIGINAL ON FILE**

FRANK J. MAUTINO  
Auditor General

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## Introduction

On July 21, 2020, the Legislative Audit Commission adopted Resolution Number 155 (see Appendix A) requiring a management audit of the Illinois State Police's (Department) administration of the Firearm Owners Identification Card Act (430 ILCS 65) and the Firearm Concealed Carry Act (430 ILCS 66). The Resolution directed that the audit include, but not be limited to the following determinations for calendar years 2018 and 2019:

1. What steps the Department takes to determine whether an applicant is eligible or ineligible to receive a Firearm Owner's Identification Card and a Firearm Concealed Carry License;
2. The total number of Firearm Owner's Identification Card or Concealed Carry License applicants during the past two calendar years, the number of those applicants approved, and the number who were denied, and the reasons for denials;
3. Whether the Department is approving or denying all new Firearm Owner's Identification Card applications within 30 days after the date they are received;
4. Whether the Department is approving or denying all Firearm Owner's Identification Card renewal applications within 60 days after the date they are received;
5. Whether the Department is approving or denying all new Concealed Carry applications within timeframes required by the Firearm Concealed Carry Act;

6. The total number of Firearm Owner's Identification Cards and Firearm Concealed Carry Licenses revoked during the last two calendar years and the reason for the revocations;
7. Whether the Department is receiving revoked Firearm Owner's Identification Cards and Firearm Concealed Carry Licenses from local law enforcement as required; and
8. Whether the Department has procedures in place to ensure that all firearms are transferred from persons whose Firearm Owner's Identification Cards were revoked.

## Background

Illinois residents are required by the Firearm Owners Identification Card Act (430 ILCS 65) to have a valid Firearm Owner's Identification (FOID) card in order to possess or purchase firearms or ammunition. The Act originally became effective in 1968.

The Firearm Concealed Carry Act (430 ILCS 66), effective July 2013, allows an individual to carry a handgun on or about a person completely or mostly concealed from view of the public or on or about a person within a vehicle.

The number of individuals with a FOID card has increased significantly since 2011. In our previous audit of FOID (released in April 2012) we reported that, as of January 2011, there were 1,316,508 individuals with active FOID cards in Illinois. According to the Department, as of December 31, 2019, there were 2,227,538 active FOID cards. This represents an increase of 69.2 percent since our prior audit. As of December 31, 2019, there were 333,042 active Concealed Carry Licenses.

### Previous Audits

In April 2012, the Office of the Auditor General (OAG) released a management audit of the Department of State Police's Administration of the Firearm Owners Identification Card Act. The resolution requiring the audit contained five determinations; four of these determinations were very similar to determinations in this audit. The 2012 audit contained 12 recommendations which have been followed up on in the biennial OAG Compliance examinations. As of the release of the Compliance Examination for the two year period ended June 30, 2020, 11 of the 12 recommendations had been implemented. One recommendation remained only partially implemented. This recommendation is related to ensuring that the Department has enough Customer Service Representatives to answer the questions of FOID card applicants. The FY20 Compliance Examination also contained a finding that the Department did not timely process Firearm Owner's Identification Card and Concealed Carry License applications.

### Public Act 102-0237

This audit reviews and discusses the FOID and Concealed Carry License requirements and processes that were in place during the audit period (Calendar

Years 2018-2019). Public Act 102-0237 was signed by the Governor on August 2, 2021, and made significant changes to both the Firearm Owners Identification Card Act and the Firearm Concealed Carry Act. These changes, which take effect between January 1, 2022, and January 1, 2024, include among others:

- Allowing electronic Firearm Owner's Identification Cards beginning January 1, 2022;
- Automatic renewal of the Firearm Owner's Identification Card of a person that has a set of fingerprints on file with his or her application beginning January 1, 2023;
- Changing the distribution of FOID fees and the funds the fees are distributed into;
- Allowing the suspension of FOID cards in instances involving protective orders;
- Creating a Firearm Owner's Identification Card Review Board to consider appeals beginning January 1, 2023; and
- Offering a combined Firearm Owner's Identification Card and Concealed Carry License.

### **Firearm Owners Identification Card Act**

The Firearm Owners Identification Card Act requires Illinois residents to have a FOID card in order to possess firearms. The Act provides for a system to identify persons who are not qualified to acquire or possess firearms within the State of Illinois by the establishment of Firearm Owner's Identification Cards.

FOID card applicants must meet federal and State criteria. Applicants must be 21 years of age unless they have the written consent of a parent or legal guardian. The Act also states that the parent or legal guardian must not be prohibited from having a FOID card.

The Act establishes that a FOID card is valid for a period of 10 years from the date of issuance. Upon expiration, FOID cards can be renewed for an additional 10 years. A completed application and a \$10 fee must be submitted regardless of whether it is a new or renewal application. Any active duty member of the Armed Forces, Illinois National Guard, or Reserve Forces is exempt from the application fee.

The Act requires the Department to approve or deny all initial applications within 30 days from the date they are received. As of January 1, 2019, renewal applications are required to be approved or denied within 60 business days, provided the applicant submitted his or her renewal application prior to the expiration of his or her Firearm Owner's Identification Card.

## Firearm Concealed Carry Act

The Firearm Concealed Carry Act requires an Illinois Concealed Carry License (CCL) to carry a concealed firearm in Illinois. A concealed firearm is defined as a loaded or unloaded handgun carried on or about a person completely or mostly concealed from view of the public or on or about a person within a vehicle. Applicants for a Concealed Carry License must be at least 21 years of age, have a current FOID card, and meet other specific conditions. A Concealed Carry License is valid for 5 years from the date of issuance. A Concealed Carry License can be renewed for 5 years from the date of expiration on the applicant's current license.

A completed application and other documentation must be submitted with the appropriate fee. The initial and renewal fees are \$150 for Illinois residents and \$300 for non-residents.

The Department is required to issue or deny the application no later than 90 days after receipt of a completed application for CCL. If the applicant does not furnish fingerprints the Department is granted an additional 30 days to issue or deny or 120 days total.

The Act allows any law enforcement agency to submit an objection to a license applicant based upon a reasonable suspicion that the applicant is a danger to himself or herself or others, or a threat to public safety.

## Prohibitors

Federal law as well as the Firearm Owners Identification Card Act and the Firearm Concealed Carry Act include conditions that exclude an applicant from obtaining or maintaining a FOID card or Concealed Carry License. These conditions are known as prohibitors. Prohibitors include such things as a felony conviction, addiction to a narcotic, and mental health admissions among others. For a full list of FOID prohibitors see Appendix C.

**Prohibitors** are conditions that exclude an applicant from obtaining or maintaining a FOID card or Concealed Carry License.

Federal law contains certain prohibitors to owning a weapon such as being an unlawful alien or being convicted of a felony. The Firearm Owners Identification Card Act includes prohibitors that are in addition to federal law. For example, the Act requires that any person convicted of assault or battery (a misdemeanor) in the previous five years is prohibited from obtaining a FOID card.

An individual may not obtain a Concealed Carry License without a valid FOID card. In addition to holding a valid FOID card, the Firearm Concealed Carry Act contains further conditions that prohibit individuals from obtaining a license to carry. For example, if an individual has been in residential or court-ordered treatment for alcoholism, alcohol detoxification, or drug treatment within 5 years immediately preceding the date of the application for CCL and any occurrence following CCL approval, he or she cannot obtain a license to carry.

**Fees and Funding**

As of December 31, 2019, the fee for a new and renewal FOID application is \$10. According to the Firearm Owners Identification Card Act, of this \$10, \$3 is to be deposited into the State Police Firearm Services Fund, \$1 to the State Police Services Fund – Firearm Transfer Inquiry Program (FTIP), and \$6 into the Fish and Wildlife Fund. Prior to January 1, 2019, this allocation applied to both new and renewal FOID cards; however, a statutory change directed the full \$10 renewal fee be deposited into the State Police Firearm Services Fund. A replacement card or a name and address change require payment of a \$5 fee. The fee for a Concealed Carry License is \$150 for an in-state applicant and \$300 for a non-resident. Respectively, \$120 and \$250 are required to be deposited into the State Police Firearm Services Fund. Other Concealed Carry License services, such as replacing a lost or stolen card, or a name or address change, require payment of a \$75 fee. **Exhibit 1** shows the various funds where FOID card and Concealed Carry License application fees are deposited.

Exhibit 1  
**FOID CARD AND CONCEALED CARRY LICENSE STATUTORY APPLICATION FEES**  
 As of December 31, 2019

| Fund Deposited Into                | FOID CARD FEE |             | CONCEALED CARRY LICENSE |                  |
|------------------------------------|---------------|-------------|-------------------------|------------------|
|                                    | New           | Renewal     | Resident Fee            | Non-Resident Fee |
| State Police Firearm Services Fund | \$3           | \$10        | \$120                   | \$250            |
| State Police Services Fund – FTIP  | \$1           |             |                         |                  |
| Fish and Wildlife Fund             | \$6           |             |                         |                  |
| Mental Health Reporting Fund       |               |             | \$20                    | \$40             |
| State Crime Laboratory Fund        |               |             | \$10                    | \$10             |
| <b>Total</b>                       | <b>\$10</b>   | <b>\$10</b> | <b>\$150</b>            | <b>\$300</b>     |

Source: Firearm Owners Identification Card Act (430 ILCS 65) and Firearm Concealed Carry Act (430 ILCS 66).

The State Police Firearm Services Fund was created to receive revenues from the Firearm Owners Identification Card Act and the Firearm Concealed Carry Act. Money in the fund can be used to pay for mandates, functions, and duties required by the Acts including the cost of:

- Sending notices of expiration of FOID cards and Concealed Carry Licenses;
- Prompt and efficient processing of applications;
- Improved efficiency and reporting of the Law Enforcement Agencies Data System (LEADS) and federal National Instant Criminal Background Check System (NICS); and
- Support for required investigations.

The Mental Health Reporting Fund was created to receive revenue under the Firearm Concealed Carry Act. Illinois State Police and the Department of Human Services (DHS) are required to coordinate their use of the money in the fund to finance their respective duties of collecting and reporting data on mental health records and ensuring that mental health firearm possession prohibitors in the Firearm Owners Identification Card Act and the Firearm Concealed Carry Act are enforced. Any surplus in the fund beyond what is needed to ensure compliance with mental health reporting under the Acts is to be used by DHS for mental health treatment programs.

**Exhibit 2** summarizes the Department’s revenues and expenditures for the funds related to the Firearm Owners Identification Card Act and the Firearm Concealed Carry Act. As is shown in **Exhibit 2**, the Department lapsed a significant amount of funds each year.

| Exhibit 2<br>STATE POLICE APPROPRIATIONS, REVENUES, AND EXPENSES<br>FOID CARD AND FIREARM CONCEALED CARRY ACTS<br>Fiscal Years 2017-2020  |              |              |                   |                   |
|---|--------------|--------------|-------------------|-------------------|
|   | FY17         | FY18         | FY19 <sup>2</sup> | FY20 <sup>2</sup> |
| <b>Mental Health Reporting Fund<sup>1</sup></b>   |              |              |                   |                   |
| Appropriations  | \$6,250,000  | \$6,250,000  | \$2,250,000       | \$2,250,000       |
| Revenues  | \$1,308,330  | \$1,158,969  | \$1,890,477       | \$1,368,904       |
| Expenses  | \$103,398    | \$435,199    | \$401,469         | \$275,442         |
| Transfer to General Revenue Fund  | \$0          | \$0          | \$0               | \$4,000,000       |
| Amounts Lapsed  | \$6,146,602  | \$5,814,801  | \$1,848,531       | \$1,974,558       |
| <b>State Police Firearm Services Fund</b>   |              |              |                   |                   |
| Appropriations  | \$22,000,000 | \$22,000,000 | \$22,000,000      | \$22,000,000      |
| Revenues  | \$8,849,280  | \$8,031,565  | \$13,201,686      | \$10,454,129      |
| Expenses  | \$7,359,778  | \$6,935,574  | \$9,552,390       | \$12,723,453      |
| Transfer to General Revenue Fund  | \$0          | \$7,200,000  | \$0               | \$0               |
| Amounts Lapsed  | \$14,640,222 | \$15,064,426 | \$12,447,610      | \$9,276,547       |
| Notes:  |              |              |                   |                   |
| <sup>1</sup> Does not include DHS appropriations and expenditures related to these funds.   |              |              |                   |                   |
| <sup>2</sup> The OAG compliance examination for the two year period ended June 30, 2020 found that the Department could not document that FOID card and Concealed Carry License application fees were deposited in accordance with their respective acts. |              |              |                   |                   |
| Source: Illinois Comptroller Fund Revenues and Expenditures.  |              |              |                   |                   |

**Illinois State Police Firearms Services Bureau**

The Firearm Owners Identification Card Act and the Firearm Concealed Carry Act are administered by the Firearms Services Bureau (FSB) of the Illinois State Police (Department). The FSB manages the application, denial, issuance,

revocation, and suspension of FOID cards and Concealed Carry Licenses. The FSB is also responsible for the Firearm Transfer Inquiry Program (FTIP) which facilitates background checks on persons who are attempting to acquire a firearm from a Federal Firearms Licensed dealer at the point of purchase. During the audit period, the FSB also received FOID and Concealed Carry License appeals and handled the administrative appeals process, but as of September 1, 2020, appeals are received by the newly created Director's Office of Firearms Safety.

### **Staffing**

Overall staffing for the Firearms Services Bureau increased slightly from December 2018 to December 2019. However, the Firearms Services Bureau had two less Firearms Eligibility Analysts (FEAs)/FEA Trainees in 2019 than in 2018. As is shown later in this report, **the decrease in FEAs occurred at a time when FOID and CCL renewal applications were increasing.** Exhibit 3 shows the number of FEAs and that this varied by functional area. FEAs determine FOID card and/or CCL eligibility. While staffing in areas such as FOID, FTIP, and appeals decreased slightly, staffing increased for CCL, APU (Application Processing), and the call center.

Exhibit 3  
**FIREARMS SERVICES BUREAU STAFFING**  
 December 2018 and 2019

| Functional Area | 2018      |              |                     |                             | Total     |
|-----------------|-----------|--------------|---------------------|-----------------------------|-----------|
|                 | FEAs      | FEA Trainees | Office <sup>1</sup> | Administrative <sup>2</sup> |           |
| FOID            | 15        | 0            | 0                   | 1                           | 16        |
| FTIP            | 4         | 3            | 1                   | 1                           | 9         |
| CCL             | 6         | 1            | 1                   | 0                           | 8         |
| APU             | 0         | 0            | 4                   | 1                           | 5         |
| Call Center     | 0         | 0            | 2                   | 1                           | 3         |
| Appeals         | 1         | 0            | 1                   | 1                           | 3         |
| Admin           | 0         | 0            | 1                   | 3                           | 4         |
| <b>Total</b>    | <b>26</b> | <b>4</b>     | <b>10</b>           | <b>8</b>                    | <b>48</b> |

| Functional Area | 2019      |              |                     |                             | Total     |
|-----------------|-----------|--------------|---------------------|-----------------------------|-----------|
|                 | FEAs      | FEA Trainees | Office <sup>1</sup> | Administrative <sup>2</sup> |           |
| FOID            | 13        | 1            | 0                   | 1                           | 15        |
| FTIP            | 3         | 2            | 1                   | 0                           | 6         |
| CCL             | 7         | 2            | 1                   | 0                           | 10        |
| APU             | 0         | 0            | 8                   | 1                           | 9         |
| Call Center     | 0         | 0            | 4                   | 1                           | 5         |
| Appeals         | 0         | 0            | 1                   | 1                           | 2         |
| Admin           | 0         | 0            | 1                   | 3                           | 4         |
| <b>Total</b>    | <b>23</b> | <b>5</b>     | <b>16</b>           | <b>7</b>                    | <b>51</b> |

Notes:

<sup>1</sup> Office includes Office Assistant, Office Associate, Administrative Assistant, and Office Coordinator titles.

<sup>2</sup> Administrative includes Public Service Administrator, Senior Public Service Administrator, Executive 1, Office Administrator, and Accountant titles.

Source: Illinois State Police.

According to State Police officials, approval for 30 FSB positions was received in March 2020. As of November 10, 2020, 19 had been filled.

In addition to FSB staff, the Department contracts with several vendors to provide services related to processing FOID and CCL applications including:

- Providing the computer system/platform that supports FOID, CCL, and FTIP (Appriss Inc.);
- Information-sharing software systems for the law enforcement and criminal justice community; providing products noted as technical services (Computer Projects of Illinois, Inc.);
- Providing temporary staffing services (22<sup>nd</sup> Century Technologies, Inc.); and
- Printing FOID cards and FOID denial, revocation, and renewal notices, as well as the printing of Concealed Carry License cards and the CCL denial, revocation, and renewal notice letters (Identisys Inc.) (See Exhibit 4).



Exhibit 4  
**VENDOR CONTRACT RELATED PAYMENTS**  
 Fiscal Years 2017-2020

| <b>Vendor</b>                               | <b>Total Payments</b> | <b>Percent of Total</b> |
|---|-----------------------|-------------------------|
| Appriss Inc.                                | \$4,204,264           | 36.2%                   |
| Computer Projects of Illinois, Inc.         | \$3,703,063           | 31.9%                   |
| Identisys Inc.                              | \$1,878,010           | 16.2%                   |
| 22 <sup>nd</sup> Century Technologies, Inc. | \$933,945             | 8.0%                    |
| Remaining 11 contractors                    | \$891,650             | 7.7%                    |
| <b>Total</b>                                | <b>\$11,610,932</b>   | <b>100%</b>             |

Source: OAG analysis of Comptroller payments made from State Police Firearm Services Fund.

## FOID and CCL Application and Eligibility Processes

The current FOID and CCL application processes are labor intensive with some steps being completed multiple times for the same application. While some checks, such as those for mental health, are run daily by data match, others, such as checking for a matching address with the Illinois Secretary of State, are completed manually by a Firearms Eligibility Analyst. There is also significant overlap between the FOID and CCL application processes as they contain many of the same steps. Further, the new and renewal application processes also contain similar steps.

Legislative Audit Commission Resolution Number 155 asked the Auditor General to determine what steps the Department takes to determine whether an applicant is eligible or ineligible to receive a Firearm Owner's Identification Card and a Firearm Concealed Carry License.

### Submitting a FOID Application

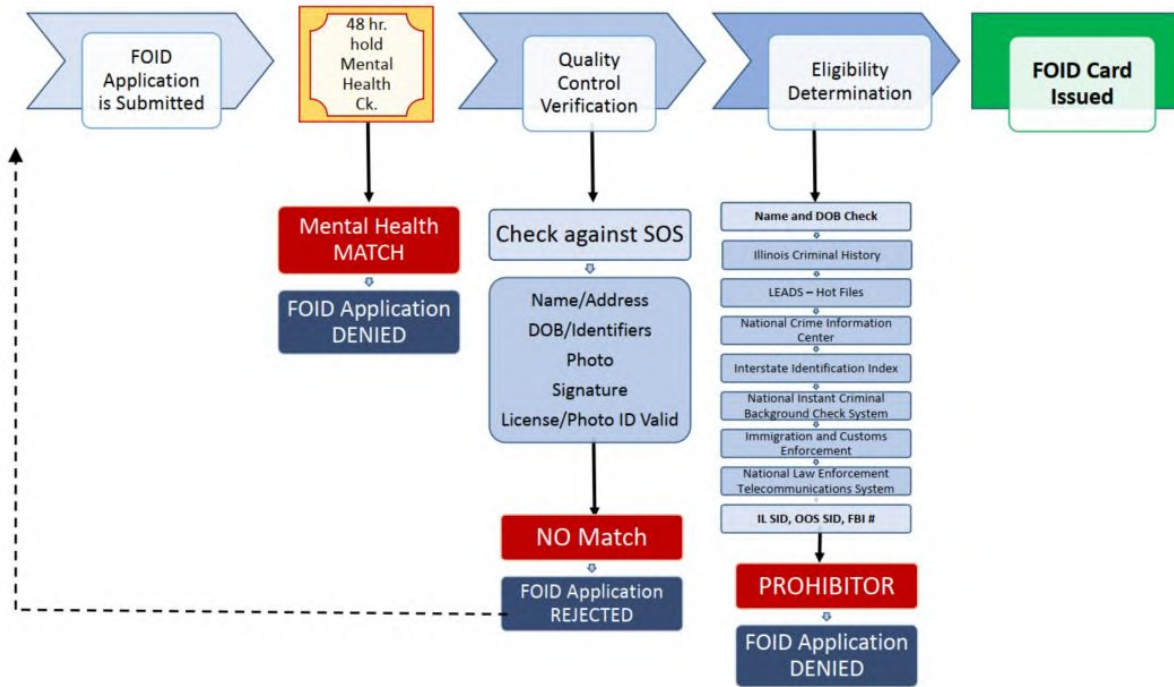
To obtain a Firearm Owner's Identification (FOID) card, an applicant is required to apply online by accessing the Department's website. An applicant can also call



the Firearms Services Bureau call center, complete a portion of the application with a call center agent and have a paper application mailed to them. When the applicant receives the paper application, he or she completes the alternative paper application and mails it back to the Firearms Services Bureau. When applying, a non-refundable fee of \$10 must be paid in full before the application can be processed. According to Department officials, there are over 40 steps in the application process. **Exhibit 5** provides an overview of a new FOID application process and

the determination of eligibility. A renewal application would generally follow the same process and is discussed later in the report. Once an application is submitted to the Department, a series of electronic and manual checks are performed to check quality control to ensure identifying information (name(s), address, photos, etc.) are correct and to determine eligibility.

**Exhibit 5**  
**LIFECYCLE OF A NEW FOID APPLICATION**  
 As of December 31, 2019



Source: Illinois State Police.

**Department of Human Services Mental Health Check**

All new applications are initially held in “DHS pending status” (for approximately 48 hours) until a database comparison with the DHS mental health records can be completed. Each day, DHS compares all new FOID applicants (and current FOID card holders) against DHS’ mental health record system and generates a report of potential matches based on name, date of birth, sex, social security number, and race. This report of potential matches is manually worked daily by a Firearms Eligibility Analyst. The report is accessible via login on the DHS website.

If the analyst reviews the match and determines 1) it is not the same person, or 2) the person was previously cleared, or “granted relief,” a supervisor releases the new FOID application to be processed. If an applicant is confirmed as the individual that matched on one of the mental health check prohibitors and no relief had been granted, the FOID application is denied.

**Quality Control Verification**

After the mental health check, the application undergoes quality control verification. This is a process of verifying the quality of an application to ensure that all of the information submitted by the applicant during the FOID card

application process meets the requirements of the Firearm Owners Identification Card Act (430 ILCS 65) and the applicable administrative rules. During quality control verification, the applicant's information is manually verified against information contained in the Secretary of State's system to verify name, address, date of birth, photo, signature, and to ensure the applicant holds a valid license or photo ID. If there is no match to the Secretary of State information, and the application is not a specialty application, such as an application for a minor, a non-U.S. citizen, or a member of the military, the FOID application is rejected. If an application is missing one of the required items, the applicant is notified that the application has been rejected and needs to be corrected and resubmitted. Upon successful completion of the quality control verification step, the application moves into the eligibility determination stage.

### **FOID Eligibility Determination**

After the applicant has cleared the quality control verification process, eligibility can then be determined. This involves a series of background checks and follow-up if any matches/hits are noted. The Department's FOID background check and research process consists of a name and date of birth check. Queries are then conducted through Illinois and Federal Bureau of Investigation (FBI) Criminal Justice Information Services (CJIS) national databases.

The Illinois databases utilized for FOID background checks include the:

- LEADS Computerized Hot Files;
- Illinois Criminal History Record Information (CHRI); and
- Illinois Department of Human Services FOID Mental Health Reporting System.

FBI-CJIS national databases utilized for FOID background checks include the:

- National Crime Information Center (NCIC);
- Interstate Identification Index (III);
- National Instant Criminal Background Check System (NICS); and
- United States Department of Homeland Security Immigration Alien Inquiry (IAQ) for applicants who are not United States citizens.

All these systems are utilized to try ensure there are not records associated with an applicant, known as a hit, which would preclude them from possessing a FOID card. Hits are when an applicant's name and birth date match a person in one of the offender databases and the matching record suggests there is a firearm prohibitor. The Firearms Services Bureau Directive Manual notes that some hits are obvious firearm prohibitors, while others are not and require research. The prohibitor may also appear within action taken by the court to restrain firearm rights (i.e. as part of the bond). Hits need to be manually resolved by a Firearms Eligibility Analyst. The Department could not provide a percentage of applications that have hits because this is not tracked. However, officials noted that an easier or simpler case generally requires one to two contacts, whereas,

cases with more background hits might require one to two contacts per hit which will take additional time.

