



Guide to Illinois Firearm Data



ILLINOIS
CRIMINAL JUSTICE
INFORMATION AUTHORITY

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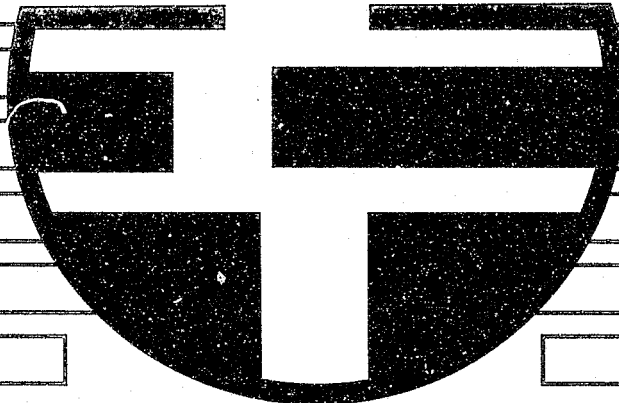
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ADMINISTRATIVE

GUIDE TO ILLINOIS FIREARM DATA
Revised Edition

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by

Carolyn Rebecca Block, Senior Research Analyst
David E. Olson, Research Analyst
Anthony J. Mata, Research Analyst
Statistical Analysis Center

Illinois Criminal Justice Information Authority
120 South Riverside Plaza
Chicago, Illinois 60606
(312) 793-8550

Dennis E. Nowicki, Executive Director
Barbara McDonald, Deputy Executive Director

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INTRODUCTION

The Illinois Criminal Justice Information Authority works to improve the quality and availability of Illinois criminal justice data. The Authority receives daily requests for sources of data on crime, the criminal justice system, and other variables—such as population—that users analyze in combination with criminal justice data. Requests for sources of Illinois firearm data, especially for data on firearm availability, are quite common. The previous edition of this report was published in 1980 in response to these requests. This new edition provides the most current and useful information about sources of various types of firearm data, the quality of that data, and the availability to users.

The new edition updates and expands on the 1980 report. Illinois firearm data sources have changed greatly since the publication of the original guide. There have been some significant changes in firearms laws and registration procedures, and in the kinds of firearm data available. Some of the more significant changes since 1980 include the following:

- o The law regarding those individuals seeking to obtain a Firearm Owners Identification (FOID) card has been changed to prohibit those who have ever been convicted of a felony from owning a firearm in Illinois.
- o The law regarding the registration of handguns in the City of Chicago, has been changed to prohibit handguns from being legally brought into the city after April 1982.
- o The process by which firearms are registered, and how these registrations are recorded in the City of Chicago has been changed.
- o The administrative practices of the Chicago Police Department regarding recording of data on reported crimes have been changed.
- o The definition of a "firearms dealer" by the Bureau of Alcohol, Tobacco and Firearms has been changed.
- o Procedures for reporting index crimes committed with a firearm to the Illinois State Police have been changed.

o The availability of National Crime Victimization Survey data pertaining to crimes committed with firearms in Illinois has changed.

o A number of state and local agencies have been computerized to make available more complete firearm information.

Although the most common request has been for sources of firearm availability data (for example, the number and types of firearms owned), data also exist on the number and characteristics of people who own firearms, on stolen firearms, and on crimes that were committed using a firearm. This report is a guide to all these kinds of data. It is divided into three sections, each dealing with a type of firearm data—data on firearm owners, data on firearms, and data on firearms and crime. There are a variety of public and private sources for each type of data; the quality and accessibility of the data vary widely. Some data are collected and maintained only in certain cities or for certain years. In this guide, the Authority tries to lead the user through this sometimes confusing maze of sources.

DEFINITIONS

The United States Code (Title 18, Ch.44, Sec.921, No.3) defines a firearm as the following:

- (A) any weapon (including a starter gun) which will, or is designed to, or may readily be converted to, expel a projectile by the action of an explosive;
- (B) the frame or the receiver of any such weapon;
- (C) any firearm muffler or firearm silencer; or
- (D) any destructive device. Such term does not include an antique firearm.¹

The Bureau of Alcohol, Tobacco and Firearms defines some common types of firearms as follows:

o Handgun: Any pistol or revolver originally designed to be fired by the use of a single hand and which is designed to fire or be capable of firing fixed cartridge ammunition.

o Pistol: A weapon originally designed ... to fire a small projectile (bullet) from one or more barrels when held in one hand, and having (a) a chamber(s) as an integral part(s) of, or permanently aligned with, the bore(s) and (b) a short stock design to be gripped by one hand and at an angle to and extending below the line of the bore(s).

o Revolver: A small projectile weapon, of the pistol type, having a breech-loading chambered cylinder so arranged that the cocking of the hammer, or movement of the trigger, rotates it and brings the next cartridge in line with the barrel for firing.

o Rifle: A weapon designed ... and intended to be fired from the shoulder, and designed ... to use the energy of the explosive in a fixed cartridge to fire only a single projectile through a rifled bore (grooves cut into the inner surface of the barrel) for each single pull of the trigger.

¹The term "destructive" means any explosive, incendiary, or poison gas, bomb, grenade, rocket, mine, or any similar device.

o Shotgun: A weapon designed ... and intended to be fired from the shoulder, and designed ... to use the energy of the explosive in a fixed shotgun shell to fire through a smooth bore either a number of projectiles (ball shot) or a single projectile for each pull of the trigger.²

o Machine gun: Any weapon which shoots ... automatically more than one shot, without manual reloading, by a single function of the trigger.

Some commonly used computerized information systems that provide assistance in the tracing of firearms, or information on the status of a firearm or its owner include the following:

o National Crime Information Center (NCIC): A computer system maintained by the FBI, which serves as a repository of information pertaining to criminals and stolen property. The file contains the serial numbers of firearms that have been reported stolen, as well as fingerprint records, criminal case histories, arrest warrants, and dispositions of felonies, including participation in a drug rehabilitation program.

o Law Enforcement Agencies Data Systems (LEADS): A computer system, similar to the NCIC, maintained by the Illinois State Police and containing information on stolen property submitted by Illinois law enforcement agencies.

o Computerized Criminal History (CCH): The state central repository for criminal history record information, operated by the Illinois State Police. This system is used by the State Police to check the backgrounds of those applying for a Firearm Owners Identification (FOID) card.

²Definitions from Your Guide to Federal Firearm Regulations, 1984-1985. Bureau of Alcohol, Tobacco, and Firearms, pages 9, 12, and 19.

FIREARM OWNERS AND DEALERS

One of the most frequently asked questions regarding firearms is, "How many people own firearms?" The major source for this information in Illinois is data kept by the Firearm Owner's Identification (FOID) section of the Illinois State Police's Division of Forensic Services and Identification. A secondary source of FOID information is the data maintained by Professor David Bordua of the University of Illinois, Urbana-Champaign. Professor Bordua has conducted surveys of firearm owners and uses FOID data for his own research. The major source of data pertaining to firearm *dealers* is the Bureau of Alcohol, Tobacco and Firearms.

What Data Are Available?

FOID Data

State law requires that anyone who acquires or possesses a firearm in Illinois must have a valid Firearm Owners Identification (FOID) card, which is issued by the Illinois State Police (ISP). ISP issues a FOID card only after the agency determines that the applicant is eligible to own a firearm. FOID cards are used by ISP to identify eligible firearm owners (not the number of firearms owned) to identify persons prohibited by law from owning or possessing a firearm. This purpose is stated in Chapter 38, Section 83-1 of the Ill. Rev. Stat., ch. 38, sec. 83-4 and 83-5 for the restrictions on application and the process for approval or denial of the application.

The FOID section of ISP maintains a confidential file of the name, sex, date of birth, height, weight, color of eyes, color of hair, address, date of registration, and date of card expiration for each registrant (Exhibit 1). The file contains records back to 1970. The FOID section also keeps a list of all lost and stolen firearm owner cards. By law, the FOID section is required to maintain information about registered firearm owners, but not about firearms. Therefore, it does not have information about the number or types of guns owned by cardholders.

The FOID section of ISP can tabulate summary data on "Active FOID Cards," "Revoked FOID Cards," and "Denied FOID Applications." This information can be categorized by sex, adults versus minors, time period, and county or city.

ILLINOIS STATE POLICE
FIREARM OWNER'S IDENTIFICATION

FIREARM OWNER'S IDENTIFICATION CARD

All applicants MUST answer 1 through 5:		DATE EXPIRES	I.D. NO.		
Section A	1. Enter reason for application. See instructions. If name change, include former name and FOID ID number.	PRINT LAST NAME		DATE OF BIRTH	
	2. Have you been convicted of a felony under the laws of this state or any other jurisdiction?	FIRST	MIDDLE	Mo Day Year	
	3. Have you been a patient in a mental institution within the past 5 years?	RESIDENCE STREET ADDRESS			
	4. Are you addicted to narcotics?	CITY OR TOWN	COUNTY	ZIP CODE	
	5. Are you mentally retarded?	Sex	Height	Weight	Color Hair
		CAUTION: This card does not permit bearer to unlawfully carry or use firearms.			
		WRITTEN SIGNATURE			
◆ All applicants MUST show written signature					
Applicants under 21 MUST complete Section F:					
Section B	WARNING: False statements of the applicant shall result in prosecution for perjury in accordance with Section 32-2 of the Criminal Code of 1961.				
	My signature authorizes the Firearm Owner's Identification Section to verify answers given with the Department of Mental Health and Developmental Disabilities and private hospitals. I hereby solemnly swear (sincerely affirm) that the information contained herein is true to the best of my knowledge.				
	Applicant's Date of Birth				
Written Signature of Applicant		Mo. Day Year			
◆ All applicants MUST show written signature					
Optional: Daytime telephone ()					
Section C	Section D				
	NOTARY SEAL				
	NOTARY ADDRESS				
	OFFICE USE ONLY				
Cui along dotted line					
		Parent's Date of Birth			
		Mo Day Year			
		Sex: <input type="checkbox"/> Male <input type="checkbox"/> Female			
		Signature of Parent or Legal Guardian			
		Subscribed and sworn before me this _____ day of _____, 19____			
		Signature of Notary Public			
		Notary Address			

INSTRUCTIONS FOR COMPLETING FOID APPLICATION

Please type or print with black ink (no pencil) to complete the Firearm Owner's Identification (FOID) application. The sections listed below refer to the guide sections on the application form. Failure to complete any of the steps will cause your application to be **RETURNED**. Call (217) 782-7980 with any questions.

SECTION A

Each FOID registrant is issued only one FOID card. One of the following reasons for applying must be recorded in the box next to statement 1 or your application will be **RETURNED**.

- New
- Renewal (see reverse side)
- Expired
- Lost (see reverse side)
- Stolen (see reverse side)
- Damaged/Destroyed
- Change of address (see reverse side)
- Change of name (see reverse side)
- Never received (see reverse side)

All applicants **must** answer questions 2 through 5.

SECTION B

All applicants must sign the form with his/her full name (first, middle, and last) and record his/her date of birth.

SECTION C

LEAVE BLANK — FOR OFFICE USE ONLY

SECTION D

All applications must be notarized prior to submission. The date,

notary signature, notary address, and proper seal must appear on your application will be returned.

SECTION E

Print your last name, first name, and middle initial. Print your date of birth, your complete address, and your physical description.

All applicants must sign the application with his/her full name (first, middle, and last)

Submit a 1" x 1½" recent, clear, head and shoulders photograph. Print your name on the back of the photograph (care should be taken to ensure writing does not bleed through to photograph). Reproductions of photographs and previously processed ID photos will not be accepted.

SECTION F

Applicants under 21 must also answer questions 6 and 7. Print name and relationship (e.g., mother, father, adoptive parent or legal guardian) of the parent or legal guardian. Legal guardian must submit a copy of legal guardianship court order.

The parent or legal guardian must sign the application with his/her name (first, middle, and last) and record his/her date of birth. The parent or legal guardian must be 21 years of age and eligible to acquire or possess firearms or firearm ammunition.

Each application must be accompanied by the required \$5.00 processing fee. Do not send cash, stamps, or copies of money orders. Remit exactly \$5.00 in check or money order payable to **FIREARM OWNER'S IDENTIFICATION**.

The FOID section uses the following definitions:

o Active Cards: Valid FOID cards currently possessed by Illinois residents are "active" cards. FOID cards are issued for a period of five years. The FOID section cannot extract the number of applications submitted or the number of new cards issued each year, only the number of currently active cards. The number of active cards includes the number of cards newly issued or renewed within the past five years.

o Revoked Cards: A revoked card is a FOID card that had been valid and then became invalid when the card-holder was discovered to have become ineligible for a card. A card-holder becomes ineligible when he or she is convicted of a felony or does not meet other criteria for firearm ownership. The number of revoked cards *does not* include FOID cards that expire and are not renewed by the card-holder.

o Denied Applications: The number of "denied applications" is the number of people who applied for a FOID card but were ineligible to receive one and therefore could not be issued a card.

Bordua Survey Data

Although the data available from the FOID section can tell us the number of people who can legally own firearms in the state of Illinois, it does not describe the characteristics of the people who own firearms, the number of firearms they own, or their motivation for owning firearms. The FOID data also cannot tell us the number of firearm-owning residents who *do not* possess a FOID card. The only way that this kind of information has been gathered in Illinois is through sample surveys of Illinois residents.

David Bordua and other researchers at the University of Illinois, Urbana-Champaign, under contract to the Illinois Law Enforcement Commission (now the Illinois Criminal Justice Information Authority), conducted two telephone surveys of households in Illinois, in May 1976 and May 1977 (Bordua, Lizotte and Kleck with Van Cagle, 1979). In addition, Professor Bordua conducted a third survey in 1981.

The surveys have information on the number of firearms owned, the type (handgun versus rifle or shotgun), the respondent's social and demographic characteristics, the respondent's purpose(s) in owning a firearm, and whether or not the respondent has an Illinois FOID card. This information is organized by residence of the respondent—Chicago,

Cook County, Chicago Standard Metropolitan Statistical Area (SMSA), and regions of Illinois. This chapter summarizes the data gathered from the surveys and the methodology used and gives some interpretation of the data.

National Survey Data

The annual report, *Sourcebook of Criminal Justice Statistics*, published by the *Bureau of Justice Statistics* of the U.S. Department of Justice, contains the results of national firearm owner surveys, conducted by the Roper Public Opinion Research Center, the Gallup Poll, and the Harris Poll, for a number of years. The Roper Poll has been conducted every year since 1973, except for 1981. Earlier polls were conducted by Gallup (1959, 1965, and 1966) and Harris (1968 and 1971). Because these are national polls, the number of respondents residing in Illinois is relatively small. Therefore, no Illinois component can be extracted from the national data. However, some information pertaining to Midwest firearm owners can be examined.

Firearm Dealer Data

Because the business of firearm manufacturing and importing involves the movement of firearms across national and state borders, the federal government regulates it. The Bureau of Alcohol, Tobacco and Firearms (ATF) of the Department of the Treasury registers gun dealers. Having a central, national agency in charge of registering dealers and monitoring their compliance with regulations creates uniformity and centralizes information on the transfer of firearms from manufacturers to dealers to owners.

