

Byrne State Crisis Intervention Program Plan

State of Illinois
November 2023



STATE OF ILLINOIS BYRNE STATE CRISIS INTERVENTION PLAN

Submitted to The U.S. Department of Justice Office of Justice Programs Bureau of Justice Assistance
November 2023

Developed in coordination with and approved by the State of Illinois Byrne State Crisis Intervention
Program Advisory Committee

Prepared By:

Maureen Brennan

Technical Advisor, Illinois Criminal Justice Information Authority

Michael Lynch

Strategic Project Administrator, Illinois Criminal Justice Information Authority

Tracy Hahn

Manager of Center for Sponsored Research & Program Development, Illinois Criminal Justice
Information Authority

With Assistance From:

Delrice Adams, Illinois Criminal Justice Information Authority

Gregory Stevens, Illinois Criminal Justice Information Authority

Tim Lavery, Illinois Criminal Justice Information Authority

Karl Gruschow, Illinois Criminal Justice Information Authority

Scott Risolute, Illinois Criminal Justice Information Authority

Cristin Evans, Illinois Criminal Justice Information Authority

Jennifer Martin, Illinois Department of Public Health

Jill McCamant, Illinois Department of Public Health

Sarah Patrick, Illinois Department of Public Health

Paul Petty, Illinois Law Enforcement Training and Standards Board

Elizabeth Leahy, Illinois State Police

Mary Morrissey, Illinois State Police

Cordelia Coppleson, Office of the Illinois Attorney General

This project was supported by Award #15PBJA-23-GG-00048-BSCI awarded by the U.S. Department of Justice Office of Justice Programs' Bureau of Justice Assistance. Points of view or opinions contained within this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

Illinois Criminal Justice Information Authority
60 E. Van Buren St., Suite 650
Chicago, Illinois 60605
Phone: 312.793.8550
<https://icjia.illinois.gov>

CONTENTS

Executive Summary 1

 Preliminary Themes 1

SCIP Advisory Committee 3

 SCIP Advisory Committee Membership 4

Status of Firearms Restraining Order Implementation 5

 Illinois Firearm Owner’s Identification 5

 Firearms Restraining Order..... 6

 Constitutional Protections and Due Process Rights..... 7

 Clear and Present Danger..... 8

 Illinois State Police 9

 Commission on Implementing The Firearms Restraining Order Act 9

 Firearm Safety Enforcement and Revocation 10

 Illinois Gun Trafficking Information Act 11

 Cook County Sheriff Gun Suppression Teams 12

 Illinois Law Enforcement Training and Standards Board 12

 FRO Training..... 12

 Crisis Intervention Team Training..... 12

 Illinois Department of Human Services..... 13

 Office of Firearm Violence Prevention..... 13

 Living Room Programs..... 14

 988 Crisis Line..... 14

 Illinois Department of Public Health 15

 FRO Public Awareness 15

 Community Mental Health Centers 15

 Veterans Gun Lock Program 15

 Additional FRO Resources 15

FRO Usage..... 16

 Early FRO Usage 16

 Expanding FRO Use 17

Data Collection and Reporting Issues..... 17

 Law Enforcement Data 17

 Illinois Firearm Prohibitor and Records Improvement Task Force 17

 Comprehensive FRO Data 18

Respondent Treatment Resources.....	18
Community Mental Health Boards	18
National Alliance On Mental Illness.....	19
Trauma Recovery Centers.....	19
Funding for Respondent Treatment	19
Advisory Committee Meeting.....	20
Training and Public Awareness	20
Suicide Prevention	21
Compliance Enforcement.....	22
Data Collection	22
Local Resources	22
Priorities Identified	23
Proposed SCIP Plan	23
Research and Data Contracts	23
Training and Public Information Notice of Funding Opportunity	24
Compliance and Enforcement Notice of Funding Opportunity	24
Local Implementation Notice of Funding Opportunity	24
Implementation Schedule.....	25
Appendices.....	26
Appendix A: Firearms Restraining Order Facts	26
Appendix B: FROs Entered Into LEADS	27
References.....	28

EXECUTIVE SUMMARY

The federal Byrne State Crisis Intervention Program (SCIP) provides funding to “implement state crisis intervention court proceedings and related programs or initiatives, including, but not limited to, extreme risk protection order (ERPO) programs that work to keep guns out of the hands of those who pose a threat to themselves or others, mental health courts, drug courts, and veterans treatment courts.”

In Illinois, ERPOs are referred to as firearms restraining orders (FROs). FROs are civil orders that allow for temporary removal of firearms, ammunition, firearm parts that can be assembled into a firearm, and surrender of firearm owner’s identification (FOID) card when an individual is deemed a potential danger to themselves or others. This plan describes current legislation, initiatives and resources affecting the implementation of FROs and related programs in Illinois and lays out the proposed uses of SCIP funding to reduce the threat of gun violence.

PRELIMINARY THEMES

While conducting initial research and conversations with stakeholders including from law enforcement, relevant State agencies, and advocacy groups, several preliminary themes emerged:

- **Existing initiatives:** Illinois initiatives related to the components of SCIP include the [Commission on Implementing the Firearms Restraining Order Act](#), implementation of other mandates of the [Firearms Restraining Order Act](#), and state, local, and non-profit efforts. The work of these initiatives can be leveraged to help guide and supplement SCIP funding.
- **Firearms Restraining Order versus Clear and Present Danger:** Illinois employs two processes aimed at keeping firearms out of the hands of those who pose a significant threat to themselves or to others. A FRO allows state courts to temporarily prohibit someone from possessing or purchasing a gun. Clear and present danger (C&PD) reports are used by the Illinois State Police (ISP) to deny or revoke FOID cards. Both are tools to remove firearms from those who pose a significant threat to themselves or to others, but the use case of each varies depending on the specific scenario and may be confusing to stakeholders.
- **FRO usage currently varies across the state:** Data indicates FROs may be underutilized in Illinois. Between January 1, 2019, when the FRO Act took effect, and August 3, 2022, or roughly 43 months, 228 FROs were entered into the Law Enforcement Agency Data System (LEADS). FROs were not frequently used in many Illinois counties, with DuPage accounting for the majority statewide. However, both awareness and use of FROs has grown since July 2022. By

August 31, 2023, a total of 441 FROs were entered into the LEADS system, including 150 in the first eight months of 2023.¹

- **Implementation support and stakeholder training is important:** Stakeholder (e.g., law enforcement, judges, court clerks) training is essential to ensure the safe, equitable, and effective implementation and execution of FROs. Furthermore, local FRO “champions” can drive uptake.²
- **Addressing inequities in support and use of FROs:** Support for and personal willingness to file FROs may be lower among Black and Hispanic/Latinx adults. Studies have cited a lack of knowledge about the orders, distrust in the criminal justice system, and the desire to manage presenting issues as personal/family matters. In one California survey of 193 ERPO respondents between 2016-2018, no Black and Hispanic/Latinx respondents served as ERPO petitioners.³ Additionally, people living in rural areas may be less likely to support FROs. In a survey of 5,054 people nationally, people in rural areas were more likely than people in urban areas to think ERPOs will be used inappropriately (46%), think it’s a rights violation (42%), believe it’s difficult to trust that the laws are temporary (56%), and believe it would damage trust with the petitioner (53%).⁴ Furthermore, firearm ownership and firearm related suicide rates are higher in rural than urban areas.^{5,6} SCIP Advisory Committee members stressed that infusing unrepresented community voices early on in policy making and implementation is critical to driving equitable usage. In the coming months, ICJIA anticipates adding three members with lived experience to the ICJIA Board. These members will be invited to join the SCIP Advisory Committee and help add community input.
- **Messaging is critical:** Awareness of the law is imperative, yet many stakeholders have little knowledge of FROs.⁷ Public support for FROs use is relatively high. Out of 313 people surveyed in Illinois, 80% had an extremely or somewhat positive view toward FROs as defined by the research team.⁸ Among the 2,870 adults surveyed in California, support for the appropriateness of and willingness to use an ERPO at least some of the time was high at about 70% across selected risk scenarios, particularly among firearm owners and those with firearms in their household. Approximately two-thirds of respondents cited a lack of awareness of ERPOs for their unwillingness to use one.⁹ Public awareness should focus on promoting ERPOs as a way to prevent tragedies before they happen.¹⁰ SCIP Advisory Committee members emphasized that both the message and messenger are important to ensure the message will resonate, especially in communities of color and in areas with high firearms ownership. Both the Illinois Department of Public Health (IDPH) and the Office of the Illinois Attorney General have had public awareness efforts underway and can continue to serve as important messengers in educating the public

about the use of FROs. Furthermore, ISP and the Cook County Sheriff's Office have been educating their law enforcement and justice system partners on FROs.