If the application is denied, all prohibiting factors, based upon the denial reasons selected by the Firearms Eligibility Analyst, are noted in a letter which is mailed to the applicant. Also, if a prohibitor is identified, Firearms Eligibility Analysts are to add detailed notes regarding findings to applicant files. If no prohibitors are identified, the application is approved and the applicant data is sent to a print queue where the card is printed and mailed.

According to the Department, the renewal process is very similar to the new application process; the only step that is not completed during the renewal process is the DHS mental health check. Sixty days prior to the expiration of a FOID card, the Department is required to send notice by first class mail of the expiration of the card and the instructions for renewal.

### Submitting a Concealed Carry License Application

Applicants may apply online for a CCL by accessing the Department's website or



via the alternative paper application process.

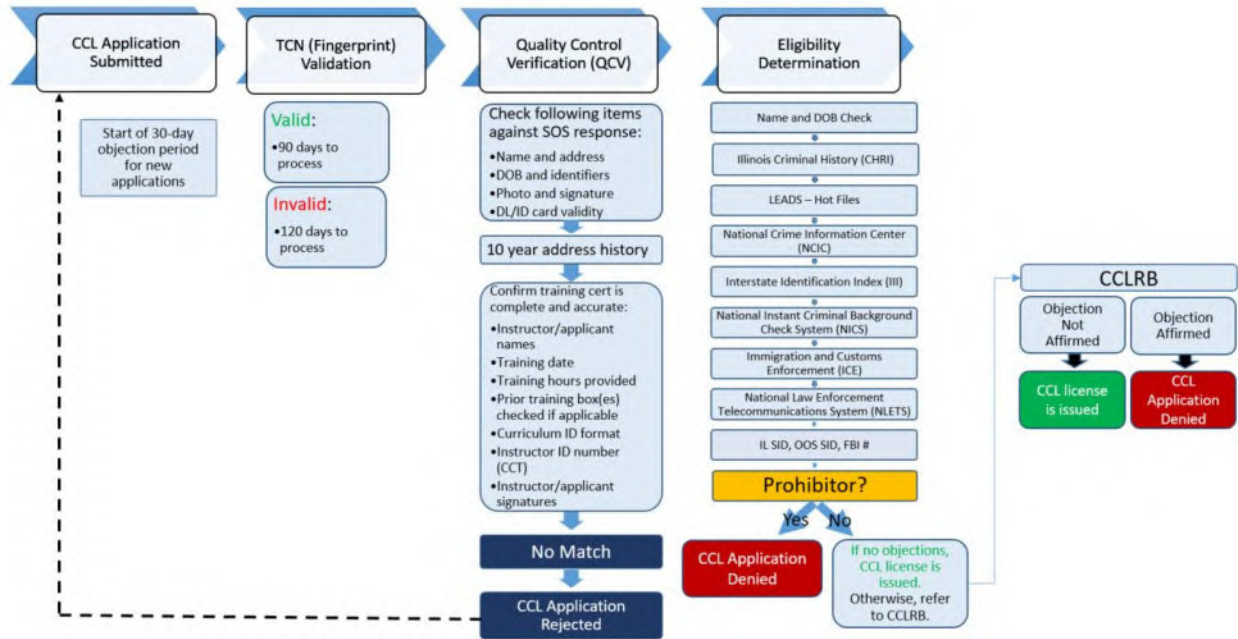
Applicants must be at least 21 years of age, have a current Firearm Owner's Identification Card, and meet various other conditions. The Department is required by the Firearm Concealed Carry Act (430 ILCS 66) to issue or deny a license within 90 days from the date it received a completed application. If an application for license is submitted without a set of fingerprints, the Department is allowed an additional 30 days. Verifying a full set of

fingerprints has been submitted by the applicant is the first step in the process.

**Exhibit 6** shows an overview of a new Concealed Carry License application process. A renewal application would general follow the same process as is discussed later.

As shown in **Exhibit 6**, a CCL application goes through many of the same checks as a FOID card application. The Illinois Criminal History Record Information (CHRI) database pulls all Illinois criminal history records associated with the fingerprints (if submitted) of the applicant including conviction, non-conviction, and sealed events. This CHRI response is electronically submitted to the Firearms Services Bureau for further processing. Simultaneously, CHRI prompts the forwarding of the fingerprint package to the FBI to launch a biometric search, which returns criminal history records submitted from all the states. If the fingerprints are a match to an existing criminal history record in the FBI's Next Generation Identification (NGI) System, the FBI will respond with the information it was provided by the submitting states. The FBI sends the response to CHRI and the response is electronically submitted to the Firearms Services Bureau for review.

**Exhibit 6**  
**LIFECYCLE OF A NEW CONCEALED CARRY LICENSE APPLICATION**  
 As of December 31, 2019



Source: Illinois State Police.

The NGI system contains fingerprint based criminal history records submitted from all the states. However, according to the Department, the NGI may not contain all relevant criminal history records from all states for an individual. The completeness of the NGI record is dependent upon the state identification bureaus to properly forward the state criminal history records to NGI. Some factors impacting a state's submission to NGI include state law restrictions, technical system failures, and quality-control rejections at the FBI. According to a 2013 report, “Improving the National Instant Background Screening System for Firearms Purchases” by the National Consortium for Justice Information and Statistics, “. . . at least 25% of felony convictions, representing more than 7 million concluded judicial proceedings, are not available to NICS.” Due to this ongoing problem, the U.S. Congress passed the Fix NICS Act in 2018 to help “ensure maximum coordination and automation of the reporting or making available of appropriate records” to the NICS.

**CCL Objection Period**

The Concealed Carry License application process includes an objection period. According to State Police officials, this objection period is only applicable to new applications. During this 30-day period, registered law enforcement agencies can access a web portal to view Concealed Carry License applications. When an applicant completes payment on a Concealed Carry License application, the information is immediately viewable on the law enforcement portal in each

municipality that the applicant has listed in his or her residence history. Local law enforcement is not actively notified. It is the responsibility of each agency to login to the portal and view the applicants in their jurisdiction. Law enforcement agencies upload supporting documentation to their objection to the same portal. Any law enforcement agency can submit an objection to a Concealed Carry License application based upon a reasonable suspicion that the applicant is a danger to himself or herself or others, or a threat to public safety.

The Firearm Concealed Carry Act established a Concealed Carry Licensing Review Board (Board) to consider any objection to an applicant's eligibility to obtain a license under this Act. The Board consists of seven commissioners appointed by the Governor, with the advice and consent of the Senate. If a law enforcement agency submits an objection within 30 days after the entry of a new application into the database, and the Department has determined that the applicant is eligible, the objection and all information available is submitted to the Concealed Carry Licensing Review Board. Once an objection is referred to the

Once an objection is referred to the Board, the time for the Department to approve or deny a license is **tolled, or paused**.

Board, the time for the Department to approve or deny a license is tolled, or paused. The Concealed Carry Licensing Review Board reviews the objection. If an objection is affirmed, the application is denied. If the objection is not affirmed, the application is approved.

The Board is required to issue a decision within 30 days of receipt from the Department of the objection except in certain circumstances, such as if additional information is needed and requested from the applicant.

In 2018, the Concealed Carry Licensing Review Board reviewed 3,836 objections to applications for Concealed Carry Licenses from the Illinois State Police and other law enforcement agencies. The Board affirmed 884 objections or 23.0 percent of objections during that year. In all 884 cases, objections were affirmed because applicants posed both a danger to himself/herself or to others and posed a threat to public safety.

In 2019, the Concealed Carry Licensing Review Board reviewed 2,525 objections to applications for Concealed Carry Licenses from the Illinois State Police and other law enforcement agencies. The Board affirmed 543 objections or 21.5 percent of objections during that year. In all 543 cases, objections were affirmed because applicants posed both a danger to himself/herself or to others and posed a threat to public safety.

### Quality Control Verification

Concealed Carry License applications also undergo a quality control verification step similar to the FOID card applications. In this step, the application is reviewed to ensure it contains all necessary information and related documents, such as training certificates. The applicant's name, current address, date of birth, and physical descriptors are verified against the Secretary of State record. Analysts also review any addresses where the applicant resided for more than 30 days within the 10 years preceding the date of the license application. If an application is missing one of the required items, the applicant is notified that the

application has been rejected and needs to be corrected and resubmitted. If the application is complete and verified to the information in the Secretary of State database, the application is queued for eligibility determination.

### **CCL Eligibility Determination**

The final step is eligibility determination which includes a criminal background check and a review of any hits that match the applicant. The criminal history background check is run based on name and date of birth and utilizes several resources including both State and federal databases. Potential matches are reviewed by Firearms Eligibility Analysts to determine eligibility. This step requires extensive research and a review of any records that indicates the presence of a federal or State prohibitor. If it is determined that there is something in the applicant's records that is a prohibitor, the application is denied and the applicant is notified of the denial by letter. If there are no prohibitors, the Concealed Carry License is issued.

The renewal process for a CCL is very similar to the new application process. However, according to Department officials there is no objection period for a renewal application.

### **FOID and CCL Process Assessment**

The FOID and CCL application process could benefit from increased automation. The current application process is a labor intensive process with some steps being completed multiple times for the same application. There is also significant overlap between the FOID and CCL application processes as both processes contain many of the same steps. Further, the new and renewal application processes also contain similar steps. **Exhibit 7** shows what steps are completed for each of the different types of applications/transactions.

As is shown in the **Exhibit 7**, the Illinois State Police runs daily DHS mental health and State criminal history background checks on all FOID cardholders. Any hits are reviewed to determine if the FOID card and/or the CCL needs to be revoked. However, where the DHS mental health checks are only run as part of the initial FOID application and as a daily check, the Illinois Criminal History Record Information (CHRI) is run for the initial FOID application, the FOID renewal, the CCL initial application, the CCL renewal application, and as a daily check. The LEADS checks are also run for new and renewal applications as well as a daily check. If a check is done at the initial FOID application and also daily, it would seem duplicative to run these checks for FOID renewal applications and both new and renewal CCL applications.

In addition to other checks conducted as part of the application process, every time a weapon is purchased through a Federal Firearms Licensed dealer, an FTIP transaction is completed, which involves running a federal background check. According to a Department official, essentially anything checked during a FOID background check is also checked during an FTIP transaction.



**Exhibit 7  
FOID AND CONCEALED CARRY LICENSE CHECKS**

|  | New FOID Application | FOID Renewal Application | Daily Checks | New CCL Application <sup>1</sup> | CCL Renewal Application | Firearm Transfer Inquiry Program (FTIP) |
|--|----------------------|--------------------------|--------------|----------------------------------|-------------------------|---|
| DHS Mental Health Check  | ✓                    |                          | ✓            |                                  |                         |   |
| Transaction Control Number (TCN) – Fingerprints <sup>2</sup>   |                      |                          |              | ✓                                | ✓                       |   |
| Illinois Secretary of State – Name, Date of Birth, Address, Identifiers, Photo, Signatures, Valid ID | ✓                    | ✓                        |              | ✓                                | ✓                       |   |
| 10-year address history  |                      |                          |              | ✓                                | ✓                       |   |
| Training Certification <sup>3</sup>  |                      |                          |              | ✓                                | ✓                       |   |
| Illinois Criminal History Record Information (CHRI)  | ✓                    | ✓                        | ✓            | ✓                                | ✓                       |   |
| LEADS – Hot Files  | ✓                    | ✓                        | ✓            | ✓                                | ✓                       |   |
| National Crime Information Center (NCIC)   | ✓                    | ✓                        |              | ✓                                | ✓                       | ✓                                       |
| Interstate Identification Index (III)  | ✓                    | ✓                        |              | ✓                                | ✓                       | ✓                                       |
| National Instant Criminal Background Check System (NICS)   | ✓                    | ✓                        |              | ✓                                | ✓                       | ✓                                       |
| Immigration and Customs Enforcement (ICE)  | ✓                    | ✓                        |              | ✓                                | ✓                       | ✓                                       |
| National Law Enforcement Telecommunications System (NLETS)   | ✓                    | ✓                        |              | ✓                                | ✓                       |   |

Notes:

<sup>1</sup> In addition to these steps, law enforcement can object to new CCL applications and then the Concealed Carry Licensing Review Board will rule on the objections.

<sup>2</sup> If an applicant submitted fingerprints with the new CCL application, he/she does not need to resubmit fingerprints.

<sup>3</sup> While the training requirements are different for a new CCL application vs. a renewal, there still are training requirements.

Source: OAG analysis of Illinois State Police information.

According to officials, most steps have to be completed manually by a Firearms Eligibility Analyst. For example, checking that the applicant's address matches the Illinois Secretary of State's (SOS) system involves a Firearms Eligibility Analyst comparing the application and manually verifying the information to the SOS system. This is done in FLARES by a Firearms Eligibility Analyst via a hyperlink to the information. FLARES (Firearm Transactions, Licenses, and Regulation Enterprise Software) is the operating software that the Department uses to track applications. The Firearms Eligibility Analyst verifies that the applicant's name, date of birth, address, and other demographics match the response received from the Illinois Secretary of State as a result of running a check on the applicant's Driver's License or Identification Card. The photo submitted by the applicant is also compared to the applicant's Driver's License or Identification Card to verify identity.

As is shown in the **case examples** on the next page, some of these checks are completed multiple times for the same applicant within a short period of time, including verifying address information to the Secretary of State's system, Driver's License photo matches, and background checks. For instance, in **case example one**, as part of the Concealed Carry License quality control step, the address of the applicant (SOS refresh) and the applicant's photo (DL photo refresh) was verified on December 13, 2018. A Concealed Carry License background check was also conducted on the same day. Less than two months later (February 6, 2019), these same three checks were conducted again as part of the applicant's FOID card renewal process.

**Case example two** shows a similar situation. As part of the FOID application process, the applicant's address and photo (SOS refresh and DL photo refresh) were checked on December 31, 2018, with a background check on January 2, 2019. Less than a month later (January 14 and 15, 2019), the applicant's address and photo were verified and another background check was conducted as part of the applicant's Concealed Carry License renewal application.

Having a process that relies heavily on Firearms Eligibility Analysts manually completing steps that could be conducted via an electronic matching process is inefficient and vulnerable to potential mistakes or oversights. An automatic check of SOS information would alleviate any potential issues that may lead to an applicant obtaining a FOID or CCL under a false identity. Manually verifying information that could be automated slows the time it takes to process applications.

### **Change of Address**

When FOID cardholders or CCL holders move, they are required by statute to notify the Illinois State Police of their new address. FOID cardholders are required to change their address within 21 days and CCL holders are required to change their address within 30 days. According to the State Police, the address should match the Illinois Secretary of State's records.

**FOID/CCL Case Examples**

**Case Example One – CCL renewal application followed by FOID card renewal**

12/13/18 SELECTED FROM INBOX, CCL QC - Renewals (90 days)  
**REQUESTED A SOS REFRESH**  
**REQUESTED A DL PHOTO REFRESH**  
 The CCL Application was QC Verified.  
 SELECTED FROM INBOX, CCL Background Check - Renewal (90 days)  
**REQUESTED A CCL BACKGROUND CHECK REFRESH**  
 The CCL Application has been Approved

02/06/19 SELECTED FROM INBOX, FOID QC - Renewal  
**REQUESTED A DL PHOTO REFRESH**  
**REQUESTED A SOS REFRESH**  
 The FOID Application was QC Verified.  
 SELECTED FROM INBOX, FOID Background Check - Renewal  
**REQUESTED A FOID BACKGROUND CHECK REFRESH**  
 The FOID Application has been Approved

02/07/19 FOID Card Printed

As part of **CCL quality control**, address (SOS refresh) and photo (DL photo refresh) verified on 12/13/18. CCL background check conducted same day. Less than two months later (02/06/19), same three checks conducted again as part of the **FOID card renewal** process.

**Case Example Two – FOID card renewal application followed by CCL renewal**

12/31/18 SELECTED FROM INBOX, FOID QC - In-State  
**REQUESTED A DL PHOTO REFRESH**  
**REQUESTED A SOS REFRESH**  
 The FOID Application was QC Verified.

01/02/19 SELECTED FROM INBOX, FOID Background Check  
**REQUESTED A FOID BACKGROUND CHECK REFRESH**  
 The FOID Application has been Approved

01/11/19 FOID Card Printed

01/14/19 SELECTED FROM INBOX, CCL QC - Renewals (90 days)  
**REQUESTED A SOS REFRESH**  
**REQUESTED A DL PHOTO REFRESH**  
 The CCL Application was QC Verified.

01/15/19 SELECTED FROM INBOX, CCL Background Check - Renewal (90 days)  
**REQUESTED A CCL BACKGROUND CHECK REFRESH**  
 The CCL Application has been Approved

As part of **FOID renewal application** process, address (SOS refresh) and photo (DL photo refresh) were checked on 12/31/18, with a background check on 01/02/19. Less than a month later (01/14/19 and 01/15/19), address and photo verified and another background check conducted as part of **CCL renewal** application.

**Case Example Three – FOID card application followed by two address changes**

01/22/18 SELECTED FROM INBOX, FOID QC - In-State  
 The FOID Application was QC Verified.

01/24/18 SELECTED FROM INBOX, FOID Background Check - SOS Only  
**REQUESTED A FOID BACKGROUND CHECK REFRESH**  
 The FOID Application has been Approved

01/25/18 FOID Card Printed

06/25/18 SELECTED FROM INBOX, FOID QC - **Name/Address Change**  
**REQUESTED A SOS REFRESH**  
 The FOID Application was QC Verified.

06/26/18 SELECTED FROM INBOX, FOID BG Check - **Name/Address Change**  
**REQUESTED A FOID BACKGROUND CHECK REFRESH**  
 The FOID Application has been Approved

05/31/19 SELECTED FROM INBOX, FOID QC - **Name/Address Change**  
**REQUESTED A SOS REFRESH**  
**REQUESTED A DL PHOTO REFRESH**  
 The FOID Application was QC Verified.

06/03/19 SELECTED FROM INBOX, FOID BG Check - **Name/Address Change**  
**REQUESTED A FOID BACKGROUND CHECK REFRESH**  
 The FOID Application has been Approved

**FOID application** with background check on 01/24/18. About five months later, (06/25/18 and 06/26/18), address (SOS refresh) verified and background check conducted because of **name/address change**. About a year later, (05/31/19), address and photo (DL photo refresh) again verified because of **name/address change**. Background check also conducted on 06/03/19. This background check was the third in an 18 month period.

Source: Illinois State Police case notes in FLARES.

Whenever a change of address request is received by the State Police, it follows the same generic workflow as a FOID/CCL application would, except that the applicant is not required to provide a photo or answer the criminal history application questions. **Case example three** shows a FOID application that had a background check on January 24, 2018. About five months later, on June 25-26, 2018, as the result of a name/address change, the address of the applicant (SOS refresh) was again verified and another background check was conducted. About a year later, on May 31, 2019, the address of the applicant (SOS refresh) and the applicant's photo (DL photo refresh) were again verified as part of another name/address change. A background check was also conducted on June 3, 2019. This background check was the third in an 18 month period.

Because a Firearms Eligibility Analyst has to manually verify that the applicant's data matches SOS records, all address change applications have to be worked by an employee, and because it is not an automated process, it can take a considerable amount of time. The Illinois State Police is not required to print new FOID cards or Concealed Carry Licenses for change of address requests; however, upon approval, a new card is printed.

### **Conclusion**

As discussed previously, certain checks are performed multiple times. Quality control checks and various State criminal history checks are completed for a new FOID application. These same checks are also completed for a FOID renewal application. In addition, State criminal history checks are conducted on a daily basis for all current FOID cardholders. These same checks are also conducted for Concealed Carry License new and renewal applications. Further, essentially anything checked during a FOID background is also checked during the purchase or transfer of a firearm through the Firearm Transfer Inquiry Program (FTIP).

## FOID and CCL Application Processes

### RECOMMENDATION NUMBER

1

*The Illinois State Police should seek to reduce manual verifications and checks of applicant information, reduce multiple and overlapping checks, and seek legislative remedies, if necessary, in order to increase the efficiency of the FOID and CCL application processes.*

#### Illinois State Police Response:

The Department concurs and has begun working towards a multi-faceted approach to increase efficiencies to help meet the statutory directories with the FOID and CCL Acts. Beginning in March of 2020 the Firearms Services Bureau (FSB) began work with Illuminative Strategies (ISI) on a Lean 6 assessment of the FOID process. As a result of a coordinated effort between ISI and the FSB 72 opportunities to improve were identified. Several of the recommended changes had already been identified and were either implemented or in the process of implementation when the process review was completed, many more of the recommendations are still under development with the software vendor Apriss and are pending implementation. Not long after the Lean 6 assessment was completed the FSB was provided the assistance of a member of the Illinois State Police (ISP) legal office to conduct a thorough review of statutory language to identify other areas where efficiencies could be identified and to provide recommendations to the ISP Governmental Affairs Office for changes to legislation. As a result, several “streamlined” processes were proposed for ISP Senior Command consideration. Many of the recommendations have already been approved, developed and implemented showing a drastic decrease in backlog numbers for FOID renewal applications. As a result of the streamlined processes for FOID renewal applications the FSB has been able to reduce the number of backlogged applications from its peak of nearly 140,000 in early 2021 to under 6,192 by September of 2021. Additional streamlined proposals are pending approval and future development, which the FSB anticipates will have significant effects on new FOID applications as well as CCL new and renewal applications.

In addition to the streamlined enhancements the ISP advocated for numerous legislative changes in the spring and summer of 2021. House Bill 562 passed during the 2021 spring legislative session which contained the first significant rewrite of the FOID Act since 1968, as well as multiple revisions to the CCL Act and Appeals processes. Many of the changes were specifically crafted to address redundancies in processes and lifts much of the burden from both the citizen and the FSB for multiple renewal applications, renewal date issues and FTIP transactions. HB 562 will likely reduce or limit the potential for future backlogs.

#### Local Law Enforcement Portal

Local law enforcement access a web portal to object to new Concealed Carry License applications and access lists of revoked FOID cards and Concealed Carry Licenses. According to the Department, as of April 2021, there were 655 law enforcement agencies that had a user login. However, the Department does not know which law enforcement agencies have not signed up for access to the portal and the Firearms Services Bureau does not keep a record of how many law enforcement agencies there are in the State. According to the Department’s Crime in Illinois 2019 Annual Uniform Crime Report, there are over 1,000 law enforcement agencies in Illinois.

We reviewed the record of user logins to the portal for calendar years 2018 and 2019. In 2018, including the Illinois State Police, 234 different law enforcement

agencies logged into the law enforcement portal compared to 350 law enforcement agencies in 2019. According to Department data, there were 10,090 successful logins in 2018 and 12,892 in 2019.

As is shown in **Exhibit 8**, the majority of logins were by police departments. There were 8,908 logins by 193 different police departments in calendar year 2018 and 10,815 logins by 297 different police departments in calendar year 2019. Logins could be for a number of reasons, including reviewing CCL applicants or reviewing card or license revocations. However, from the data provided we could not determine the nature of each individual login.

**Exhibit 8**  
**LOCAL LAW ENFORCEMENT PORTAL LOGINS**  
 Calendar Years 2018-2019

|                          | 2018             |                    | 2019             |                    |
|--------------------------|------------------|--------------------|------------------|--------------------|
|                          | Number of Logins | Number of Agencies | Number of Logins | Number of Agencies |
| Police Departments       | 8,908            | 193                | 10,815           | 297                |
| County Sheriff's Offices | 751              | 33                 | 891              | 39                 |
| State's Attorneys        | 400              | 5                  | 693              | 8                  |
| Illinois State Police    | 27               | 1                  | 466              | 1                  |
| College/University       | 4                | 2                  | 26               | 4                  |
| Park/Preserves           | 0                | 0                  | 1                | 1                  |
| <b>Total</b>             | <b>10,090</b>    | <b>234</b>         | <b>12,892</b>    | <b>350</b>         |

Source: OAG analysis of Illinois State Police data.