For details on laws pertaining to the storage, sale, and transfer of firearms, see the ATF documents listed in the Bibliography. These documents are available from the Authority library or from the ATF's Compliance Operations Office (address in Appendix 1).

How to Obtain the Data

FOID Data

The main source of FOID data is the FOID section of the Illinois State Police. Some years of FOID data are also available in the data set compiled by Professor David Bordua of the University of Illinois. Because some of the information pertaining to FOID cards is considered confidential and the extraction of summary statistics often can be very time

consuming, the FOID section sets limits on access to the data, depending on the requestor.

Requests by Criminal Justice Agencies

Law enforcement agencies may obtain information about individual card-holders from the FOID section. They may request the information in writing from the FOID section or access it directly through the Law Enforcement Agencies Data System (LEADS). Law enforcement personnel may also request FOID information over the telephone; however, they must be able to identify themselves satisfactorily.

Requests by the General Public

Under the Illinois Freedom of Information Act, the general public, noncriminal justice agencies, and researchers may request summary statistics without the names and addresses of the individual, similar to the data presented in Tables 1, 2, 3, and 4 of this report (See pages 12-15 below). The FOID section charges a fee for compiling this information. For more information on FOID data, contact the FOID operations supervisor (address and phone number in Appendix 1).

Bordua Survey Data

In the 1979 publication, *Patterns of Firearm Ownership, Use and Regulation in Illinois*, Professor Bordua devoted a section to a discussion of the FOID data from 1968 to 1977. The data sets are available on computer tape. For access to the data, contact Professor Bordua (address in Appendix 1.)

National Survey Data

The *Sourcebook of Criminal Justice Statistics* contains much information on firearm owners, such as gender, race, education, occupation, income, age, religion, political affiliation, community size, reasons for owning, and attitudes towards gun control. The information has been updated annually since the 1974 publication. The information is available for the Midwest as a whole, but not for Illinois individually.

In addition to the *Sourcebook of Criminal Justice Statistics*, abridged data are also available from the National Opinion Research Center (NORC) (address in Appendix 1). NORC has the data from all of the Roper surveys, and can provide data on a data tape or on paper.

Obtaining Firearm Dealer Data

The United States Bureau of Alcohol, Tobacco, and Firearms has two offices—Law Enforcement, and Compliance Operations. The Law Enforcement Office, which enforces the 1968 Federal Gun Control Act and traces firearms that have been used in a crime, has two district offices that cover Illinois. The Chicago Law Enforcement office covers northern and central Illinois, and the St. Louis office covers southern Illinois.

The two ATF Compliance Operations offices with jurisdiction over parts of Illinois, Chicago, and St. Louis, investigate individuals applying for a license to sell firearms and assist dealers in complying with firearm regulations (Exhibit 2). Each office serves some counties of Illinois, as well as some counties of other states. According to the ATF, there were 8,240 federally licensed firearm dealers in Illinois as of July 11, 1990.³

The ATF updates its files monthly. To get information about a particular city or county, or to obtain summary statistics, such as the number of dealers registered, would require visiting a Compliance Operations Office and requesting permission to look at their files. There is no legal restriction on access, but the task of searching the files of a Compliance Operations Office would be monumental.⁴

Commercial users may obtain lists of firearm dealers directly from the ATF for a fee. For more information, contact one of the ATF Regulatory or Operations Compliance offices or the ATF chief of public affairs (addresses in Appendix 1).

How to Use and Interpret the Data

FOID Data

Before interpreting FOID data, it is imperative to understand the terminology and the changes in the law that have affected the data. This section covers 1) general information about FOID law—and the processing of applications—needed to understand the data;

³Eric A. O'Neal, Disclosure Specialist, Department of the Treasury—Bureau of Alcohol, Tobacco, and Firearms. Letter received July 18, 1990.

⁴The Illinois State Police has attempted to obtain a list of registered Illinois firearm dealers from the Washington, D.C., ATF office. Although the Washington ATF office does have such a list, ISP has so far been unable to obtain a usable copy. If ISP receives the computer tape it has requested, it will be able to provide lists of dealers by county to researchers and other nonprofit agencies.

DEPARTMENT OF THE TREASURY — BUREAU OF ALCOHOL, TOBACCO, AND FIREARMS FIREARMS TRANSACTION RECORD PART I — INTRA-STATE OVER-THE-COUNTER				TRANSFEROR'S TRANSACTION SERIAL NUMBER	
NOTE: Prepare in original only. All entries on this form must be in ink. See Notices and Instructions on back.					
SECTION A — MUST BE COMPLETED PERSONALLY BY TRANSFEREE (BUYER) (See Notices and Instructions on reverse)					
1. TRANSFEREE'S (Buyer's) NAME (Last, First, Middle)		<input type="checkbox"/> MALE <input type="checkbox"/> FEMALE	2. HEIGHT	3. WEIGHT	4. RACE
5. RESIDENCE ADDRESS (No., Street, City, State, ZIP Code)			6. DATE OF BIRTH		7. PLACE OF BIRTH (City and State or City and Foreign Country)
			MONTH	DAY	
8. CERTIFICATION OF TRANSFEREE (Buyer) — An untruthful answer may subject you to criminal prosecution. Each question must be answered with a "yes" or a "no" inserted in the box at the right of the question:					
a. Are you under indictment or information* in any court for a crime punishable by imprisonment for a term exceeding one year? *A formal accusation of a crime made by a prosecuting attorney, as distinguished from an indictment presented by a grand jury.				c. Are you a fugitive from justice?	
				d. Are you an unlawful user of, or addicted to, marijuana, or a depressant, stimulant, or narcotic drug?	
b. Have you been convicted in any court of a crime punishable by imprisonment for a term exceeding one year? (NOTE: A "yes" answer is necessary if the judge could have given a sentence of more than one year. Also, a "yes" answer is required if a conviction has been discharged, set aside, or dismissed pursuant to an expungement or rehabilitation statute. However, a "crime punishable by imprisonment exceeding one year" does not include a conviction which has been set aside under the Federal Youth Corrections Act, as evidenced by a copy of the certificate issued under 18 USC 5021.)				e. Have you ever been adjudicated mentally defective or have you ever been committed to a mental institution?	
				f. Have you been discharged from the Armed Forces under dishonorable conditions?	
				g. Are you an alien illegally in the United States?	
				h. Are you a person who, having been a citizen of the United States, has renounced his citizenship?	
I hereby certify that the answers to the above are true and correct. I understand that a person who answers "Yes" to any of the above questions is prohibited from purchasing and/or possessing a firearm, except as otherwise provided by Federal law. I also understand that the making of any false oral or written statement or the exhibiting of any false or misrepresented identification with respect to this transaction is a crime punishable as a felony.					
TRANSFEREE'S (Buyer's) SIGNATURE				DATE	
SECTION B — TO BE COMPLETED BY TRANSFEROR (SELLER) (See Notices and Instructions on reverse)					
THIS PERSON DESCRIBED IN SECTION A: <input type="checkbox"/> IS KNOWN TO ME <input type="checkbox"/> HAS IDENTIFIED HIMSELF TO ME IN THE FOLLOWING MANNER					
9. TYPE OF IDENTIFICATION (Driver's license or identification which shows name, date of birth, place of residence, and signature.)			10. NUMBER ON IDENTIFICATION		
On the basis of (1) the statements in Section A; (2) the verification of identity noted in Section B; and (3) the information in the current list of Published Ordinances, it is my belief that it is not unlawful for me to sell, deliver, transport, or otherwise dispose of the firearm(s) described below and on the back to the person identified in Section A.					
11. TYPE (Pistol, Revolver, Rifle, Shotgun, etc.)	12. MODEL	13. CALIBER OR GAUGE	14. SERIAL NO.	15. MANUFACTURER (and importer, if any)	
1.					
2.					
16. TRADE/CORPORATE NAME AND ADDRESS OF TRANSFEROR (Seller) (Hand stamp may be used)			17. FEDERAL FIREARMS LICENSE NO. (Hand stamp may be used)		
THE PERSON MAKING THE ACTUAL FIREARMS SALE MUST COMPLETE ITEMS 18 THROUGH 20					
18. TRANSFEROR'S (Seller's) SIGNATURE		19. TRANSFEROR'S TITLE		20. TRANSACTION DATE	

2) how a change in the legal requirements for obtaining a FOID card has affected the number of FOID applications denied and FOID cards revoked; and 3) how appeals of denied or revoked FOID cards are accounted for in the data.

The FOID Application Process

The purpose of the FOID card application process is to identify those persons who are not eligible to own or possess a firearm. Under Illinois law (Ill. Rev. Stat., ch. 38, sec. 83-8; see Appendix 2), a person who has been a patient in a mental institution within the past five years, has been convicted of a felony under the laws of Illinois or any other jurisdiction, or is mentally retarded or addicted to narcotics is ineligible to obtain a FOID card and, consequently, to own a firearm.

A minor—a person under the age of twenty-one—can obtain a FOID card if the minor and his or her parent or legal guardian meet the requirements, if the minor has not been convicted of a misdemeanor other than a traffic violation, and if the minor is not an adjudicated delinquent. Although minors can legally obtain FOID cards, it is illegal for them to purchase or possess handguns if they are under the age of eighteen.

ISP does not issue FOID cards to businesses, only to individuals. Even though reports based on Illinois data sometimes mention a type of FOID card issued exclusively for businesses, "business cards," no such cards exist. FOID does not determine if an individual owns a firearm for "business" purposes. Therefore, FOID data cannot be used to determine the number of businesses that possess, or are eligible to own, firearms.

After a person has submitted an application to ISP (see Exhibit 1, pg. 6), the FOID section verifies the information on each application against a number of state and national computer files, including the National Crime Information Center (NCIC), the Illinois Computerized Criminal History (CCH) system, the state's Law Enforcement Agency Data System (LEADS) (see definitions pg. 3) and a computer tape provided by the Illinois Department of Mental Health, which is updated at the end of each week. These criminal justice information systems make it possible to determine an applicant's criminal and mental history in Illinois, and, to a limited extent, throughout the United States. For a more extensive explanation of the FOID card application process and application restrictions, see Appendix 2.

If there is no reason for withholding the FOID card, a card is issued. The card remains valid for 5 years; then it must be renewed. A summary of the number of active cards from 1983 to 1991 is found in Table 1. The majority of FOID cardholders (about 85 percent) are adult males. There was a small decline in the number of adult male cardholders from

876,000 (85 percent) in 1983 to 698,851 (83 percent) in 1990. However, in 1991 there were 872,947 adult male FOID cardholders, an increase of 20 percent from 1990. The number of adult female FOID cardholders decreased and then went back up to its highest level in 1991, reaching 137,789. Minors make-up a small percent of the total number of card holders, averaging around 5 percent. The proportion of male cardholders is higher among minors, compared to adults. In 1991, 96 percent of the minor cardholders were male, whereas 86 percent of the adults were male.

Table 1
Active Firearm Owner Identification Cards

<u>Year</u>	<u>Total Active</u>	<u>Adults</u>		<u>Minors</u>	
		<u>Male</u>	<u>Female</u>	<u>Male</u>	<u>Female</u>
1983	1,037,008	876,000	111,095	48,321	1,592
1984	997,422	844,105	108,688	43,184	1,445
1985	963,628	812,487	107,927	41,850	1,364
1986	963,317	812,545	109,099	40,341	1,332
1987	972,030	818,984	111,651	40,020	1,375
1988	773,579	646,860	93,603	31,750	1,366
1989	805,118	670,215	100,745	32,680	1,478
1990	844,366	698,851	110,028	33,919	1,568
1991	1,049,673	872,947	137,789	37,217	1,720

Source: Illinois State Police, Division of Support Services.

Information can also be obtained about FOID card possession in specific counties and in particular cities. For reasons of confidentiality, however, the FOID section allows only limited access to specific addresses. The cities in Table 2 were chosen for analysis by a local newspaper, in response to a murder that occurred. Among the chosen towns, the lowest percent of households possessing FOID cards in 1987 was 6.5 percent in Evanston, whereas the highest rate of households with FOID cards was in Mundelein, with 27.7 percent. The percentage of households with FOID cards seems to increase with distance from the city of Chicago. It is important, however, to keep in mind that the FOID cards only measure the number of people who may legally own a firearm. Also, the "Percent of Households" information should be interpreted with caution, because it is possible that more than one person in a household could possess a FOID card.⁵

⁵This information cannot be ascertained from FOID records, but may be available in the 1977 Bordua survey data.

Table 2
Residence of Registered Firearm Owners

<u>Town</u> <u>Households</u>	<u>Number of FOID Cards, 1987</u>	<u>Percent of</u>
Evanston	1,812	6.5
Wilmette	1,009	9.9
Highland Park-Highwood	1,385	10.6
Glencoe	324	10.8
Vernon Hills	590	11.6
Winnetka-Northfield	953	16.1
Deerfield area*.....	1,345	16.4
Northbrook	1,956	19.0
Glenview	2,355	19.3
Lake Forest-Lake Bluff	1,465	20.6
Libertyville	1,510	25.1
Mundelein	1,691	27.7

*Includes Deerfield, Bannockburn, Riverwoods and Lincolnshire.

Source: Evanston Review, June 23, 1988, p. 22. Number of FOID cards from ISP, household percentages computed from number of occupied households as of Dec. 31, 1986, according to the Audit Bureau of Circulations. Used with permission of Pioneer Press.

Changes in the Law

Federal law prohibits people who have *ever* been convicted of a felony from owning a gun. But prior to July 1984, Illinois law prohibited only those people convicted of a felony in the past five years from owning a firearm. Therefore, prior to July 1984, a person who had been convicted of a felony under federal law, and had been released from prison more than five years prior to requesting an Illinois Firearm Owner's Identification card, could receive a FOID card but could not own a firearm. Now, due to state legislation that went into effect on July 1, 1984, Illinois law also prohibits a person who has ever been convicted of a felony from obtaining a FOID card.⁶

The effects of the law can be seen in a large increase in the number of revoked FOID cards (Table 3). In 1983, 15,221 FOID cards were revoked, or 1.47 percent of all 1,037,008 active cards. By 1985, the number of revoked cards had increased 40 percent, to 21,293 (2.21 percent of all 963,628 active cards). In 1984, the year the change was implemented, 19,938 cards were revoked (2.0 percent of all 997,422 active cards). In

⁶P.A. 83-1056, P. 2, effective. July 1, 1984.

1991, 30,796 cards were revoked (2.9 percent of all 1,049,673 active cards).

Table 3
Revoked FOID Cards

<u>Year</u>	<u>Total revoked cards</u>	<u>Percent of active cards</u>	<u>Adults</u>		<u>Minors</u>	
			<u>Male</u>	<u>Female</u>	<u>Male</u>	<u>Female</u>
1983	15,221	1.5%	13,856	941	421	3
1984	19,938	2.0%	18,347	1,150	431	10
1985	21,293	2.2%	19,678	1,247	363	5
1986	22,778	2.4%	21,052	1,342	380	4
1987	24,486	2.5%	22,595	1,462	427	2
1988	25,379	3.3%	23,521	1,552	304	2
1989	27,242	3.4%	25,213	1,713	313	3
1990	28,331	3.4%	26,177	1,807	343	4
1991	30,796	2.9%	28,130	2,177	477	12

Source: Illinois State Police, Division of Support Services.