- **Focus on suicide:** Research suggests that FROs may have the greatest impact on suicides. Suicides accounted for the largest single category of gun deaths among U.S. adults in 2021 (55%).¹¹ A California study found that among ERPO cases in 2016-2018, with follow-up for 379 respondents, one died by firearm injuries sustained in a suicide attempt that prompted the order to be requested. No other respondents died by suicide using firearms or other means after being issued an ERPO.¹²
- **Data limitations:** Because ERPO/FRO laws are relatively new, the research measuring their effectiveness is limited. Other limitations include inconsistent data collection and the absence of comprehensive centralized data collection and reporting tools to record how the laws are used. ISP LEADS tracks overall FROs issued (i.e., FROs judges have signed off on) by county in Illinois, but there is currently no mechanism to flag FRO petitions filed with the courts but not approved. Illinois lacks a centralized tool for the collection of data on FRO petitions filed as well as petitioner and respondent demographics.¹³ This information would help uncover, analyze, and address patterns that result in FRO denials and inequities in usage. Furthermore, researchers face barriers accessing existing ISP LEADS data.

SCIP ADVISORY COMMITTEE

In January 2023, the Illinois Criminal Justice Information Authority (ICJIA) was awarded \$9,547,496 in Federal Fiscal Years 2022 and 2023 SCIP funding to develop and implement this plan. As required by SCIP program guidance, ICJIA formed and convened an advisory committee that includes law enforcement, prosecution, courts, victim services, behavioral health providers, legal counsel, and community representation. While the composition of the ICJIA Board would satisfy these requirements, ICJIA sought instead to create an advisory group that included representatives of partner agencies working with different groups whose clients and members may be affected by implementation of FROs.

In June 2023, the Chairman of the ICJIA Board appointed the members of the committee, drawing from both members of the ICJIA board as well as clinicians, academics, advocates, the judiciary, and providers of legal and human services. At the first committee meeting June 20, 2023, members reviewed briefing information on current firearms privileges in Illinois, ERPO research, current FRO implementation initiatives, and available crisis intervention and human services resources to identify priorities for the use of SCIP funding.

SCIP ADVISORY COMMITTEE MEMBERSHIP

Advisory Committee Member	Organization	Component
Aisha Cornelius Edwards, Executive Director	Cabrini Green Legal Assistance	Defense
Alyssa Williams, Acting Director	Illinois Department of Corrections	Corrections
Andy Wade, Executive Director	National Alliance on Mental Illness – IL	Mental Health
Brendan Kelly, Director; James Piper, Major Case Counsel	Illinois State Police	Law Enforcement
Candice Adams, Court Clerk	18th Judicial Circuit Court	Courts
Cara LeFevour Smith, Statewide Pretrial Services Director	Administrative Office of the Illinois Courts	Courts
David Albert, Ph.D., Director	IDHS – Division of Mental Health	Human Services
David Olson, Ph.D., Director	Loyola University Chicago Center for Criminal Justice	Academia
Eric Rinehart, State's Attorney	Office of Lake County State's Attorney	Prosecution
Judge Janet Holmgren, President	Illinois Association of Problem-Solving Courts	Courts
Keith Calloway, Executive Director; Paul Petty, Mgr. of In-Service Training	Illinois Law Enforcement Training and Standards Board	Law Enforcement
Kim Müller, Psy.D., Director	Advocate Trauma Recovery Center	Mental Health
Kwame Raoul, Attorney General; John Carroll, Deputy Chief of Staff	Office of the Illinois Attorney General	Prosecution
Lynn Canfield, President	Association of Community Mental Health Authorities of Illinois	Mental Health
Rev. Ciera Bates-Chamberlain, Executive Director	Live Free Illinois	Mental Health
Shannon Lightner, Chief Operating Officer	Illinois Department of Public Health	Human Services
Sheriff Tom Dart; Jason Hernandez, Executive Director, Intergovernmental Relations	Office of the Cook County Sheriff	Law Enforcement
Tammy Rinehart Kochel, Ph.D., Prof. of Criminology & Criminal Justice	Southern Illinois University	Academia
Tim Daly, Program Director	Joyce Foundation – Gun Violence Prevention & Justice Reform Program	Prevention & Policy
Vickie Smith, Executive Director	Illinois Coalition Against Domestic Violence	Human Services

STATUS OF FIREARMS RESTRAINING ORDER IMPLEMENTATION

ILLINOIS FIREARM OWNER'S IDENTIFICATION

Illinois residents must possess a valid, Illinois State Police issued firearm owner's identification (FOID) card to legally purchase and possess a firearm or ammunition in Illinois. Illinois residents may apply for a FOID card online or by mail. Applicants under the age of 21 need the written permission of a parent or legal guardian to apply. The application requires a valid driver's license or state identification card, a completed criminal history questionnaire, and a passport-sized photo. A FOID card costs \$10 and is valid for 10 years. An overview of the lifecycle of a FOID application is [here](#). FOID statistics are available [here](#). As of September 2023, there are over 2.4 million FOID cards in Illinois.¹⁴

The Illinois State Police (ISP) has authority to deny an application for or revoke and seize a FOID card only if the ISP finds that the applicant or card holder has one of the firearms prohibitors listed under 430 ILCS 65/8, which includes but is not limited to:

- A person convicted of a felony under Illinois law or any other jurisdiction.
- A person convicted of domestic battery, aggravated domestic battery, a violation of a protection order, or a similar offense where a firearm was used or possessed.
- A person subject to a firearm-prohibiting court order.
- A person with a narcotics addiction.
- A person who was a patient of a mental health facility in the past five years or who was a patient in a mental health facility more than five years prior and had not received a mental health evaluation certifying they are not a clear and present danger to themselves or others.
- A person with a mental condition that is found to pose a clear and present danger to themselves, or others, as evidenced by serious threats of violence or threatening physical or verbal behavior. A person adjudicated as mentally, intellectually, or developmentally disabled as defined by Illinois law.
- A person under 21 years of age convicted of a misdemeanor or adjudged delinquent, other than for a traffic offense, who is not an active duty member of the Armed Forces, does not have written consent from a parent or guardian or the parent or guardian does not qualify for a FOID card, or is subject to a petition filed under Section 5-520 of the Juvenile Court Act of 1987.

REVOCATIONS AND DENIALS

(April 1, 2022, to March 31, 2023)

- ISP received 166,955 applications for new FOID cards and 168,787 applications for FOID card renewal.
- 15,705 (9.4%) new applications and 631 (0.4%) renewal applications were denied.
- 10,892 FOID cards were revoked.

FIREARMS RESTRAINING ORDER

According to the federal [Extreme Risk Protection Order Act of 2022](#), ERPOs empower certain individuals to petition a court to temporarily prevent a person from accessing firearms if they are found to be a danger to themselves or others. In Illinois, FROs became available in 2019 with the passage of the Illinois [Firearms Restraining Order Act](#).

FROs are civil orders that allow for temporary removal of firearms, ammunition, and firearm parts that could be assembled to make an operable firearm, as well as suspension of an individual's FOID card when the individual is deemed a potential danger to themselves or others. Additionally, an individual cannot purchase or possess firearms while the order is in effect.