## FOID and CCL Approvals and Denials

**The number of FOID and CCL applications increased substantially from 2018 to 2019 driven by an increase in renewal applications.** The total number of FOID applications received increased from 266,836 in 2018 to 306,217 in 2019 or 14.8 percent. FOID renewal applications increased from 106,862 in 2018 to 146,912 in 2019 or 37.5 percent. The total number of CCL applications increased from 58,669 in 2018 to 104,049 in 2019 or 77.3 percent. **CCL renewal applications increased nearly 10 fold from 6,341 in 2018 to 61,253 in 2019.**

During the two-year period 2018-2019, 534,128 FOID card applications were approved and 159,055 Concealed Carry License applications were approved. Overall, very few FOID or CCL applications were denied. For the two year period 2018-2019, there were 20,642 FOID applications denied (3.6%), with a total of 33,101 reasons. The most common reasons for denial were felony convictions (26.5%), mental health matters (20.3%), and crimes punishable by imprisonment for a term exceeding one year (18.1%). For the same period, there were 2,438 CCL applications denied (1.5%), with a total of 2,646 reasons. The most common reasons were danger to self or others (45.5%) and not having a valid FOID card (30.4%). The number of approved and denied applications does not add to the total applications because of applications that had other issues; for example, applications that were rejected, cancelled, or did not pay.

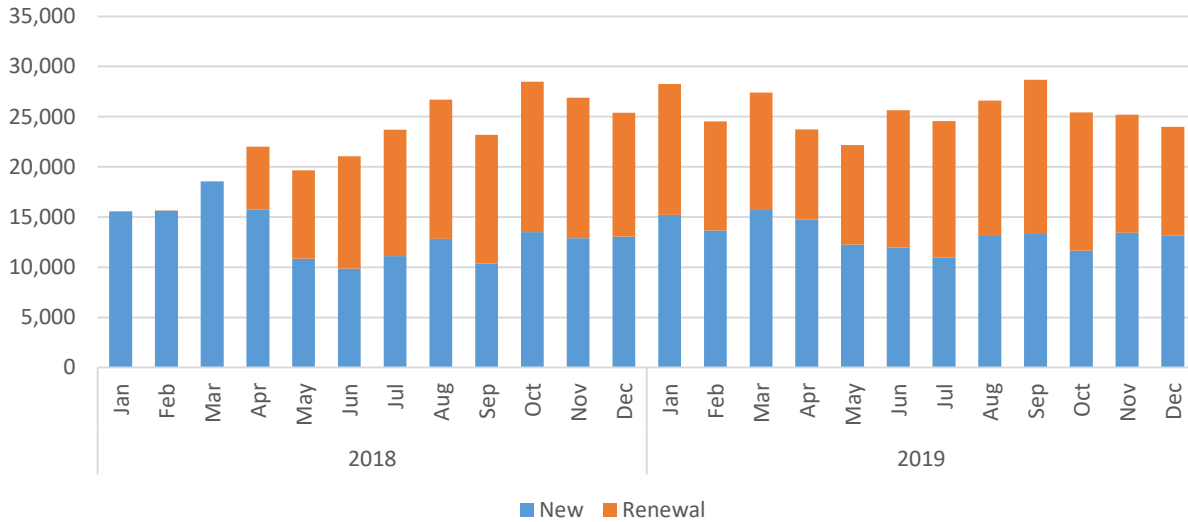
Legislative Audit Commission Resolution Number 155 asked the Auditor General to determine the total number of Firearm Owner’s Identification Card or Concealed Carry License applicants during calendar years 2018 and 2019, the number of those applicants approved, and the number who were denied, and the reasons for denials.

### FOID Applications Submitted

| FOID Applications by Type |                |
|---------------------------|----------------|
| Calendar Years 2018-2019  |                |
| <b><u>2018</u></b>        |                |
| New                       | 159,974        |
| Renewal                   | <u>106,862</u> |
| <b>Total</b>              | <b>266,836</b> |
| <b><u>2019</u></b>        |                |
| New                       | 159,305        |
| Renewal                   | <u>146,912</u> |
| <b>Total</b>              | <b>306,217</b> |
| <b><u>2018-2019</u></b>   |                |
| New                       | 319,279        |
| Renewal                   | <u>253,774</u> |
| <b>Total</b>              | <b>573,053</b> |

According to data provided by the Department, there were a total of 266,836 FOID applications submitted in 2018 and 306,217 applications submitted in 2019, an increase of 14.8 percent. The increase in applications from 2018 to 2019 was driven by the number of renewals (**see Exhibit 9**). Effective June 1, 2008, the expiration length of a FOID card was changed from 5 years to 10 years. Therefore, 2018 and 2019 were the end of the FOID program’s first 10-year cycles. FOID card renewals increased from 106,862 in 2018 to 146,912 in 2019 or 37.5 percent.

**Exhibit 9**  
**FOID APPLICATIONS SUBMITTED BY TYPE**  
 Calendar Years 2018-2019



Source: OAG analysis of Illinois State Police data.

**FOID Applications Approved and Denied**

For FOID applications received in 2018, there were 249,047 FOID card applications approved and 10,924 denied. For applications received in 2019, there were 285,081 approved and 9,718 denied.

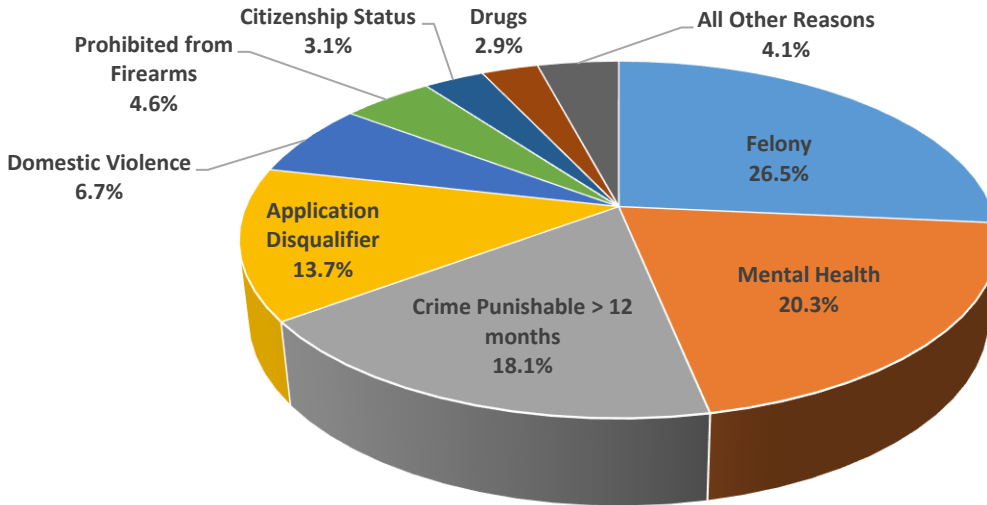
| <b>FOID Application Approvals</b> |                |
|-----------------------------------|----------------|
| Calendar Years 2018-2019          |                |
| <b>2018</b>                       |                |
| New                               | 142,972        |
| Renewal                           | <u>106,075</u> |
| <b>Total</b>                      | <b>249,047</b> |
| <b>2019</b>                       |                |
| New                               | 142,916        |
| Renewal                           | <u>142,165</u> |
| <b>Total</b>                      | <b>285,081</b> |
| <b>2018-2019</b>                  |                |
| New                               | 285,888        |
| Renewal                           | <u>248,240</u> |
| <b>Total</b>                      | <b>534,128</b> |

For the two year period 2018-2019, there were 20,642 FOID applications denied with a total of 33,101 reasons for denial. Denied applications had from 1 to 9 denial reasons, with most denials (89.6%) having either 1 or 2 reasons. For 33 applications the data provided by the Department did not contain a reason for the denial. As can be seen in **Exhibit 10**, the most common reasons for denial were felony convictions (26.5%), mental health matters (20.3%), and crimes punishable by imprisonment for a term exceeding one year (18.1%). For 13.7 percent of denials the reason listed by the

Department was application disqualifier. Examples of application disqualifiers include a yes answer to a prohibitor category on the application submitted. All denial reasons are based on items specified in State or federal law as prohibitors to owning or possessing a firearm. Appendix D shows all FOID denials and reasons.



**Exhibit 10**  
**FOID APPLICATION DENIAL REASONS**  
 Calendar Years 2018-2019



Source: OAG analysis of Illinois State Police data.

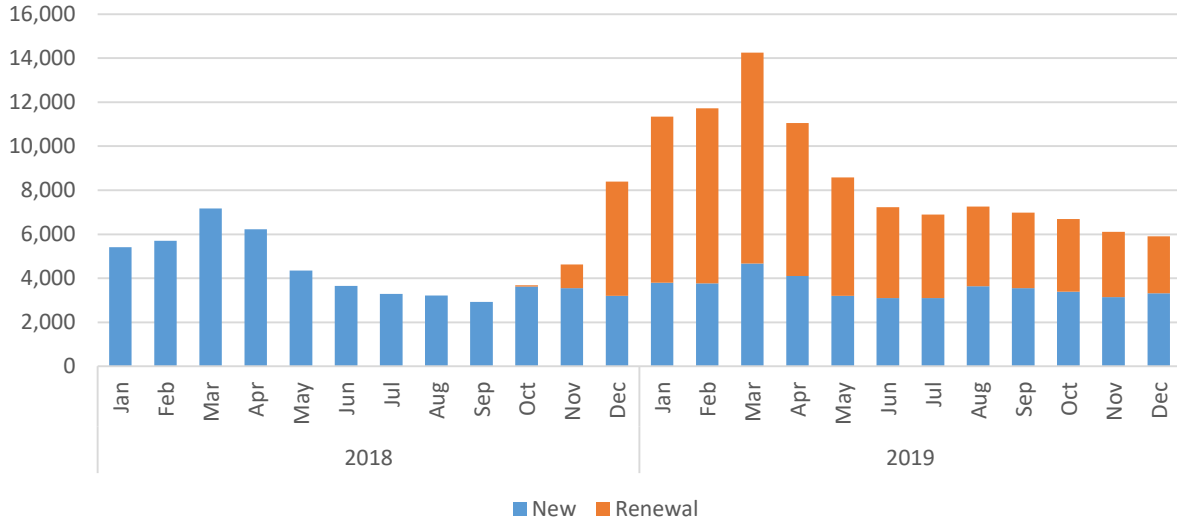
**Concealed Carry License Applications Submitted**

The number of CCL applications increased from 58,669 applications in 2018 to 104,049 applications in 2019, or an increase of 77.3 percent. Similar to FOID, this was driven primarily by renewal applications. Concealed Carry Licenses are issued for five years and instructors were first allowed to apply in order to test the system in December 2013, with the general public allowed to apply starting in January 2014. According to the data provided by the Department, renewal applications were first submitted in October 2018.

| <u>2018</u>      |                |
|------------------|----------------|
| New              | 52,328         |
| Renewal          | <u>6,341</u>   |
| <b>Total</b>     | <b>58,669</b>  |
| <u>2019</u>      |                |
| New              | 42,796         |
| Renewal          | <u>61,253</u>  |
| <b>Total</b>     | <b>104,049</b> |
| <u>2018-2019</u> |                |
| New              | 95,124         |
| Renewal          | <u>67,594</u>  |
| <b>Total</b>     | <b>162,718</b> |

As shown in **Exhibit 11**, the number of new CCL applications decreased, but the number of renewals grew quickly beginning in December 2018 and was especially high during the first several months of 2019 until eventually decreasing in June 2019.

**Exhibit 11**  
**CCL APPLICATIONS SUBMITTED BY TYPE**  
 Calendar Years 2018-2019



Source: OAG analysis of Illinois State Police data.

**CCL Applications Approved and Denied**

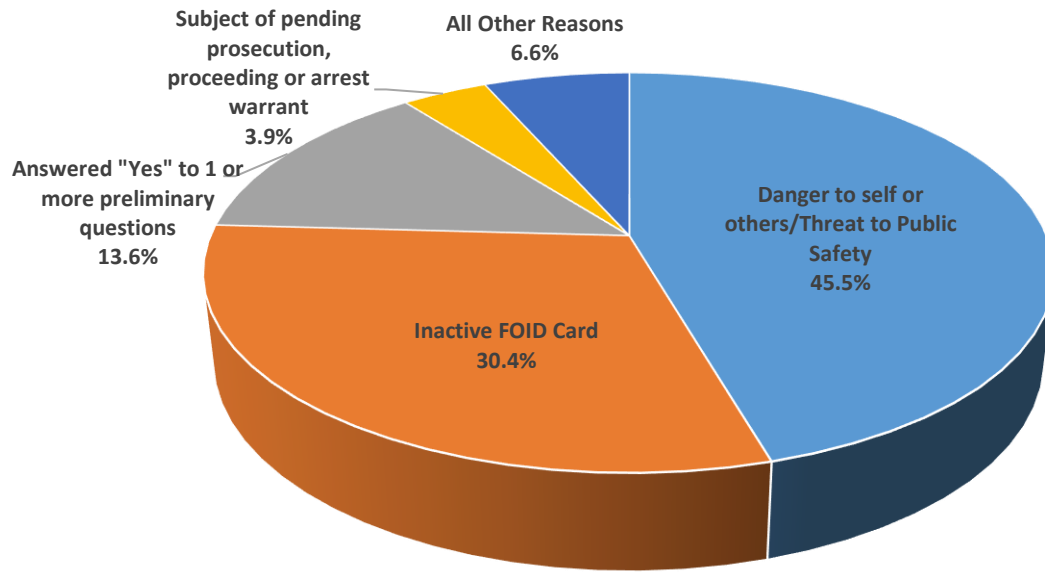
For Concealed Carry License applications submitted in 2018, there were 58,110 applications approved and 1,212 denied. For CCL applications submitted in 2019, there were 100,945 applications approved and 1,226 denied.

| <u>2018</u>      |                |  |
|------------------|----------------|--|
| New              | 51,798         |  |
| Renewal          | <u>6,312</u>   |  |
| <b>Total</b>     | <b>58,110</b>  |  |
| <u>2019</u>      |                |  |
| New              | 41,455         |  |
| Renewal          | <u>59,490</u>  |  |
| <b>Total</b>     | <b>100,945</b> |  |
| <u>2018-2019</u> |                |  |
| New              | 93,253         |  |
| Renewal          | <u>65,802</u>  |  |
| <b>Total</b>     | <b>159,055</b> |  |

For the two year period 2018-2019, there were 2,438 CCL applications denied, with a total of 2,646 reasons/prohibitors. Denied applications had between 1 and 4 denial reasons, with either 1 or 2 reasons making up 99.6 percent of denials. The most common reason for denial was danger to self or others. As is shown in **Exhibit 12**, danger to self or others/threat to public safety make up 45.5 percent of the reasons for denials. Applicants denied for danger to self or others were denied as a result of objections that were ultimately reviewed and affirmed by the Concealed Carry Licensing Review Board, thereby denying the CCL

application. The second most common reason was inactive FOID card (30.4%). Since a FOID card is a prerequisite for applying for a CCL, when a FOID prohibitor is identified during the CCL application process, it triggers a FOID revocation; thereby denying the CCL application. Appendix E shows all CCL denials and the reasons.

Exhibit 12  
**CCL APPLICATION DENIAL REASONS**  
Calendar Years 2018-2019



Source: OAG analysis of Illinois State Police data.

## Timeliness of Approval/Denial

The timeliness of processing FOID and CCL applications decreased significantly from 2018 to 2019. Overall, 79.5 percent of FOID applications were processed within the statutorily required timeframes for the two-year period. However, the percentage of FOID application processed within statutorily required timeframes dropped from 87.1 percent in 2018 to 72.9 percent in 2019. For Concealed Carry Licenses, overall 64.5 percent of applications submitted in 2018 and 2019 were processed within the statutorily required timeframes. However, the percentage of applications that were processed timely dropped from 93.4 percent in 2018 to only 48.2 percent of applications submitted in 2019.

Legislative Audit Commission Resolution Number 155 asked the Auditor General to determine the timeliness of approving and denying applications for FOID and CCL including:

- Whether the Department is approving or denying all new Firearm Owner’s Identification Card applications within 30 days after the date they are received;
- Whether the Department is approving or denying all Firearm Owner’s Identification Card renewal applications within 60 days after the date they are received; and
- Whether the Department is approving or denying all new Concealed Carry applications within timeframes required by the Firearm Concealed Carry Act.

### Timeliness of FOID Application Approval and Denial

The Department is required by the Firearm Owners Identification Card Act to

| FOID Application Processing Time Requirements |                  |
|---|------------------|
| New   | 30 Calendar Days |
| Renewal (Before 1/1/2019)                     | 30 Calendar Days |
| Renewal (Effective 1/1/2019)                  | 60 Business Days |

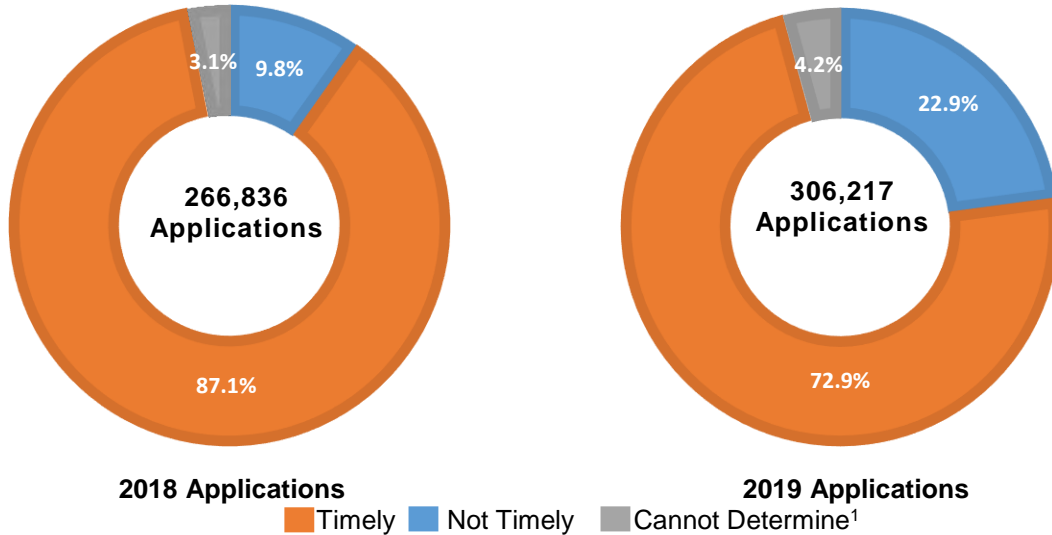
approve or deny all **new applications within 30 days** and all **renewal applications within 60 business days** from the dates they are received. Generally, 60 business days equates to over 80 calendar days. If a renewal application is submitted to the Department before the expiration date of the applicant’s current FOID card, the FOID card will be valid while the Department processes the application, unless the person’s license is subject to revocation. The 60 business day requirement for renewals became effective

January 1, 2019; prior to that all applications had to be approved or denied within 30 days.

According to FOID application data provided by the Department for 2018-2019, 79.5 percent of FOID applications were processed within the statutorily required timeframes. As is shown in **Exhibit 13, the percentage processed within statutorily required timeframes dropped from 87.1 percent in 2018 to 72.9 percent in 2019.** The average time to process **new applications** remained unchanged between 2018 and 2019 at approximately 34 days. However, the **average time to process renewal applications increased from 25 calendar days in 2018 to 56 business days in 2019.** As is shown in **Exhibit 13**, there were

40,050 more renewal applications in 2019 than in 2018. For 3.7 percent of applications (3.1% in 2018 and 4.2% in 2019) auditors could not determine timeliness because there was either no decision date (for example rejected or canceled applications) or the decision date was prior to the application submittal date.

Exhibit 13  
**FOID APPLICATION TIMELINESS**  
 Calendar Years 2018-2019



| 2018 Applications |                |               |                |               |                |               |
|-------------------|----------------|---------------|----------------|---------------|----------------|---------------|
|                   | New            |               | Renewal        |               | Total          |               |
|                   | Number         | Percent       | Number         | Percent       | Number         | Percent       |
| Timely            | 140,555        | 87.9%         | 91,954         | 86.0%         | 232,509        | 87.1%         |
| Not Timely        | 11,759         | 7.4%          | 14,418         | 13.5%         | 26,177         | 9.8%          |
| Cannot Determine  | 7,660          | 4.8%          | 490            | 0.5%          | 8,150          | 3.1%          |
| <b>Total</b>      | <b>159,974</b> | <b>100.0%</b> | <b>106,862</b> | <b>100.0%</b> | <b>266,836</b> | <b>100.0%</b> |

| 2019 Applications |                |               |                |               |                |               |
|-------------------|----------------|---------------|----------------|---------------|----------------|---------------|
|                   | New            |               | Renewal        |               | Total          |               |
|                   | Number         | Percent       | Number         | Percent       | Number         | Percent       |
| Timely            | 116,441        | 73.1%         | 106,861        | 72.7%         | 223,302        | 72.9%         |
| Not Timely        | 35,028         | 22.0%         | 35,011         | 23.8%         | 70,039         | 22.9%         |
| Cannot Determine  | 7,836          | 4.9%          | 5,040          | 3.4%          | 12,876         | 4.2%          |
| <b>Total</b>      | <b>159,305</b> | <b>100.0%</b> | <b>146,912</b> | <b>100.0%</b> | <b>306,217</b> | <b>100.0%</b> |

Note:

<sup>1</sup> "Cannot Determine" represents applications in which a timeliness determination could not be made, either because there was no decision date (for example rejected or canceled applications) or the decision date was prior to the application submitted date.

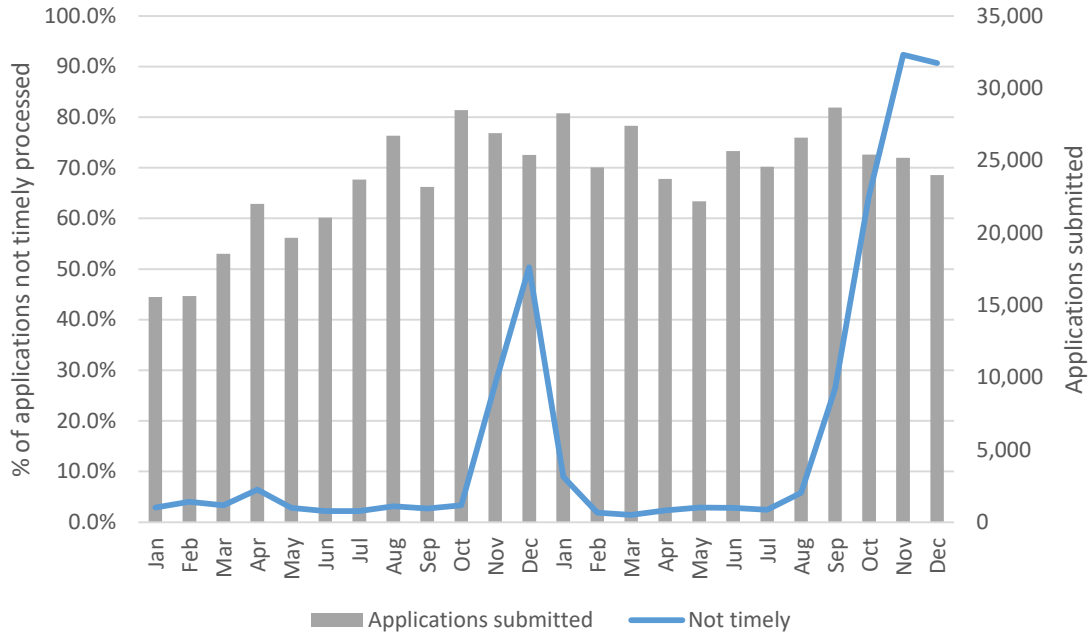
<sup>2</sup> Percentage totals may not add due to rounding.

Source: OAG analysis of Illinois State Police data.