Adult revocations were most affected by the change, with increases in revocations between 1983 and 1985 of 42 percent for male adults and 33 percent for female adults. The number of revoked cards for male minors, however, decreased between 1983 and 1985. The number of revoked cards for female minors did not change significantly. The restriction of ever being convicted of a felony would have had very little impact on minors, since it is unlikely that a minor would have any felony conviction that occurred five years previously.

The change in the law also had an impact on the number of FOID card applications that were denied (Table 4). Unfortunately, information on the number and proportion of new applications that were denied is not available, because the FOID section cannot generate information on the number of new applications in a given year, only the number of renewals. However, the total number of denied applications (Table 4) increased by more than 70 percent between 1983 and 1985, an even greater increase than the increase in FOID card revocations (see Table 3). While the number of *revocations* of minor males' cards decreased between 1983 and 1985, the number of *denied* FOID card applications increased from 391 to 524. In 1986 and 1987, the numbers of denials continued to rise, and may indicate a real increase in denied FOID applications that is not related to the change in the law.

Table 4
Denied FOID Applications

<u>Year</u>	<u>Total number denied</u>	<u>Adults</u>		<u>Minors</u>	
		<u>Male</u>	<u>Female</u>	<u>Male</u>	<u>Female</u>
1983	6,277	5,476	403	391	7
1984	8,062	7,147	467	439	9
1985	10,717	9,587	594	524	12
1986	13,403	12,102	706	577	18
1987	16,184	14,666	838	660	20
1988	19,425	17,683	1,016	699	27
1989	22,430	20,548	1,150	715	17
1990	24,844	22,805	1,284	741	14
1991	27,272	25,101	1,413	739	19

Source: Illinois State Police, Division of Support Services.

Appeals

A law enacted in 1984 (P.A. 83-1056) provides that if twenty years have passed since the completion of the terms of a felony conviction (for example, incarceration, probation, and parole), an applicant may appeal for a hearing to determine if he or she may be allowed to obtain a FOID card. (See Appendix 2, Section 83-10 for an explanation of "Appeals to the Director—Hearing".) The number of appeals so far has been very small, and thus has had no significant effect on the number of denied applications or revoked cards.⁷

Bordua Survey Data

The three Bordua telephone surveys, conducted in 1976, 1977, and 1981, were done statewide and had sample sizes of 761, 745, and 761 respectively. In the 1977 survey, 168 (22 percent) of the 745 people sampled said they owned at least one firearm. For details of the survey methods used, contact the Survey Research Laboratory (address in Appendix 1).

These surveys provide a more complete estimate of Illinois firearm ownership than would the number of active FOID cards, because the surveys uncovered a sizable number of firearm owners who did not possess a FOID card. For example, in the 1976 and 1977 surveys combined, 28 percent of firearm owners said they did not have a FOID card

⁷Source: Telephone conversation with Karen Reeder, Firearm Owners Identification Division, Illinois State Police, May, 1988.

(Bordua, 1988: 7,28). In addition to estimated percentages of firearm ownership, the Bordua sample survey data provide two other kinds of information about firearm owners in Illinois—estimates of the number of owners by geographic area and other characteristics, and reasons given for owning a firearm.

The 1977 survey contained more detailed information than the other two. For example, in the 1977 survey, people were asked their purpose(s) for owning a firearm (Table 5), leaving the purpose of ownership open to the respondent. Those who responded that they owned a firearm for protective purposes were then asked, "Any other purpose?" if they mentioned more than one purpose, they were asked, "What is your main purpose for owning the firearm(s)?" In response to these questions, 71.9 percent of the owners claimed non-protective purpose (either hunting/recreation, collecting, or other) as their reason for firearm ownership, and the remaining 28.1 percent stated some degree (only, mainly, or secondary) of protective purpose in owning a firearm. Previous studies had only asked if the respondents owned the firearm with protection in mind.

Table 5
For what purposes do you own the firearm?

	<u>Purposes mentioned</u>		<u>Owners mentioning*</u>	
	<u>No.</u>	<u>Percent</u>	<u>No.</u>	<u>Percent</u>
Hunting/recreation	121	55.2%	121	72.0%
Protection	48	21.9%	48	28.6%
Collecting	24	11.0%	24	14.3%
Other	<u>26</u>	<u>11.9%</u>	<u>26</u>	<u>15.5%</u>
Total	219	100.0%	168	130.4%

* Because owners are allowed to mention more than one purpose for owning a firearm, percentages add to more than 100.

Source: 1977 Bordua Survey.

Reasons for owning a firearm vary according to the race and gender of the respondent (Table 6). The responses in Table 6 include only whites and blacks, omitting the one respondent who did not fall into one of these categories. The sample size for blacks is extremely low—only 11 cases. Therefore, the results for blacks should be interpreted cautiously. It is worth noting, however, that 73 percent of the black respondents, compared to only 16 percent of the white respondents, said that protection was the only or main purpose for which they owned a firearm.

Table 6
Protection as a Purpose for Owning Firearm(s)
by Race and Gender

Purpose for Protection:	Race		Gender		Total
	White	Black	Male	Female	
Only Purpose	10.9%	54.5%	6.1%	41.7%	13.8%
Mainly	5.1%	18.2%	6.1%	5.6%	6.0%
Secondary	8.8%	9.1%	9.2%	5.6%	8.4%
Not a Purpose	75.6%	18.2%	78.6%	47.2%	71.9%
Total	100.0%	100.0%	100.0%	100.0%	100.0%
Total Owners	156	11	131	36	167
Total Nonowners	515	65	196	398	594

Source: 1977 Bordua Survey

Female owners were more likely to mention a protective purpose for owning a firearm than male owners. Females were split between protection as the only purpose for firearm ownership (42 percent), and purposes other than protection for their ownership (47 percent). In total, 53 percent of females mentioned protection as the sole, main, or secondary reason for owning a firearm. Only 21 percent of males, on the other hand, stated that protection was a purpose for their firearm ownership.

The Bordua survey also gives us some figures about the purposes of owning different types of firearms (Table 7). It is not surprising that 57 percent of handguns are owned solely for protection, while 89 percent of long guns are owned for reasons other than protection. Twenty-six percent of respondents who owned both a handgun and a long gun cited protection as a purpose, compared to 11 percent of respondents who owned only long guns.

For a more extensive explanation of survey responses, as well as additional demographic data gathered in these surveys, see the Bordua publications listed in the Bibliography of this report.

National Survey Data

Extracting Illinois firearm owner data from national surveys is not possible, due to the small sample taken in Illinois. However, it is possible to get information pertaining to the Midwest. For more information, contact the National Opinion Research Center (address in Appendix 1).

Table 7
Protection as a Purpose for Owning Firearm(s) by Type of Gun

Purpose for Protection	Type(s) of Firearm Owned		
	Handgun only	Handgun & long gun	Long Gun only
Only Purpose	56.7%	7.3%	1.4%
Main Purpose	10.0%	7.3%	4.3%
Secondary Purpose	6.7%	10.9%	5.7%
<u>Not a Purpose</u>	<u>26.7%</u>	<u>74.5%</u>	<u>88.6%</u>
Total	100.0%	100.0%	100.0%
Total Number of Owners	30	55	70

Source: 1977 Bordua Survey

Firearm Dealer Data

Many people obtain a dealer's license for the sole purpose of buying firearms at wholesale prices to add to their own personal firearm collection, and not to deal in firearms. Because the former Alcohol, Tobacco, and Firearm definition of a firearm dealer was not precise enough to distinguish those who actually deal in firearms, the definition was changed in 1986 to the following:

" A person who devotes time, attention, and labor to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of firearms, but such a term shall not include a person who makes occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or who sells all or part of his personal collection of firearms."⁸

⁸Bureau of Alcohol, Tobacco and Firearms, Federal Register, Rules and Regulations. Part 178.11.

FIREARMS IN ILLINOIS

Information available from the Firearm Owners Identification section of the Illinois State Police can tell us the number of *people* who may legally own a firearm, but not the number of *firearms* owned in Illinois. Because there is no state requirement that firearms be registered, the only way to measure the number of firearms bought by Illinois residents is to examine the records of Illinois firearm dealers. Even this is not perfectly accurate, however, since some firearms are bought by Illinois residents in other states. (Illinois residents are allowed to purchase long guns in Iowa, Indiana, Wisconsin, Missouri, and Kentucky).

ATF offices keep lists only of registered dealers, not the sales made by these dealers. Estimates of firearms owned (legally and not) are available from the Bordua sample surveys conducted in 1976, 1977, and 1981. Chicago, Peoria, and Oakbrook Terrace require firearm dealers to send a completed gun registration form for each purchase to their respective police departments. In addition, some Illinois cities require that all firearms owned by residents be registered. It is thus possible to measure the number of legally owned firearms in those particular cities.

Data are also available regarding the number of firearms stolen from Illinois residents, the value of the stolen guns, and where firearms that were stolen and then confiscated were recovered. In addition, when a law enforcement agency has recovered a firearm and is attempting to identify the owner, the agency can request a trace of the firearm through the ATF's National Firearms Tracing Center.

What Data Are Available?

Firearm Dealer Data

Each dealer in the United States is required to keep records of gun purchases. Out-of-state purchases are recorded on the "Contiguous-State, or Non-Over-the-Counter" transaction record (Exhibit 3). Prior to the delivery of a firearm, the dealer must send the chief law enforcement officer of the municipality and county of the buyer's residence a copy of the transaction record for verification (Exhibit 3, reverse side). If an individual buys more than one handgun within five consecutive business days, then the dealer

DEPARTMENT OF THE TREASURY — BUREAU OF ALCOHOL, TOBACCO, AND FIREARMS FIREARMS TRANSACTION RECORD PART II — CONTIGUOUS-STATE OR NON-OVER-THE-COUNTER	TRANSFEROR'S TRANSACTION SERIAL NUMBER
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NOTE: Prepare in duplicate. All entries on this form must be in ink.

SECTION A — MUST BE COMPLETED PERSONALLY BY TRANSFEREE (BUYER) (See Notices and Instructions on reverse)

1. TRANSFEREE'S (Buyer's) NAME (Last, First, Middle) <div style="text-align: right;"> <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE </div>	2. HEIGHT	3. WEIGHT	4. RACE
5. RESIDENCE ADDRESS (No., Street, City, State, ZIP Code)	6. DATE OF BIRTH		7. PLACE OF BIRTH (City and State or City and Foreign Country)
	MONTH	DAY	

8. CERTIFICATION OF TRANSFEREE (Buyer) — An untruthful answer may subject you to criminal prosecution. Each question must be answered with a "yes" or a "no" inserted in the box at the right of the question:

a. Are you under indictment or information* in any court for a crime punishable by imprisonment for a term exceeding one year? *A formal accusation of a crime made by a prosecuting attorney, as distinguished from an indictment presented by a grand jury.		c. Are you a fugitive from justice?	
b. Have you been convicted in any court of a crime punishable by imprisonment for a term exceeding one year? (NOTE: A "yes" answer is necessary if the judge could have given a sentence of more than one year. Also, a "yes" answer is required if a conviction has been discharged, set aside, or dismissed pursuant to an expungement or rehabilitation statute. However, a "crime punishable by imprisonment exceeding one year" does not include a conviction which has been set aside under the Federal Youth Corrections Act, as evidenced by a copy of the certificate issued under 18 USC 5021.)		d. Are you an unlawful user of, or addicted to, marijuana, or a depressant, stimulant, or narcotic drug?	
		e. Have you ever been adjudicated mentally defective or have you ever been committed to a mental institution?	
		f. Have you been discharged from the Armed Forces under dishonorable conditions?	
		g. Are you an alien illegally in the United States?	
		h. Are you a person who, having been a citizen of the United States, has renounced his citizenship?	

Subject to penalties provided by law, I swear that, in the case of any firearm other than a shotgun or a rifle, I am 21 years or more of age, or that, in the case of a shotgun or rifle, I am 18 years or more of age; that I am not prohibited by the provisions of Chapter 44 of Title 18, United States Code, from receiving a firearm in interstate or foreign commerce, and that my receipt of this firearm will not be in violation of any statute of the State and published ordinance applicable to the locality in which I reside. Further, the true title, name, and address of the principal law enforcement officer of the locality to which the firearm will be delivered are:

TITLE	NAME
ADDRESS	

I also hereby certify that the answers to the above are true and correct. I understand that a person who answers "Yes" to any of the above questions is prohibited from purchasing and/or possessing a firearm, except as otherwise provided by Federal law. I also understand that the making of any false oral or written statement or the exhibiting of any false or misrepresented identification with respect to this transaction is a crime punishable as a felony.

TRANSFEREE'S (Buyer's) SIGNATURE	DATE
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SECTION B — MUST BE COMPLETED BY TRANSFEROR (SELLER) (See Notices and Instructions on reverse)

On the basis of (1) the statements in Section A; (2) my notification of the chief law enforcement officer designated above; and (3) the information in the current list of Published Ordinances, it is my belief that it is not unlawful for me to sell, deliver, transport, or otherwise dispose of the firearm described below to the person identified in Section A.

9. TYPE (Pistol, Revolver, Rifle, Shotgun, etc.)	10. MODEL	11. CALIBER OR GAUGE	12. SERIAL NO.
13. MANUFACTURER (and importer, if any)			
14. TRADE/CORPORATE NAME AND ADDRESS OF TRANSFEROR (Seller) (Hand stamp may be used)			15. FEDERAL FIREARMS LICENSE NO. (Hand stamp may be used)
16. TRANSFEROR'S (Seller's) SIGNATURE		17. TRANSFEROR'S TITLE	18. TRANSACTION DATE

PAPERWORK REDUCTION ACT NOTICE

The information required on this form is in accordance with the Paperwork Reduction Act of 1980. The purpose of the information is to determine the eligibility of the buyer (transferee) to receive firearms under Federal law. The information is subject to inspection by ATF officers. The information on this form is required by 18 U.S.C. 922.

IMPORTANT NOTICES TO TRANSFEROR (SELLER) AND TRANSFEREE (BUYER)

1. Under 18 U.S.C. 921-928 and 18 U.S.C. Appendix 1201-1203, firearms may not be sold to or received by certain persons. The information and certification on this form are designed so that a person licensed under 18 U.S.C. 921-928 may determine if he may lawfully sell or deliver a firearm to the person identified in Section A, and to alert the transferee (buyer) of certain restrictions on the receipt and possession of firearms. This form should not be used for sales or transfers where neither person is licensed under 18 U.S.C. 921-928.

2. **Warning**—The sale or delivery of a firearm by a licensee to an eligible purchaser who is acting as an agent, intermediary or 'straw purchaser' for someone whom the licensee knows or has reasonable cause to believe is ineligible to purchase a firearm directly, may result in a violation of the Federal firearm laws.

3. The transferee (buyer) of a firearm should be familiar with the provisions of law. Generally, 18 U.S.C. 921-928 prohibits the shipment, transportation or receipt in interstate commerce of a firearm by one who is under indictment or information for, or who has been convicted of, a crime punishable by imprisonment for a term exceeding one year, by one who is a fugitive from justice, by one who is an unlawful user of, or addicted to marijuana or a depressant, stimulant or narcotic drug, or by one who has been adjudicated mentally defective or who has been committed to a mental institution. In addition, 18 U.S.C. Appendix 1201-1203 generally makes it unlawful for anyone who has been convicted of a crime punishable by imprisonment for a term exceeding one year, who has been discharged from the Armed Forces under dishonorable conditions, who has been adjudicated mentally incompetent, who, having been a citizen of the United States, has renounced his citizenship, or who is an alien illegally in the United States, to possess a firearm.