Emergency FROs can last for up to

14 days or can be granted for up to one year, after court proceedings. The goal of the action is to protect an individual from harming themselves or those around them with a firearm. In addition to law enforcement, only certain individuals with a specific relationship (e.g., blood relatives, spouses, parents, children, persons who have a child in common, household members) to those who are at risk are eligible to file a FRO petition. FROs can be pursued in response to various actions, including brandishing of a firearm, threatened use of a firearm, and violation of an order of protection, among others. Although an FRO is not a criminal process, criminal charges may be filed if the respondent is found to be illegally in possession of firearms and a violation of an FRO is a class A misdemeanor. The ICJIA publication, [Firearm Restraining Orders in Illinois](#), further outlines the structure and requirements of FROs.¹⁵

FRO petitions that are approved are entered into the state's Law Enforcement Agencies Data System (LEADS), a statewide computer system operated by the Illinois State Police, which connects virtually all local police departments to each other and various State agencies. Currently, Illinois lacks a centralized system to collect information on FRO petitions that have been filed but not granted. To gather statewide FRO petition information, a request would need to be filed with each of the county clerks serving the 102 counties in Illinois.

LEGISLATIVE TIMELINE

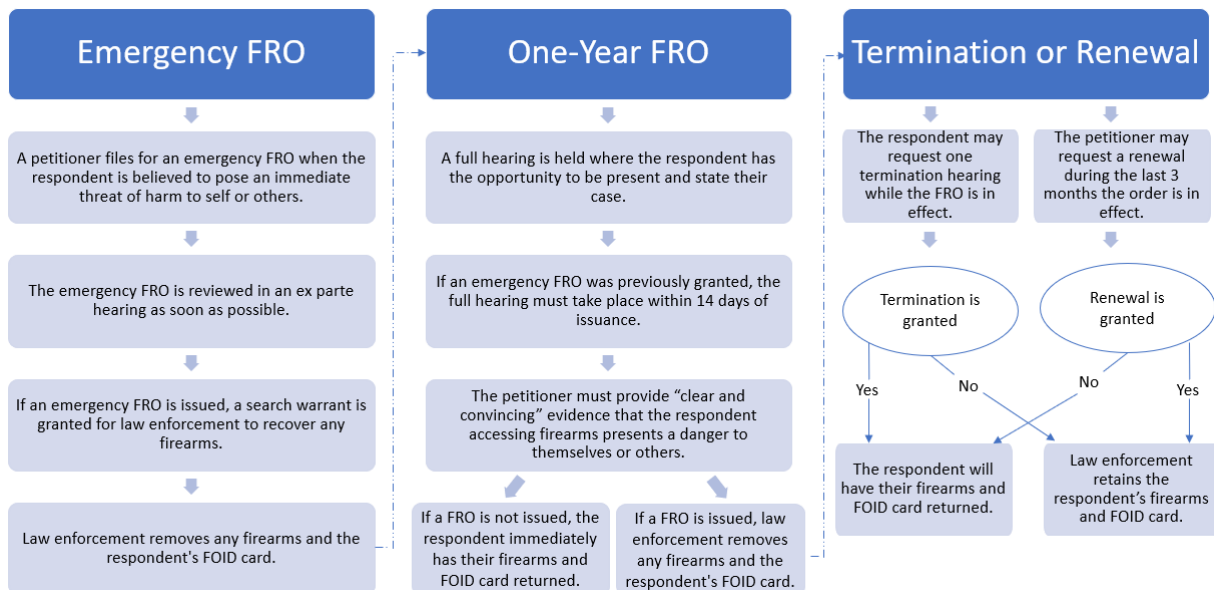
- **July 1968:** Illinois FOID Act ([430 ILCS 65](#)) takes effect.
- **April 1990:** Clear and present danger reporting takes effect.
- **Jan 2019:** FRO Act ([PA 100-0607](#)) takes effect.
- **May 2021:** Illinois [PA 102-0345](#) is passed, expanding the FRO law and creating the [Commission on Implementing the FRO Act](#).
- **June 2022:** Federal Bipartisan Safer Communities Act of 2022 authorizes SCIP to provide formula funds to implement state crisis intervention court proceedings and related initiatives.
- **July 2022:** Rule changes to broaden the use of clear and present danger reports in FOID card applications.
- **Jan 2023:** Illinois passes Protect Illinois Communities Act ([PA 102-1116](#)) extending the duration of FROs from 6 mos to a year.

CONSTITUTIONAL PROTECTIONS AND DUE PROCESS RIGHTS

SCIP guidance details the following minimal mandatory requirements for funded FRO programs to safeguard the constitutional rights of an individual subject to a crisis intervention program or FRO initiative. Illinois' FRO statute meets each of the mandatory provisions required by Pub. L. No. 90-351 to fund ERPO programing.

- Pre-deprivation and post-deprivation due process rights that prevent any violation or infringement of the U.S. Constitution, including the Bill of Rights and due process rights. Such programs must include steps to prevent constitutional rights violations and, at minimum notice, the right to an in-person hearing, an unbiased adjudicator, and the rights to know opposing evidence, present evidence, and confront adverse witnesses.
- The right to be represented by counsel at no expense to the government.
- Heightened evidentiary standards and proof at pre-deprivation and post-deprivation. These heightened standards and proof must prevent any violation of any constitutional right and, at minimum, prevent reliance upon evidence that is unsworn or unaffirmed, irrelevant, based on inadmissible hearsay, unreliable, vague, speculative, and lacking a foundation.
- Penalties for abuse of the program.

ILLINOIS EMERGENCY AND ONE-YEAR FRO PROCESSES



NOTE: FIGURE ADAPTED FROM EMERGENCY FRO: A GUIDE TO THE PROCESS IN ILLINOIS¹⁶

CLEAR AND PRESENT DANGER

Clear and present danger (C&PD) reporting was established by Illinois law in 1990 and is distinct from FROs. Changes to the FOID Act in 2013 added this definition: “Clear and present danger” means a person who:

- (1) communicates a serious threat of physical violence against a reasonably identifiable victim or poses a clear and imminent risk of serious physical injury to himself, herself, or another person as determined by a physician, clinical psychologist, or qualified examiner; or
- (2) demonstrates threatening physical or verbal behavior, such as violent, suicidal, or assaultive threats, actions, or other behavior, as determined by a physician, clinical psychologist, qualified examiner, school administrator, or law enforcement official.

In 2022, the corresponding administrative rule was amended to reflect the statutory definition. As the definition states, C&PD reporting allows physicians, clinical psychologists, qualified examiners, school administrators, and law enforcement officials to report to ISP anyone they determine meets the definition above for purposes of revoking or denying a valid FOID card.^{17, 18}

C&PD reporting is distinct from the judicial process of FROs. Physicians, clinical psychologists, qualified examiners, school administrators, and law enforcement officers file clear and present danger reports directly with ISP, then ISP personnel process those reports and take the appropriate action denying or revoking the FOID card. Whereas, FRO petitions are filed in Illinois circuit courts, and can be filed only by law enforcement officers, or family/household members.

Upon receipt of a C&PD report, ISP reviews all information submitted to ensure there is sufficient evidence of threatening behavior to meet statutory requirements. If the C&PD determination reported to ISP meets the statutory threshold, and the person has a valid FOID card or FOID application, the card will be revoked or denied by ISP. In addition, the subject of the C&PD prohibitor is required to turn over their FOID card and their firearms to either another valid FOID card holder, or law enforcement.

Similarly, if a FRO is granted by an Illinois court, the subject of the FRO is required to surrender their FOID card and remove their firearms. However, one clear distinction between these two processes is that the subject of a FRO must turn any firearms over to a local law enforcement agency, or petition the court to transfer them to a valid FOID-holder. As family or household members can file them, FROs are more accessible to more potential petitioners. The other biggest distinction between a C&PD determination and a FRO is that the subject of a FRO is entitled to a hearing on the matter within 14 days of the FRO being

issued. Subjects of C&PDs can appeal to the FOID Card Review Board, but the C&PD process does not have the same due process protections of the FRO process as required by SCIP.

While there are important distinctions between the two laws, similar factors will be considered whether someone files a C&PD report with ISP or a FRO petition with the court, and there may be reasons for law enforcement officers to consider filing both.