The timeliness of application processing decreased significantly during the last quarter of 2019. As is shown in **Exhibit 14**, the vast majority of FOID

**applications submitted during October, November, and December 2019 were not processed within the statutorily established timelines.**

**Exhibit 14**  
**FOID APPLICATION TIMELINESS BY SUBMITTAL MONTH**  
 Calendar Years 2018-2019

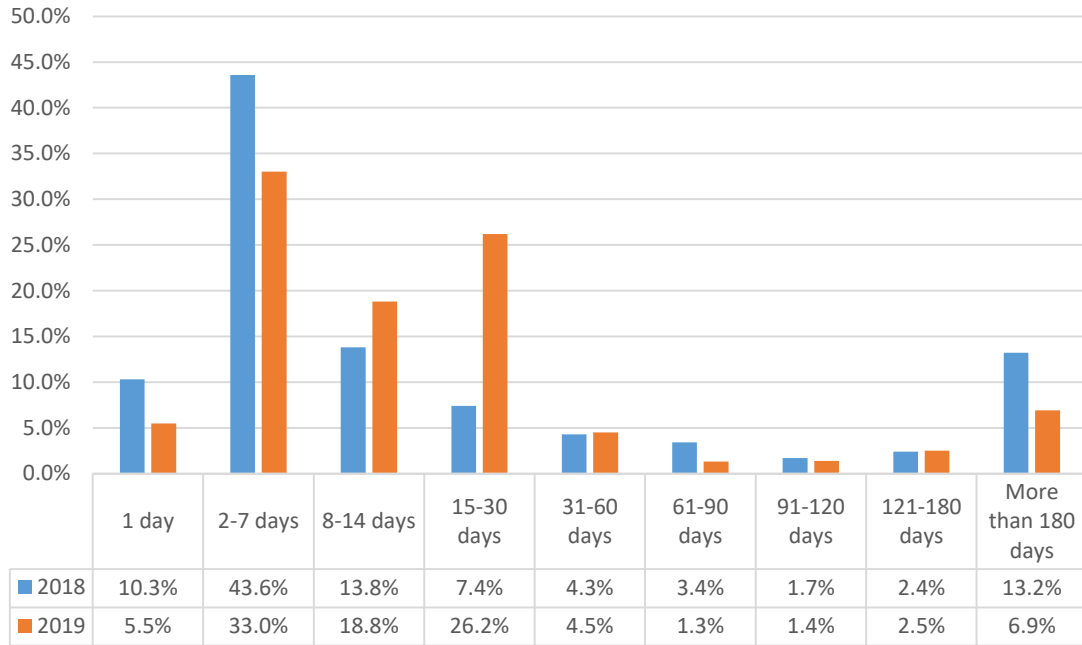


Note: Not timely percentage presented does not include applications in which timeliness could not be determined.

Source: OAG analysis of Illinois State Police data.

Even though the Department was not processing all 2018 and 2019 applications within the statutorily required timeframes, many applications were approved or denied shortly after the deadline. **Exhibit 15** provides a breakdown of the number of days it took the Department, beyond the statutory deadline, to approve or deny applications received in 2018 or 2019. Of those applications that were not approved or denied on time, 53.9 percent and 38.5 percent were completed within 7 days of the statutory deadline for applications submitted in 2018 and 2019 respectively. Another 21.2 percent and 45.0 percent respectively were completed within 8 and 30 days of the statutory deadline. For applications submitted in 2018, 13.2 percent of those applications took more than 180 days past the statutory deadline compared to 6.9 percent of 2019 applications.

**Exhibit 15**  
**FOID APPLICATION PROCESSING DAYS BEYOND STATUTORY TIMELINES**  
 Calendar Years 2018-2019



Source: OAG analysis of Illinois State Police data.

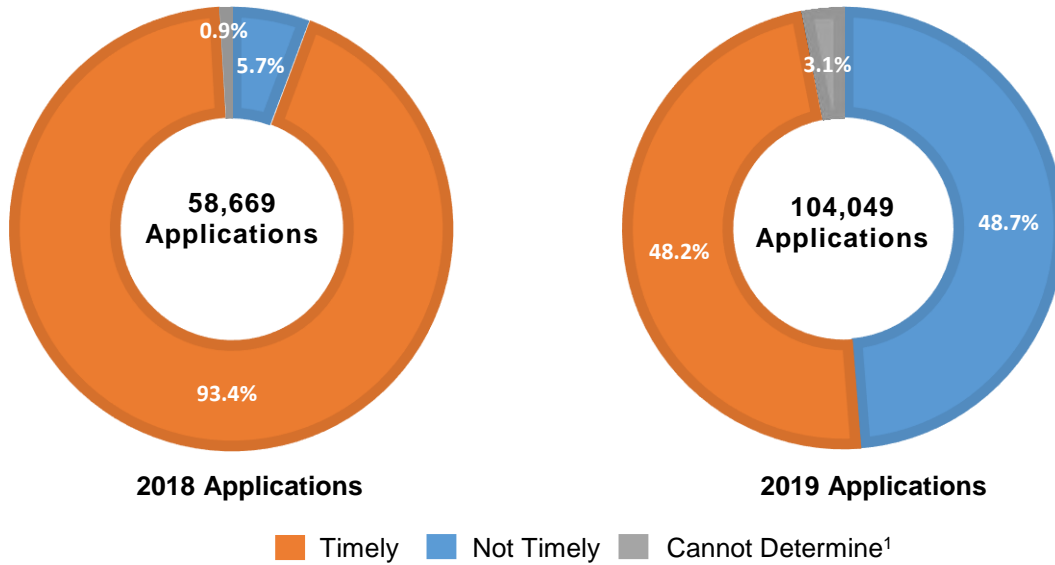
**Timeliness of CCL Application Approval and Denial**

| CCL Application Processing Time Requirements |                   |
|--|-------------------|
| New & Renewal (with Fingerprints)            | 90 Calendar Days  |
| New & Renewal (without Fingerprints)         | 120 Calendar Days |

The Department is required by the Firearm Concealed Carry Act (430 ILCS 66) to issue or deny a license within 90 days from the date it receives a completed application. If an application for license is submitted without a set of fingerprints, the Department is allowed an additional 30 days (120 days). The time for processing is tolled if the application goes to the Concealed Carry Licensing Review Board due to an objection by local law enforcement or the Illinois State Police.

The number of CCL applications processed within statutory timelines decreased significantly from 2018 to 2019. According to CCL application data provided by the Department, overall 64.5 percent of CCL applications submitted in 2018 and 2019 were processed within the statutorily required timeframes. However, as is shown in **Exhibit 16**, 93.4 percent of applications submitted in 2018 were processed timely compared to only 48.2 percent of applications submitted in 2019. For 2.3 percent of applications (0.9% in 2018 and 3.1% in 2019) auditors could not determine timeliness because there was either no decision date (for example rejected or canceled applications) or the decision date was prior to the application submittal date.

Exhibit 16  
**CCL APPLICATION TIMELINESS**  
 Calendar Years 2018-2019



| 2018 Applications |               |               |              |               |               |               |
|-------------------|---------------|---------------|--------------|---------------|---------------|---------------|
|                   | New           |               | Renewal      |               | Total         |               |
|                   | Number        | Percent       | Number       | Percent       | Number        | Percent       |
| Timely            | 49,001        | 93.6%         | 5,812        | 91.7%         | 54,813        | 93.4%         |
| Not Timely        | 2,832         | 5.4%          | 499          | 7.9%          | 3,331         | 5.7%          |
| Cannot Determine  | 495           | 0.9%          | 30           | 0.5%          | 525           | 0.9%          |
| <b>Total</b>      | <b>52,328</b> | <b>100.0%</b> | <b>6,341</b> | <b>100.0%</b> | <b>58,669</b> | <b>100.0%</b> |

| 2019 Applications |               |               |               |               |                |               |
|-------------------|---------------|---------------|---------------|---------------|----------------|---------------|
|                   | New           |               | Renewal       |               | Total          |               |
|                   | Number        | Percent       | Number        | Percent       | Number         | Percent       |
| Timely            | 18,568        | 43.4%         | 31,557        | 51.5%         | 50,125         | 48.2%         |
| Not Timely        | 22,873        | 53.4%         | 27,847        | 45.5%         | 50,720         | 48.7%         |
| Cannot Determine  | 1,355         | 3.2%          | 1,849         | 3.0%          | 3,204          | 3.1%          |
| <b>Total</b>      | <b>42,796</b> | <b>100.0%</b> | <b>61,253</b> | <b>100.0%</b> | <b>104,049</b> | <b>100.0%</b> |

Note:  
<sup>1</sup> “Cannot Determine” represents applications in which a timeliness determination could not be made, either because there was no decision date (for example rejected or canceled applications) or the decision date was prior to the application submitted date.

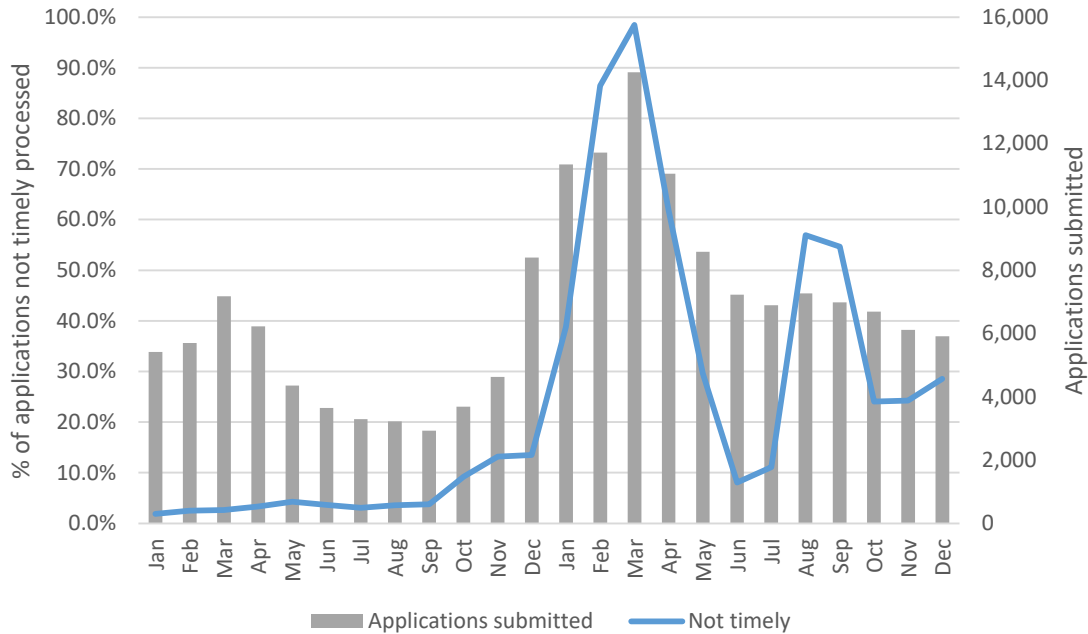
<sup>2</sup> Percentage totals may not add due to rounding.

Source: OAG analysis of Illinois State Police data.

CCL application processing timeliness began to decrease as the number of applications submitted grew. **Exhibit 17** shows CCL application processing timeliness based on when the application was submitted. **For example, only 1.8 percent of applications submitted in January 2018 were processed untimely compared to 38.8 percent of applications submitted in January 2019.**



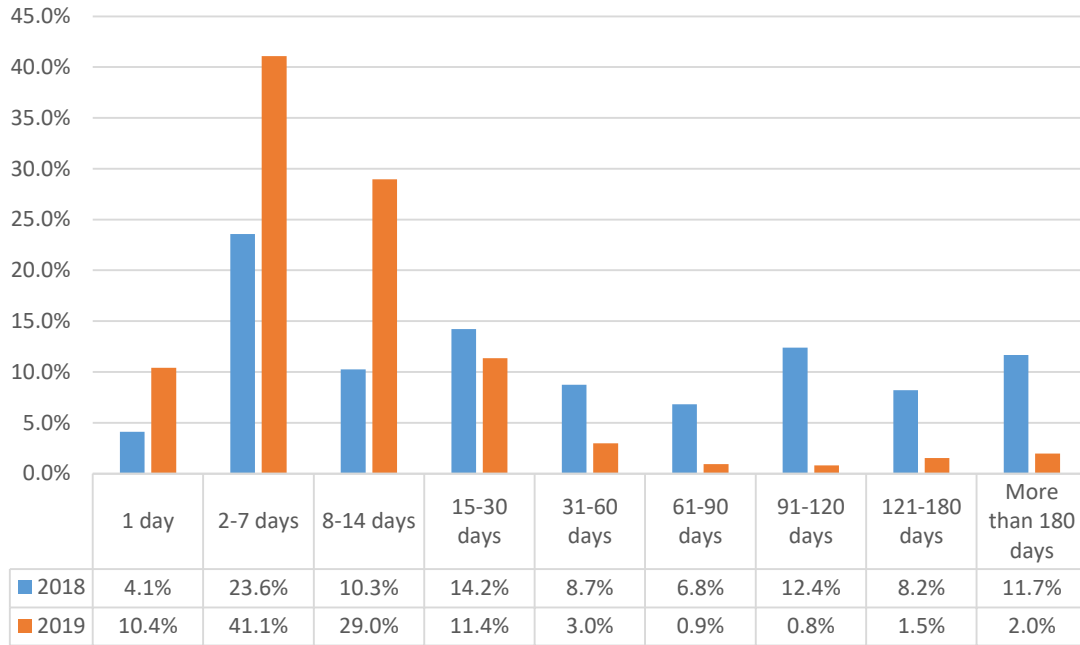
Exhibit 17  
**CCL APPLICATION PROCESSING TIMELINESS**  
 Calendar Years 2018-2019



Note: Not timely percentage presented does not include applications in which timeliness could not be determined.  
 Source: OAG analysis of Illinois State Police data.

The Department **was not timely** in processing 2018 and 2019 CCL applications within the statutorily required timeframes. While the number of applications submitted and the number not processed timely grew substantially from 2018 to 2019, many of those 2019 applications were approved or denied shortly after the deadline. **Exhibit 18** provides a breakdown of the number of days it took the Department, beyond the statutory deadline, to approve or deny applications received in 2018 or 2019. Of those applications that were not approved or denied on time, 27.7 percent and 51.5 percent were completed within 7 days of the statutory deadline for applications submitted in 2018 and 2019 respectively. Another 24.5 percent and 40.4 percent respectively were completed within 8 and 30 days of the statutory deadline. For 2018 applications, 389 or 11.7 percent of untimely applications took more than 180 days compared to 1,000 applications or 2.0 percent of 2019 applications.

**Exhibit 18**  
**CCL APPLICATION PROCESSING DAYS BEYOND STATUTORY TIMELINES**  
 Calendar Years 2018-2019



Source: OAG analysis of Illinois State Police data.

The timeliness of approval or denial decreased significantly from 2018 to 2019 regardless of whether fingerprints were submitted. For applications submitted with fingerprints, the percentage processed within the allowable timeframes decreased from 92.2 percent for 2018 applications to 45.9 percent for 2019 applications; similarly, those without fingerprints decreased from 94.1 percent to 50.3 percent for 2018 and 2019 respectively.

**Exhibit 19**  
**CCL APPLICATION AVERAGE PROCESSING TIMES**  
 Calendar Years 2018-2019

| Days to Process | Fingerprints (Within 90 days) | No Fingerprints (Within 120 days) | Total |
|-----------------|-------------------------------|-----------------------------------|-------|
| 2018 overall    | 56                            | 109                               | 89    |
| New             | 55                            | 109                               | 93    |
| Renewal         | 59                            | 50                                | 59    |
| 2019 overall    | 95                            | 122                               | 109   |
| New             | 106                           | 135                               | 125   |
| Renewal         | 90                            | 107                               | 97    |

Source: OAG analysis of Illinois State Police data.

By law the Department has 90 days to approve or deny applications submitted with fingerprints and 120 days for those that do not submit fingerprints. The average time to process an application that did not submit fingerprints increased from 109 days in 2018 to 122 days in 2019. The average time to process an application submitted with fingerprints increased from 56 days in 2018 to 95 days in 2019.

As discussed previously, CCL renewal applications did not begin until late 2018 and the average time for processing those applications was 59 days. The time to approve or deny a

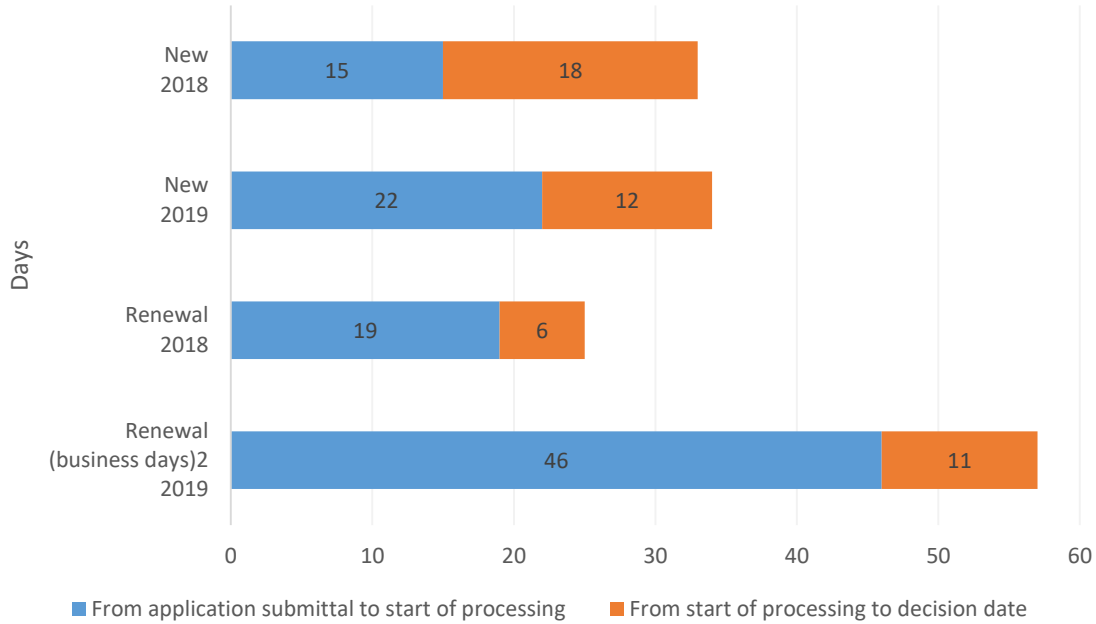
renewal application increased to 97 days for 2019 (see **Exhibit 19**). As noted previously, the number of applications (new and renewal) grew from 58,669 in 2018 to 104,049 in 2019.

### **Delay in Beginning Application Processing**

The increase in the number of applications that were not processed timely was due primarily to the applications not being started in a timely manner. FLARES contains notes for tracking applications for certain actions. Auditors reviewed FLARES notes for applications for which notes were available to determine when the application process began. FLARES notes were not available for all FOID and Concealed Carry License applications in our population (submitted in 2018 or 2019); therefore, results and averages from this analysis might not match the processing calculations for the population presented elsewhere.

For FOID applications we found that the average time to begin processing an application increased from 15 days in 2018 to 22 days in 2019 for new applications. Because the time requirement for renewal applications changed from 30 calendar days to 60 business days beginning January 1, 2019, the average time to begin processing increased from 19 calendar days in 2018 to 46 business days in 2019. The average time from starting the process to the decision date decreased from 18 days in 2018 to 12 days in 2019 for new applications. For renewal applications the average time increased from 6 calendar days to 11 business days (see **Exhibit 20**).

**Exhibit 20**  
**FOID APPLICATION PROCESSING DELAY<sup>1</sup>**  
 Calendar Years 2018-2019



Notes:

<sup>1</sup> FLARES notes were not available for all FOID applications in our population (submitted in 2018 or 2019); therefore, results and averages from this analysis might not match the processing calculations for the population.

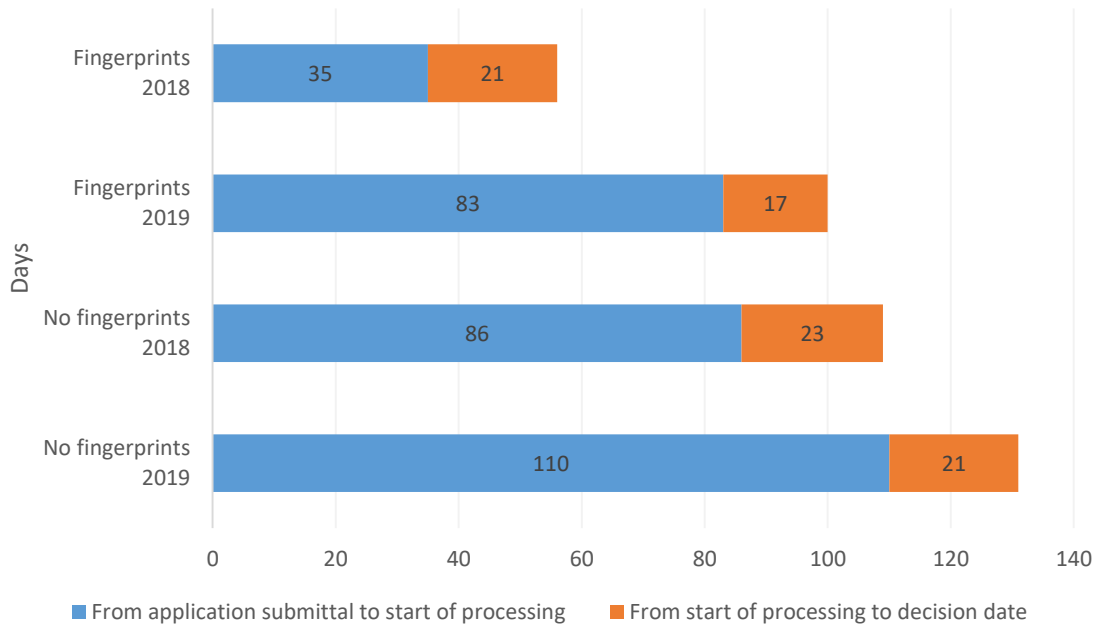
<sup>2</sup> Per a statutory change, in 2019, renewal applications were allowed 60 business days (compared to 30 calendar days in 2018).

Source: OAG analysis of Illinois State Police data.

For CCLs the average time to begin processing an application increased from 86 days in 2018 to 110 days in 2019 for applications without fingerprints and from 35 days in 2018 to 83 days in 2019 for applications with fingerprints. Meanwhile, the average time from starting to process the application to the decision date decreased from 23 days in 2018 to 21 days in 2019 for applications without fingerprints and 21 days in 2018 to 17 days in 2019 for applications with fingerprints (see **Exhibit 21**).

By not processing FOID and CCL applications in a timely manner, the Department is not in compliance with State law.

**Exhibit 21**  
**CCL APPLICATION PROCESSING DELAY<sup>1</sup>**  
 Calendar Years 2018-2019



Note:

<sup>1</sup> FLARES notes were not available for all Concealed Carry License applications in our population (submitted in 2018 or 2019); therefore, results and averages from this analysis might not match the processing calculations for the population.

Source: OAG analysis of Illinois State Police data.

## Application Processing Timeliness

### RECOMMENDATION NUMBER

# 2

*The Illinois State Police should ensure that all FOID and CCL applications are approved or denied within the required statutory timeframes.*

#### Illinois State Police Response:

The Department concurs and has been working towards compliance with the directories identified within both the FOID and CCL Acts. As a result of the Lean 6 Assessment, streamlined process developments and hiring additional staff the FSB will be in compliance with the directory for FOID renewal applications at or near the end of September 2021. In addition, due to social unrest and the pandemic the FSB saw an unprecedented number of new FOID and CCL applications received in 2020. The FSB saw a peak in the number of new FOID applications backlogged in November of 2020 at nearly 139,000 applications but as of August 30, 2021 the number of new FOID applications on backlog has dropped to under 48,000. Average processing times has dropped from 205 days in July of 2021 to less than 190 days in September of 2021. As new and renewal FOID applications are approved the backlog number of CCL applications experiences a corresponding increase. The new CCL application backlog saw its peak in December of 2020 at 27,589 before dropping to 7,967 in May of 2021. As the streamlined process for renewal FOID applications were put into production the FSB experienced a surge in CCL applications pushing the backlog number of CCL applications back to nearly 25,000 by July of 2021 before the number again began to drop. In addition to the streamlined process improvements a number of provisions passed in House Bill 562 allow for combining expiration dates of FOID and CCL cards to further reduce redundancies and increase the probability of processing applications within statutory guidelines.

It is important to note that FOID and CCL card holders that had submitted a renewal application on file in late 2019 did not expire and remained valid through the time of this report as a result of the Governor's emergency declaration, if the renewal application had been submitted prior to expiration. Those cards with submitted renewal applications identified within this report for October, November, and December of 2019 were not expired.

## Revocations

According to data provided by the Department, 19,275 FOID cards were revoked during 2018 and 2019. For these 19,275 revoked FOID cards there were a total of 27,800 prohibitors identified. The most common prohibitor categories were for mental health and Order of Protection/Restraining Order. The majority of revoked FOID cards are not returned to the Department as is required and only about one-third of cases filed a Firearm Disposition Record showing that the weapons had been transferred to someone else. The number of cards that were returned to the Department ranged from 4,140 in 2018 (44.8% of revoked cards) to 4,591 in 2019 (45.8% of revoked cards). In 2018 only 30.0 percent of revoked FOID cards had a Firearm Disposition Record submitted; that number increased to 35.5 percent in 2019. There were a total of 9,566 Concealed Carry Licenses that were revoked during 2018 and 2019. There were 10,973 prohibitors for the 9,566 revocations. The most common prohibitor was Inactive FOID Card at 81.5 percent of all prohibitors. The percentage of licenses returned dropped from 22.4 percent in 2018 to 14.4 percent in 2019.