KNOW YOUR CUSTOMER—Before a licensee may sell or deliver a firearm to a nonlicensee, the licensee must establish the identity, place of residence, and age of the buyer. Satisfactory identification should verify the buyer's name, date of birth, address, and signature. Thus, a driver's license or an identification card issued by a State in place of a license is particularly appropriate. Social Security cards are not acceptable because no address or date of birth is shown on the card. Also, alien registration receipt cards and military identification cards are not acceptable by themselves because the State of residence is not shown on the cards. However, although a particular document may not be sufficient to meet the statutory requirement for identifying the buyer, any combination of documents which together disclose the required information concerning the buyer is acceptable.

NOTICE TO LAW ENFORCEMENT OFFICIALS

This copy of ATF Form 4473, Part II, is to advise you of a firearms transaction involving a resident in your jurisdictional area. The firearm described in Section B will not be shipped or delivered to the transferee (buyer) identified in Section A for a period of at least seven days following receipt of the notification of your acceptance or refusal of delivery, by registered or certified mail, of the form.

INSTRUCTIONS TO TRANSFEREE (BUYER)

1. The buyer (transferee) of a firearm will, in every instance, personally complete Section A of the form and certify (sign) that the answers are true and correct. However, if the buyer is unable to read and/or write, the answers may be written by other persons, excluding the dealer. Two persons (other than the dealer) will then sign as witnesses to the buyer's answers and signature.

2. When the transferee (buyer) of a firearm is a corporation, company, association, partnership or other such business entity, an officer authorized to act on behalf of the business will complete and sign Section A of the form and attach a written statement, executed under penalties of perjury, stating

- (a) that the firearm is being acquired for the use of and will be the property of that business entity, and
- (b) the name and address of that business entity.

INSTRUCTIONS TO TRANSFEROR (SELLER)

1. Should the buyer's name be illegible the seller shall print the buyer's name above the name printed by the buyer.

2. The transferor (seller) of a firearm will, in every instance, complete Section B of the form.

3. If more than one firearm is involved, the identification required by Section B, Items 9 through 13, must be provided for each firearm. The identification of the firearms transferred in a transaction which covers more than one weapon may be on a separate sheet of paper which must be attached to the form covering the transaction.

4. The transferor (seller) of a firearm in a contiguous-State or non-over-the-counter transaction must forward by registered or certified mail (return receipt requested) the copy of the form to the chief law enforcement officer of the transferee's (buyer's) locality of residence. The transferor must delay shipment or delivery of the firearm for a period of at least 7 days following receipt of the post office notification on the acceptance or non-acceptance of the envelope. The transferor will retain as a part of the records required to be kept by 18 U.S.C. 921-928, the original form with evidence of the receipt or rejection of the notification forwarded to the chief law enforcement officer of the transferee's locality of residence.

5. The transferor (seller) of the firearm is responsible for determining the lawfulness of the transaction and for keeping proper records of the transaction. Consequently, the transferor should be familiar with the provisions of 18 U.S.C. 921-928 and 18 U.S.C. Appendix 1201-1203, and the Federal firearms regulations, Title 27, Code of Federal Regulations, Part 178.

6. After you have completed the firearm transaction, you must make the completed, original copy of the ATF F 4473, Part II part of your permanent firearms records including any supporting documents. Filing may be chronological (by date), alphabetical (by name), or numerical (by transaction serial number), so long as all of your completed Forms 4473, Part II are filed in the same manner.

DEFINITIONS

1. *Contiguous-State Transaction*—The sale or other disposition of a rifle or shotgun to the resident of a contiguous State which has enacted legislation permitting residents of that State to purchase rifles or shotguns outside the State.

2. *Non-over-the-Counter Transaction*—A mail-order transaction, or other transaction, where the transferee (buyer) does not appear in person at the transferor's (seller's) premises. In either case, the sale is to a resident of the State in which the transferor's (seller's) premises is located.

3. *Published Ordinances*—The publication (ATF P 5300.5) containing State firearms laws and local ordinances which is annually distributed to Federal firearms licensees by the Bureau of Alcohol, Tobacco and Firearms.

must fill out and mail to the ATF district office a "Report of Multiple Sale or Other Disposition of Pistols and Revolvers" (Exhibit 4). Until May 19, 1986, dealers were also required to keep records of ammunition purchases (McClure/Volkmer Reform Bill S.49). The records of firearm dealers are audited and inspected by ATF.

The acquisition and disposition records of the manufacturer, importer, wholesaler, and dealer are kept at the place of business. When ATF traces a firearm, the business provides ATF with information from its records. Because of the need for continuity in the keeping of records to produce a successful trace, the regulatory office of ATF requires that manufacturers, wholesalers, and dealers keep disposition records of the firearms which they receive and sell. When ATF inspects a firearm business, it makes sure these records are kept and that they are filled out correctly.⁹

The following information must be recorded by the manufacturers, importers, and dealers:

- o Manufacturer: The type, model, caliber or gauge, and serial number of each complete firearm manufactured, as well as the date of the manufacture. Also, a record of disposed firearms, which includes the quantity, type, caliber or gauge, serial number, and the name, address, and license number of the licensee to whom the firearms were transferred, and the date of the transaction.

- o Wholesaler/Importer: Quantity, type, manufacturer, country of manufacture, caliber or gauge, model, serial number, name, address, and license number of the licensee to whom the firearms were transferred, and the date of the transaction.

- o Dealer: The name of the manufacturer and/or importer, as well as a description of the firearm including the model, serial number, type of action, caliber or gauge, and the date received, as well as information pertaining to the person who buys the firearm. The information on the purchaser of the firearm is written on form 4473 (see Exhibit 3), and contains the name, address, and a physical description of the buyer. The dealer must then fill out the lower portion of the form, which states that the buyer has satisfactorily identified himself.

⁹On May 19, 1986, the Firearm Owners' Protection Act was signed into effect by President Reagan. See Bibliography.

<p>DEPARTMENT OF THE TREASURY BUREAU OF ALCOHOL, TOBACCO AND FIREARMS</p> <p>REPORT OF MULTIPLE SALE OR OTHER DISPOSITION OF PISTOLS AND REVOLVERS</p>	
<p>INSTRUCTIONS</p> <p>1. This form is to be used by licensees to report all transactions in which an unlicensed person has acquired two or more pistols and/or revolvers at one time or during five consecutive business days.</p> <p>2. A separate form is to be submitted for each such person.</p> <p>3. The report is to be submitted to the ATF Law Enforcement Office for your area not later than the close of business on the day that the multiple sale or other disposition occurs. See <i>State Laws and Published Ordinances-Firearms</i>, for the office nearest your business premises.</p> <p>4. Complete Items 1 through 7, fold, seal with tape, affix postage and mail.</p>	
<p>PAPERWORK REDUCTION ACT NOTICE</p> <p>This request is in accordance with the Paperwork Reduction Act of 1980. The information requested on this form documents certain sales or other dispositions of handguns for law enforcement purposes. The information is used to determine if the buyer (transferee) is involved in an unlawful activity, or is a person prohibited by law from obtaining firearms. The information requested is mandatory and required by statute (18 U.S.C. 923(g)).</p>	
<p>----- (Fold on this line)</p>	
<p>1. TRANSFEREE'S NAME (<i>Buyer</i>) (<i>Last, first, middle</i>)</p>	
<p>2. RESIDENCE ADDRESS (<i>Number, street, city, State, ZIP code</i>)</p>	<p>3. DATE OF BIRTH</p>
<p>4. TOTAL SOLD IN FIVE DAYS</p>	
<p>REVOLVER</p>	
<p>PISTOL</p>	
<p>5. NAME & ADDRESS OF LICENSEE MAKING REPORT (<i>Hand stamp may be used</i>)</p>	<p>6. DATE</p>
<p>7. FEDERAL FIREARMS LICENSE NUMBER</p>	

ATF F 3310.4 (7-83)

Municipal Firearm Registration Data

Although there is no state requirement that firearms be registered, some cities do require firearm owners to register their firearms. Two such cities in Illinois are Chicago and Peoria. Information on the number of legally owned firearms is available from these cities.

Chicago

The Gun Registration Office of the Chicago Police Department has records of firearms purchased from ATF-registered dealers in the city. Each Chicago firearm dealer is required to submit a registration form for each firearm sale. Beginning in May, 1968, all Chicago residents were required to register their firearms (City Ordinance Ch.11.1-1 to 11.1-17, see Appendix 4). If a firearm is purchased in the city, the dealer is required to submit a registration form (Exhibit 5) to the Gun Registration Office.

The Gun Registration Office of the Chicago Police Department can tabulate summary statistics about the number of firearm registrations by month and by type of weapon, from 1968 to the present.¹⁰ Weapons are classified as revolver, rifle, shotgun, pistol, or other (usually antiques). From this, the total number of firearms registered in a given month or year, or the total number of the different types of firearms registered in a year, can be determined.

Other data sets in the Gun Registration Office of the Chicago Police Department include four computer files maintained by the Chicago Police Department. The master file and the history file pertain to the registration records and to records established through the transfer of a firearm, and are kept by the gun registration staff. In issuing a firearm registration, the staff also uses the individual record (IR) arrest file and alias file, to determine if the applicant has ever been arrested.

Peoria

Since the mid-1960s, Peoria has required the registration of handguns (City Ordinance Sec. 41-13) It also requires that firearm dealers register each sale. Peoria's municipal

¹⁰The Gun Registration Office was previously a section of the Chicago Comptroller's Office. However, in 1982 the responsibility for maintaining gun registration files was transferred to the Chicago Police Department. Thus, it is now referred to as the Gun Registration Section of the Chicago Police Department. Sergeant Tony Figlioli was in charge of gun registration from its inception until the Chicago Police Department took over the responsibility. From 1982 to 1987, Lieutenant Don Lappe was in charge.

**A FIREARMS REGISTRATION
CITY OF CHICAGO/DEPARTMENT OF POLICE**

Exhibit 5

DATE REGISTERED . . . REGISTRATION NO.
DAY MONTH YEAR

FIREARM SERIAL NO.		MAKE/MANUFACTURER		DO NOT WRITE ABOVE THIS LINE	
WEAPON TYPE <input type="checkbox"/> 1. REVOLVER <input type="checkbox"/> 4. SEMI-AUTOMATIC PISTOL <input type="checkbox"/> 2. RIFLE <input type="checkbox"/> 9. OTHER (Describe) <input type="checkbox"/> 3. SHOTGUN		BARREL LENGTH MODEL		PRESENT CHICAGO GUN REGISTRATION NUMBER	
APPLICANT'S BUSINESS ADDRESS		BUSINESS PHONE		SOCIAL SECURITY NO.	
NAME OF APPLICANT (LAST-FIRST-M.I.)			DRIVERS LICENSE NO. - STATE		
HOME ADDRESS (STREET)		HOME PHONE		<input type="checkbox"/> MALE <input type="checkbox"/> FEMALE <input type="checkbox"/> ORGANIZATION	
CITY - STATE - ZIP CODE		DATE OF BIRTH DAY MO. YR.		<input type="checkbox"/> WHITE <input type="checkbox"/> BLACK <input type="checkbox"/> OTHER	
<input type="checkbox"/> U.S. CITIZEN <input type="checkbox"/> OTHER (Specify)					
APPLICANT'S SIGNATURE		DATE		ARE YOU A PEACE OFFICER? <input type="checkbox"/> YES <input type="checkbox"/> NO	

YYY

ZZZ

CPD-31.562 (Rev. 3/85)

INSTRUCTIONS ON REVERSE

TYPE OR PRINT IN BLACK OR DARK BLUE INK

FOLD AT PERFORATIONS

**B FIREARMS REGISTRATION APPLICATION
CITY OF CHICAGO/DEPARTMENT OF POLICE**

DATE REGISTERED . . . REGISTRATION NO.
DAY MONTH YEAR

FIREARM SERIAL NO.		MAKE/MANUFACTURER		DO NOT WRITE ABOVE THIS LINE	
WEAPON TYPE <input type="checkbox"/> 1. REVOLVER <input type="checkbox"/> 4. SEMI-AUTOMATIC PISTOL <input type="checkbox"/> 2. RIFLE <input type="checkbox"/> 9. OTHER (Describe) <input type="checkbox"/> 3. SHOTGUN		BARREL LENGTH MODEL		PRESENT CHICAGO GUN REGISTRATION NUMBER	
APPLICANT'S BUSINESS ADDRESS		BUSINESS PHONE		SOCIAL SECURITY NO.	
NAME OF APPLICANT (LAST-FIRST-M.I.)			DRIVERS LICENSE NO. - STATE		
HOME ADDRESS (STREET)		HOME PHONE		<input type="checkbox"/> MALE <input type="checkbox"/> FEMALE <input type="checkbox"/> ORGANIZATION	
CITY - STATE - ZIP CODE		DATE OF BIRTH DAY MO. YR.		<input type="checkbox"/> WHITE <input type="checkbox"/> BLACK <input type="checkbox"/> OTHER	
<input type="checkbox"/> U.S. CITIZEN <input type="checkbox"/> OTHER (Specify)					
APPLICANT'S SIGNATURE		DATE		ARE YOU A PEACE OFFICER? <input type="checkbox"/> YES <input type="checkbox"/> NO	

code regarding firearms is given in Appendix 3. (See Exhibit 6 p. 29 for a copy of Peoria's Gun Registration Form).

Firearm Confiscation Data – Chicago

In Chicago, firearms seized by the police as illegally owned or used in a crime, or that are found or turned in, are categorized as "confiscated." Most firearm confiscations are the result of weapons violations, such as unlawful use of a weapon or failure to register. The number of confiscated weapons gives some idea of the number of illegally owned firearms.

Since 1938, the Firearms/Toolmarks Unit of the Crime Laboratory Division of the Chicago Police Department has recorded detailed information on each confiscated firearm (Exhibit 7), including the recovery address and type of location, the related offense type (if any), the type of firearm, the date and time of confiscation, and a firearms control number. The firearm control number identifies a firearm allowing the Crime Laboratory to match test results.

The Firearms/Toolmarks Unit also carries out scientific tests on the firearm and records the results (see Exhibit 7). The victim's name and the technician's initials are recorded for every firearm that was fired, and for all firearms associated with incidents involving a firearm in which someone was injured or there was property damage, even if the firearm may not have been fired. Approximately 9,000 weapons are test fired every year and, when possible, compared with an "open case file" dating from 1955. This file contains evidence, such as bullets, recovered from scenes of crimes, and is used by police to solve crimes many years after they were committed. Results from the *Firearms/Toolmarks* laboratory are kept for five years, except for tests pertaining to results of homicide cases and in cases involving the shooting of a police officer, which are kept indefinitely.