Year	C&PD Reports Received by ISP			FOID Cards Denied or Revoked by ISP Based on C&PDs
	From Law Enforcement	From Schools	Total	
2019	NA	NA	4,457	1,320
2020	NA	NA	3,492	1,900
2021	NA	NA	3,866	2,390
2022	5,397	800	6,980	4,584
(Jan-May)	2,772	325	4,183	2,202

ILLINOIS STATE POLICE

The Illinois State Police (ISP) is a full-service law enforcement agency with approximately 1,800 sworn officers and 1,000 civilian employees dedicated to promoting public safety and creating safer communities throughout Illinois. ISP plays a vital role in removing firearms from those who cannot legally possess them.

COMMISSION ON IMPLEMENTING THE FIREARMS RESTRAINING ORDER ACT

The [Commission on Implementing the Firearms Restraining Order Act](#) was created through [Public Act 102-0345](#) and appointed on June 8, 2022, to advise on education and implementation of the Firearms Restraining Order Act. The Commission is tasked with:

- Developing a model FRO policy that will serve as the overall framework for timely relinquishment of firearms whenever a firearms restraining order is issued.
- Submitting an annual report to General Assembly that may include summary information about firearms restraining order use, challenges to Firearms Restraining Order Act implementation, and recommendations for increasing and improving implementation.

In October 2022, the Commission approved a [model policy](#) to provide an overall framework law enforcement can follow to secure and execute a FRO. The model policy addresses procedures for law enforcement in the following areas among others:

- Petitioning for a FRO (either emergency or one-year)
- Serving a FRO issued by the court

- Securing firearms, ammunition, and firearm parts surrendered by subject of the FRO
- Executing a FRO search warrant
- Returning firearms, ammunition, or firearm parts
- Attending court hearings
- Training

The Commission identified and submitted to the Illinois legislature a number of FRO implementation issues to ensure that FROs and accompanying search warrants are served expeditiously while minimizing danger to law enforcement and the petitioner. These recommendations included giving State's Attorneys notice and legal standing in court for filing of FROs should petitioners need assistance, clarifying the proper evidentiary standards in the statute, and providing a list of evidence the court shall consider when determining whether to issue an emergency FRO.

FIREARM SAFETY ENFORCEMENT AND REVOCATION

The ISP Division of Criminal Investigation (DCI) recently established a gun liaison officer (GLO) program creating a primary GLO in each of the seven ISP investigative zones which includes a Statewide gun liaison officer coordinator and a firearm trafficking special projects officer.¹⁹ Among other firearm related responsibilities, GLOs work alongside local law enforcement in placing Illinois citizens into compliance with the FOID Act if deemed a clear and present danger, and coordinating both small-scale and zone wide firearm safety enforcement.

The ISP Division of Justice Services (DJS) includes the Firearms Services Bureau which oversees and administers FOID. The Firearms Services Bureau (FSB) works in conjunction with the ISP, which administers the clear and present danger reporting process and is overseen by the Firearms Safety Council. Effective February 1, 2023, the ISP transitioned to using an online portal for submission of C&PD reports by school administrators and law enforcement officers. All C&PD reports coming from physicians, qualified examiners or clinical psychologists are submitted via the IDHS Portal and then transmitted to the ISP by IDHS.

VIOLENT CRIME INTELLIGENCE TASK FORCE

The Violent Crime Intelligence Task Force is a statewide multijurisdictional task force established in 2022 by ISP consisting of 32 local law enforcement agencies to:

- Conduct enforcement operations to bring into compliance persons whose FOID cards have been revoked or suspended and yet have failed to comply with the requirements of Section 9.5 of the FOID Act.

- Enforce provisions of the Firearm Owners Identification Card Act, the Firearm Concealed Carry Act, the Firearm Dealer License Certification Act, and Article 24 of the Criminal Code of 2012.

The Violent Crime Intelligence Task Force is supported by grants from the [State Police Revocation Enforcement Fund](#) which helps agencies conduct enforcement operations for individuals whose FOID Cards have been revoked or suspended and have failed to comply with the FOID Act. The enforcement details focus on individuals who have become the subject of a firearm restraining order or clear and present danger, or received a criminal conviction, among other reasons. Detailed monthly statistics of the Violent Crime Intelligence Task Force and ISP FOID enforcement data can be found [here](#).

Violent Crime Intelligence Task Force: September 2022 – June 2023	
Details	310
# of Compliance Checks	3,557
# Brought into Compliance	1,151
Firearms Seized	176
Firearms Transferred	292
Arrests	10

METROPOLITAN ENFORCEMENT GROUPS (MEG) & ISP TASK FORCES (TF)

The nine Metropolitan Enforcement Groups (MEGs) and 13 ISP Task Forces (TFs) across Illinois work with the Statewide Terrorism Intelligence Center and Illinois National Guard Counterdrug analysts, as well as the U.S. Drug Enforcement Administration, the Federal Bureau of Investigation, the U.S. Marshals Service, and other agencies to reduce crime through intelligence-led policing, which focuses enforcement efforts on felony-level drug distribution and trafficking. Effective January 1, 2022, the statute governing MEGs and TFs was amended by the Illinois General Assembly to expand their jurisdictions to include investigation and enforcement of firearms offenses and violations of FOID.²⁰

ILLINOIS GUN TRAFFICKING INFORMATION ACT

Effective January 18, 2019, the [Illinois Gun Trafficking Information Act](#) (5 ILCS 830/10-5) requires ISP to provide key information on a regular and ongoing basis related to firearms used in the commission of crimes in Illinois, including, but not limited to:

- Firearm restraining order dispositions
- Reports on crimes committed with firearms
- The number of persons killed or injured in commission of the crimes
- The locations where the crimes occurred
- The state where the firearms used originated
- The federal firearms licensee that sold the firearm
- The type(s) of firearms used

- Annual statistical information concerning FOID card and concealed carry license applications and revocations
- Compliance with section 9.5 of the Firearm Owners Identification Card Act
- Firearm dealer license certification inspections

In addition, ISP is required to study and compile reports on the number of FOID card checks to determine firearms trafficking or straw purchase patterns.

COOK COUNTY SHERIFF GUN SUPPRESSION TEAMS

Cook County is home to approximately 41% of the state's population and 30% of current FOID card holders. In 2013, the Cook County Sheriff established gun suppression teams to perform gun compliance checks and seize weapons in the control of FOID card holders whose privileges have been revoked. As of May 2023, the Sheriff's office reported a backlog that more than 27,000 people in Cook County have had their Firearm Owner's Identification (FOID) card revoked, often for felony convictions or mental health concerns, but have not turned over their firearms and FOID cards as the law requires. Among those who have not complied are 1,863 people who have been deemed a clear and present danger, 5,368 who have a serious mental health concern, and 5,574 who have an order of protection against them. The unit has recovered more than 1,000 firearms and worked more than 7,100 cases since its creation.²¹

ILLINOIS LAW ENFORCEMENT TRAINING AND STANDARDS BOARD

The Illinois Law Enforcement Training and Standards Board (ILETSB) is mandated to promote and maintain a high level of professional standards for law enforcement and correctional officers.

FRO TRAINING

[HB1092](#), passed by the Illinois legislature in May 2021, requires ILETSB to develop a police training curriculum on using FROs, with a specific provision on promoting the use of FROs in domestic violence situations. ILETSB created and published an online FRO training course for law enforcement in 2022.

CRISIS INTERVENTION TEAM TRAINING

Since 2003, ILETSB has provided state-certified [Crisis Intervention Team](#) (CIT) training to law enforcement officers throughout Illinois. The 40-hour program provides intensive training on assisting individuals in the community who have a mental illness or other behavioral disability. In a crisis, CIT-trained officers and first responders are prepared to:

- Understand the signs and symptoms of a mental health issue and co-occurring disorder.

- Recognize when the signs and symptoms of a mental illness signify a crisis.
- Carefully de-escalate individuals in crisis.
- Use diversion strategies and community resources to help individuals in crisis receive the care they need.

In addition to ongoing requests for state-certified CIT training, demand for additional CIT courses is increasing. Course offerings include the CIT Refresher, CIT Juvenile, CIT Corrections and CIT Dispatch.