Legislative Audit Commission Resolution Number 155 asked the Auditor General to determine for FOID and CCL revocations:

- The total number of Firearm Owner's Identification Cards and Firearm Concealed Carry Licenses revoked during the last two calendar years and the reason for the revocations; and
- Whether the Department is receiving revoked Firearm Owner's Identification Cards and Firearm Concealed Carry Licenses from local law enforcement as required.

### FOID Revocations

Under state law, if a FOID card is revoked, the person must surrender their card to local law enforcement where they live, and file a Firearm Disposition Record disclosing the make, model, and serial number of each firearm owned by or under the control or custody of the revoked cardholder and its disposition. However, the responsibility for compliance with these requirements rests with local law enforcement.

If a cardholder is found to be ineligible, the Firearm Owners Identification Card Act requires that every cardholder whose card is revoked or seized receives a written notice from the Illinois State Police stating specifically the grounds upon which the card has been revoked. A copy of the notice is also required to be provided to the sheriff and law enforcement agency where the person resides. Within 48 hours of receiving the notice of the revocation, the individual is required to surrender his or her Firearm Owner's Identification Card to the local law enforcement agency where the person resides. The local law enforcement agency is required to provide the person a receipt and transmit the Firearm Owner's Identification Card to the Illinois State Police.

The Act also requires the completion of a Firearm Disposition Record on a form prescribed by the Department and placing his or her firearms in the location or

with the person reported in the Firearm Disposition Record. The form is required to disclose:

- the make, model, and serial number of each firearm owned by or under the custody and control of the person whose FOID card is revoked;
- the location where each firearm will be maintained during the prohibited term; and
- if any firearm will be transferred to the custody of another person, the name, address and Firearm Owner's Identification Card number of the transferee.

**2018-2019 Revoked FOID Cards  
Top 10 Counties**

| <u>County</u> | <u>Number<br/>Revoked</u> | <u>Percent<br/>Returned</u> |
|---------------|---------------------------|-----------------------------|
| Cook          | 6,667                     | 48.5%                       |
| Will          | 1,085                     | 45.4%                       |
| DuPage        | 933                       | 50.2%                       |
| Lake          | 757                       | 46.9%                       |
| Kane          | 643                       | 52.1%                       |
| Madison       | 569                       | 39.5%                       |
| Winnebago     | 518                       | 35.5%                       |
| St. Clair     | 505                       | 32.7%                       |
| McHenry       | 462                       | 55.0%                       |
| Sangamon      | 461                       | 37.7%                       |

The Act requires the local law enforcement agency provide a copy of the Firearm Disposition Record to the person whose FOID card has been revoked and to the Illinois State Police. If the person whose Firearm Owner's Identification Card has been revoked fails to comply, the sheriff or law enforcement agency where the person resides may petition the circuit court to issue a warrant to search for and seize the Firearm Owner's Identification Card and firearms in the possession or under the custody or control of the person whose Firearm Owner's Identification Card has been revoked. Not complying is a Class A misdemeanor.

As shown in **Exhibit 22**, according to data provided by the Department the number of revoked FOID cards increased from 9,251 in 2018 to 10,024 in 2019. The number of cards that were returned to the Department increased from 4,140 in 2018 (44.8% of revoked cards) to 4,591 in 2019 (45.8% of revoked cards). In 2018 only 30.0 percent of revoked FOID cards had a Firearm Disposition Record submitted; that number increased to 35.5 percent in 2019. There were revoked FOID cards in all 102 counties. Appendix F provides, for calendar years 2018-2019, a breakdown by county of the number of revoked FOID cards, the number returned, and the number of submitted Firearm Disposition Records.



Exhibit 22  
**FOID REVOCATIONS**  
 Calendar Years 2018-2019

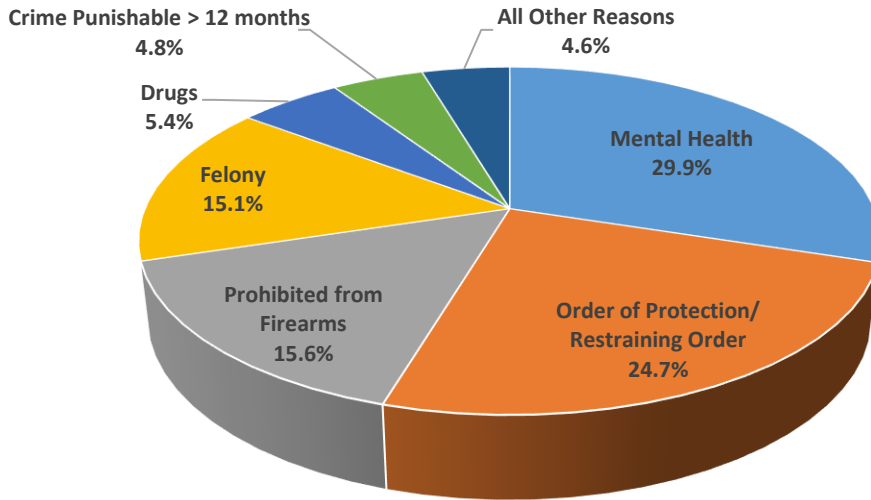
|   | 2018  | 2019   |
|---|-------|--------|
| Number of FOID Card Revocations             | 9,251 | 10,024 |
| Number of FOID Cards Returned               | 4,140 | 4,591  |
| Percentage of Revoked Cards Returned        | 44.8% | 45.8%  |
| Firearm Dispositions Records Submitted      | 2,771 | 3,555  |
| Percentage of Disposition Records Submitted | 30.0% | 35.5%  |

Source: OAG analysis of Illinois State Police data.

**FOID Revocation Reasons**

There can be multiple reasons for revoking a FOID card. According to data provided by the Department, for the 19,275 revoked cards during 2018 and 2019 there were a total of 27,800 reasons (prohibitors). There were 22,145 State prohibitors and 5,655 federal prohibitors. Not included in the 27,800 prohibitors are 151 revocations for which there was no reason listed in the data. The most common prohibitor categories were for mental health and Order of Protection/Restraining Order. **Exhibit 23** shows the prohibitor categories for FOID revocations. Each card had between one and seven different prohibitors with 12,244 cards having one prohibitor (63.5%) and 5,596 cards having two prohibitors (29.0%). Additionally, Appendix G is a list of revocations by the type of prohibitor.

Exhibit 23  
**FOID REVOCATION REASONS**  
 Calendar Years 2018-2019



Source: OAG analysis of Illinois State Police data.

**CCL Revocations**

Concealed Carry License revocation requirements generally mirror the FOID revocation requirements. If a licensee is found to be ineligible, the Department is required to provide written notice to the licensee of a suspension, revocation, or invalidation. The Firearm Concealed Carry Act (430 ILCS 66/70) requires that a licensee whose license is revoked, suspended, or denied shall, within 48 hours of receiving notice of the revocation, suspension, or denial, surrender his or her Concealed Carry License to the local law enforcement agency where the person resides.

The local law enforcement agency is required to provide the licensee a receipt and transmit the Concealed Carry License to the Illinois State Police. If the licensee whose Concealed Carry License has been revoked, suspended, or denied fails to comply, the law enforcement agency where the person resides may petition the circuit court to issue a warrant to search for and seize the Concealed Carry License in the possession and under the custody or control of the licensee whose Concealed Carry License has been revoked, suspended, or denied. Possessing a Concealed Carry License that has been revoked, suspended, or denied is a Class A misdemeanor.

There were a total of 9,566 Concealed Carry Licenses that were revoked during 2018 and 2019. As shown in **Exhibit 24**, the number of licenses that were returned remained basically unchanged while the number of revocations increased by over 2,000. This led to a drop in the percentage of licenses returned from 22.4

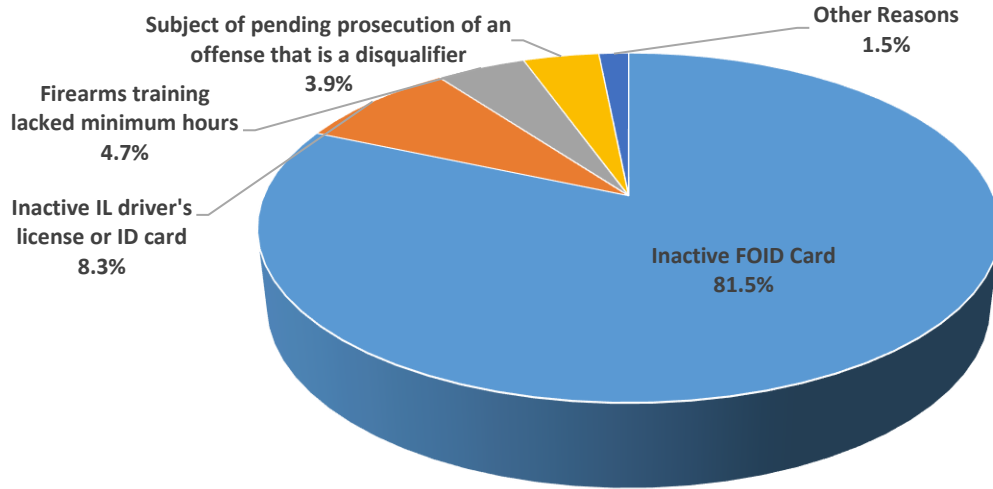
percent to 14.4 percent. Appendix H shows the number of CCL revocations per county.

| Exhibit 24<br><b>CCL REVOCATIONS</b><br>Calendar Years 2018-2019 |       |       |
|--|-------|-------|
|  | 2018  | 2019  |
| Number of CCL Revocations  | 3,750 | 5,816 |
| Number of CCLs Returned  | 839   | 837   |
| Percentage of Revoked Licenses Returned                          | 22.4% | 14.4% |
| Source: OAG analysis of Illinois State Police data.              |       |       |

**CCL Revocation Reasons**

There can be multiple reasons for a Concealed Carry License to be revoked. According to the data from the Department, there were 10,973 reasons (prohibitors) for the 9,566 revocations. Not included in the 10,973 reasons are 5 revocations for which there was no reason listed in the data. There were between 1 and 4 revocation reasons, with only 18 revocations having more than 1 or 2 reasons. The most common reason was Inactive FOID Card at 81.5 percent of all reasons followed by Inactive Illinois Driver’s License or ID Card at 8.3 percent. Firearms training lacked minimum hours accounted for 4.7 percent of CCL revocations. This includes the revocation of instructors’ certification, and in turn, their students’ licenses being revoked because they no longer meet the training requirements. **Exhibit 25** shows the most common CCL revocation reasons and Appendix I has a detailed breakdown of all the revocation reasons.

Exhibit 25  
**CCL REVOCATION REASONS**  
 Calendar Years 2018-2019



Source: OAG analysis of Illinois State Police data.

**FOID and CCL Revocation Testing**

We reviewed a judgmental sample of 25 revoked FOID cards and found that all cardholders received letters notifying them of the revocation as is required by the Firearm Owners Identification Card Act. The Department provided documentation that showed that for all 25 FOID revocations, notification letters were also sent to at least one local law enforcement agency. However, for three revocations the Department could not provide documentation that the county Sheriff was notified as is required by the Firearm Owners Identification Card Act. The Department also could only provide documentation showing that a Firearm Disposition Record was received for 15 of the 25 revocations sampled or 60.0 percent.

Of the 25 FOID revocations reviewed, 21 also held or were applying for a CCL. Of those 21, 7 had their CCL applications denied, 8 had their CCLs revoked, and 6 CCLs were suspended. The six CCL suspensions were all for either an order of protection or no contact order.

It is unclear how an individual can have a revoked FOID card but a suspended CCL. The Firearm Concealed Carry Act states that a license shall be suspended if an order of protection or a firearms restraining order is issued against a licensee for the duration of the order (430 ILCS 66/70(b)). However, the Firearm Owners Identification Card Act requires that a FOID card be revoked if a cardholder is subject to an order of protection or firearms restraining order (430 ILCS 65/8.2). The Firearm Owners Identification Card Act was amended, effective January 1, 2019, to state that the Department may, by rule, allow for the suspension of a

FOID card if the reason is not a permanent grounds for revocation (430 ILCS 65/8.3). The Department did not implement rules allowing for the suspension of a FOID card. Because the Department did not implement rules for the suspension of a FOID card, licensees can have a suspended CCL but a revoked FOID card, even though all licensees are required to have an active FOID card. Public Act 102-0237, signed by the Governor on August 2, 2021, makes changes to the Firearm Owners Identification Card Act to allow for the suspension of a FOID card and states that the Department may implement rules.

### **Conclusion**

Both the Firearm Owners Identification Card Act and the Firearm Concealed Carry Act require local law enforcement agencies to transmit revoked cards or licenses to the Department. Data provided by the Department showed that, for FOID cards revoked in 2018 and 2019, only 44.8 percent and 45.8 percent of revoked FOID cards were returned to the Department respectively. For Concealed Carry Licenses revoked or suspended in 2018 and 2019, only 22.4 percent and 14.4 percent of licenses were returned to the Department respectively. If revoked cards and licenses are not returned to the Department, the Department cannot identify which individuals still need to surrender their revoked cards and licenses.

## Revoked FOID Cards and Concealed Carry Licenses

### RECOMMENDATION NUMBER

# 3

*The Illinois State Police should:*

- *ensure that Sheriffs are notified of revocations as is required by the Firearm Owners Identification Card Act; and*
- *continue to work with local law enforcement agencies to ensure revoked FOID cards and Concealed Carry Licenses are returned to the Department in accordance with the Firearm Owners Identification Card Act and the Firearm Concealed Carry Act.*

### Illinois State Police Response:

The Department concurs and is actively working towards compliance with the FOID and CCL Act by engaging outside agencies by providing training seminars hosted by the FSB on FOID / CCL revocations and other administrative processes. The FSB has provided messaging to encourage participation through revocation details and by providing instructions on how to access and use the Law Enforcement Portal with the total number of agencies on the portal at the time of this report at 745. Since July of 2020, the FSB has presented 15 seminars to ISP Investigative Zones, Sheriff's Departments and local law enforcement agencies on how to complete and process clear and present danger request as well as firearm disposition records (FDR), including the process to return recovered cards to the ISP. In addition, the Law Enforcement Agencies Data System (LEADS) which is the legacy criminal justice information sharing system in Illinois was recently modernized and a new LEADS platform was deployed. As a result of the deployment, new LEADS will auto generate the status of an individual's FOID and/or CCL status for all law enforcement personnel in Illinois, when an individual's identifiers are queried through LEADS.

In addition, the ISP legal office has submitted updates to the FOID Act and the administrative rules to allow an option for Sheriff's Departments, local law enforcement and courts to destroy the cards received and make note of the destruction on the firearm disposition record rather than mailing the cards back to the ISP. This process is an attempt to encourage compliance by removing the need to mail the card(s) to the ISP.

Although the Department concurs with the recommendation it should be noted that the Department has limited ability to meet compliance with the finding as the Department has no authority to force compliance with outside agencies.

Auditor Note: The Department included a table in its response which can be found in Appendix J.

## Firearm Transfer Procedures

Although the Department has established some procedures, the procedures cannot ensure that all firearms are transferred from persons whose FOID cards were revoked. There are no statutory requirements for the Department to implement procedures. Further, the Firearm Owners Identification Card Act only affords the sheriff or local law enforcement, where the person resides, the authority to petition the court for a search warrant. The Department has conducted enforcement details in an effort to recover revoked FOID cards and transfer firearms.

Legislative Audit Commission Resolution Number 155 asked the Auditor General to determine for FOID revocations whether the Department has procedures in place to ensure that all firearms are transferred from persons whose Firearm Owner's Identification Cards were revoked.

The Department has established procedures regarding FOID card revocations which include applicant/cardholder notification by letter to inform the individual of the denial/revocation and the reason for the denial. The FOID revocation letter also directs recipients to surrender their FOID cards to law enforcement within 48 hours of receipt of the letter and also complete a Firearm Disposition Record disclosing the name, model, and serial number of all of the firearms under their control or custody at the time of the revocation as well as the individual or agency that currently has possession of the firearms.

The Department procedures also state that every time the system generates a FOID revocation letter it also generates letters to the applicant's local law enforcement agency and the Sheriff's Office in their county of residence. These letters are generated by FLARES based upon the address of the applicant/cardholder. The Department provided auditors with a copy of a boilerplate FOID revocation letter. In our sample of 25 revocations, we noted letters were sent to at least one local law enforcement agency and in some cases multiple law enforcement agencies were notified.

Individuals that are sent a revocation letter are not provided with a copy of the Firearm Disposition Record. Instead the web address where the form can be found is included in the letter. The Department's administrative rules also provide that a copy of the required Firearm Disposition Record can be found at the local law enforcement agency where the individual resides.

Although the Department has established procedures regarding notifying card holders of their revocation and explaining their responsibility to complete a Firearm Disposition Record, **by law the authority for collecting the revoked card and Firearm Disposition Record rests with local law enforcement.** The Firearm Owners Identification Card Act states that the local law enforcement agency shall provide a copy of the Firearm Disposition Record to the person whose Firearm Owner's Identification Card has been revoked and to the Illinois State Police. As discussed previously, local law enforcement have access to a web portal to access lists of revoked FOID cards and Concealed Carry Licenses.

In cases of non-compliance the Act states that:

*If the person whose Firearm Owner's Identification Card has been revoked fails to comply with the requirements of this Section, the sheriff or law enforcement agency where the person resides may petition the circuit court to issue a warrant to search for and seize the Firearm Owner's Identification Card and firearms in the possession or under the custody or control of the person whose Firearm Owner's Identification Card has been revoked.*

As the revocation data discussed previously shows, a large percentage of revoked FOID cards were not returned to the Department for 2018-2019. In addition, a large number of those with revoked cards did not submit the required Firearm Disposition Record. The Department data reflects only those FOID cards and Firearm Disposition Records that were returned to the Department and does not include those cards or forms that were not forwarded on to the Department.

### **Enforcement Details**

There are eight State Police Investigative Zones in the State. According to the Department, a Gun Liaison Officer position was formally created in 2019, with a Gun Liaison Officer designated in each zone that did not have a dedicated gun unit. Enforcement details began in most zones in April 2019. Using FOID revocation information, these enforcement details assembled teams to recover revoked FOID cards and transfer firearms from individuals whose FOID cards had been revoked.

According to the Department, statewide there were 47 FOID card enforcement details conducted in 2018 and 215 in 2019. The frequency of these details varied by zone. Some zones conducted enforcement details on one to two days a month and upon special request from local law enforcement agencies. Three zones did not have a process in place for determining how often these enforcement details were conducted and it might depend on available manpower and if time allowed. For one zone the enforcement details varied by area within the zone including areas not having a process, conducting enforcement details only when requested, and conducting enforcement details monthly.

The enforcement details' collection of revoked FOID cards and the Firearm Disposition Records also varied amongst zones. Some of the zones email the Firearm Disposition Records to the Firearms Services Bureau and destroy the surrendered FOID cards themselves. Other zones send the Firearm Disposition Records and revoked cards via U.S. mail to the Firearms Services Bureau, whereupon the Firearms Services Bureau is responsible for destruction of the revoked FOID cards. The Firearm Disposition Records in use during 2018-2019 instruct local law enforcement agencies to mail the form and the surrendered FOID cards to the Firearms Services Bureau. However, in October 2020, the Department issued a new form that instructs local law enforcement agencies to submit a copy of the form via email to the Firearms Services Bureau and to destroy the surrendered FOID card(s).

Because the Department does not have procedures related to enforcement details, it has led to inconsistency between zones. The Department should establish



procedures to promote consistency between zones and ensure that enforcements are conducted as effectively as possible.

| FOID Card Enforcement Details                |   |
|--|---|
| <b>RECOMMENDATION NUMBER</b><br><br><b>4</b> | <i>The Illinois State Police should consider including enforcement details in its procedures to ensure consistency among zones.</i> |

**Illinois State Police Response:**

The Department concurs but reemphasizes that the agency currently conducts enforcement details as staffing and circumstances allows. The Division of Criminal Investigation (DCI) has created the position of Statewide Gun Coordinator within the DCI which will be staffed beginning October 1, 2021. The duties of this position will include the creation of procedures and policies to be used by the Department for conducting FOID revocation details. This will create consistency through development of standard operating procedures to be used throughout the state. These details will facilitate the recovery of revoked FOID cards and Firearm Disposition Records with a team assembled by the Zone Gun Liaison Officers (GLO), for the Zones that do not have a designated gun unit. Coordination with external agencies such as local police departments and the sheriff's office may be required.

Recent amendments to the Gun Trafficking Information Act have expanded funding sources and strengthened the ISP's ability to trace firearms data, conduct revocation details with local agencies and expand enforcement of firearms restraining orders and orders of protection. Additionally, the Department is directed to establish multi-jurisdictional Task Force's to carry-out the enforcement details and provide mutual assistance for recovery of firearms as well as FOID and CCL cards.

## Appeals

The Department does not have a case management system in place to track appeals and could not provide information for the audit period in order to determine, for certain types of FOID appeals cases, if appeals were being adjudicated in a timely manner. Due to a lack of a case management system, **all appeals numbers provided by the Department were approximate**. According to the Department, approximately 6,821 FOID appeals were received during 2018-2019. In addition, approximately 485 total CCL appeals were received during 2018-2019. In 2020 the Department changed the process for filing an appeal but the administrative rules have not been amended to reflect the current process.

### FOID Appeals Process

The statute and administrative rules for the FOID program include an appeals process. The Firearm Owners Identification Card Act (430 ILCS 65/10) provides for an appeals process if:

- An application is denied;
- The Department fails to act on an application within 30 days of its receipt; or
- A card is revoked or seized.

The Act provides that within 30 days of the revocation/seizure or the receipt of the denial, the aggrieved party may appeal to the Director of the Illinois State Police for a hearing upon such denial, revocation or seizure. If the reason for revocation/seizure is due to certain offenses, such as a forcible felony, stalking, or certain drug offenses, the aggrieved party may petition the circuit court in writing in the county of his or her residence for a hearing upon such denial, revocation, or seizure.

### FOID Appeals Timeliness

Although there is no general time requirement in the Act regarding how long the Director has to act on an appeal, there are situations in which an expedited decision is required. These include certain types of cases involving local law enforcement officials or those with an intellectual disability:

- If an active law enforcement officer employed by a unit of government is denied, revoked, or has his or her Firearm Owner's Identification Card seized because (1) he or she was a patient of a mental health facility within the past 5 years or (2) he or she has been a patient in a mental health facility more than 5 years ago who has not received the certification required, he or she may apply to the Director of the Illinois State Police requesting relief (430 ILCS 65/10(c-5)). The Director is required to act on the request for relief within 30 business days of receipt of all required information.
- If an applicant is denied, revoked, or has his or her Firearm Owner's Identification Card seized based upon a determination of a developmental disability or an intellectual disability, the Director of the Illinois State Police is required to act on the request for relief within 60 business days of receipt of

written certification from a physician or clinical psychologist, or qualified examiner, that the aggrieved party's developmental disability or intellectual disability condition is determined by a physician, clinical psychologist, or qualified to be mild. However, if a fact-finding conference is scheduled to obtain additional information concerning the circumstances of the denial or revocation, the 60 business days the Director has to act shall be tolled until the completion of the fact-finding conference (430 ILCS 65/10(c-10)).

### **Filing a FOID Appeal**

The following describes the appeals process during the audit period 2018-2019 and **does not reflect changes instituted during 2020**. When an application has been denied or a card revoked, the applicant or cardholder is sent a letter including the reason. The letter includes the process for filling an appeal. According to the Department's administrative rules, to initiate an appeal, the applicant or card holder must provide a written notice of the intention to appeal to the Department's Firearms Services Bureau Appeals Unit within 60 days after receipt of the notice that their FOID application is denied or their FOID card is revoked to begin the appeal process. The appeal process cannot begin until the Department has received all necessary documentation. If the Director does not provide relief as a result of the investigation or a fact-finding conference, the petitioner may request an administrative hearing with an administrative law judge. The request for an administrative hearing must also be in writing and sent to the Firearms Services Bureau Appeals Unit.

### **Judicial Review for FOID Appeals**

All final administrative decisions of the Department under the Act, except final administrative decisions of the Director to deny a person's application for relief because they have been adjudicated as a mental defective or have been committed to a mental institution, are subject to judicial review under the provisions of the Administrative Review Law (430 ILCS 65/11).

The Department annually files with the General Assembly reports of the final decisions by a court in which the petitioner was seeking relief from the decision made by the Department. For the period 2018-2019, there were a total of 82 cases (45 in 2018 and 37 in 2019). Our review of these reports showed that the courts upheld a majority of the administrative decisions of the Department.