Stolen Firearm Data

A study by the National Institute of Justice (NIJ, 1981) concluded that stolen handguns are a major source of firearms used in crimes nationwide.¹¹ In Illinois, information on stolen and recovered firearms is available from the Law Enforcement Agencies Data System (LEADS), from detailed property crime data collected and maintained by the Illinois State Police, and from data maintained by individual police departments and

¹¹The National Institute of Justice, (NIJ, 1985), also conducted a survey of incarcerated felons to determine where offenders obtained the firearms they used in committing their crimes.

PEORIA POLICE DEPARTMENT

Daily Report of Concealable Weapons Transaction

SECTION A - STATEMENT of TRANSFEREE or BUYER

1. Transferee's (buyer's) name (last, first, middle)				2. Legal Address (number, street, city, state, zip)		
2. Height	3. Weight	4. Date of Birth	5. Sex/Race	6. Drivers License No.	7. Social Security No.	

8. Certification of Transferee (Buyer)—an untruthful answer may subject you to criminal prosecution. Each question must be answered with a yes or no.

- a. Are you under indictment in any court for a crime punishable by imprisonment for a term exceeding one year? _____
- b. Have you been convicted in any court of a crime punishable by imprisonment for a term exceeding one year? (Note: The actual sentence given by the judge does not matter—a yes answer is necessary if the judge could have given a sentence of more than one year.) _____
- c. Are you a fugitive from justice? _____

- d. Are you an unlawful user of, or addicted to, marijuana or a depressant, stimulant, or narcotic drug? _____
- e. Have you been adjudicated mentally defective or have you ever been committed to a mental institution? _____

I hereby certify that the answers to the above are true and correct. I understand that a person who answers any of the above questions in the affirmative is prohibited by Local Ordinance from purchasing and/or possessing a firearm. I also understand that the making of any false oral or written statement or the exhibiting of any false or misrepresented identification with respect to this transaction is crime punishable as a misdemeanor.

Transferee's (buyer's) signature _____

_____ Date and Time of application

_____ Date and Time of weapon transfer

SECTION B - STATEMENT OF TRANSFEROR or SELLER

On the basis of: (1) the statements in Section A; (2) the verification of identity noted in Section B and (3) the information in the current

list of Published Ordinances, it is my belief that it is not unlawful for me to sell, deliver, or otherwise dispose of the firearm described below to the person identified in Section A.

9. Type (pistol, etc.)	10. Model	13. Caliber	14. Serial No.
15. Manufacturer	16. Finish color	17. Illinois Firearm ID No. (Buyer, transferee)	
18. Name of Business		19. Name of employee making transfer	

Required Thumbprint (Police copy only)

1. All entries must be in ink or typewritten. All signatures must be in ink.
2. All entries must be legible.
3. Completed forms should be mailed or delivered to the police station at the end of each working day.
4. Thumbprints should be the right thumb when possible. Always indicate which thumb is being printed.
5. If more than one firearm is involved, the information in Section B, items 9 thru 16, must be provided for each firearm.

OFFENSE/INCIDENT		UCR CODE	SECONDARY CLASSIFICATION	
VICTIM/CASE NAME		ADDRESS OF OCCURRENCE		LOC. CODE BEAT OCC.
INVESTIGATING OFFICER-NAME		STAR NO.	DATE OF OCCURRENCE-TIME	PROP. INVENTORY NO. UNIT OF INV.
DATE RECEIVED		RECEIVED FROM		UNIT
TYPE	MAKE	IMPORTER		
SERIAL NO	LOCATION			
OTHER NO	LOCATION			
MODEL NO	CALIBER, GAUGE		CLASS CHARACTERISTICS	
CAPACITY	BARREL LENGTH		FINISH	
FUNCTIONAL <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER FIREARMS ON THIS INVENTORY <input type="checkbox"/> YES <input type="checkbox"/> NO		FIREARMS NO.	RELATED RD NO.
OTHER EVIDENCE				

RECEIVED BY	TIME	DATE (DAY-MO.-YR.)
ALL EXHIBITS RETURNED TO	STAR NO.	UNIT
ALL EXHIBITS RETURNED TO	STAR NO.	UNIT
RETURNED BY	STAR NO.	TIME DATE (DAY-MO.-YR.)

<input type="checkbox"/> HAMMERLESS	<input type="checkbox"/> CENTER FIRE	<input type="checkbox"/> AUTO LOADING	<input type="checkbox"/> SWING OUT	<input type="checkbox"/> LEVER ACTION	<input type="checkbox"/> BLOW BACK	ACTION <input type="checkbox"/> DOUBLE <input type="checkbox"/> SINGLE
<input type="checkbox"/> HAMMER TYPE	<input type="checkbox"/> RIM FIRE	<input type="checkbox"/> FULL AUTO	<input type="checkbox"/> BREAK OPEN	<input type="checkbox"/> PUMP ACTION	<input type="checkbox"/> GAS OPERATED	EXTRACTOR <input type="checkbox"/> PRESENT <input type="checkbox"/> ABSENT
CONDITION OF BORE			<input type="checkbox"/> PIN TYPE	<input type="checkbox"/> BOLT ACTION	EJECTOR <input type="checkbox"/> PRESENT <input type="checkbox"/> ABSENT	
RESIDUE IN BARREL			SHAPE OF BARREL		SHAPE OF FIRING PIN	
RESIDUE IN CYLINDER			GAS FLARES		ROTATION OF CYLINDER <input type="checkbox"/> RIGHT <input type="checkbox"/> LEFT	
SAFETY DEVICE <input type="checkbox"/> HAMMER <input type="checkbox"/> GRIP <input type="checkbox"/> MAGAZINE <input type="checkbox"/> FIRING PIN <input type="checkbox"/> TRIGGER <input type="checkbox"/> THUMB						
NO. TESTS	OPERATING CONDITION					

REMARKS	RD NO FA NO

FOE & RPS-DATE (DAY-MO.-YR.)	DATA PREPARED BY	DATE (DAY-MO.-YR.)
------------------------------	------------------	--------------------

sheriffs' offices.

LEADS

LEADS keeps a file of stolen and recovered firearms for Illinois. From this file, it is possible to extract information about individual reporting agencies or cities, such as Chicago, or groups of agencies by territory, such as Illinois excluding Chicago. Thus, it is possible to determine the number of firearms reported stolen by Illinois law enforcement agencies each month, along with the number of firearms recovered each month. The definitions used by LEADS are the following:

- o Stolen Firearm: a firearm reported to LEADS by the law enforcement agency having jurisdiction where the firearm was stolen.
- o Recovered Firearm: a firearm that has been found, confiscated, or seized by a law enforcement agency and entered into the LEADS system. This number can be larger than the number of stolen firearms, since it also includes firearms that were confiscated.

The Illinois State Police collects detailed information on property crimes from each jurisdiction in Illinois. For example, the number of stolen firearms known to the police can be determined by the reports submitted to ISP. There are three ways in which a firearm can be stolen--through robbery, burglary, or theft. These offenses are defined below.¹²

- o Robbery: A person commits robbery when he or she takes property from the person or presence of another by the use of force or by threatening the imminent use of force.
- o Burglary: A person commits burglary when he or she knowingly or without authority remains within a building, house trailer, watercraft, aircraft, or motor vehicle as defined by the Illinois Vehicle Code, railroad car, or any part thereof, with intent to commit a felony or theft.
- o Theft: A person commits theft when he or she knowingly
 - (a) obtains or exerts unauthorized control over property of the owner
 - (b) obtains by deception control over property of the owner
 - (c) obtains by threat control over the property of the owner

¹²Definitions from Crime in Illinois 1986, pp. 20, 40, 49.

- (d) obtains control over stolen property knowing the property to have been stolen by another or under such circumstances as would reasonably induce him to believe the property was stolen, and:
 - (1) Intends to deprive the owner permanently of the use or benefit of the property; or
 - (2) Knowingly uses, conceals, or abandons the property in such a manner as to deprive the owner permanently of such use or benefit; or
 - (3) Uses, conceals, or abandons the property knowing such use, concealment or abandonment probably will deprive the owner permanently of such use or benefit.

Police Department Data

Data on stolen and recovered firearms may also be available from individual law enforcement agencies. For example, when a firearm is confiscated by the police in Chicago, the serial number is entered into the NCIC computer as well as the LEADS Hot File, by the Detective Division of the Chicago Police Department, to determine if the firearm has been reported stolen to any law enforcement agency in the country. If NCIC records the firearm as stolen, the Chicago Police Department will notify the department that originally reported the theft. The police department that recovered the firearm will then send a standardized form describing the make, model and serial number to the reporting agency.

The Chicago Police Department's Detective Division also maintains a lost and stolen file, which is used by the Chicago Gun Registration Office to check that a firearm being registered is not stolen. The file contains a list of firearms, with serial numbers, reported to the Chicago Police Department as stolen or discovered by it to be lost or stolen. In general, this list includes only firearms *reported* to the Chicago Police Department as lost or stolen, although the department can search the NCIC and the LEADS computer files for a particular firearm if the department has the manufacturer, the model, and the serial number.

Bordua Survey Data

FOID cardholders are not required to disclose the number of firearms they own, and there is no statewide firearm registration requirement. Therefore, the only way the number of firearms in Illinois can be estimated is through a survey of Illinois residents, such as the surveys conducted by David Bordua.

Firearm Tracing

The National Firearms Tracing Center of the United States Bureau of Alcohol, Tobacco and Firearms is able to do a "full history trace" on a firearm. This means that an individual firearm usually can be traced to the manufacturer or importer, then to the wholesaler or retailer, and then to the buyer. Since 1972, ATF has provided firearms tracing services to all federal, state, and local law enforcement agencies, as well as to international law enforcement agencies. Any law enforcement officer, agency, or office may request a firearms trace. In 1986, ATF traced 30,000 firearms with 22,500 positive traces or complete traces.¹³

How to Obtain the Data

Firearm Dealer Data

Records of firearm purchases are kept at the dealer's place of business. If the business is sold or closes, the owner must send all completed forms to the nearest ATF regulatory office. For more information, contact one of the ATF offices listed in Appendix 1.

Municipal Firearm Registration Data

Chicago

It is possible to obtain summary statistics, with no identifying characteristics of individuals, from the Data Systems Division of the Chicago Police Department. First, permission must be obtained from the Chicago Police Superintendent to have the department's computer staff do a special run. There is a nominal charge for this service.

The Gun Registration Office of the Chicago Police Department can also search the files for records of each registration, according to the name of the owner, registration number, or the serial number of the gun. The system is not programmed to search for any other fields. Because the Gun Registration Office considers both the name of the owner and the serial number of the gun to be privileged information, it allows no one except Gun Registration staff to have access to the files.

¹³Personal communication with Gerard H. Rudden, Chief, Public Affairs, Department of the Treasury-Bureau of Alcohol, Tobacco, and Firearms, May 3, 1988.

The Gun Registration Office's files are large. There are currently more than 250,000 guns registered. Although there are only a few hundred *new* registrations each month, there are a large number of re-registrations each year. In 1987, for example, more than 200,000 guns had to be documented.¹⁴ Because the system was computerized in 1984, information obtained after 1984 is stored in the City of Chicago computer system for Gun Registration staff use. Microfilm is still used by the staff, however, to obtain information prior to 1984. All the old (paper) registration forms have been saved and are used as a source of firearm registration information. Nothing is destroyed.

The Illinois Criminal Justice Information Authority has a computer file that contains the aggregate number of new firearm registrations in Chicago, by month, from 1968 to 1991. This file contains the number of firearms registered by type: revolver, rifle, shotgun, pistol, and other (usually antiques).

Peoria

Registration records before 1979 are paper records (See Exhibit 6, above). Because of space limitations, many of these have been put in storage and are not easily accessible. All registrations since 1979 have been entered into a computer file. Because of budget and personnel constraints, the Peoria Police Department has not been able to enter the earlier registrations.

There is, as yet, no program to extract information from the computer files. Although it would be possible to make a complete list of the records on the file, this list would include information identifying individuals, and the Peoria Police Department would, therefore, limit access to the list. An extraction program, which the department plans to write, would permit the efficient extraction of data without individual identifiers, as well as a search for a particular serial number or name.

Firearm Confiscation Data

Chicago firearm confiscation data are maintained in paper files – logbooks – that are extensively cross-referenced. Although the Firearms/Toolmarks Unit has begun computerizing the information contained in these logbooks, they will continue to keep written records as a backup to the computer for all the firearms they process.

¹⁴Chicago Sun Times, February 9, 1988, p. 51.

The Illinois Criminal Justice Information Authority maintains a file of the number of firearms confiscated by the Chicago Police Department. This information was compiled for the Authority by the Firearms/Toolmarks Unit, by month, from 1965 to 1991.

Stolen Firearm Data

LEADS

A law enforcement agency can access information for a specific firearm directly, through a LEADS terminal, by providing the serial number and the manufacturer of the weapon. Researchers can obtain aggregate data (without individual identifiers). A written request must be approved by the LEADS Administrator of the Illinois State Police (address in Appendix 1).

A file containing aggregate monthly totals of LEADS information was provided by LEADS and the Information Services Bureau of the Illinois State Police under a special request to the Illinois Criminal Justice Information Authority. For "stolen firearms," the file has complete information for the "State of Illinois Excluding Chicago," by month, from January 1970 to December 1991. For Chicago, stolen firearm figures are complete from January 1978 to December 1991. For "recovered firearms," the Authority file contains partial figures for "State of Illinois Excluding Chicago" from 1969 to 1977, and complete data from January 1978 to December 1991. For "Chicago," there are complete figures for "recovered firearms" from January 1978 to December 1991.

Illinois State Police

Statewide information for Illinois property offenses in which a firearm was the object of a theft is available in the annual ISP publication, Crime In Illinois. This publication contains summary statistics, such as "Annual Burglary Analysis by Property Type," from which it is possible to get information regarding firearms stolen through burglary, the time of day the offense took place (day, night, or unknown), the total number of offenses, the total number of firearms taken, as well as the dollar values stolen, recovered or destroyed. Similar information is available for robbery, theft, and burglary from a motor vehicle. Comparable data are published in Crime in Illinois beginning in 1975.

ISP publishes yearly stolen firearm statistics for the state as a whole in Crime in Illinois, but ISP computer files also contain monthly data for each Illinois jurisdiction. To get information about a particular Illinois law enforcement agency's reports of firearm theft, contact ISP's Division of Forensic Services and Identification (address in Appendix 1).

Chicago Police Department

Information pertaining to the origin of firearms confiscated by the Chicago Police Department that were determined to be stolen is accessible to researchers. In order to have access to these records, permission must be obtained from the Superintendent (address in Appendix 1). However, CPD has compiled some information on stolen firearms, from LEADS data, for the Authority. For a discussion of this information see *How to Use and Interpret the Data: Stolen and Recovered Firearm Data: Chicago Police Department*, page 57, below.

Bordua Survey Data

The data sets that David Bordua has collected through his surveys of Illinois residents are available from Professor Bordua directly, or can be examined in the various studies and reports that use the data (see Bibliography). However, because of space constraints, some of the information has been edited or eliminated. The data are also available on computer tape. For more information about the survey data, contact Professor Bordua (address in Appendix 1).

Firearm Tracing

A member of the general public cannot request a firearm trace. Only a law enforcement officer, agency, or office can request a firearms trace. However, ATF has conducted studies of the histories of handguns used in crime (ATF 1976a, 1976b, but also see Brill, 1977).