A study published in Psychiatric Services found that CIT training seems to increase the likelihood individuals in crisis will be transported to a mental health facility and decrease their chances of being arrested. The study also found that in 20% of encounters with CIT-trained officers, the highest level of

ILETSB has certified over 8,125 officers from more than 560 agencies in CIT.

force used was verbal engagement or negotiation. In contrast, verbal engagement was the highest level of force in only 11% of encounters with untrained officers. This suggests that CIT training helps officers apply de-escalation techniques.^{22, 23}

ILLINOIS DEPARTMENT OF HUMAN SERVICES

The Illinois Department of Human Services (IDHS) is charged with ensuring that Illinois has a strong human services system to support individuals, families, neighborhoods, and communities – advancing human dignity and economic strength and growth in the State of Illinois.

OFFICE OF FIREARM VIOLENCE PREVENTION

The IDHS Office of Firearm Violence Prevention (OFVP) was created by the Reimagine Public Safety Act (RPSA) to employ a public health approach to stop the cycles of violence in disproportionately impacted communities. The RPSA addresses firearm violence through increased community capacity to address root causes of violence, provide those most at-risk access to evidence-based and trauma-informed services, and advance equity and racial justice.

FIREARM VIOLENCE RESEARCH GROUP

The Office of Firearm Violence Prevention's Firearm Violence Research Group's (FVRG) was created by the RPSA to identify the outcome measures for RPSA-funded programs and informs on metrics and data collection practices that best measure impact at a community level. The FVRG is comprised of research experts experienced in examining data trends related to firearm violence prevention and interpreting the trends to identify interventions that support impacted communities.

LIVING ROOM PROGRAMS

IDHS supports 21 [Living Room programs](#) across the state. Living Room programs provide short-term crisis respite within a safe, inviting, home-like atmosphere that offers non-clinical services provided by recovery support specialists. The Living Room Program operates from the [Crisis Now](#) approach, designed to divert individuals in self-defined crises from emergency departments and jails by developing services that match people's needs. The Crisis Now approach promotes services built on recovery-oriented practices, trauma-informed care, significant use of recovery support staff, a commitment to Zero Suicide/Suicide Safer Care, strong commitments to safety for individuals served, and staff providing services, and collaboration with law enforcement.

Guests may self-refer (walk in) to the program or may be referred by outside entities, including 988, hotlines, warm lines, and mobile crisis response teams first responders including police, fire, and EMT personnel. All guests are screened for homicide and suicide risk. Although Living Rooms do not fulfill all necessary criteria to be considered Crisis Stabilization Centers according to SAMHSA's [National Guidelines for Behavioral Health Crisis Care: Best Practice Toolkit](#), they serve as an important component in Illinois' crisis continuum.

An effectiveness study of the Skokie Living Room found that 93% of the 228 Living Room visits resulted in a deflection of the guest from the emergency and a return to the community post-stabilization, saving the State of Illinois approximately \$550,000 for uninsured guests.²⁴

988 CRISIS LINE

The [988 Suicide & Crisis Lifeline](#) connects trained crisis counselors to anyone experiencing mental health-related distress, including family, friends, and/or caregivers. Callers who are connected with the Illinois Lifeline receive specialized, individualized support by certified crisis workers trained in suicide prevention, de-escalation and stabilization, and resources. The Illinois Lifeline works closely with the mobile crisis outreach teams across the state to support anybody who needs in-person intervention by a crisis-trained person.

988 CRISIS LINE

- A suicide prevention and mental health crisis lifeline.
- Does not automatically trigger a police response.
- Veterans Crisis Line and Spanish language Crisis Line options.
- Confidential, free, and available 24/7/365.

ILLINOIS DEPARTMENT OF PUBLIC HEALTH

The Illinois Department of Public Health (IDPH) promotes and protects the health of the people of Illinois through the prevention and control of disease and injury. IDPH recently received a federal SAMHSA grant supporting school-based youth depression screening program implementation. The program is expected to begin providing services in late 2023.

FRO PUBLIC AWARENESS

Illinois [HB1092](#) of 2021 tasks IDPH with developing a FRO public awareness program with online resources or pamphlets. IDPH is also required to create materials that increase awareness of situations where a FRO may be appropriate, including domestic violence and mental health crises or when someone is at risk of harming themselves or others. Additionally, IDPH is tasked with producing materials to help health care workers identify victims of domestic violence who may benefit from a FRO and how to discreetly discern if an abuser possesses a firearm.

COMMUNITY MENTAL HEALTH CENTERS

IDPH operates [Community Mental Health Centers](#) across the state. Centers provide:

- Outpatient services, including specialized outpatient services for children, the elderly, individuals who are chronically mentally ill, and residents of the CMHC's mental health service area who have been discharged from inpatient treatment at a mental health facility.
- 24 hour-a-day emergency care services.
- Day treatment, or other partial hospitalization services, or psychosocial rehabilitation services; and screening for patients being considered for admission to state mental health facilities to determine the appropriateness of such admission.

VETERANS GUN LOCK PROGRAM

As part of Together for a Safer Illinois efforts to save lives and reduce firearm related injuries, local health departments can now order free cable gun locks and supporting educational materials. The program was made possible due to a partnership between the Illinois Department of Public Health's Violence and Injury Prevention Section and the U.S. Department of Veteran Affairs.

ADDITIONAL FRO RESOURCES

Since the enactment of the FRO legislation, a number of resources have been developed to increase public awareness of and access to FRO information and materials. The Illinois Supreme Court Commission on Access to Justice approved [a set of simplified standard forms](#) that are posted on the website of the

Administrative Office of the Illinois Courts along with a tool to find the local circuit court. All local courts must accept these forms. Additional FRO resources for the public and system partners include:

- [Getting a Firearms Restraining Order against someone | Illinois Legal Aid Online](#)
- [Speak for Safety Illinois | Firearm Restraining Order \(FRO\)](#)
- [FRO Commission Model Policy website.pdf \(illinois.gov\)](#)

FRO USAGE

EARLY FRO USAGE

Between January 1, 2019, when the FRO Act took effect, and June 1, 2023, 374 FROs were entered into the Law Enforcement Agency Data System (LEADS). **FROs were not frequently used in many Illinois counties during that time, with a single county (DuPage) accounting for the majority of orders filed.**

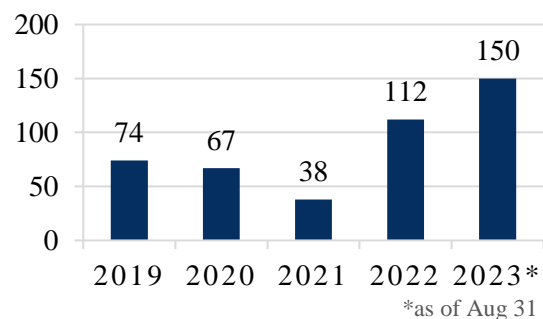
Speak for Safety Illinois, an advocacy group, further tracked statewide usage of FROs for 2019 and 2020.²⁵ The majority of FROs in 2019 were filed by a law enforcement officer (25); just five were filed by family members, including spouses and children. Similarly, in 2020, four FROs were filed by family or household members and 30 were initiated by law enforcement or sealed.

In 2019 and 2020, fourteen FROs were sought claiming the respondent was exhibiting suicidal behavior, twelve respondents were alleged to be dangerous to others, and four were thought to be a danger to themselves and/or others. Additionally, five FROs were filed in response to mental health issues or dementia, two were in response to domestic violence, and two cited “shots fired”.

Two 2019 FRO respondents were women, while the rest were male; in 2020, all respondents were male (when sex was known). When race of the respondent was known, all were reported as white in both 2019 and 2020. In 2019, the ages of respondents ranged from 19 to 88, with an average of 52 years old. Ages of respondents were only available for three 2020 FROs; respondents were 47, 54, and 82 years of age.

Nine FROs filed in 2019 and 2020 resulted in an emergency order followed by a six-month order. In both years, five filed FROs resulted in a six-month order with no emergency order sought. Twelve emergency FROs were granted and in those cases either no six-month order was sought, or the status of the six-month order was unknown. In two instances,

FROs Issued (Entered into LEADS)



an emergency FRO was granted, and the six-month order was denied. In three instances, an emergency FRO was sought, and the order was denied or dismissed. No information was available on order types and outcomes for 22 petitions filed in the years examined. The numbers of firearms temporarily seized in 2020 ranged from one to 156 per FRO, with an average of 16.5 and a median of six firearms recovered.