### **CCL Appeals Process**

The Concealed Carry License appeals process is similar to the FOID process. It should be noted that filing an appeal is a separate process from the objection process that may occur during the application process. The Firearm Concealed Carry Act (430 ILCS 66/87) provides for an administrative appeal to the Director of the Illinois State Police for a hearing if:

- The application is denied;
- The Department fails to act on an application within 90 days of its receipt; or
- The card is revoked or suspended.

The Firearm Concealed Carry Act does not contain time requirements for the appeals process. However, all final administrative decisions of the Department or the Concealed Carry Licensing Review Board under the Act are subject to judicial review under the provisions of the Administrative Review Law.

### **Filing a Concealed Carry License Appeal**

Filing a Concealed Carry License appeal follows the same process as a FOID appeal. An individual whose application for a CCL is denied or whose CCL is suspended or revoked may petition the Department for relief. However, if the denial is based upon a determination of the Concealed Carry Licensing Review Board, it can only be appealed through petition to the circuit court in the county of the applicant's residence.

According to the Department's administrative rules, to initiate an appeal to the Department, the applicant or license holder must provide a written notice of the intention to appeal to the Department within 60 days after receipt of the notice that their Concealed Carry License application is denied or their Concealed Carry License is revoked. The appeal process cannot begin until the Department has received all necessary documentation. If the Director does not provide relief as a result of the investigation or a fact-finding conference, the petitioner may request an administrative hearing with an administrative law judge. The request for an administrative hearing must also be in writing and sent to the Firearms Services Bureau Appeals Unit.

### **FOID and Concealed Carry License Appeals Process Changes**

In 2020 the Department changed the process for filing an appeal but the administrative rules have not been amended to reflect the current process. According to the Department, prior to September 1, 2020, appeals were received by the Firearms Services Bureau and worked by its Appeals Unit. In 2020, the Director's Office requested the Civil Service Commission establish the position of Firearms Safety Counsel to address the backlog of FOID and CCL appeals. According to the Department, a backlog with respect to CCL appeals to the Director grew because the Firearms Services Bureau Appeals Unit was not sufficiently staffed at the time. Upon approval of the position, the Department created the Office of Firearms Safety (OFS) in September 2020. Since September 1, 2020, appeals have been received by the Director's Office of Firearms Safety either by email or mail. Previously requests needed to be in writing and sent to the Firearms Services Bureau Appeals Unit. The relevant administrative rules have not been changed since 2013 and 2014.

### **FOID and Concealed Carry License Appeals Filed and Adjudicated**

We requested information from the Department for FOID and CCL appeals. According to Department officials, appeals are not tracked in FLARES and during the audit period were only loosely tracked in a database and the information contained in this database is not comprehensive.

Shortly after the transition of appeals from the Firearms Services Bureau to the Office of Firearms Safety, the database that was being used to loosely track

appeals was transitioned to a different database software. According to officials, new files received since September 2020 have been entered; however prior information is incomplete. The data for these appeals is limited because neither software are case management systems.

According to information provided by the Department, there were approximately 3,421 FOID appeals in 2018 and 3,400 FOID appeals in 2019 (6,821 total FOID appeals received). Even though there were approximately the same number of appeals each year, the number closed in 2019 was significantly lower. According to the Department, it closed approximately 2,265 cases in 2018 and 1,365 in 2019. Public Act 102-0237 creates a new Firearm Owner's Identification Card Review Board to consider appeals beginning January 1, 2023.

Determining the number of CCL appeals was also problematic. According to information provided by the Department, due to the lack of an efficient case management system, it was not able to determine the exact number of pending CCL appeals. The Department provided an approximate number showing a significant decrease in the number of CCL appeals received. However, the dependability of these numbers is not clear. According to the Department, during 2018 there were 359 CCL appeals received and 126 during 2019 (485 total CCL appeals received). Information provided also showed that 43 CCL appeals were closed in 2018 and 18 were closed during 2019. The Department stated that, due to a transitioning of staff within the Firearms Services Bureau Appeals Unit, appeal statistics were not tracked in monthly reports during the audit period. The Department also could not provide the number of closed appeals that were approved or denied.

Without an effective case management system to track appeals, the Department cannot ensure that FOID appeals are being adjudicated in accordance with statutory timeliness requirements and that all FOID and Concealed Carry License appeals are being addressed in a timely manner. The Department also cannot produce reliable reports for management decisions.

## Appeals

### RECOMMENDATION NUMBER

# 5

*The Illinois State Police should:*

- *establish a case management system for tracking appeals; and*
- *update its administrative rules to reflect the current appeals process.*

### Illinois State Police Response:

The Department concurs and has taken the following steps to address the issues prior to the recommendations suggested:

- Firearms Safety Counsel and Office of Firearms Safety
  - On September 1, 2020, the Director created the Office of Firearms Safety and named a Firearms Safety Counsel, which are situated within the Director's Office and are separate from the Firearms Services Bureau. The Firearms Safety Counsel provides guidance and direction on public safety issues relating to the removal and restoration of firearms rights and privileges under Illinois law.
  - Since creating the Office of Firearms Safety, the Firearms Safety Counsel have developed updated protocols and procedures for evaluating risks regarding individuals whose access to firearms has been denied or revoked under Illinois law and processing appeals received from these individuals.
  - Through July 31, 2021, the Office of Firearms Safety has reduced the overall backlog of appeal cases awaiting a determination by approximately 17% and the pre-Office of Firearms Safety backlog by approximately 35%. The vast majority of complete appeals are now worked within 60 days of receiving all required information.
- Case Management
  - In December 2020, the Office of Firearms Safety began working with the Department's Office of Finance to participate in a Departmentwide procurement for a Case Management System. As recently as August 2021, this procurement was pending action within the State's Chief Procurement Officer's office. We continue to work with each of these offices to answer their questions regarding this procurement and have been advised that the Request for Purchase should be forthcoming in the near future.
  - In the interim, the Office of Firearms Safety transitioned from its no longer supported Lotus Approach database to a Microsoft Access database that has a cloud backup for tracking its open cases. While Access is not a case management system, this does allow the office to categorize appeals and better track numbers for reporting purposes.
  - Additionally, the Office of Firearms Safety has assigned a contractual employee to transition the office from a paper-based filing system to an electronic based filing system ensuring all information within Microsoft Access agrees with the electronic files so that once the case management procurement is final, all case information will be ready for the transition.

*Continued on next page*

- Administrative Rules
  - On Monday, August 30, 2021, the Department filed proposed rules with the Secretary of State and the Joint Committee on Administrative Rules. Sections 1230.70 and 1231.170 amend the appeals rules for FOID and Concealed Carry to more accurately reflect its current appeals process.
  - Additionally, HB562 recently was passed making extensive changes to the FOID and Concealed Carry Acts, including but not limited to, appeals filed pursuant to these to Acts. While some of these changes were addressed in the rulemaking filed on Monday, others will take effect in January 2023 and will require additional rule changes.

## FOID Card Issuance Dates

The Department’s process for designating a FOID card issuance date is not in accordance with its administrative rules.

Our review of FOID application data for 2018-2019 showed that expiration dates are generated based on the issuance date. Also, according to officials, the expiration date is calculated based on the date the card is issued. However, the Department’s administrative rules define the **date of issuance as the first day of**

**Issuance Date Example:**

Application received date 1/20/19  
Approval date 4/15/19

**Administrative Rules**

Issuance date 1/1/19  
Expiration date 1/1/29

**Current Department Process**

Issuance date 4/15/19  
Expiration date 4/15/29

**the month in which the FOID card application was received.** In practice, the issuance date is the date the card is actually issued, which then generates an expiration date 10 years from that date. The expiration date would be impacted most when there is a long delay in processing an application.

Data provided by the Department showed that in March 2015, the Department changed from calculating the expiration date from 10 years from the first day of the month in which the application was submitted to 10

years from the date the card was actually issued.

### Administrative Rules Update to Match Process

**RECOMMENDATION NUMBER**

**6**

*The Illinois State Police should update its administrative rules to reflect the current process for determining issuance date and expiration date.*

**Illinois State Police Response:**

The Department concurs and has submitted changes to the Joint Committee on Administrative Rules to ensure compliance with the Act under PART 1230.30 FIREARM OWNER'S IDENTIFICATION CARD ACT Duration, Renewal, and Expiration of FOID Card which states: The date the FOID Card becomes active within the Department’s system is designated as the date of issuance for purposes of this Part.



## Appendix A

# LAC Resolution Number 155

### Legislative Audit Commission

#### Resolution No. 155

Presented by Senator Rose

WHEREAS, the Illinois Department of State Police (Department) is charged with the responsibility for administering the Firearm Owners Identification Card Act (430 ILCS 65/) and the Firearm Concealed Carry Act (430 ILCS 66/); and

WHEREAS, the purpose of the Firearm Owners Identification Card Act is to protect the health, safety, and welfare of the public by providing a system of identifying persons who are not qualified to acquire or possess firearms, firearm ammunition, stun guns, and tasers; and

WHEREAS, the purpose of the Firearm Concealed Carry Act is to allow individuals to carry a loaded or unloaded concealed firearm, fully concealed or partially concealed, on or about his or her person; and

WHEREAS, each applicant for a Firearm Owner's Identification Card or Firearm Concealed Carry License must complete an application and submit evidence that he or she meets specified criteria and is not prohibited by certain conditions from having a firearm; and

WHEREAS, the Department of State Police must approve or deny all Firearm Owner's Identification Card applications within 30 days after the date they are received; and

WHEREAS, the Department of State Police must approve or deny all Firearm Owner's Identification Card renewal applications within 60 business days after the date they are received; and

WHEREAS, the Department of State Police must approve or deny all Firearm Concealed Carry Act applications within 90 days (with fingerprints submitted) or 120 days (without fingerprints submitted) after the date they are received; and

WHEREAS, the Department has the authority, under certain circumstances, to revoke a Firearm Owner's Identification Card or a Firearm Concealed Carry License previously issued; and

WHEREAS, a person who receives a revocation notice must within 48 hours surrender his or her Firearms Owner's Identification Card and/or Firearm Concealed Carry License to the local law enforcement agency where the person resides and the local law enforcement agency must then transmit the card and/or license to the Department of State Police; therefore, be it

RESOLVED, by the LEGISLATIVE AUDIT COMMISSION, that the Auditor General is directed to conduct a management audit of the Illinois Department of State

Police's administration of the Firearm Owners Identification Card Act and the Firearm Concealed Carry Act; and be it further

RESOLVED, that the audit include, but need not be limited to, the following determinations for calendar years 2018 and 2019:

- 1) What steps the Department takes to determine whether an applicant is eligible or ineligible to receive a Firearm Owner's Identification Card and a Firearm Concealed Carry License;
- 2) The total number of Firearm Owner's Identification Card or Concealed Carry License applicants during the past two calendar years, the number of those applicants approved, and the number who were denied, and the reasons for denials;
- 3) Whether the Department is approving or denying all new Firearm Owner's Identification Card applications within 30 days after the date they are received;
- 4) Whether the Department is approving or denying all Firearm Owner's Identification Card renewal applications within 60 days after the date they are received;
- 5) Whether the Department is approving or denying all new Concealed Carry applications within timeframes required by the Firearm Concealed Carry Act;
- 6) The total number of Firearm Owner's Identification Cards and Firearm Concealed Carry Licenses revoked during the last two calendar years and the reason for the revocations; and
- 7) Whether the Department is receiving revoked Firearm Owner's Identification Cards and Firearm Concealed Carry Licenses from local law enforcement as required;
- 8) Whether the Department has procedures in place to ensure that all firearms are transferred from persons whose Firearm Owner's Identification Cards were revoked; and be it further

RESOLVED, that the Illinois Department of State Police and any other State agency, entity, or person that may have information relevant to this audit cooperate fully and promptly with the Auditor General's Office in its conduct; and be it further

RESOLVED, that the Auditor General commence this audit as soon as possible and, upon completion, distribute a report in accordance with Section 3-14 of the Illinois State Auditing Act; and be it further

RESOLVED, that a copy of this resolution be delivered to the Auditor General and the Illinois Department of State Police.

Adopted this 21 day of July, 2020.

**SIGNED ORIGINAL ON FILE**

\_\_\_\_\_  
Senator Jason Barickman  
Co-Chair, Legislative Audit Commission

**SIGNED ORIGINAL ON FILE**

\_\_\_\_\_  
Representative Robert Rita  
Co-Chair, Legislative Audit Commission

## Appendix B

### Audit Scope and Methodology

This performance audit was conducted in accordance with generally accepted government auditing standards and the audit standards promulgated by the Office of the Auditor General at 74 Ill. Adm. Code 420.310. Audit standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives found in Legislative Audit Commission Resolution Number 155.

We examined the five components of internal control – control environment, risk assessment, control activities, information and communication, and monitoring – along with the underlying principles. We considered all five components to be significant to the audit objectives. Any deficiencies in internal control that were significant within the context of the audit objectives are discussed in the body of the report.

The audit objectives were delineated by Legislative Audit Commission Resolution Number 155, which directed the Auditor General to conduct a management audit of the Illinois State Police’s (Department) administration of the Firearm Owners Identification Card Act (430 ILCS 65/) and the Firearm Concealed Carry Act (430 ILCS 66/). The Resolution contained eight determinations (see Appendix A).

In conducting this audit, auditors reviewed applicable State statutes, rules, and Department policies. We reviewed the 2012 Performance Audit of the Illinois Firearm Owner’s Identification (FOID) program and the previous compliance examinations of the Illinois State Police released by the Office of the Auditor General. We also reviewed management controls and assessed risk related to the audit’s objectives. A risk assessment was conducted to identify areas that needed closer examination. Any significant weaknesses in those controls are included in this report.

We reviewed whether there were any lawsuits related to the FOID and CCL programs. We also evaluated whether these lawsuits would have any effect on the current audit and concluded that they would not impact our ability to conduct the audit.

In conducting this audit, we requested and reviewed specific documents and data related to the FOID and CCL programs. These included annual reports, process narratives, internal audits, staffing information, training documents, application documentation, contracts, and information contained in the Department’s FOID and Concealed Carry License application tracking system (known as FLARES).

We requested a download from the Department of all FOID and CCL applications submitted in 2018 and 2019. The data provided from the Department’s FLARES system included dates for application submission, card/license issuance dates, and

expiration dates for 573,053 FOID applications and 162,718 CCL applications. To assess the reliability of these dates, we reviewed the data for reasonableness including obvious inconsistency errors and completeness. We worked with Department officials to remedy issues encountered with the data provided, including results of the data continually changing because of subsequent actions. For example, a request for a new card or a name/address change modified the submission and issuance dates in the FLARES system. Although there were some limitations to the data provided, after accounting for these changes, we determined that the data was sufficiently reliable for the purposes of this report.

When calculating timeliness as required by the audit's determinations, those with an issuance date change (due to a request for a new card or a name/address change), appeared to be untimely in processing. In these instances, to more accurately reflect the processing times, we used the expiration date to determine the application's original issuance date.

We also requested a download of all FOID and CCL revocations in 2018 and 2019. Data provided by the Department included a total of 19,275 revoked FOID cards and 9,566 revoked Concealed Carry Licenses for the two-year period. To assess the reliability of the data, we reviewed the data for reasonableness including obvious inconsistency errors and completeness. We selected a judgmental sample of 25 revoked FOID cards, including 21 for which the card holder also had a Concealed Carry License. The sample was not randomly selected using a statistically valid method; therefore, results in this audit have not been, and should not be, projected to the population.

The date of the Exit Conference along with the principal attendees are noted below:

| <b>Exit Conference</b>                 |  | <b>August 30, 2021</b> |
|--|--|------------------------|
| <b>Agency</b>                          | <b>Name and Title</b>  |                        |
| Illinois State Police                  | <ul style="list-style-type: none"> <li>• Brendan Kelly, Director</li> <li>• Matthew Davis, First Deputy Director</li> <li>• Mitzi Loftus, Chief of Staff, Office of Finance</li> <li>• James Piper Jr., Senior Policy Advisor</li> <li>• Col. Isaiah Vega, Division of Justice Services</li> <li>• Lt. Col. Mike Gillock, Division of Justice Services</li> <li>• Cpt. Gregory Hacker, Firearms Services Bureau</li> </ul> |                        |
| Illinois Office of the Auditor General | <ul style="list-style-type: none"> <li>• Michael Paoni, Assistant Director</li> <li>• Tricia Wagner, Senior Audit Manager</li> <li>• Paul Skonberg, Audit Supervisor</li> <li>• Abigail Bailey, Audit Staff</li> <li>• Sydney Payne, Audit Staff</li> </ul>  |                        |

## Appendix C

# FOID and Concealed Carry License Prohibitors

| General Prohibitor Categories   | Federal Prohibitor | FOID Prohibitor | CCL Prohibitor |
|---|--------------------|-----------------|----------------|
| Addicted to a Controlled Substance or Narcotics   | ✓                  | ✓               | ✓              |
| Adjudicated Delinquent Minor – For a misdemeanor (still a minor)  |                    | ✓               | ✓              |
| Adjudicated Delinquent Minor – For a felony (still a minor)   |                    | ✓               | ✓              |
| Adjudicated Delinquent Minor – For a felony (now an adult)  |                    | ✓               | ✓              |
| Adjudicated (or Adjudged) a Mentally Disabled Person (formerly referred to as Adjudicated a Mental Defective)   | ✓                  | ✓               | ✓              |
| Adjudicated (or Adjudged) a Mental Defective  | ✓                  | ✓               | ✓              |
| Aggravated Assault – Any conviction in the last 5 years in which firearm used or possessed. Or, substantially similar in another jurisdiction.  |                    | ✓               | ✓              |
| Aggravated Domestic Battery (always a felony in Illinois)   | ✓                  | ✓               | ✓              |
| Aggravated Domestic Battery Substantially Similar in another jurisdiction (if a misdemeanor)  |                    | ✓               | ✓              |
| Alcoholism - Has been in residential or court-ordered treatment for alcoholism, alcohol detoxification, or drug treatment within 5 years immediately preceding the date of the application for CCL and any occurrence following CCL approval  |                    |                 | ✓              |
| Alien – In U. S. under a non-immigrant visa. (exceptions: 430 ILCS 65/8 (i-5) (1-5))  | ✓                  | ✓               | ✓              |
| Alien – Unlawfully in the United States   | ✓                  | ✓               | ✓              |
| Arrests – If 5 or more arrests for any reason, that have been entered into the Criminal History Records Information (CHRI) System, within 7 years preceding date of application for license, or 3 or more arrests within 7 years preceding date of application for license for any combination of gang-related offenses, the Department shall object and submit applicant's arrest record, the application materials, and any additional information submitted by a law enforcement agency to the Concealed Carry Licensing Review Board. [Applicable upon application only; do not revoke based on this prohibitor.] |                    |                 | ✓              |
| Article 24 (Deadly Weapons Act) – Felony Violations   | ✓                  | ✓               | ✓              |
| Assault – Any conviction in last 5 years in which firearm used or possessed. Or, substantially similar in another jurisdiction. Misdemeanor Charges.  |                    | ✓               | ✓              |

| General Prohibitor Categories   | Federal Prohibitor | FOID Prohibitor | CCL Prohibitor |
|---|--------------------|-----------------|----------------|
| Battery – Any conviction in last 5 years in which firearm used or possessed. Or, substantially similar in another jurisdiction. Misdemeanor Charges; Aggravated Battery is a felony   |                    | ✓               | ✓              |
| CCL Violation – Licensee shall not carry a concealed firearm while under the influence of alcohol, other drug or drugs, intoxicating compound or combination of compounds, or any combination thereof, under the standards set forth in subsection (a) of Section 11-501 of the Illinois Vehicle Code. Second Conviction is 6 Month Suspension of CCL. Third Conviction is Permanent Revocation of CCL. |                    | ✓               | ✓              |
| Clear & Present Danger – must be documented.  |                    | ✓               | ✓              |
| Developmentally Disabled  |                    | ✓               | ✓              |
| Dishonorably Discharged from the Armed Forces (Only Dishonorable or Adjudged by a General Court Martial apply, i.e. not “Less than Desirable.”)   | ✓                  | ✓               | ✓              |
| Domestic Battery or Substantially Similar in Another Jurisdiction [Could also be a Misdemeanor Crime of Domestic Violence federal prohibitor.]  |                    | ✓               | ✓              |
| Drugs – 2 or more drug arrests (do not have to be convicted/can be dismissed) in past 5 years, with one in the past year  | ✓                  | ✓               | ✓              |
| DUI – Convicted or found guilty in this state or any other state of 2 or more violations related to DUI with alcohol, other drug or drugs, intoxicating compound or compounds, or any combination thereof, in the 5 years preceding the date of CCL application and any occurrence following CCL approval   |                    |                 | ✓              |
| DUI – If felony, see Felony   |                    |                 |                |
| False Statement (intentional) – On FOID Application   |                    | ✓               | ✓              |
| Federal Law – A person prohibited by any federal law  | ✓                  | ✓               | ✓              |
| Felony – Conviction Forcible Felony - appeal to court >20 years   | ✓                  | ✓               | ✓              |
| Firearms Training under Section 75 of CC Act – Has NOT been completed.  |                    |                 | ✓              |
| FOID Card – Not Valid   |                    |                 | ✓              |
| Fugitive from Justice (must have fled jurisdiction)   | ✓                  | ✓               | ✓              |
| Illinois Driver’s License or State ID – Not Valid   |                    | ✓               | ✓              |
| Illinois Resident – Not a Resident There are some exceptions for FOID and CCL.  |                    | ✓               | ✓              |
| Indicted – For a crime punishable by imprisonment for a term exceeding one year.  | ✓                  | ✓               | ✓              |

| <b>General Prohibitor Categories</b>  | <b>Federal Prohibitor</b> | <b>FOID Prohibitor</b> | <b>CCL Prohibitor</b>    |
|---|---------------------------|------------------------|--------------------------|
| Intellectually Disabled   |                           | ✓                      | ✓                        |
| Involuntary Admission – Mental Health (if emergency Admission, FOID Prohibitor Only)  | ✓                         | ✓                      | ✓                        |
| Mentally Disabled   |                           | ✓                      | ✓                        |
| Mental Health Admission – See Voluntary or Involuntary admission  |                           |                        |                          |
| Minor – See Under 21  |                           |                        |                          |
| Misdemeanor Crime of Domestic Violence (MCDV) or substantially similar in another jurisdiction  | ✓                         | ✓                      | ✓                        |
| Misdemeanor (involving use or threat of use of physical force or violence to any person in 5 yrs. preceding the application for CCL) Conviction in this or any other state  |                           |                        | ✓                        |
| Misdemeanor - Minor – See Under 21  |                           |                        |                          |
| No Contact Order  |                           | ✓                      | Suspend CCL <sup>1</sup> |
| Order of Protection – All Types in Illinois   |                           | ✓                      | Suspend CCL <sup>1</sup> |
| Order of Protection – W/Brady Flag OR meets Federal Requirements  | ✓                         | ✓                      | ✓                        |
| Pending Arrest Warrant, Prosecution, or Proceeding for offense or action that could lead to firearm disqualification.   |                           |                        | ✓                        |
| Renounced Citizenship   | ✓                         | ✓                      | ✓                        |
| Stalking – No Contact Order (if a felony, see Felony)   |                           | ✓                      | ✓                        |
| Under 21 years old – FOID (if no consenting sponsor)  |                           | ✓                      | ✓                        |
| Under 21 years old – CCL  |                           |                        | ✓                        |
| Under 21 - Convicted of a Misdemeanor other than Traffic or Adjudicated as a Delinquent Minor for a Misdemeanor   |                           | ✓                      | ✓                        |
| Violation of Order of Protection – Any conviction in last 5 years in which firearm used or possessed. Or, substantially similar in another jurisdiction. Misdemeanor or Felony.   |                           | ✓                      | ✓                        |
| Voluntary Admission – Mental Health-Less than 5 yrs. ago  |                           | ✓                      | ✓                        |
| Voluntary Admission – Mental Health-More than 5 yrs. ago (requires mental health certification for relief)  |                           | ✓                      | ✓                        |
| <p>Note:<br/> <sup>1</sup> For Orders of Protection, the Firearm Concealed Carry Act only requires that the license be suspended (430 ILCS 66/70).</p> <p>Source: Illinois State Police Firearm Prohibitor Summary.</p> |                           |                        |                          |