How to Use and Interpret the Data

Firearm Dealer Data

Prior to the revision of the definition of "firearm dealer" in 1986, dealer statistics were not a good indicator of gun availability. People who were not dealers would apply for licenses in order to get their names on catalog mailing lists and to obtain dealers' discounts. In 1986, the definition of "firearm dealer" was changed to exclude individuals who are not in the firearm business who simply wanted to buy firearms at wholesale prices. The number of dealers since 1986 gives at least some indication of firearm availability.

In 1980, ATF estimated there were more than 6,000 registered dealers in Illinois and 8,192

in 1988.¹⁵ According to ATF's more recent estimate, as of July 18, 1990, there were 8,240 federally licensed dealers in Illinois.¹⁶

Chicago Firearm Registration Data

The number of firearm registrations in Chicago has fluctuated greatly since registration was first required in 1968 (Table 8). In order to interpret and understand Chicago firearm registration data, users must understand the changes in the law regarding firearm registration in Chicago; the recording procedures used by the Gun Registration Office of the Comptroller's Office before the law changed; and how gun registration cards are issued.

Changes in Firearm Registration Law in Chicago

Laws enacted in April 1982 limited the types of firearms that can be registered in Chicago (for details of the law regarding the registration of firearms in Chicago, see Appendix 3). Under the new law, the only *handguns* that can be legally owned by civilians in the city of Chicago are those that were registered prior to October 1, 1983—the effective date of the law. No new handgun registrations were issued after April 9, 1982, and all handguns that had been registered prior to the new law had to be re-registered before October 1, 1983 (the original deadline of May 30 was extended). The only firearms that have been registered since October 1983 are rifles or shotguns, handguns that had been registered previously or those transferred to police officers, and handguns owned by police officers or members of other exempt professions. (For a list of types of persons who can still register handguns in Chicago, see Appendix 4.)

The deadlines for registration caused a large increase in the number of firearms, particularly handguns, registered in April 1982 and from January 1983 to May 1983 (Figure 1). The number of handgun registrations did not decline to zero following the stricter registration laws, because people exempt from the act were still able to register their handguns. Also, people who were legally registered prior to the effective date can still re-register their handguns if they do so before the registration expires. Registered firearms must be re-registered every two years.

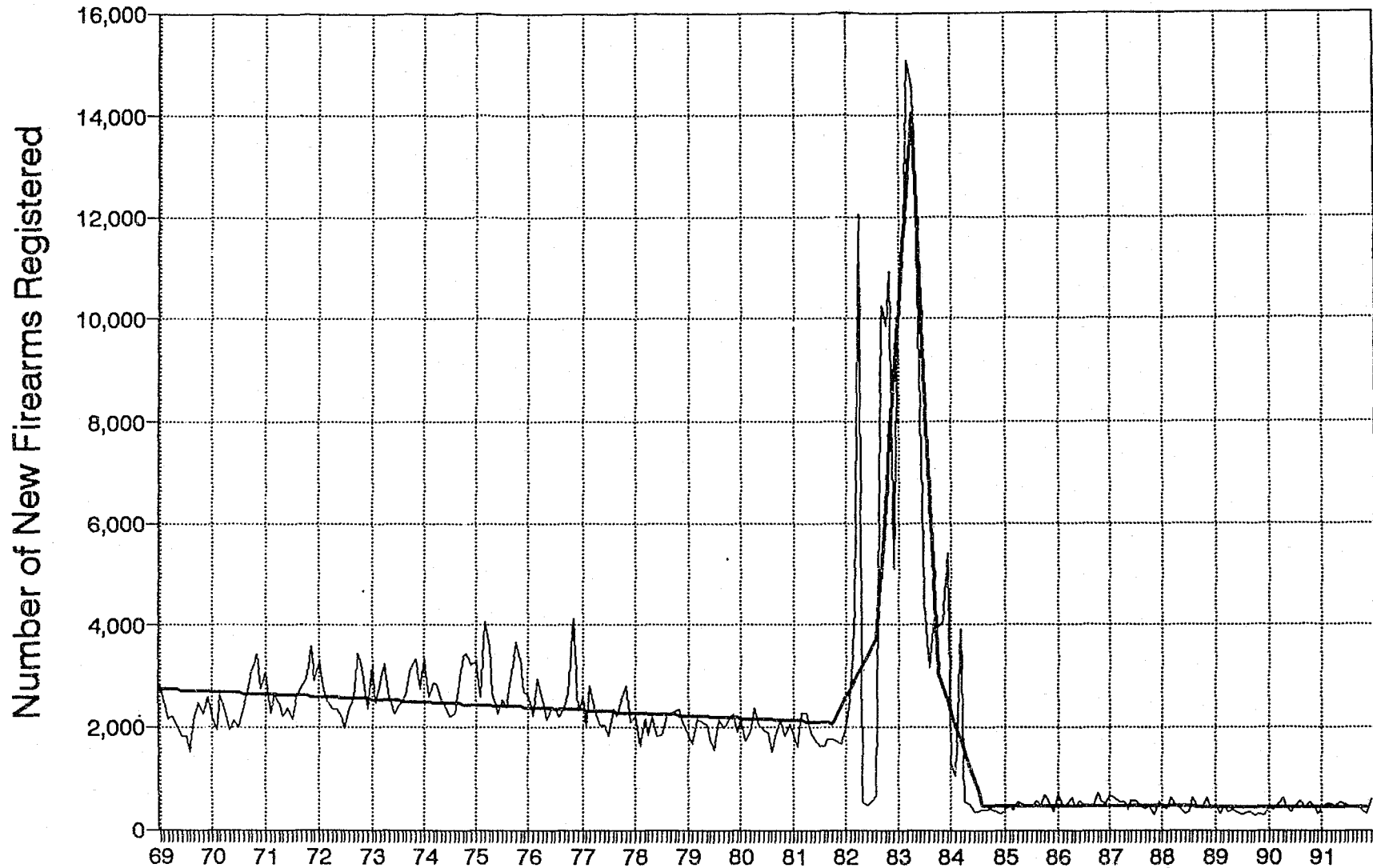
¹⁵Eric A. O'Neal, Disclosure Specialist, Department of the Treasury-Bureau of Alcohol, Tobacco, and Firearms. Letter received July 18, 1990.

¹⁶Ibid.

Figure 1

New Firearm Registrations, Chgo. '65-91

Actual Number & Best Line Fit



Source: Data Systems Division, CPD

Prior and Current Recording Procedure

When the Chicago Police Department took over the operation of the Gun Registration Office from the Comptroller's Office in 1982, it discovered that duplicate files existed for many registered firearms. Under the Comptroller's Office's system, when a registered firearm was registered again by a new owner it was assigned a new number and a new file, but the old file for that firearm was not removed from the active records. Because of this, before 1982 the estimate of "currently" registered guns (€87,000 in the 1980 edition of this report) was not a true figure; it counted many guns more than once.

When the Chicago Police Department began running the office, it developed a new system for registering firearms. Under the new system, when a firearm is registered it is given a number that stays with that firearm permanently. Compare the Chicago Police Department's gun registration form (see Exhibit 5), to the Comptroller's Office registration (Exhibit 8). On the comptroller's form, there was only one registration number (XIX), which identified the individual who owns the gun.

Under the Chicago Police Department's registration procedure, the individual is given a new number (A), but the firearm keeps its previous registration number (XS). Because the number of people registering firearms just prior to the deadline of the new law (see Figure 1) was overwhelming, the Chicago Police Department could not implement all of these changes immediately. Initially, it continued to use the Comptroller's Office's system, because the forms for the new registration system were not yet available and the major concern was to get all the new registrants recorded. Because many of the new registrations were of firearms that had been previously registered to a different owner, many duplicate registration records continued to be created. Thus, the figures for 1981 and 1982 should still be interpreted with caution.

Matching Guns with Owners

The Chicago Gun Registration forms (see Exhibits 5 and 8) include information on the gun and on the owner. It is possible to match guns with owners and to do a historical trace of the ownership of the firearm, since each time the firearm is re-registered in the city or transferred, the firearm is given the same registration number. The transfer of a weapon generates a history file. As long as the firearm stays registered in Chicago, it is possible to determine all the people who had owned the same gun.

**Table 8
Chicago Firearms: New Registrations**

<u>Time Period</u>	<u>Number Added</u>
May 31, 1968	323,000
May-Dec., 1968	49,100
1969	19,698
1970	22,238
1971	23,837
1972	22,955
1973	24,692
1974	24,796
1975	26,433
1976	23,212
1977	20,449
1978	18,368
1979	17,259
1980	18,635
1981	21,862
1982*	59,387
1983	130,688
1984	9,914
1985	5,818
1986	6,403
1987	6,032
1988	5,602
1989	4,272
1990	5,550
1991	5,664

*Chicago Police Department began issuing gun registration cards.

Source: Data Systems Division, Chicago Police Department

Firearm Confiscation Data

In order to understand the firearm confiscation data, it is important to understand and take into account the mix of firearms confiscated (handguns and long guns); the jurisdiction or geographical region the confiscated firearms come from; the effect on the data of firearms that are turned in; and the effect on the data of changes in firearm registration laws.

The Firearm/Toolmarks Unit records the following information for each firearm confiscated and examined in the crime lab (see Exhibit 7):

- o Where the firearm was recovered, including the address and "beat" of the occurrence, and a specific type of location.

Exhibit 8

MAIL TO
GUN REGISTRATION
DEPT. OF REVENUE
CITY HALL
CHICAGO, ILL. 60602

CITY GUN REGISTRATION NO. _____

DATE REGISTERED _____

(DO NOT WRITE ABOVE THIS LINE)

Firearm Acquired Month Day Year			Serial Number			Model			Caliber/Gauge			Barrel Length					
Make or Manufacturer						1 <input type="checkbox"/> REVOLVER			3 <input type="checkbox"/> SHOTGUN			9 <input type="checkbox"/> OTHER					
						2 <input type="checkbox"/> RIFLE			4 <input type="checkbox"/> AUTO. PISTOL			Illinois Firearm Owner's License Number					
<input type="checkbox"/> MALE		<input type="checkbox"/> ORGANIZATION CLUB or ASSN.		DATE OF BIRTH		Month		Day		Year		PERSONS WHO ARE UNDER 18 YEARS OF AGE—ADDICTED TO NARCOTICS—MENTALLY RETARDED—CONVICTED OF A FELONY OR RELEASED FROM PENITENTIARY OR FROM MENTAL INSTITUTION OR ILLINOIS YOUTH COMMISSION IN PAST FIVE YEARS ARE INELIGIBLE TO REGISTER. I CERTIFY THAT I HAVE ANSWERED ALL QUESTIONS TRUTHFULLY AND CORRECTLY. I AM NOT INELIGIBLE TO REGISTER. FALSIFICATION RENDERS THIS NULL AND VOID AND SUBJECTS ME TO A PENALTY OF \$500.00.					
<input type="checkbox"/> FEMALE																	
OWNER'S NAME						(Last)		(First)		(Middle)							
STREET ADDRESS																	
CITY & STATE						ZIP CODE						SIGNATURE _____			DATE _____		
PHONE NO.						SOCIAL SECURITY NO.						DRIVER'S LICENSE NO.			& ISSUING STATE		
												<input type="checkbox"/> ILLINOIS			<input type="checkbox"/> OTHER		

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ACQUISITION DATA

It will assist us in maintaining the accuracy of Gun Registration Records if you will complete the following:

GUN WAS ACQUIRED BY ME ON			GUN OBTAINED BY				
Date			<input type="checkbox"/> PURCHASE <input type="checkbox"/> GIFT <input type="checkbox"/> TRADE				
HAS WEAPON BEEN REGISTERED IN CHICAGO?			Previous Registration Number if known				
<input type="checkbox"/> YES <input type="checkbox"/> NO			REGISTRATION NO.				
GUN WAS ACQUIRED FROM							
NAME							
		(Last)		(First)		(Middle)	
STREET ADDRESS							
CITY & STATE							
PURPOSE FOR ACQUIRING GUN:							

- o The type of offense. The weapon is classified as having been received as the result of one of 23 types of offense or non-offense situations. This classification is the same as the classifications of the Illinois Uniform Crime Reports Offense Code.
- o Identification numbers for cross-referencing the firearm, the victim, and the incident, and for matching these to district files. The master number is called the firearms control number and is engraved on the firearm when it is received. If the firearm is received more than once, it is engraved with a new number each time. The unit has received firearms that it had confiscated and engraved thirty years earlier.
- o The names of all people who have handled the firearm, from the technician who examines the firearm to the officer to whom the firearms are returned to use as evidence in a case. This is used as both an internal control as well as to establish a chain of evidence.
- o All identifying characteristics of the firearm, including type, make, model number, serial number, caliber/gauge, capacity, barrel length, finish, as well as the importer of the firearm, its location, and whether or not the firearm is functional.

As Figure 2 shows, the number of firearm confiscations in a typical month in Chicago rose steadily from about 500 per month at the beginning of 1965 to over 1,600 a month at the beginning of 1974.¹⁷ After that, confiscations in a typical month dropped to about 1,000 in 1985, then rose again to 1,700 at the start of 1991.