EXPANDING FRO USE

Since the July 2022, mass shooting in Highland Park, Illinois, awareness and use of FROs has grown. Based on LEADS data, FROs issued increased by 195% from 2021 (38) to 2022 (112). The number of FROs issued through the first eight months of 2023 (150) has already surpassed 2022's annual total (112). DuPage county accounts for 25% of all petitions granted though only 6% of FOID cards are held by DuPage residents. In contrast, while Cook County makes up approximately 41% of the state population and 30% of FOID cards are held by its residents, only 17% of the petitions approved were in Cook.

DATA COLLECTION AND REPORTING ISSUES

LAW ENFORCEMENT DATA

In a [January 2023 report](#), ISP communicated its determination that the lack of a centralized and uniform data collection tool for use by all Illinois law enforcement agencies has created barriers to mandated collection and reporting.

ISP is seeking a comprehensive data collection tool capable of the detailed data capture mandated by the Illinois Gun Trafficking Information Act. ISP has examined internal and external data sources, including National Incident-Based Reporting System, Uniform Crime Reporting Data, Commanding Operational Policing Strategies, Traffic and Criminal Software, Illinois Criminal Justice Information Authority, ISP Division of Criminal Investigation investigative zone(s) data, and ISP Division of Patrol Operations district(s) data.

ISP has determined current data collection sources do not collectively capture the information mandated by the Act and, as such, are not viable sources of information. All Illinois law enforcement agencies, including ISP, utilize diverse records management, report writing, and evidence management systems, resulting in inconsistent, inaccurate, or non-translatable data collection. When complete, statewide implementation of NIBRS will address many but not all of these data needs.

ILLINOIS FIREARM PROHIBITOR AND RECORDS IMPROVEMENT TASK FORCE

In 2022, [Public Act 102-0237](#) created the [Firearm Prohibitors and Records Improvement Task Force](#) to improve statewide collection of information for assessing firearm ownership and licensure eligibility. The

task force is charged with identifying gaps in firearm prohibitor data collection and reporting, as well as identifying all available grants that may be applied for and used by entities responsible for reporting federal and state firearms prohibitors to ISP and the National Instant Criminal Background Check System. Firearm prohibitors are factors prohibiting the transfer or possession of a firearm, firearm ammunition, a FOID card, or a concealed carry license.

The task force is required to submit annual reports to the General Assembly describing progress in completing statutory responsibilities. The first task force annual [report](#) includes a plan for collecting information that will guide statewide planning for record improvement.

COMPREHENSIVE FRO DATA

FRO petitions may be filed in Illinois county using uniform petition materials published by the Administrative Office of the Illinois Courts and widely circulated by the courts, law enforcement, and advocacy organizations. While aggregated data on FROs that have been approved are available to law enforcement agencies through the LEADS system, it does not include petitioner and respondent demographics. Additionally, there is currently no centralized, uniform system to collect data on FRO petitions that have been filed through the circuit courts. Without petition data, the state lacks the capacity to assess the effectiveness of public information efforts and the denials and inequities in usage that may exist. In the absence of a centralized system, statewide data can only be collected by requesting data from each of the 102 county clerks. Furthermore, researchers face barriers accessing existing FRO data, presenting an obstacle to conducting research to analyze and support implementation.

RESPONDENT TREATMENT RESOURCES

Committee meeting materials included information on some of the existing agencies and programs that provide treatment services to those in crisis.

COMMUNITY MENTAL HEALTH BOARDS

A Community Mental Health Board or “708 Board” is established by a county, municipality, or township for the purposes of planning and funding mental health, developmental disability, and substance abuse services.²⁶ Each of the 90 boards in Illinois work to develop a comprehensive local mental health plan in collaboration with local providers to ensure that preventive and therapeutic programs are accessible for all residents in the community. Mental Health Boards are funded by a levy which is capped at the level identified in the referendum passed by voters but not exceeding 0.15% of the equalized assessed property value, though actual levies vary year to year.²⁷

NATIONAL ALLIANCE ON MENTAL ILLNESS

Through its 19 Illinois chapters, National Alliance on Mental Illness (NAMI), provides advocacy, support, and education to people living with mental illness and their families in 50 of Illinois' risk of harm102 counties. Chapters provide a range of services free of charge, including the Ending the Silence education program, family education and support groups, Individual Placement and Support (IPS) Supportive Employment services, and peer support services. NAMI chapters operate four Living Room programs in suburban Cook County.

TRAUMA RECOVERY CENTERS

Trauma Recovery Centers (TRCs) are health care-based violence intervention programs that provide services and resources to survivors of intentional trauma with a focus on compassion, respect, and care. TRCs aid individuals who have experienced trauma in rebuilding, restoring, and strengthening their sense of safety by providing access to trauma-informed care that acknowledges how past and present traumatic experiences and stress may impact the individuals and families who are victims of violence. A team of specially trained behavioral health clinicians and trauma recovery specialists support the unique needs of survivors and their families. Services include individual and group therapy, support and advocacy groups, outpatient clinical assessments, medication management, safety and self-care guidance, and case management. ICJIA supports trauma recovery centers through both State of Illinois General Revenue and federal Victims of Crime Act (VOCA) funding.

FUNDING FOR RESPONDENT TREATMENT

The true total of all public and private resources, including Medicaid and private insurance, available for respondent treatment would be extremely difficult to ascertain. The table below summarizes some of the targeted state resources that would support treatment for those at risk of harming themselves and others.

Program	Current Funding
Illinois Department of Public Health Local Community Health Depts.*	\$22,000,000
Illinois Department of Human Services Living Rooms	\$4,500,000
Illinois Department of Human Services First Responder Suicide Prevention	\$4,113,816
Local Community Mental Health Boards	Varies
ICJIA Trauma Recovery Centers	\$2,547,814
ICJIA Co-responder Pilot Program	\$9,600,000
TOTAL	\$38,711,630

*Total funding for all health department services

ADVISORY COMMITTEE MEETING

The SCIP Advisory Committee held its first meeting on June 20, 2023, in Chicago. Beginning with a review of the SCIP Briefing Book prepared by ICJIA staff, members discussed the funding parameters, specifically that a minimum of 40% of SCIP funds may be granted to local agencies and that funds were to be disbursed on a reimbursement basis only. Members reviewed the current status of FRO implementation and identified critical issues to foster use of FROs.

TRAINING AND PUBLIC AWARENESS

Public awareness and knowledge of firearms restraining orders was identified as a critical need. While the Attorney General's Office will expand its FRO training staff from one to three in State Fiscal Year 2024 and courts and other partner agencies share FRO information and materials online, general public awareness of firearms restraining orders remains low. Members agreed that targeting specific at-risk populations and honing specific messaging is more cost effective than broad campaigns. Furthermore, members discussed the need for trainings that cover the distinction between mental illness and risk of harm and that clearly define when FROs are appropriate.

The committee noted the lack of racial diversity in firearms restraining order usage and discussed the need for community education that is centered in the needs of the community and is not top-down driven. Both the message and messenger are important to ensure the message will resonate. Members suggested that community engagement early in the implementation process and providing access to information in safe spaces in the community would facilitate use of FROs.

The lack of trust in law enforcement and the justice system by communities of color was identified as a barrier to FRO use. Firearms restraining orders need to function and be seen as a positive tool for the community and not a punitive measure. While FROs alone do not lead to criminal charges, family members and other potential petitioners may hesitate to pursue FROs to avoid potential charges, other criminal violations or breaching the trust of the respondent. While arrest and criminalization is not the goal of FROs, law enforcement does have the responsibility to determine if guns seized from respondents were used in commissions of previous crimes.