## Appendix D

# FOID Denial Reasons, Calendar Years 2018-2019

| Denial Reason  | Category                     | 2018  | 2019  | Total |
|--|------------------------------|-------|-------|-------|
| Fed. Prohibitor - Crime Punishable > 12 months   | Crime Punishable > 12 months | 3,261 | 2,722 | 5,983 |
| State Prohibitor - YES Answer (to prohibiting criminal history question)                                   | Application Disqualifier     | 2,151 | 1,535 | 3,686 |
| State Prohibitor - Mental Health Admission > 5 yrs, No mental health certification                         | Mental Health                | 1,644 | 1,720 | 3,364 |
| State Prohibitor - Felony - Other  | Felony                       | 1,458 | 1,154 | 2,612 |
| State Prohibitor - Mental Health - Voluntary   | Mental Health                | 1,222 | 1,125 | 2,347 |
| State Prohibitor - Felony - Drugs - Controlled Substances Act  | Felony                       | 793   | 702   | 1,495 |
| State Prohibitor - Prohibited from Firearms  | Prohibited from Firearms     | 655   | 751   | 1,406 |
| State Prohibitor - Forcible Felony   | Felony                       | 719   | 615   | 1,334 |
| State Prohibitor - Adjudicated delinquent (if adult, would be felony)                                      | Felony                       | 590   | 511   | 1,101 |
| State Prohibitor - Domestic Battery Conviction   | Domestic Violence            | 619   | 457   | 1,076 |
| State Prohibitor - Preliminary Denial  | Application Disqualifier     | 312   | 523   | 835   |
| Fed. Prohibitor - Misdemeanor Crime of Domestic Violence   | Domestic Violence            | 445   | 344   | 789   |
| State Prohibitor - Felony - Out of State   | Felony                       | 335   | 284   | 619   |
| Fed. Prohibitor - Felony Indictment  | Felony                       | 295   | 293   | 588   |
| State Prohibitor - Clear and Present Danger  | Mental Health                | 215   | 293   | 508   |
| Fed. Prohibitor - Alien (lawfully in US)   | Citizenship Status           | 246   | 238   | 484   |
| Fed. Prohibitor - Drugs  | Drugs                        | 261   | 220   | 481   |
| State Prohibitor - Addicted to Narcotics   | Drugs                        | 257   | 218   | 475   |
| State Prohibitor - Felony - Drugs - Cannabis Control Act - Class 3 and below                               | Felony                       | 245   | 216   | 461   |
| State Prohibitor - Order of Protection   | OP/Restraining Order         | 198   | 194   | 392   |
| State Prohibitor - Alien Unlawfully in US  | Citizenship Status           | 163   | 147   | 310   |
| State Prohibitor - National Instant Criminal Background Check System (NICS) - Denied Person (Other agency) | Other Criminal Offenses      | 148   | 136   | 284   |
| State Prohibitor - Involuntary Mental Health Admission   | Mental Health                | 135   | 120   | 255   |



| Denial Reason   | Category                              | 2018 | 2019 | Total |
|---|---------------------------------------|------|------|-------|
| Fed. Prohibitor - Fugitive from Justice   | Other Criminal Offenses               | 115  | 120  | 235   |
| State Prohibitor - Alien - non-immigrant visa   | Citizenship Status                    | 118  | 111  | 229   |
| State Prohibitor - Felony - Violation of Article 24 (miscellaneous firearm crimes)  | Felony                                | 98   | 114  | 212   |
| State Prohibitor - Minor - Ineligible Sponsor   | <21, no consent or Ineligible Sponsor | 102  | 87   | 189   |
| Fed. Prohibitor - Mental Health   | Mental Health                         | 153  | 25   | 178   |
| Fed. Prohibitor – Misdemeanor Crime of Domestic Violence (Out of State)   | Domestic Violence                     | 100  | 70   | 170   |
| State Prohibitor - Domestic Battery - Substantially Similar Offense in another jurisdiction                                 | Domestic Violence                     | 102  | 65   | 167   |
| State Prohibitor - Felony - Federal   | Felony                                | 92   | 68   | 160   |
| State Prohibitor - Prohibited from Firearms (Out of State Identification for Firearms Sales Flag)                           | Prohibited from Firearms              | 56   | 71   | 127   |
| State Prohibitor - Felony - Drugs – Cannabis Control Act - Class 2 and Up   | Felony                                | 46   | 56   | 102   |
| Fed. Prohibitor - Order of Protection   | OP/Restraining Order                  | 69   | 24   | 93    |
| State Prohibitor - Mentally Disabled  | Mental Health                         | 33   | 19   | 52    |
| State Prohibitor - National Instant Criminal Background Check System (NICS) Denied Person                                   | Other Criminal Offenses               | 30   | 21   | 51    |
| State Prohibitor - < 21 years, misdemeanor conviction/Adjudicated Delinquent  | Other Criminal Offenses               | 27   | 17   | 44    |
| State Prohibitor - Delinquent Minor - felony  | Felony                                | 25   | 12   | 37    |
| State Prohibitor - Non-Resident of IL   | Non-Resident of IL                    | 12   | 23   | 35    |
| No Reason listed in data provided   | No Reason                             | 22   | 11   | 33    |
| State Prohibitor - Felony - Drugs - Methamphetamine Act   | Felony                                | 14   | 8    | 22    |
| State Prohibitor - False Statement on application   | Application Disqualifier              | 11   | 1    | 12    |
| State Prohibitor - Developmentally Disabled   | Mental Health                         | 8    | 4    | 12    |
| State Prohibitor - Intellectually Disabled  | Mental Health                         | 4    | 7    | 11    |
| State Prohibitor – Felony - Cannabis Control Act/Controlled Substances Act/ Methamphetamine Control Act - Class 3 and below | Felony                                | 5    | 4    | 9     |
| Fed. Prohibitor - Dishonorable Discharge  | Other Criminal Offenses               | 6    | 3    | 9     |

| Denial Reason  | Category                              | 2018          | 2019          | Total         |
|--|---------------------------------------|---------------|---------------|---------------|
| State Prohibitor - Felony - Cannabis Control Act/Controlled Substances Act/ Methamphetamine Control Act - Class 2 and above  | Felony                                | 5             | 3             | 8             |
| State Prohibitor - Convicted of Battery, Assault, Aggravated Assault, Violation of an Order of Protection, or a substantially similar offense with firearm within the last 5 years | Other Criminal Offenses               | 4             | 1             | 5             |
| State Prohibitor - Failure to complete application   | Application Disqualifier              | 2             | 3             | 5             |
| State Prohibitor - Domestic Battery - Aggravated Domestic Battery in another jurisdiction  | Domestic Violence                     | 1             | 2             | 3             |
| State Prohibitor - Insufficient Funds  | Application Disqualifier              | 1             | 1             | 2             |
| State Prohibitor - Felony - Stalking/Aggravated Stalking   | Felony                                | 2             | 0             | 2             |
| Fed. Prohibitor - Renounced Citizen  | Citizenship Status                    | 0             | 1             | 1             |
| State Prohibitor - < 21 years, no consent  | <21, no consent or Ineligible Sponsor | 0             | 1             | 1             |
| <i>Total</i>   |                                       | <i>17,630</i> | <i>15,471</i> | <i>33,101</i> |

Note: There were 20,642 FOID application denials in calendar years 2018 and 2019; however, denials might include more than one reason. This analysis breaks out each reason/prohibitor separately.

Source: OAG analysis of Illinois State Police data.

## Appendix E

### CCL Denial Reasons, Calendar Years 2018-2019

| Denial Reason   | 2018         | 2019         | Total        |
|---|--------------|--------------|--------------|
| Danger to self or others  | 554          | 585          | 1,139        |
| FOID-Inactive FOID Card   | 391          | 413          | 804          |
| Answered 'Yes' to one or more preliminary questions (perhaps inadvertently)                                   | 190          | 170          | 360          |
| Subject of pending prosecution of an offense that is a disqualifier   | 54           | 35           | 89           |
| Threat to Public Safety   | 29           | 36           | 65           |
| ISP investigation conducted failed to meet training requirements  | 43           | 9            | 52           |
| Inactive IL driver's license or ID card (Collect ID expiration)   | 9            | 18           | 27           |
| Has been in residential or court-ordered treatment for alcohol or drugs in the past 5 years                   | 10           | 17           | 27           |
| Incomplete application  | 20           | 1            | 21           |
| Subject of pending proceeding of an offense that is a disqualifier  | 3            | 9            | 12           |
| Felony Conviction (Federal Prohibitor)  | 1            | 9            | 10           |
| A misdemeanor conviction involving the use or threat of physical violence within 5 years                      | 4            | 2            | 6            |
| 2 DUIs within 5 years of date of application  | 3            | 2            | 5            |
| FOID-Drug Prohibited (Federal)  | 2            | 3            | 5            |
| FOID-Order of Protection  | 0            | 4            | 4            |
| FOID-Addicted to Narcotics (State)  | 2            | 1            | 3            |
| FOID-Patient in a Mental Facility for the voluntary treatment of a mental illness in the last 5 years (State) | 1            | 2            | 3            |
| Subject of pending arrest warrant of an offense that is a disqualifier  | 1            | 1            | 2            |
| FOID-Felony (Federal)   | 2            | 0            | 2            |
| Failed to meet all training requirements  | 2            | 0            | 2            |
| Other   | 2            | 0            | 2            |
| FOID-Misdemeanor Domestic Violence (Federal)  | 0            | 2            | 2            |
| FOID-Clear and Present Danger (State)   | 0            | 1            | 1            |
| Applicant does not have a valid Concealed Carry License   | 0            | 1            | 1            |
| No Reason   | 0            | 1            | 1            |
| Insufficient Funds  | 0            | 1            | 1            |
| <b>Total</b>  | <b>1,323</b> | <b>1,323</b> | <b>2,646</b> |

Note: There were 2,438 CCL application denials in calendar years 2018 and 2019; however, denials might include more than one reason. This analysis breaks out each reason/prohibitor separately.

Source: OAG analysis of Illinois State Police data.

## Appendix F

### FOID Revocations by County, Calendar Years 2018-2019

| County     | Revoked Cards | FOID Cards Returned | Percent Returned | Firearm Disposition Records Submitted | Percent Submitted |
|------------|---------------|---------------------|------------------|---------------------------------------|-------------------|
| Adams      | 134           | 62                  | 46.3%            | 30                                    | 22.4%             |
| Alexander  | 11            | 2                   | 18.2%            | 2                                     | 18.2%             |
| Bond       | 52            | 24                  | 46.2%            | 8                                     | 15.4%             |
| Boone      | 106           | 35                  | 33.0%            | 26                                    | 24.5%             |
| Brown      | 14            | 7                   | 50.0%            | 5                                     | 35.7%             |
| Bureau     | 60            | 34                  | 56.7%            | 21                                    | 35.0%             |
| Calhoun    | 6             | 3                   | 50.0%            | 2                                     | 33.3%             |
| Carroll    | 25            | 8                   | 32.0%            | 2                                     | 8.0%              |
| Cass       | 28            | 8                   | 28.6%            | 3                                     | 10.7%             |
| Champaign  | 274           | 114                 | 41.6%            | 80                                    | 29.2%             |
| Christian  | 95            | 33                  | 34.7%            | 21                                    | 22.1%             |
| Clark      | 32            | 12                  | 37.5%            | 7                                     | 21.9%             |
| Clay       | 40            | 18                  | 45.0%            | 11                                    | 27.5%             |
| Clinton    | 59            | 32                  | 54.2%            | 24                                    | 40.7%             |
| Coles      | 99            | 37                  | 37.4%            | 28                                    | 28.3%             |
| Cook       | 6,667         | 3,235               | 48.5%            | 2,462                                 | 36.9%             |
| Crawford   | 24            | 8                   | 33.3%            | 2                                     | 8.3%              |
| Cumberland | 17            | 10                  | 58.8%            | 7                                     | 41.2%             |
| DeKalb     | 145           | 70                  | 48.3%            | 52                                    | 35.9%             |
| Dewitt     | 38            | 17                  | 44.7%            | 12                                    | 31.6%             |
| Douglas    | 45            | 13                  | 28.9%            | 8                                     | 17.8%             |
| DuPage     | 933           | 468                 | 50.2%            | 375                                   | 40.2%             |
| Edgar      | 32            | 7                   | 21.9%            | 5                                     | 15.6%             |
| Edwards    | 9             | 5                   | 55.6%            | 2                                     | 22.2%             |
| Effingham  | 79            | 33                  | 41.8%            | 32                                    | 40.5%             |
| Fayette    | 43            | 16                  | 37.2%            | 14                                    | 32.6%             |
| Ford       | 29            | 18                  | 62.1%            | 14                                    | 48.3%             |
| Franklin   | 120           | 31                  | 25.8%            | 19                                    | 15.8%             |
| Fulton     | 82            | 43                  | 52.4%            | 22                                    | 26.8%             |
| Gallatin   | 14            | 4                   | 28.6%            | 3                                     | 21.4%             |
| Greene     | 42            | 10                  | 23.8%            | 10                                    | 23.8%             |
| Grundy     | 105           | 53                  | 50.5%            | 36                                    | 34.3%             |
| Hamilton   | 25            | 12                  | 48.0%            | 8                                     | 32.0%             |
| Hancock    | 49            | 30                  | 61.2%            | 13                                    | 26.5%             |
| Hardin     | 12            | 5                   | 41.7%            | 2                                     | 16.7%             |

| County     | Revoked Cards | FOID Cards Returned | Percent Returned | Firearm Disposition Records Submitted | Percent Submitted |
|------------|---------------|---------------------|------------------|---------------------------------------|-------------------|
| Henderson  | 19            | 3                   | 15.8%            | 3                                     | 15.8%             |
| Henry      | 100           | 51                  | 51.0%            | 26                                    | 26.0%             |
| Iroquois   | 48            | 20                  | 41.7%            | 16                                    | 33.3%             |
| Jackson    | 111           | 38                  | 34.2%            | 27                                    | 24.3%             |
| Jasper     | 20            | 16                  | 80.0%            | 13                                    | 65.0%             |
| Jefferson  | 102           | 35                  | 34.3%            | 26                                    | 25.5%             |
| Jersey     | 48            | 15                  | 31.3%            | 11                                    | 22.9%             |
| Jo Daviess | 23            | 8                   | 34.8%            | 7                                     | 30.4%             |
| Johnson    | 28            | 10                  | 35.7%            | 8                                     | 28.6%             |
| Kane       | 643           | 335                 | 52.1%            | 260                                   | 40.4%             |
| Kankakee   | 282           | 100                 | 35.5%            | 59                                    | 20.9%             |
| Kendall    | 177           | 103                 | 58.2%            | 66                                    | 37.3%             |
| Knox       | 124           | 60                  | 48.4%            | 35                                    | 28.2%             |
| Lake       | 757           | 355                 | 46.9%            | 253                                   | 33.4%             |
| LaSalle    | 203           | 100                 | 49.3%            | 66                                    | 32.5%             |
| Lawrence   | 41            | 8                   | 19.5%            | 9                                     | 22.0%             |
| Lee        | 54            | 35                  | 64.8%            | 15                                    | 27.8%             |
| Livingston | 78            | 34                  | 43.6%            | 25                                    | 32.1%             |
| Logan      | 60            | 22                  | 36.7%            | 19                                    | 31.7%             |
| Macon      | 235           | 109                 | 46.4%            | 79                                    | 33.6%             |
| Macoupin   | 107           | 36                  | 33.6%            | 15                                    | 14.0%             |
| Madison    | 569           | 225                 | 39.5%            | 140                                   | 24.6%             |
| Marion     | 102           | 43                  | 42.2%            | 41                                    | 40.2%             |
| Marshall   | 22            | 8                   | 36.4%            | 9                                     | 40.9%             |
| Mason      | 34            | 16                  | 47.1%            | 7                                     | 20.6%             |
| Massac     | 21            | 8                   | 38.1%            | 4                                     | 19.0%             |
| McDonough  | 50            | 31                  | 62.0%            | 21                                    | 42.0%             |
| McHenry    | 462           | 254                 | 55.0%            | 177                                   | 38.3%             |
| McLean     | 268           | 140                 | 52.2%            | 89                                    | 33.2%             |
| Menard     | 24            | 17                  | 70.8%            | 16                                    | 66.7%             |
| Mercer     | 29            | 15                  | 51.7%            | 3                                     | 10.3%             |
| Monroe     | 45            | 24                  | 53.3%            | 20                                    | 44.4%             |
| Montgomery | 83            | 33                  | 39.8%            | 20                                    | 24.1%             |
| Morgan     | 68            | 27                  | 39.7%            | 19                                    | 27.9%             |
| Moultrie   | 28            | 7                   | 25.0%            | 6                                     | 21.4%             |
| Ogle       | 83            | 38                  | 45.8%            | 24                                    | 28.9%             |
| Peoria     | 415           | 123                 | 29.6%            | 66                                    | 15.9%             |
| Perry      | 38            | 18                  | 47.4%            | 7                                     | 18.4%             |
| Piatt      | 37            | 14                  | 37.8%            | 9                                     | 24.3%             |
| Pike       | 62            | 41                  | 66.1%            | 33                                    | 53.2%             |

| County       | Revoked Cards | FOID Cards Returned | Percent Returned | Firearm Disposition Records Submitted | Percent Submitted |
|--------------|---------------|---------------------|------------------|---------------------------------------|-------------------|
| Pope         | 11            | 1                   | 9.1%             | 1                                     | 9.1%              |
| Pulaski      | 12            | 10                  | 83.3%            | 8                                     | 66.7%             |
| Putnam       | 12            | 8                   | 66.7%            | 2                                     | 16.7%             |
| Randolph     | 48            | 11                  | 22.9%            | 7                                     | 14.6%             |
| Richland     | 37            | 14                  | 37.8%            | 13                                    | 35.1%             |
| Rock Island  | 168           | 98                  | 58.3%            | 74                                    | 44.0%             |
| Saline       | 41            | 15                  | 36.6%            | 11                                    | 26.8%             |
| Sangamon     | 461           | 174                 | 37.7%            | 125                                   | 27.1%             |
| Schuyler     | 17            | 10                  | 58.8%            | 3                                     | 17.6%             |
| Scott        | 14            | 4                   | 28.6%            | 3                                     | 21.4%             |
| Shelby       | 50            | 15                  | 30.0%            | 5                                     | 10.0%             |
| St. Clair    | 505           | 165                 | 32.7%            | 148                                   | 29.3%             |
| Stark        | 14            | 5                   | 35.7%            | 3                                     | 21.4%             |
| Stephenson   | 72            | 49                  | 68.1%            | 34                                    | 47.2%             |
| Tazewell     | 299           | 123                 | 41.1%            | 97                                    | 32.4%             |
| Union        | 26            | 13                  | 50.0%            | 10                                    | 38.5%             |
| Vermilion    | 169           | 71                  | 42.0%            | 42                                    | 24.9%             |
| Wabash       | 16            | 6                   | 37.5%            | 6                                     | 37.5%             |
| Warren       | 25            | 21                  | 84.0%            | 19                                    | 76.0%             |
| Washington   | 26            | 8                   | 30.8%            | 5                                     | 19.2%             |
| Wayne        | 46            | 10                  | 21.7%            | 11                                    | 23.9%             |
| White        | 37            | 13                  | 35.1%            | 10                                    | 27.0%             |
| Whiteside    | 95            | 34                  | 35.8%            | 24                                    | 25.3%             |
| Will         | 1,085         | 493                 | 45.4%            | 341                                   | 31.4%             |
| Williamson   | 149           | 45                  | 30.2%            | 30                                    | 20.1%             |
| Winnebago    | 518           | 184                 | 35.5%            | 151                                   | 29.2%             |
| Woodford     | 77            | 39                  | 50.6%            | 26                                    | 33.8%             |
| <b>Total</b> | <b>19,275</b> | <b>8,731</b>        | <b>45.3%</b>     | <b>6,326</b>                          | <b>32.8%</b>      |

Source: OAG analysis of Illinois State Police data.

## Appendix G

### FOID Revocation Prohibitors, Calendar Years 2018-2019

| Prohibitor   | Category                     | 2018  | 2019  | Total |
|--|------------------------------|-------|-------|-------|
| State Prohibitor - Order of Protection   | OP/Restraining Order         | 3,076 | 3,577 | 6,653 |
| State Prohibitor - Mental Health - Voluntary   | Mental Health                | 2,771 | 2,640 | 5,411 |
| State Prohibitor - Prohibited from Firearms  | Prohibited from Firearms     | 2,001 | 2,311 | 4,312 |
| Fed. Prohibitor - Felony Indictment  | Felony                       | 1,236 | 1,454 | 2,690 |
| State Prohibitor - Clear and Present Danger  | Mental Health                | 704   | 1,017 | 1,721 |
| Fed. Prohibitor - Crime Punishable > 12 months   | Crime Punishable > 12 months | 654   | 673   | 1,327 |
| Fed. Prohibitor - Drugs  | Drugs                        | 360   | 412   | 772   |
| State Prohibitor - Addicted to Narcotics   | Drugs                        | 319   | 402   | 721   |
| State Prohibitor - Involuntary Mental Health Admission   | Mental Health                | 322   | 296   | 618   |
| State Prohibitor - Felony - Other  | Felony                       | 291   | 297   | 588   |
| State Prohibitor - Non-Resident of IL  | Non-Resident of IL           | 191   | 277   | 468   |
| Fed. Prohibitor - Mental Health  | Mental Health                | 215   | 102   | 317   |
| State Prohibitor - Forcible Felony   | Felony                       | 124   | 137   | 261   |
| State Prohibitor - Felony - Drugs - Controlled Substances Act  | Felony                       | 110   | 96    | 206   |
| Fed. Prohibitor - Misdemeanor Crime of Domestic Violence   | Domestic Violence            | 106   | 91    | 197   |
| Fed. Prohibitor – Order of Protection  | OP/Restraining Order         | 96    | 101   | 197   |
| State Prohibitor – Domestic Battery Conviction   | Domestic Violence            | 87    | 88    | 175   |
| State Prohibitor - Mentally Disabled   | Mental Health                | 61    | 97    | 158   |
| State Prohibitor – National Instant Criminal Background Check System (NICS) Denied Person (Other agency) | Other Criminal Offenses      | 54    | 77    | 131   |
| State Prohibitor - Felony - Out of State   | Felony                       | 48    | 47    | 95    |
| Fed. Prohibitor - Fugitive from Justice  | Other Criminal Offenses      | 37    | 55    | 92    |
| State Prohibitor - Felony - Drugs - Methamphetamine Act  | Felony                       | 27    | 52    | 79    |
| State Prohibitor - Felony - Violation of Article 24 (miscellaneous firearm crimes)                       | Felony                       | 41    | 32    | 73    |
| State Prohibitor – Mental Health Admission > 5 yrs, No mental health certification                       | Mental Health                | 18    | 49    | 67    |

| Prohibitor   | Category                              | 2018 | 2019 | Total |
|--|---------------------------------------|------|------|-------|
| State Prohibitor - Adult - Adjudicated delinquent (if adult, would be felony)  | Felony                                | 39   | 27   | 66    |
| State Prohibitor - Felony - Federal  | Felony                                | 23   | 30   | 53    |
| State Prohibitor - Felony - Drugs – Cannabis Control Act - Class 3 and below   | Felony                                | 22   | 20   | 42    |
| State Prohibitor - Domestic Battery - Substantially Similar Offense in another jurisdiction  | Domestic Violence                     | 13   | 17   | 30    |
| State Prohibitor - Felony - Drugs – Cannabis Control Act - Class 2 and Up  | Felony                                | 19   | 10   | 29    |
| Fed. Prohibitor – Misdemeanor Crime of Domestic Violence (Out of State)  | Domestic Violence                     | 9    | 19   | 28    |
| Fed. Prohibitor – Alien (lawfully in US)   | Citizenship Status                    | 16   | 11   | 27    |
| State Prohibitor - Prohibited from Firearms (Out of State Identification for Firearms Sales Flag)  | Prohibited from Firearms              | 13   | 13   | 26    |
| State Prohibitor – National Instant Criminal Background Check System (NICS) Denied Person  | Other Criminal Offenses               | 10   | 11   | 21    |
| State Prohibitor - Firearm Restraining Order   | OP/Restraining Order                  | 0    | 21   | 21    |
| State Prohibitor - Alien Unlawfully in US  | Citizenship Status                    | 10   | 9    | 19    |
| State Prohibitor - YES Answer (to prohibiting criminal history question)   | Application Disqualifier              | 6    | 12   | 18    |
| State Prohibitor - Intellectually Disabled   | Mental Health                         | 10   | 6    | 16    |
| State Prohibitor - Convicted of Battery, Assault, Aggravated Assault, Violation of an Order of Protection, or a substantially similar offense with firearm within the last 5 years | Other Criminal Offenses               | 8    | 2    | 10    |
| State Prohibitor - < 21 years, misdemeanor conviction/Adjudicated Delinquent   | Other Criminal Offenses               | 5    | 5    | 10    |
| State Prohibitor - Minor - Ineligible Sponsor  | <21, no consent or Ineligible Sponsor | 8    | 2    | 10    |
| State Prohibitor - False Statement on application  | Application Disqualifier              | 5    | 2    | 7     |
| State Prohibitor - Preliminary Denial  | Application Disqualifier              | 1    | 5    | 6     |
| State Prohibitor - Delinquent Minor - felony   | Felony                                | 1    | 4    | 5     |
| State Prohibitor - Developmentally Disabled  | Mental Health                         | 4    | 1    | 5     |
| Fed. Prohibitor - Dishonorable Discharge   | Other Criminal Offenses               | 3    | 2    | 5     |



| <b>Prohibitor</b>                                  | <b>Category</b>                       | <b>2018</b>   | <b>2019</b>   | <b>Total</b>  |
|--|---------------------------------------|---------------|---------------|---------------|
| State Prohibitor - Alien - non-immigrant visa      | Citizenship Status                    | 2             | 3             | 5             |
| State Prohibitor - < 21 years, no consent          | <21, no consent or Ineligible Sponsor | 3             | 1             | 4             |
| State Prohibitor - Insufficient Funds              | Application Disqualifier              | 1             | 3             | 4             |
| Fed. Prohibitor - Renounced Citizen                | Citizenship Status                    | 0             | 3             | 3             |
| State Prohibitor - Failure to complete application | Application Disqualifier              | 1             | 0             | 1             |
| <i>Total</i>                                       |                                       | <i>13,181</i> | <i>14,619</i> | <i>27,800</i> |

Note: There were 19,725 FOID card revocations in calendar years 2018 and 2019; however, revocations might include more than one prohibitor. This analysis breaks out each prohibitor separately.