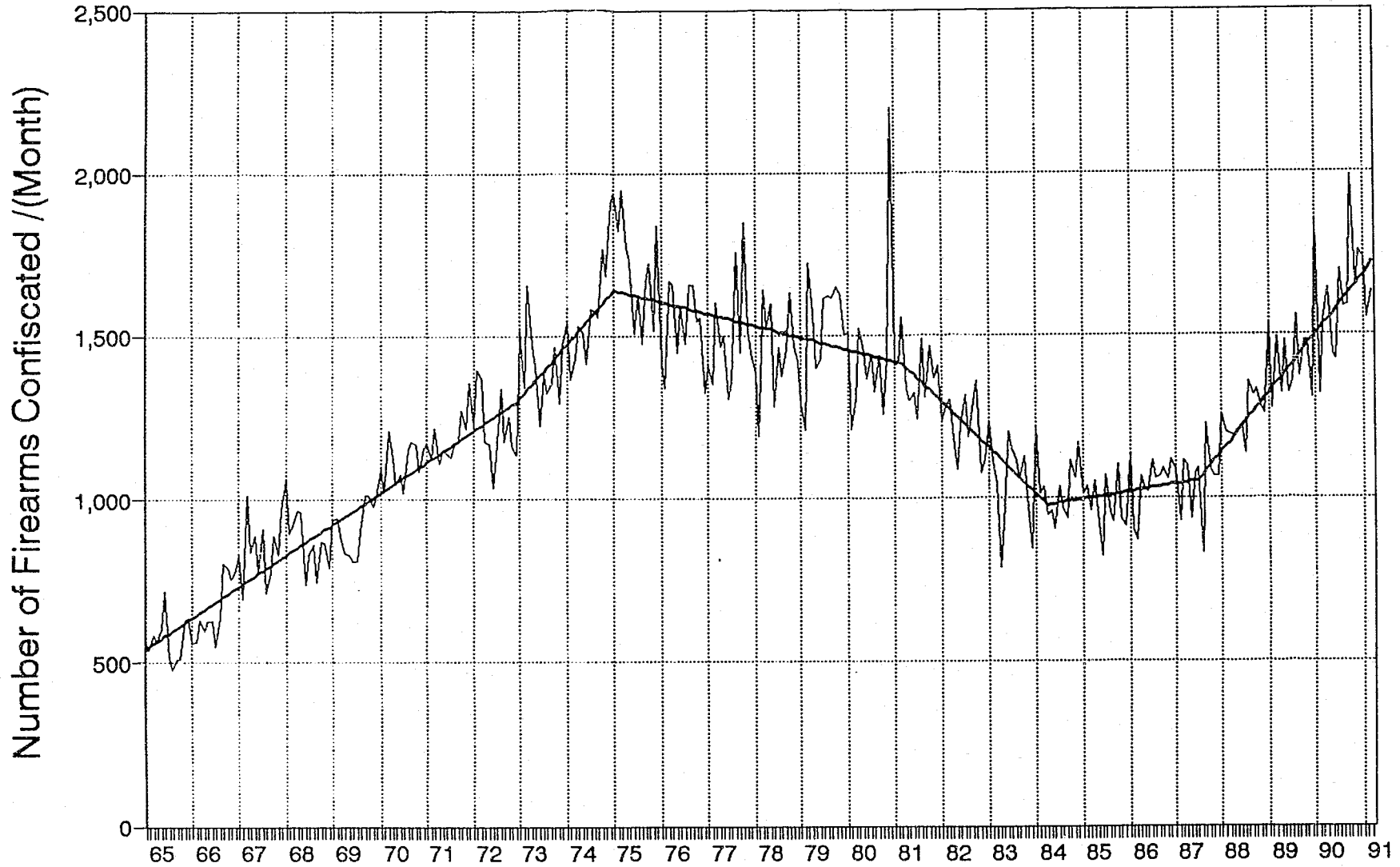
Most firearm confiscations are the result of the gun being owned illegally—for example, not being registered. As can be seen from Tables 9, 10, 11, and 12 the largest percentage of confiscations in 1981, 1988, and 1990 resulted from weapons violation charges. In 1981, almost 48 percent of all confiscations were for weapons violations. In 1988, almost 45 percent and in 1990 over 53 percent were for weapon violations or criminal damage. Criminal damage probably did not make up a large number of confiscations, because in 1981, when these offenses were reported separately, there were only 55 criminal damage confiscations compared to 7,951 weapons violation confiscations.

The second largest category, firearms confiscated in an assault or battery offense, account for about one-sixth of all confiscations. Assault and battery confiscations rose

¹⁷In the graph of the monthly confiscation data, Figure 2, the dark straight lines superimposed on the figure are a "line segment fit." Calculated by linear spline regression, a line segment fit describes the general pattern of the data over time. For more information, see Block, 1983.

Figure 2

Firearms Confiscated, Chgo.'65 - March '91 Actual Number & Best Line Segment Fit



Source: CPD Crime Laboratory Division

from nearly 16 percent of all weapons confiscated in 1981 to nearly 19 percent in 1988, but declined to 14 percent in 1991. In 1991, about 11.6 percent of all confiscations came from firearms being turned-in or found, an increase from 6 percent in 1981. Confiscations for "vice" (primarily drug violations) accounted for 10 percent in 1981, while drug-related firearm confiscations were 17 percent in 1988 and 12 percent in 1989.

Table 9
Firearms Confiscated, by Offense, 1981
Chicago Police Department

<u>Offense Type (a)</u>	<u>Number of Firearms</u>	
Code	<u>Number</u>	<u>Percent</u>
000 Death investigations	517	3.10%
100 Rape	43	.30%
200 Robbery	615	3.70%
300 Battery and assault	2,637	15.90%
400 Burglary	257	1.50%
500 Theft	524	3.20%
600 Auto theft	4	.02%
700 Arson	0	.00%
730 Criminal damage to property	55	.33%
740 Weapons violations(b)	7,951	47.80%
750 Sex offenses	9	.05%
800 Vice	1,670	10.00%
890 Other criminal offenses	885	5.30%
998 Misc. and noncriminal offenses(c)	1,032	6.20%
999 Internal affairs investigation (d)	<u>419</u>	<u>2.50%</u>
Total Firearms Confiscated	16,618	100.00%

- a. As recorded by the investigating officer.
- b. For example, unlawful use of a weapon, failure to register.
- c. Includes turn-ins and found weapons.
- d. Investigation of a police officer's gun.

Source: Firearm/Toolmarks Unit, Chicago Police Department

Type of Firearm

Although many types of guns are confiscated (pistols, revolvers, rifles, sawed-off shotguns, shotguns, B.B. guns, toy guns, zip guns), there are two major classifications: long guns (shotguns and rifles) and handguns. The majority of firearms confiscated by the Chicago Police Department are handguns (Table 13). The Firearm/Toolmarks Unit

Table 10
Firearms Confiscated, by Offense, 1988
(As Generated by Computer System)

<u>Offense Type</u>	<u>Number of Firearms</u>	
	<u>Number</u>	<u>Percent</u>
Homicide	210	1.40%
Robbery	353	2.36%
Sex offenses (includes prostitution)	14	0.01%
Burglary	141	0.94%
Theft	139	0.93%
Narcotics	2,548	17.00%
Assault and battery	2,868	19.14%
Accidental death or injury	87	0.58%
Suicide or attempt	132	0.88%
Weapon violations (includes criminal damage)	6,702	44.72%
Lost/found/turned in	1,422	9.49%
Liquor violations	40	0.27%
Miscellaneous	<u>332</u>	<u>2.22%</u>
Total Firearms Confiscated	14,988	100.00%

Source: Firearm/Toolmarks Unit, Chicago Police Department

Table 11
Firearms Confiscated, by Offense, 1990
(As Generated by Computer System)

<u>Offense Type</u>	<u>Number of Firearms</u>	
	<u>Number</u>	<u>Percent</u>
Homicide	239	1.21%
Robbery	549	2.80%
Sex offenses (includes prostitution)	53	0.27%
Burglary	156	0.68%
Theft	195	0.80%
Narcotics	2,359	12.00%
Assault and battery	3,047	15.50%
Accidental death or injury	105	0.54%
Suicide or attempt	114	0.58%
Weapon violations (includes criminal damage)	10,584	53.80%
Lost/found/turned in	2,061	10.48%
Liquor violations	24	0.12%
Miscellaneous	<u>184</u>	<u>.94%</u>
Total Firearms Confiscated	19,670	100.00%

Source: Firearm/Toolmarks Unit, Chicago Police Department

Table 12
Firearms Confiscated, by Offense, 1991
(As Generated by Computer System)

<u>Offense Type</u>	<u>Number of Firearms</u>	
	<u>Number</u>	<u>Percent</u>
Homicide	244	1.10%
Robbery	563	2.50%
Sex offenses (includes prostitution)	52	0.23%
Burglary	14	0.06%
Theft	161	0.71%
Narcotics	2,430	11.00%
Assault and battery	3,172	14.00%
Accidental death or injury	114	0.50%
Suicide or attempt	117	0.52%
Weapon violations (includes criminal damage)	12,794	56.00%
Lost/found/turned in	2,621	11.60%
Liquor violations	31	0.14%
Miscellaneous	347	1.50%
Total Firearms Confiscated	22,660	100.00%

Source: Firearm/Toolmarks Unit, Chicago Police Department

provided the information in Table 13 as part of a special request for this report. In each year from 1983 through 1985, handguns made up 83 percent of the total number of firearms confiscated. In 1991 and 1990, handguns made up 82.3 percent compared to 80.3 percent in 1989. Long guns made up 17.6 percent in 1991 and 18.8 percent in 1989 (0.93 percent of the firearms confiscated in 1989 were classified as "Other").

Table 13
Types of Firearms Confiscated by C.P.D.

<u>Year</u>	<u>Total Number of Confiscations</u>	<u>Handguns</u>
1983	12,582	10,389 (83%)
1984	12,363	10,260 (83%)
1985	11,713	9,641 (83%)
1986	*	*
1987	*	*
1988	*	*
1989	17,106	13,736 (80%)
1990	19,670	16,211 (82%)
1991	22,660	18,658 (82%)

* Data not available for these years

Source: Firearms/Toolmarks Unit, Chicago Police Department

Jurisdiction of Firearm Confiscations

Until December 1975, the Chicago Police Department processed confiscated firearms for all of northern Illinois, because there was no state firearm laboratory. Therefore, the number of confiscations before and after January, 1976, are not comparable to each other, *unless* confiscations outside of Chicago are subtracted from the pre-1976 figures.

Actually, confiscations outside of Chicago represent only a small portion of the total number of confiscations. In 1965, for example, only 220 (3.2 percent) of the 6,840 confiscated firearms were received from areas outside of Chicago, and another 20 were received from federal agencies.

Turn-Ins

The firearms processed through the Firearm/Toolmarks Unit include not only those confiscated in connection with an offense or a violation of a weapons law (such as unlawful use of a weapon, or lack of proper firearm registration), but also firearms "turned in" by citizens to the police. Currently, there are few turn-ins, but in the year before the city's firearm registration law went into effect in June 1968, there were a considerable number (Table 14). In that month, 62.8 percent of the 1,975 confiscations were attributable to weapons turned-in or found.

As Table 14 shows, in 1968 there were a total of 13,845 firearms processed through the Firearm/Toolmarks Unit. Of these, 3,355 were turned-in. The number of firearms turned in represents 24 percent of all firearms recovered by the Chicago Police Department in 1968. However, in the first six months of 1969, only 3 percent of firearms processed were turned-in, compared to 25 percent in the first six months of 1968. In 1981, the proportion of firearms recovered through miscellaneous and non-criminal offenses (code 998), which include turn-ins, was only 6.2 percent of the total number of firearms recovered by the department (see Table 9). In 1988 and 1990, 9.5 percent and 10.5 percent of confiscated firearms were lost, found, or turned in (see Tables 10 and 11). In 1991, there were 2,621 or 11.6 percent firearms that were lost, found or turned-in.

Effects of 1968 Registration Law on Confiscations

The majority of firearm confiscations following the implementation of firearm registration arose out of weapons violations, including failure to register. This is one reason that confiscation totals in 1965 and 1966 (Table 15) are much lower than in later years, after

Table 14
Effect of Firearm Registration on Weapons Confiscated as
Turned-In

<u>Date</u>	<u>Turned-In</u>	<u>Other</u> <u>Confiscations</u>	<u>Total</u> <u>Confiscations</u>
1968			
January	a	a	1,075
February	a	a	909
March	<u>a</u>	<u>a</u>	<u>939</u>
Total	45	2,878	2,923
April	40	967	1,007
May	514	959	1,473
June	<u>1,241</u>	<u>734</u>	<u>1,975</u>
Total	1,795	2,660	4,455
Total Jan to June	1,840	5,538	7,378
July	885	1,827	2,712
August	165	859	1,024
September	<u>199</u>	<u>746</u>	<u>945</u>
Total	1,249	3,432	4,681
October	a	a	a
November	a	a	a
December	a	a	a
Total	<u>266</u>	<u>1,520</u>	<u>1,786</u>
Total July to Dec	1,515	4,952	6,467
Total 1968	<u>3,355</u>	<u>10,490</u>	<u>13,845</u>
1969			
January	a	a	a
February	a	a	a
March	a	a	a
April	a	a	a
May	a	a	a
June	<u>13</u>	<u>807</u>	<u>820</u>
Total Jan to June	163	5,233	5,396

a=Information not available.

Source: Firearms Identification Unit, Chicago Police Department

the registration requirements that took effect in mid-1968. Firearm confiscations were lower, on average, in the early 1980s than in the late 1970s, despite the implementation

of more stringent registration requirements in 1982 and 1983 (see Figure 2 p.45 above). However, from 1985 to 1990, they rose more than 50 percent.

Table 15
Number of Firearms Confiscated
by the Chicago Police Department (excluding turn-ins)

<u>Year</u>	<u>Number of Firearms</u>
1965	6,840
1966	7,908
1967	10,105
1968	10,490
1969	10,944
1970	13,315
1971	14,213
1972	14,561
1973	16,918
1974	18,867
1975	20,551
1976	18,330
1977	18,010
1978	17,443
1979	18,233
1980	17,461
1981*	16,618*
1982	14,686
1983	12,582
1984	12,363
1985	11,713
1986	12,516
1987	12,602
1988	14,955
1989	16,973
1990	19,473

Source: Firearm/Toolmarks Unit, Chicago Police Department

* Note: The figures for the years 1981-1990 may include firearms turned in.

Interpreting Stolen and Recovered Firearm Data

LEADS

LEADS data pertaining to stolen firearms include the number of firearms that were reported to LEADS as stolen ("records entered"); the number of firearms removed from

the "hot files" because they were recovered or were no longer associated with an open case ("records canceled"); and the number of firearms that are either still missing or still being kept by the law enforcement agency ("active records"). The number of active records is the difference between the number of records entered (stolen) and the number that are canceled (recovered).

The number of firearms listed in LEADS files as recovered in Chicago (Table 16) is not necessarily the same as the number of firearms listed as confiscated by the Chicago Police Department (see Table 15). Many firearms are received by CPD as the result of a non-criminal offense, and therefore are not entered into LEADS. Also, when a firearm is missing a serial number, there is no way to check it against the LEADS file. In such cases, the Chicago Police Department does not enter it into LEADS.

Table 16
Stolen and Recovered Firearms in Chicago and
Illinois Excluding Chicago

<u>Year</u>	<u>Chicago</u>		<u>Ill. Excluding Chicago</u>	
	<u>Stolen</u>	<u>Recovered</u>	<u>Stolen</u>	<u>Recovered</u>
1978	3,966	13,993	5,190	137
1979	3,920	14,366	5,331	88
1980	3,737	12,745	5,744	48
1981	3,463	12,660	5,075	33
1982	2,651	11,330	4,898	217
1983	2,384	9,919	4,076	209
1984	1,649	9,171	3,474	210
1985	1,702	8,228	3,614	216
1986	1,618	11,629	3,664	333
1987	1,359	11,714	3,695	317
1988	1,388	12,868	4,219	364
1989	1,265	14,197	4,143	364
1990	1,335	16,117	4,066	404
1991	1,394	17,199	3,673	410

Source: Law Enforcement Agency Data Systems, Illinois State Police.

According to LEADS, although slightly more firearms are *stolen* in the rest of Illinois than in Chicago, far more firearms are *recovered* by the Chicago Police Department than by the rest of the state's law enforcement agencies combined (see Table 16). For example, in 1978, fewer firearms were reported stolen in Chicago than in the rest of Illinois, but 102 times as many were recovered. This is accounted for, partially, by firearms stolen outside of Chicago that are recovered in Chicago. For example, in 1987, 24 percent of the

firearms confiscated or recovered in Chicago had been stolen elsewhere. Also, part of this difference is the result of the stringent ownership laws in Chicago, which lead to a high number of guns being confiscated for not being legally registered.¹⁸ Even so when the 7,951 firearms confiscated for all weapons violations (see Table 9) are subtracted from the 12,660 firearms recovered in Chicago in 1981 (see Table 16), the remaining 4,709 recovered firearms is still more than the total stolen in Chicago in 1981, and 143 times as high as the 33 recovered in Illinois excluding Chicago.