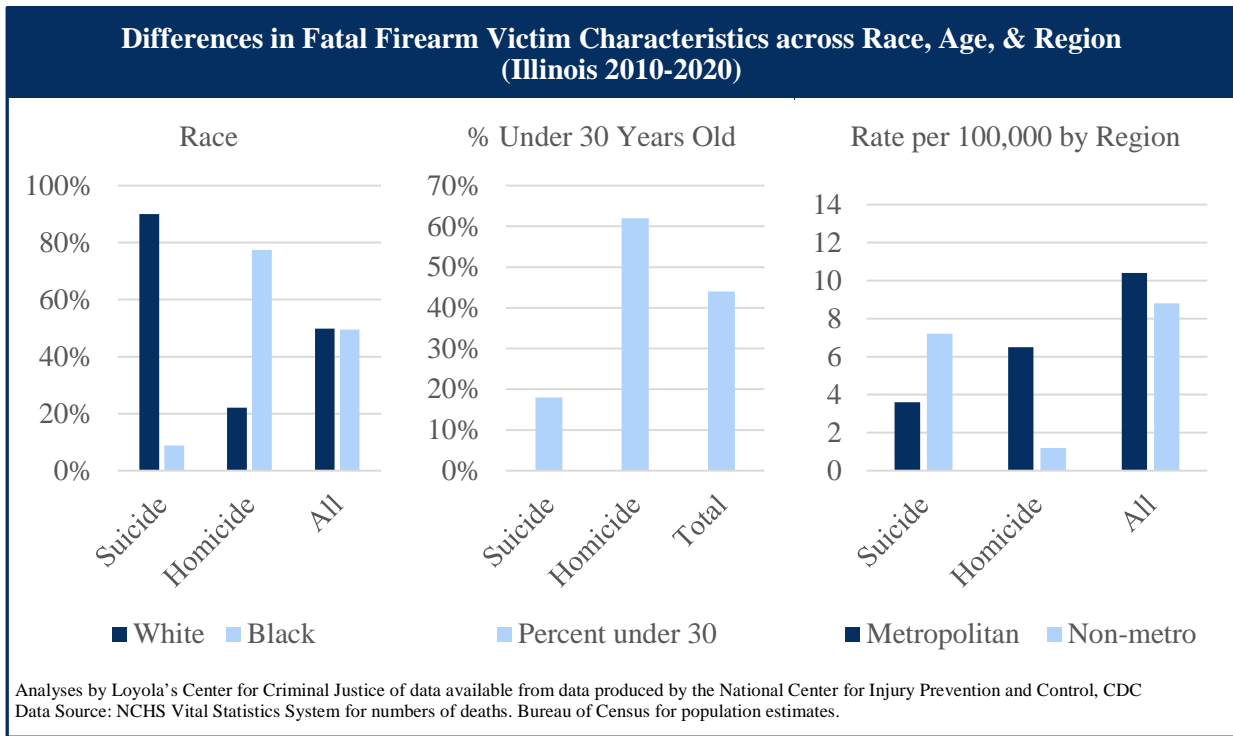
Members reviewed the ease, effort, and potential barriers to accessing information and filing FROs. While the common practice of providing access to FRO information and petition filing online can facilitate access, the digital divide requires that access must be assured through other means for different communities with less access to online resources.

The committee discussed the interaction between Illinois problem solving courts and firearms restraining orders, noting that while problem solving courts cannot take gun crimes, FROs may be an important tool available in domestic violence, mental health, and veterans courts. Training for mental health professionals was again highlighted as a critical component of FRO implementation.

SUICIDE PREVENTION

In Illinois, firearms are the most prevalent means of committing suicide, accounting for 46% of all suicides in 2022. Members suggested that FROs may have the most significant impact on suicides. Furthermore, focusing public awareness on FROs as a tool to prevent suicide and link respondents to services may help overcome gun rights concerns. Members agreed that broadening to a focus on families in crisis may be an effective strategy. In Illinois, the firearm suicide rate is much higher in non-metropolitan areas than in metropolitan areas of the state. Data for the years 2010-2020 indicate that in Illinois, firearm suicide was more likely to involve older white men in non-metropolitan areas.

	2021	2022	Change
Firearm	655	709	8.2%
Suffocation	446	463	3.8%
Poisoning	185	196	5.9%
Fall	53	44	-17.0%
Cut/pierce	18	44	144.4%
All other	83	85	2.4%
TOTAL	1,440	1,541	7.0%



COMPLIANCE ENFORCEMENT

Serving FROs and seizing guns from people in crisis is a dangerous law enforcement responsibility. The ISP, Violent Crime Intelligence Task Force members, MEGs and Task Forces, and Cook County Sheriff's Office have built specialized teams to conduct or assist local law enforcement in conducting compliance details for all 10,892 FOID revocations from April 2022 to March 2023. Additional resources are needed to assure timely service of FROs, seizure, storage or transfer of firearms and respondent compliance.

DATA COLLECTION

Committee members identified the importance of quality and reliable data for research and evaluation. Better data could help prioritize training, education and implementation efforts by assessing FRO awareness and use in different communities and understanding the barriers to wider implementation; make state FRO data available to the public and researchers, to the maximum extent practicable on a regular basis; and seek opportunities to work with researchers to further research and evaluate FRO's implementation in Illinois. Members discussed the current inadequacy of many criminal justice data sources across the state and the challenges of collecting data. Improving data collection needs to be incorporated into each component of SCIP programming.

LOCAL RESOURCES

Research suggest that FROs are most effectively implemented when both criminal justice and human services partners work in concert to make filing an FRO with the courts an accessible process with clear guidance and expectations, when law enforcement has the training and resources to serve FROs and seize or transfer respondent firearms in a safe and timely manner, and when respondents can be linked to appropriate human services. Co-responder programs that pair law enforcement and social workers and court-based FRO navigators to walk petitioners through the process and link them to supportive services were identified as two models that could foster local FRO implementation. But little is known about the availability of local resources to provide these coordinated components. Members agreed that an effective tool to building comprehensive models across the state would be a SCIP funding opportunity that would provide a menu of model components and ask applicants to request the program elements needed in their community.

PRIORITIES IDENTIFIED

Members approved the following set of priorities for the use of SCIP funding:

Illinois SCIP Funding Priorities

Centering community voice and incorporating research and evaluation throughout:

1. FRO training for system partners
2. FRO compliance and enforcement
3. Solicitation to support local government FRO implementation, treatment linkages, develop community infrastructure, and follow-up

Given the range of allowable SCIP activities, members affirmed that the focus of these SCIP priorities is support for the implementation of FROs rather than broader efforts.

PROPOSED SCIP PLAN

Based on the discussion and approved priorities, ICJIA proposes four initial SCIP tasks:

1. Research and Data Contracts
2. Training and Public Information Notice of Funding Opportunity
3. Compliance and Enforcement Notice of Funding Opportunity
4. Local Implementation Support Notice of Funding Opportunity

RESEARCH AND DATA CONTRACTS

In order to better understand the effectiveness and equity of FRO implementation, ICJIA will hire a contractual researcher to support the development and tracking of robust performance measurement for funded programs, to provide information on ERPO/FRO research and best practices and collect and assess current use of FROs. In addition, ICJIA will engage a contractor to assess and propose solutions to the state's data needs related to FROs.

TARGETED PUBLIC INFORMATION, OUTREACH, AND TRAINING NOTICE OF FUNDING OPPORTUNITY

Currently, a number of agencies promote public awareness of FROs and participate in the training of system partners on the use of FROs. While these efforts have expanded awareness and may have contributed to greater use of FROs across the state, the state lacks a comprehensive plan to reach potentially vital partner agencies and build community awareness through targeted messaging and trusted messengers. ICJIA will issue a Notice of Funding Opportunity (NOFO) available to state and local agencies to develop and implement effective and equitable targeted public information, outreach, and training strategies across the state. Grant recipients may subaward SCIP funds to non-profits to implement funded programs but must comply with ICJIA subaward standards requiring fiscal and programmatic monitoring of subaward agencies.

COMPLIANCE AND ENFORCEMENT NOTICE OF FUNDING OPPORTUNITY

While ISP and the Office of the Cook County Sheriff have developed dedicated teams for gun compliance and enforcement, current resources are insufficient to assure ongoing compliance for a significant number of gun owners whose FOID have been revoked. In addition, local law enforcement agencies may lack the capacity to adequately store seized firearms. ICJIA will issue a NOFO available to state and local agencies to increase their capacity to enforce FROs and store seized firearms.