Source: OAG analysis of Illinois State Police data.

## Appendix H

## CCL Revocations by County, Calendar Years 2018-2019

| County     | 2018-2019 Revoked Licenses | 2018-2019 Licenses Returned | 2018-2019 Percent Returned |
|------------|----------------------------|-----------------------------|----------------------------|
| Adams      | 53                         | 5                           | 9.4%                       |
| Alexander  | 13                         | 0                           | 0.0%                       |
| Bond       | 19                         | 4                           | 21.1%                      |
| Boone      | 63                         | 7                           | 11.1%                      |
| Brown      | 8                          | 0                           | 0.0%                       |
| Bureau     | 27                         | 2                           | 7.4%                       |
| Calhoun    | 5                          | 0                           | 0.0%                       |
| Carroll    | 15                         | 1                           | 6.7%                       |
| Cass       | 5                          | 1                           | 20.0%                      |
| Champaign  | 131                        | 18                          | 13.7%                      |
| Christian  | 27                         | 4                           | 14.8%                      |
| Clark      | 23                         | 2                           | 8.7%                       |
| Clay       | 17                         | 2                           | 11.8%                      |
| Clinton    | 46                         | 4                           | 8.7%                       |
| Coles      | 46                         | 10                          | 21.7%                      |
| Cook       | 2,780                      | 525                         | 18.9%                      |
| Crawford   | 21                         | 4                           | 19.0%                      |
| Cumberland | 11                         | 1                           | 9.1%                       |
| DeKalb     | 67                         | 10                          | 14.9%                      |
| DeWitt     | 54                         | 17                          | 31.5%                      |
| Douglas    | 21                         | 3                           | 14.3%                      |
| DuPage     | 494                        | 117                         | 23.7%                      |
| Edgar      | 16                         | 3                           | 18.8%                      |
| Edwards    | 9                          | 0                           | 0.0%                       |
| Effingham  | 27                         | 2                           | 7.4%                       |
| Fayette    | 19                         | 3                           | 15.8%                      |
| Ford       | 19                         | 5                           | 26.3%                      |
| Franklin   | 53                         | 6                           | 11.3%                      |
| Fulton     | 51                         | 9                           | 17.6%                      |
| Gallatin   | 8                          | 2                           | 25.0%                      |
| Greene     | 12                         | 0                           | 0.0%                       |
| Grundy     | 61                         | 11                          | 18.0%                      |
| Hamilton   | 19                         | 0                           | 0.0%                       |
| Hancock    | 19                         | 2                           | 10.5%                      |
| Hardin     | 5                          | 0                           | 0.0%                       |

| County     | 2018-2019 Revoked Licenses | 2018-2019 Licenses Returned | 2018-2019 Percent Returned |
|------------|----------------------------|-----------------------------|----------------------------|
| Henderson  | 5                          | 1                           | 20.0%                      |
| Henry      | 38                         | 4                           | 10.5%                      |
| Iroquois   | 27                         | 1                           | 3.7%                       |
| Jackson    | 56                         | 7                           | 12.5%                      |
| Jasper     | 17                         | 3                           | 17.6%                      |
| Jefferson  | 57                         | 6                           | 10.5%                      |
| Jersey     | 24                         | 2                           | 8.3%                       |
| Jo Daviess | 5                          | 1                           | 20.0%                      |
| Johnson    | 22                         | 0                           | 0.0%                       |
| Kane       | 272                        | 60                          | 22.1%                      |
| Kankakee   | 126                        | 18                          | 14.3%                      |
| Kendall    | 97                         | 28                          | 28.9%                      |
| Knox       | 35                         | 5                           | 14.3%                      |
| Lake       | 430                        | 83                          | 19.3%                      |
| LaSalle    | 86                         | 17                          | 19.8%                      |
| Lawrence   | 20                         | 4                           | 20.0%                      |
| Lee        | 39                         | 3                           | 7.7%                       |
| Livingston | 38                         | 11                          | 28.9%                      |
| Logan      | 28                         | 5                           | 17.9%                      |
| Macon      | 136                        | 22                          | 16.2%                      |
| Macoupin   | 55                         | 8                           | 14.5%                      |
| Madison    | 323                        | 47                          | 14.6%                      |
| Marion     | 55                         | 6                           | 10.9%                      |
| Marshall   | 12                         | 1                           | 8.3%                       |
| Mason      | 15                         | 2                           | 13.3%                      |
| Massac     | 25                         | 2                           | 8.0%                       |
| McDonough  | 22                         | 5                           | 22.7%                      |
| McHenry    | 255                        | 43                          | 16.9%                      |
| McLean     | 247                        | 62                          | 25.1%                      |
| Menard     | 22                         | 6                           | 27.3%                      |
| Mercer     | 20                         | 2                           | 10.0%                      |
| Monroe     | 49                         | 6                           | 12.2%                      |
| Montgomery | 24                         | 4                           | 16.7%                      |
| Morgan     | 25                         | 3                           | 12.0%                      |
| Moultrie   | 18                         | 2                           | 11.1%                      |
| Ogle       | 58                         | 8                           | 13.8%                      |
| Peoria     | 217                        | 36                          | 16.6%                      |
| Perry      | 28                         | 3                           | 10.7%                      |
| Piatt      | 27                         | 11                          | 40.7%                      |
| Pike       | 26                         | 9                           | 34.6%                      |

| County                    | 2018-2019 Revoked Licenses | 2018-2019 Licenses Returned | 2018-2019 Percent Returned |
|---------------------------|----------------------------|-----------------------------|----------------------------|
| Pope                      | 12                         | 1                           | 8.3%                       |
| Pulaski                   | 8                          | 0                           | 0.0%                       |
| Putnam                    | 8                          | 2                           | 25.0%                      |
| Randolph                  | 40                         | 3                           | 7.5%                       |
| Richland                  | 13                         | 1                           | 7.7%                       |
| Rock Island               | 89                         | 17                          | 19.1%                      |
| Saline                    | 31                         | 2                           | 6.5%                       |
| Sangamon                  | 205                        | 29                          | 14.1%                      |
| Schuyler                  | 5                          | 0                           | 0.0%                       |
| Scott                     | 4                          | 0                           | 0.0%                       |
| Shelby                    | 33                         | 2                           | 6.1%                       |
| St. Clair                 | 243                        | 25                          | 10.3%                      |
| Stark                     | 11                         | 0                           | 0.0%                       |
| Stephenson                | 24                         | 2                           | 8.3%                       |
| Tazewell                  | 242                        | 57                          | 23.6%                      |
| Union                     | 32                         | 3                           | 9.4%                       |
| Vermilion                 | 69                         | 8                           | 11.6%                      |
| Wabash                    | 24                         | 1                           | 4.2%                       |
| Warren                    | 16                         | 2                           | 12.5%                      |
| Washington                | 15                         | 4                           | 26.7%                      |
| Wayne                     | 31                         | 1                           | 3.2%                       |
| White                     | 11                         | 2                           | 18.2%                      |
| Whiteside                 | 34                         | 5                           | 14.7%                      |
| Will                      | 603                        | 119                         | 19.7%                      |
| Williamson                | 108                        | 7                           | 6.5%                       |
| Winnebago                 | 216                        | 35                          | 16.2%                      |
| Woodford                  | 76                         | 16                          | 21.1%                      |
| No County <sup>1</sup>    | 15                         | 4                           | 26.7%                      |
| Out-of-State <sup>1</sup> | 3                          | 1                           | 33.3%                      |
| <b>Total</b>              | <b>9,566</b>               | <b>1,676</b>                | <b>17.5%</b>               |

## Note:

<sup>1</sup> Three counties listed (Harris, Mathews, and Nassau counties) were not in Illinois and 15 revoked licenses did not have a county listed.

Source: OAG analysis of Illinois State Police data.

## Appendix I

### CCL Revocation Prohibitors, Calendar Years 2018-2019

| Prohibitor  | 2018  | 2019  | Total |
|---|-------|-------|-------|
| FOID-Inactive FOID Card   | 3,200 | 5,742 | 8,942 |
| Inactive IL driver's license or ID card   | 305   | 610   | 915   |
| An investigation has determined the Instructor who provided your firearms training did not provide the minimum hours as established by 430 ILCS 66/75                                   | 512   | 1     | 513   |
| Subject of pending prosecution of an offense that is a disqualifier   | 281   | 152   | 433   |
| Subject of pending proceeding of an offense that is a disqualifier  | 11    | 20    | 31    |
| Applicant does not have a valid Concealed Carry License   | 17    | 13    | 30    |
| Subject of pending arrest warrant of an offense that is a disqualifier  | 12    | 2     | 14    |
| Has a felony conviction that is a federal prohibitor.   | 4     | 9     | 13    |
| FOID-Patient in a Mental Facility for the voluntary treatment of a mental illness in the last 5 years   | 1     | 12    | 13    |
| Has been in residential or court-ordered treatment for alcohol or drugs in the past 5 years   | 3     | 9     | 12    |
| FOID-Order of Protection  | 1     | 11    | 12    |
| FOID-Clear and Present Danger   | 1     | 7     | 8     |
| FOID-Addicted to Narcotics  | 2     | 6     | 8     |
| A misdemeanor conviction involving the use or threat of physical violence within 5 years  | 4     | 3     | 7     |
| The Illinois State Police has determined that you have not completed the training required by 430 ILCS 66/75 of the Firearm Concealed Carry Act   | 2     | 1     | 3     |
| FOID-Drug Prohibited  | 1     | 2     | 3     |
| FOID-Intellectually Disabled  | 1     | 2     | 3     |
| FOID-Misdemeanor Domestic Violence  | 1     | 2     | 3     |
| FOID-Felony   | 0     | 2     | 2     |
| Answered 'Yes' to one or more preliminary questions   | 0     | 2     | 2     |
| FOID-Within in the past 5 years, Battery, Assault, Aggravated Assault, Violation of an Order of Protection, or a substantially similar offense in which a firearm was used or possessed | 0     | 1     | 1     |
| Insufficient Funds  | 0     | 1     | 1     |
| FOID-Developmentally Disabled   | 0     | 1     | 1     |
| Missing or expired concealed carry license from resident state  | 1     | 0     | 1     |

| <b>Prohibitor</b>                            | <b>2018</b>  | <b>2019</b>  | <b>Total</b>  |
|--|--------------|--------------|---------------|
| 2 DUIs within 5 years of date of application | 1            | 0            | 1             |
| FOID-Adjudicated as a mental defective       | 1            | 0            | 1             |
| <i>Total</i>                                 | <i>4,362</i> | <i>6,611</i> | <i>10,973</i> |

Note: There were 9,566 CCL revocations in calendar years 2018 and 2019; however, revocations might include multiple prohibitors. This analysis breaks out each prohibitor separately.

Source: OAG analysis of Illinois State Police data.

## Appendix J

# Agency Responses



### ILLINOIS STATE POLICE *Office of the Director*

JB Pritzker  
*Governor*

Brendan F. Kelly  
*Director*

September 2, 2021

Tricia Wagner  
Performance Audit Manager  
Illinois Office of the Auditor General  
Iles Park Plaza, 740 East Ash  
Springfield, IL 62703

Dear Ms. Wagner:

Pursuant to your draft report (dated 8.19.21) on the management audit of the Department of State Police's (ISP) FOID Card/Concealed Carry License Programs, we have enclosed the ISP responses in electronic form on the recommendations contained in the draft report.

Please contact the agency's Chief Financial Officer, Michael Yokley at (217) 557-4780 or by email at [Michael.Yokley@Illinois.gov](mailto:Michael.Yokley@Illinois.gov) with any questions. Thank you for your cooperation during this process.

Respectfully,

**SIGNED ORIGINAL ON FILE**

Brendan F. Kelly  
Director

**RECOMMENDATION NUMBER 1**

The Illinois State Police should seek to reduce manual verifications and checks of applicant information, reduce multiple and overlapping checks, and seek legislative remedies, if necessary, in order to increase the efficiency of the FOID and CCL application processes.

**Illinois State Police Response:**

The Department concurs and has begun working towards a multi-faceted approach to increase efficiencies to help meet the statutory directories with the FOID and CCL Acts. Beginning in March of 2020 the Firearms Services Bureau (FSB) began work with Illuminative Strategies (ISI) on a Lean 6 assessment of the FOID process. As a result of a coordinated effort between ISI and the FSB 72 opportunities to improve were identified. Several of the recommended changes had already been identified and were either implemented or in the process of implementation when the process review was completed, many more of the recommendations are still under development with the software vendor Appriss and are pending implementation. Not long after the Lean 6 assessment was completed the FSB was provided the assistance of a member of the Illinois State Police (ISP) legal office to conduct a thorough review of statutory language to identify other areas where efficiencies could be identified and to provide recommendations to the ISP Governmental Affairs Office for changes to legislation. As a result, several “streamlined” processes were proposed for ISP Senior Command consideration. Many of the recommendations have already been approved, developed and implemented showing a drastic decrease in backlog numbers for FOID renewal applications. As a result of the streamlined processes for FOID renewal applications the FSB has been able to reduce the number of backlogged applications from its peak of nearly 140,000 in early 2021 to under 6,192 by September of 2021. Additional streamlined proposals are pending approval and future development, which the FSB anticipates will have significant effects on new FOID applications as well as CCL new and renewal applications.

In addition to the streamlined enhancements the ISP advocated for numerous legislative changes in the spring and summer of 2021. House Bill 562 passed during the 2021 spring legislative session which contained the first significant rewrite of the FOID Act since 1968, as well as multiple revisions to the CCL Act and Appeals processes. Many of the changes were specifically crafted to address redundancies in processes and lifts much of the burden from both the citizen and the FSB for multiple renewal applications, renewal date issues and FTIP transactions. HB 562 will likely reduce or limit the potential for future backlogs.

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**RECOMMENDATION NUMBER 2**

The Illinois State Police should ensure that all FOID and CCL applications are approved or denied within the required statutory timeframes.

**Illinois State Police Response:**

The Department concurs and has been working towards compliance with the directories identified within both the FOID and CCL Acts. As a result of the Lean 6 Assessment, streamlined process developments and hiring additional staff the FSB will be in compliance with the directory for



FOID renewal applications at or near the end of September 2021. In addition, due to social unrest and the pandemic the FSB saw an unprecedented number of new FOID and CCL applications received in 2020. The FSB saw a peak in the number of new FOID applications backlogged in November of 2020 at nearly 139,000 applications but as of August 30, 2021 the number of new FOID applications on backlog has dropped to under 48,000. Average processing times has dropped from 205 days in July of 2021 to less than 190 days in September of 2021. As new and renewal FOID applications are approved the backlog number of CCL applications experiences a corresponding increase. The new CCL application backlog saw its peak in December of 2020 at 27,589 before dropping to 7,967 in May of 2021. As the streamlined process for renewal FOID applications were put into production the FSB experienced a surge in CCL applications pushing the backlog number of CCL applications back to nearly 25,000 by July of 2021 before the number again began to drop. In addition to the streamlined process improvements a number of provisions passed in House Bill 562 allow for combining expiration dates of FOID and CCL cards to further reduce redundancies and increase the probability of processing applications within statutory guidelines.

It is important to note that FOID and CCL card holders that had submitted a renewal application on file in late 2019 did not expire and remained valid through the time of this report as a result of the Governor's emergency declaration, if the renewal application had been submitted prior to expiration. Those cards with submitted renewal applications identified within this report for October, November, and December of 2019 were not expired.

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### **RECOMMENDATION NUMBER 3:**

The Illinois State Police should:

- ensure that Sheriffs are notified of revocations as is required by the Firearm Owners Identification Card Act; and
- continue to work with local law enforcement agencies to ensure revoked FOID cards and Concealed Carry Licenses are returned to the Department in accordance with the Firearm Owners Identification Card Act and the Firearm Concealed Carry Act.

### **Illinois State Police Response:**

The Department concurs and is actively working towards compliance with the FOID and CCL Act by engaging outside agencies by providing training seminars hosted by the FSB on FOID / CCL revocations and other administrative processes. The FSB has provided messaging to encourage participation through revocation details and by providing instructions on how to access and use the Law Enforcement Portal with the total number of agencies on the portal at the time of this report at 745. Since July of 2020, the FSB has presented 15 seminars to ISP Investigative Zones, Sheriff's Departments and local law enforcement agencies on how to complete and process clear and present danger request as well as firearm disposition records (FDR), including the process to

return recovered cards to the ISP. In addition, the Law Enforcement Agencies Data System (LEADS) which is the legacy criminal justice information sharing system in Illinois was recently modernized and a new LEADS platform was deployed. As a result of the deployment, new LEADS will auto generate the status of an individual's FOID and/or CCL status for all law enforcement personnel in Illinois, when an individual's identifiers are queried through LEADS.

In addition, the ISP legal office has submitted updates to the FOID Act and the administrative rules to allow an option for Sheriff's Departments, local law enforcement and courts to destroy the cards received and make note of the destruction on the firearm disposition record rather than mailing the cards back to the ISP. This process is an attempt to encourage compliance by removing the need to mail the card(s) to the ISP.

Although the Department concurs with the recommendation it should be noted that the Department has limited ability to meet compliance with the finding as the Department has no authority to force compliance with outside agencies.

| <b>FOID Card Revocation</b>               | Jan                | Feb   | Mar   | April | May   | June  | July  | Aug | Sept | Oct   | Nov   | Dec   | <b>Total</b>  |
|---|--------------------|-------|-------|-------|-------|-------|-------|-----|------|-------|-------|-------|---------------|
| 2019 - FOID Cards Revoked                 | 879                | 877   | 957   | 942   | 908   | 922   | 1,078 | 956 | 885  | 894   | 728   | 844   | <b>10,870</b> |
| 2019 - Firearm Disposition Forms Received | Data not available |       |       |       |       |       | 617   | 478 | 479  | 465   | 358   | 422   | <b>2,819</b>  |
| 2020 - FOID Cards Revoked                 | 857                | 805   | 762   | 836   | 754   | 879   | 1,036 | 939 | 957  | 1,163 | 1,172 | 1,582 | <b>11,742</b> |
| 2020 - Firearm Disposition Forms Received | 579                | 477   | 408   | 242   | 301   | 286   | 438   | 432 | 440  | 431   | 293   | 472   | <b>4,799</b>  |
| 2021 - FOID Cards Revoked                 | 1,363              | 1,498 | 1,579 | 1,575 | 1,525 | 1,636 | 1,092 |     |      |       |       |       | <b>10,268</b> |
| 2021 - Firearm Disposition Forms Received | 310                | 265   | 382   | 476   | 464   | 423   | 582   |     |      |       |       |       | <b>2,902</b>  |

#### **RECOMMENDATION NUMBER 4:**

The Illinois State Police should consider including enforcement details in its procedures to ensure consistency among zones.

#### **Illinois State Police Response:**

The Department concurs but reemphasizes that the agency currently conducts enforcement details as staffing and circumstances allows. The Division of Criminal Investigation (DCI) has created the position of Statewide Gun Coordinator within the DCI which will be staffed beginning October 1, 2021. The duties of this position will include the creation of procedures and policies to be used by the Department for conducting FOID revocation details. This will create consistency through

development of standard operating procedures to be used throughout the state. These details will facilitate the recovery of revoked FOID cards and Firearm Disposition Records with a team assembled by the Zone Gun Liaison Officers (GLO), for the Zones that do not have a designated gun unit. Coordination with external agencies such as local police departments and the sheriff's office may be required.

Recent amendments to the Gun Trafficking Information Act have expanded funding sources and strengthened the ISP's ability to trace firearms data, conduct revocation details with local agencies and expand enforcement of firearms restraining orders and orders of protection. Additionally, the Department is directed to establish multi-jurisdictional Task Force's to carry-out the enforcement details and provide mutual assistance for recovery of firearms as well as FOID and CCL cards.

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### **RECOMMENDATION NUMBER 5:**

The Illinois State Police should:

- establish a case management system for tracking appeals; and
- update its administrative rules to reflect the current appeals process.

### **Illinois State Police Response:**

The Department concurs and has taken the following steps to address the issues prior to the recommendations suggested:

- Firearms Safety Counsel and Office of Firearms Safety
  - On September 1, 2020, the Director created the Office of Firearms Safety and named a Firearms Safety Counsel, which are situated within the Director's Office and are separate from the Firearms Services Bureau. The Firearms Safety Counsel provides guidance and direction on public safety issues relating to the removal and restoration of firearms rights and privileges under Illinois law.
  - Since creating the Office of Firearms Safety, the Firearms Safety Counsel have developed updated protocols and procedures for evaluating risks regarding individuals whose access to firearms has been denied or revoked under Illinois law and processing appeals received from these individuals.
  - Through July 31, 2021, the Office of Firearms Safety has reduced the overall backlog of appeal cases awaiting a determination by approximately 17% and the pre-Office of Firearms Safety backlog by approximately 35%. The vast majority of complete appeals are now worked within 60 days of receiving all required information.
- Case Management
  - In December 2020, the Office of Firearms Safety began working with the Department's Office of Finance to participate in a Departmentwide procurement for a Case Management System. As recently as August 2021, this procurement was pending action within the State's Chief Procurement Officer's office. We continue to work with

- each of these offices to answer their questions regarding this procurement and have been advised that the Request for Purchase should be forthcoming in the near future.
- In the interim, the Office of Firearms Safety transitioned from its no longer supported Lotus Approach database to a Microsoft Access database that has a cloud backup for tracking its open cases. While Access is not a case management system, this does allow the office to categorize appeals and better track numbers for reporting purposes.
  - Additionally, the Office of Firearms Safety has assigned a contractual employee to transition the office from a paper-based filing system to an electronic based filing system ensuring all information within Microsoft Access agrees with the electronic files so that once the case management procurement is final, all case information will be ready for the transition.
- Administrative Rules
    - On Monday, August 30, 2021, the Department filed proposed rules with the Secretary of State and the Joint Committee on Administrative Rules. Sections 1230.70 and 1231.170 amend the appeals rules for FOID and Concealed Carry to more accurately reflect its current appeals process.
    - Additionally, HB562 recently was passed making extensive changes to the FOID and Concealed Carry Acts, including but not limited to, appeals filed pursuant to these to Acts. While some of these changes were addressed in the rulemaking filed on Monday, others will take effect in January 2023 and will require additional rule changes.
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#### **RECOMMENDATION NUMBER 6:**

The Illinois State Police should update its administrative rules to reflect the current process for determining issuance date and expiration date.

#### **Illinois State Police Response:**

The Department concurs and has submitted changes to the Joint Committee on Administrative Rules to ensure compliance with the Act under PART 1230.30 FIREARM OWNER'S IDENTIFICATION CARD ACT Duration, Renewal, and Expiration of FOID Card which states: The date the FOID Card becomes active within the Department's system is designated as the date of issuance for purposes of this Part.