LOCAL IMPLEMENTATION SUPPORT NOTICE OF FUNDING OPPORTUNITY

Successful use of FROs requires the coordinated work of court clerks, courts, law enforcement and community treatment resources. Use of FROs has grown across the state, but little information is available about the adequacy of local resources to provide comprehensive services for full implementation. ICJIA will issue a NOFO available to local agencies to provide the resources necessary for comprehensive local implementation.

IMPLEMENTATION SCHEDULE

Task	Projected Date
ICJIA staff send draft SCIP Plan to SCIP Advisory Committee for comment	August 2023
ICJIA staff incorporate feedback and send revised draft SCIP Plan to SCIP Advisory Committee	September 2023
SCIP Advisory Committee approves draft SCIP Plan at meeting	September 2023
ICJIA Board approves draft SCIP Plan at meeting	October 2023
ICJIA staff send SCIP Plan to DOJ for approval	October 2023
ICJIA staff draft SCIP NOFOs	November 2023
ICJIA Budget Committee approve NOFOs at meeting	December 2023
ICJIA staff post NOFOs	January 2024
NOFO applications scored	February 2024
ICJIA Budget Committee approve funding designations at meeting	February 2024
ICJIA staff submit funding designations to DOJ for approval	March 2024
Grant programs begin	May 2024
ICJIA staff send draft SCIP annual report to SCIP Advisory Committee for approval	June 2024
SCIP Advisory Committee reconvenes, considers approval of annual report	June 2024

APPENDICES

APPENDIX A: FIREARMS RESTRAINING ORDER FACTS

ERPO / FRO FACTS

- Firearm restraining orders are civil orders that allow for temporary removal of an individual's firearms, ammunition, firearm parts that could be assembled into an operable firearm, and surrender of the firearm owner's identification card when the individual is deemed a potential danger to themselves or others.
- An emergency order/ex parte that lasts up to 14 days and a one-year order, but only after court proceedings.
- A court shall consider the following in deciding to issue an FRO, including but not limited to:
 - A recent threat of violence towards self or others.
 - History of use, attempted use, or threatened use of physical force against others.
 - History of or current misuse of controlled substances and/or alcohol.
 - Any prior felony arrest.
 - Unlawful and reckless use, display, or brandishing of a firearm.
 - Violation of an emergency order of protection
 - A pattern of violent acts or violent threats, including those directed towards self or others.
- Eligible petitioners include police, blood relatives, parents, ex/spouses, persons who have a child in common, children and household members (e.g. roommates, unmarried partners).
- FROs are based on respondent's past and current actions.
- FROs are a civil process, not criminal. Does not bring about any criminal charges unless the respondent violates the order.
- Violation of an FRO is a Class A misdemeanor
- Creates safer circumstances for the individual to seek treatment, services, or otherwise access resources to address the underlying causes of their dangerous behaviors.
- Orders are temporary and subject to due process protections.
- Process based on domestic violence protection orders.
- Opportunity for subject of order to contest or petition to terminate early.

APPENDIX B: FROS ENTERED INTO LEADS

Firearms Restraining Orders Entered into LEADS: Provided by the Illinois State Police

COUNTY	2019	2020	2021	2022	2023 (as of 6/1)	TOTAL
BUREAU	0	0	0	3	1	4
CASS	0	1	0	0	0	1
CHAMPAIGN	2	4	2	1	2	11
CLINTON	0	0	0	0	2	2
CHRISTIAN	0	0	2	0	0	2
COOK	3	5	11	29	16	64
DEKALB	1	0	0	0	0	1
DUPAGE	29	29	7	11	19	95
FULTON	2	0	0	0	1	3
HENRY	0	0	1	0	0	1
JACKSON	0	2	2	0	2	6
JERSEY	2	0	1	0	0	3
JO DAVIESS	0	0	0	1	0	1
KANE	1	2	2	6	6	17
KANKAKEE	2	1	1	4	0	8
KENDALL	2	0	1	4	6	13
LAKE	4	8	2	25	10	49
LASALLE	2	0	0	0	0	2
LEE	0	2	0	0	0	2
LIVINGSTON	2	2	0	0	0	4
MACON	6	2	2	0	0	10
MADISON	1	0	0	3	0	4
MCDONOUGH	2	0	1	0	0	3
MCHENRY	2	2	0	3	4	11
MCLEAN	2	0	0	0	0	2
MENARD	2	0	0	0	0	2
MONROE	1	1	0	0	0	2
RICHLAND	1	0	0	0	2	3
SANGAMON	3	0	0	4	2	9
St. CLAIR	0	0	0	1	2	3
STEPHENSON	0	0	0	0	1	1
TAZEWELL	1	0	2	6	1	10
UNION	0	0	0	1	0	1
WHITESIDE	1	1	1	1	0	4
WILL	0	5	0	5	4	14
WILLIAMSON	0	0	0	0	1	1
WINNEBAGO	0	0	0	3	1	4
WOODFORD	0	0	0	1	0	1
TOTALS	74	67	38	112	83	374

REFERENCES

- ¹ FRO LEADS data provided by the Illinois State Police
- ² [Assessment of Extreme Risk Protection Order Use in California From 2016 to 2019 | Firearms | JAMA Network Open | JAMA Network](#)
- ³ [Extreme risk protection orders, race/ethnicity, and equity: Evidence from California - ScienceDirect](#)
- ⁴ [ACRI ERPO Report 7 2023 Repaired Rev7.indd \(brightspotcdn.com\)](#)
- ⁵ [The demographics of gun ownership in the U.S. | Pew Research Center](#)
- ⁶ [WISQARS Data Visualization \(cdc.gov\)](#)
- ⁷ [Criminal Justice and Suicide Outcomes with Indiana's Risk-Based Gun Seizure Law | Journal of the American Academy of Psychiatry and the Law \(jaapl.org\)](#)
- ⁸ [ACRI ERPO Report 7 2023 Repaired Rev7.indd \(brightspotcdn.com\)](#)
- ⁹ [JAMA Health Forum – Health Policy, Health Care Reform, Health Affairs | JAMA Health Forum | JAMA Network](#)
- ¹⁰ <https://gunresponsibility.org/wp-content/uploads/2018/08/Extreme-Risk-Laws-Toolkit.pdf>
- ¹¹ [Gun deaths among U.S. kids rose 50% from 2019 to 2021 | Pew Research Center](#)
- ¹² [Gun violence restraining orders in California, 2016–2018: case details and respondent mortality | Injury Prevention \(bmj.com\)](#)
- ¹³ [Highland Park, a year later: Use of ‘red flag’ gun laws jumps \(chicagotribune.com\)](#)
- ¹⁴ [Statistics \(illinois.gov\)](#)
- ¹⁵ [ICJIA | Illinois Criminal Justice Information Authority](#)
- ¹⁶ [ERPO Illinois Emergency-FRA Process-Table.pdf \(jhu.edu\)](#)
- ¹⁷ [Illinois State Police File Emergency Rule Change to Broaden the Use of Clear and Present Danger Reports in FOID Card Applications](#)
- ¹⁸ [ClearAndPresentDanger.pdf \(illinois.gov\)](#)
- ¹⁹ [ISP Gun Strategy 2023 \(illinois.gov\)](#)
- ²⁰ [Public Information Office \(illinois.gov\)](#)
- ²¹ [Sheriff Dart Calls on State to Properly Fund FOID Revocation Enforcement \(cookcountysheriff.org\)](#)
- ²² <https://ps.psychiatryonline.org/doi/full/10.1176/appi.ps.201300108>
- ²³ [ICJIA | Illinois Criminal Justice Information Authority](#)
- ²⁴ <https://www.gjcpp.org/en/article.php?issue=15&article=74>
- ²⁵ [ICJIA | Illinois Criminal Justice Information Authority](#)
- ²⁶ [405 ILCS 20/ Community Mental Health Act. \(ilga.gov\)](#)
- ²⁷ ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1499