Although the total number of firearms reported stolen to LEADS in Illinois fell 41 percent from 9,156 in 1978 to 5,408 in 1989, the number reported stolen in Chicago fell much faster. There was a 68 percent decline in Chicago between 1978 and 1989, versus a 20 percent decline in the rest of Illinois. Again, part of the decline may be due to a reluctance of a gun-owner to report a gun as stolen, if it was not registered. Therefore, the proportion of all Illinois firearms that were stolen outside of Chicago increased steadily over the years, from 57 percent in 1978, to 65 percent in 1982, to 73 percent in 1987 and 77 percent in 1989.

The number of stolen firearms reported to LEADS in a typical month in Chicago declined from about 300 in 1981 to about 150 in mid-1984, and has fluctuated around 150 per month since then. Because the first of a number of laws limiting the legal registration of handguns was passed in 1982, the decline may be due to the reluctance of people to report the theft of an unregistered gun.¹⁹ On the other hand, the decline of stolen firearms in LEADS data may be the result of a decrease in ownership and a corresponding reduction in the supply of firearms that can be stolen. It could also simply be due to a decrease in the theft of firearms.

The number of firearms reported stolen also declined in the rest of Illinois (except Chicago) during the same period (Figure 3). Therefore, the Chicago decline apparently was not due to a change in Chicago, but to a change that occurred statewide. However, the decline outside of Chicago began a year earlier than the Chicago decline and lasted from 1980 through 1986. Further, there is some indication of an increase in 1987.

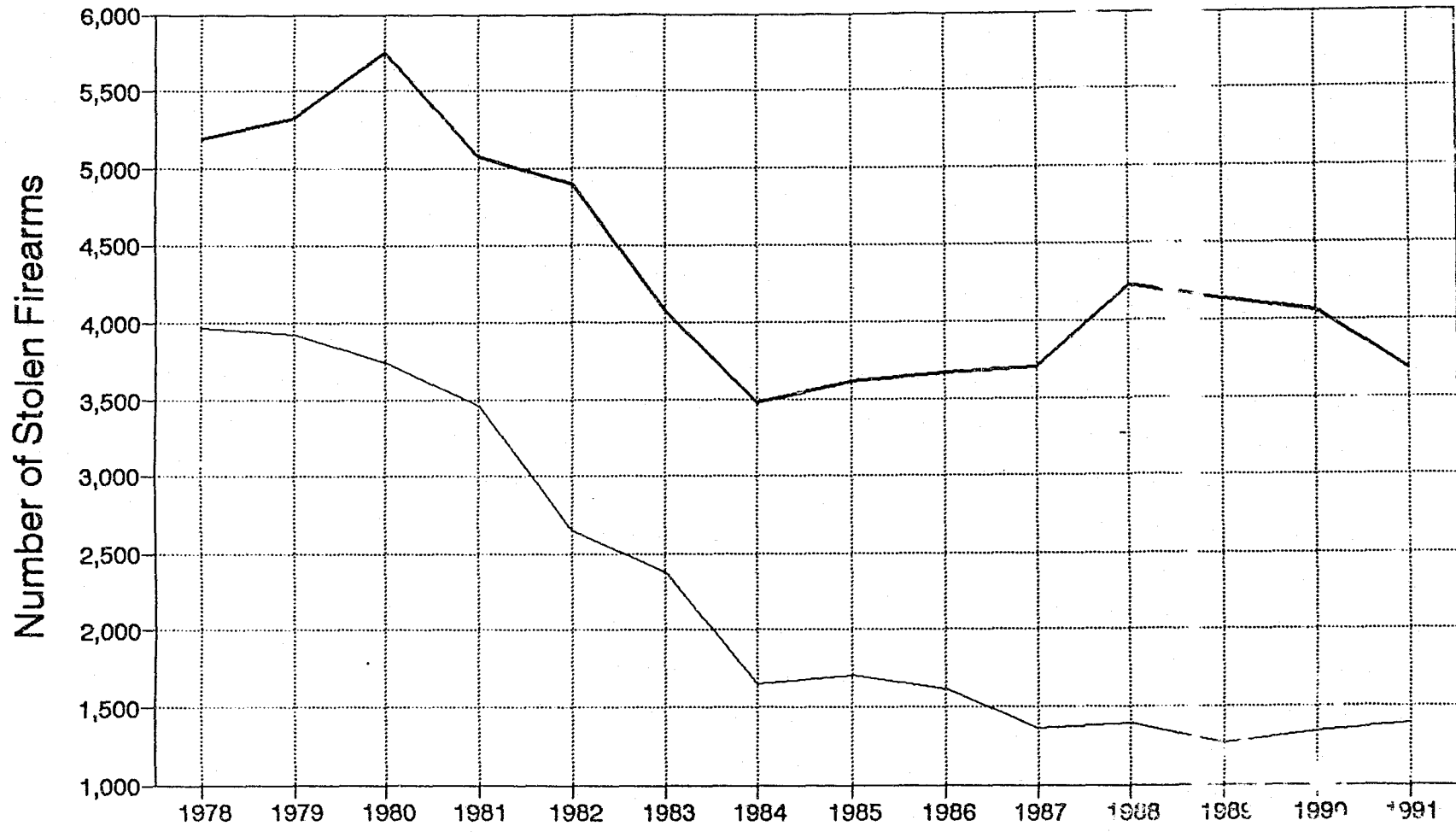
The number of recovered firearms in Chicago peaked in 1986 and 1987 (Figure 4). The extremely high numbers in those months are the result of the Chicago Police Department

¹⁸Phone conversation with Bill Firth, Law Enforcement Agencies Data Systems, April 5, 1988.

¹⁹All new handguns had to be registered under the old system before April 9, 1982. All handguns already registered under the old system had to be re-registered under the new system prior to October 30, 1983. The deadline was later extended from October to May. Conversation with Deloris Jance, Chicago Gun Registration Office, April 14, 1988.

Figure 3

Stolen Firearms in Chicago and Illinois minus Chicago



Source: LEADS, Illinois State Police

— Chicago — Ill. minus Chicago

destroying a large number of guns that they had been holding, which had not been reported previously to LEADS. In 1991, 17,199 firearms were recovered in Chicago, reaching an all time high and an increase of 6.4 percent from 1990. Those extremes do not appear in the Chicago Police Department confiscation data (see Figure 2).

Illinois State Police

Information on stolen firearms has been included since 1975 in ISP's annual report *Crime in Illinois*, which has been published since 1970. This information is categorized by type of weapon (handgun, rifle, shotgun, military, and other) and includes the number of offenses, the total number of firearms taken and the total dollar value of the guns stolen. The total dollar value, divided by the total number of firearms stolen gives the average value of each firearm stolen. The average number of firearms stolen per offense can also be calculated. Table 17 summarizes the available information for 1975 through 1990.

Because of changes in the methods the Chicago Police Department used to report crimes to ISP, the Chicago crime data are presented separately from the rest of the state's statistics in *Crime in Illinois* for the years 1982, 1983, and 1984. For those years, only summary theft data—which do not specify the number or particular types of firearms stolen—are available for Chicago. The total value of all firearms stolen is, however, presented for Chicago in 1983 and 1984.

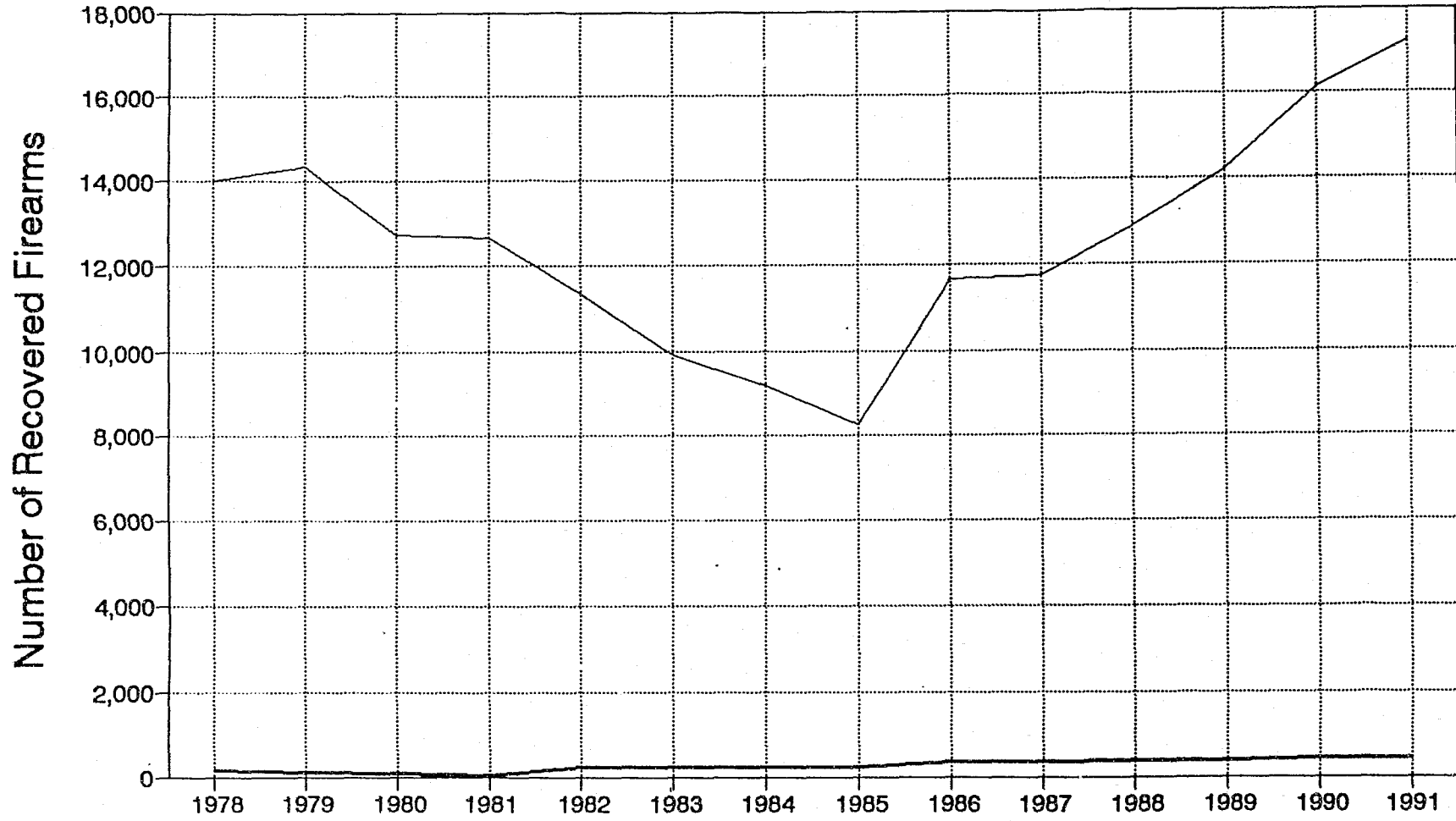
Chicago Police Department

The Chicago Police Department maintains paper files of the National Crime Information Center (NCIC) "hits" at its Detective Division headquarters, going back to 1972. The file for each firearm contains a report of the NCIC hit. If the firearm was reported stolen by another agency, the file also will contain a copy of the form that was sent to that agency by the Chicago Police Department. Similarly, if another agency recovered a firearm that was stolen from Chicago, the file would contain copies of the theft report and the report sent to the Detective Division by the recovering agency.

Unlike LEADS data for stolen firearms, these data show how many firearms were stolen in a particular area and also how many were recovered and where they were recovered. For example, 12,602 firearms were confiscated in Chicago in 1987. The 1,043 that were

Figure 4

Recovered Firearms in Chicago and Illinois minus Chicago



Source: LEADS, Illinois State Police

— Chicago

— Ill. minus Chicago

Table 17
Average Value of Handguns Stolen Through Burglary

Year	Total Burglary Offenses	Handgun Burglary Offenses	Number of Handguns Stolen	Total Value	Average Value
1975	143,402	1,146	3,296	\$443,876	\$134.67
1976	121,803	976	2,793	\$423,800	\$151.74
1977	121,292	1,218	2,683	\$402,495	\$156.02
1978	124,489	987	2,865	\$424,305	\$148.10
1979	131,607	1,109	3,248	\$553,077	\$170.26
*1980	-----	-----	-----	-----	-----
1981	132,105	1,321	3,023	\$716,092	\$236.88
**1982	92,253	927	4,021	\$459,617	\$114.30
**1983	89,156	875	2,455	\$493,328	\$200.95
**1984	78,795	752	2,395	\$532,828	\$222.48
1985	129,517	734	2,264	\$618,837	\$273.33
*1986	-----	---	-----	-----	-----
1987	130,256	636	1,847	\$427,133	\$231.26
1988	129,884	640	1,904	\$485,655	\$255.07
1989	125,533	688	2,414	\$586,105	\$242.79
1990	120,335	700	2,351	\$622,377	\$264.73

* 1980 & 1986 data are not included here, because the figures are questionable.

** Illinois excluding Chicago

Source: Crime in Illinois 1975-1989

NCIC hits included the following:²⁰

- o 700 reported stolen in Chicago and recovered by the Chicago Police Department.

- o 257 reported stolen by another agency and recovered by the Chicago Police Department.

- o 86 reported stolen in Chicago and recovered by another police department.

Thus, the majority (67.1 percent) of those stolen firearms that were recovered by the Chicago Police Department in 1987 (NCIC hits) actually were stolen in Chicago. Only about 24 percent of the stolen firearms confiscated or recovered by the Chicago Police

²⁰Information provided by Detective John Doyle, Bureau of Investigative Services, Chicago Police Department, May, 1988.

Department in 1987 had been stolen elsewhere. However, as Table 18 shows, the percentage of CPD-recovered firearms that had been stolen outside of Chicago has steadily increased since 1987. In 1990, 40 percent of the 1,383 NCIC hits had been reported by another agency.

Table 18
NCIC Hits for Chicago Police Department

	<u>1987</u>	<u>1988</u>	<u>1989</u>	<u>1990</u>
Reported stolen in Chicago and recovered by CPD:	700 68%	631 63%	679 58%	769 56%
Reported stolen by another agency and recovered by CPD:	257 24%	305 30%	408 35%	552 40%
Reported stolen in Chicago and recovered by another agency:	86 8%	73 7%	84 7%	62 4%
Total NCIC hits: ²¹	1,043	1,009	1,171	1,383

Source: Information provided by Chief John T. Stibich, Detective Division, Chicago Police Department

Because the location (name of the city and state) of the agency that reported the stolen firearm is on the form that records each hit, NCIC hit information could be used to determine the origin of firearms that were recovered in Chicago but stolen elsewhere. However, to find the origin of stolen firearms categorized in this manner would be an arduous task, requiring the search of paper files to determine the location of the theft and the location of the recovery.

Bordua Survey Data

Each of the three Bordua surveys provides an estimate of the number of firearms owned (and the number per capita) in Illinois. However, because of the limited sample size, the Bordua sample survey data cannot provide estimates for any individual city or county in a given year, except Chicago and Cook. To address this problem, Professor Bordua in 1988 combined all three samples to arrive at estimated figures for the 1976 to 1981 period. From this larger sample size (2,267 cases), he was able to produce baseline

²¹An NCIC hit occurs when the serial number and model of a recovered firearm is entered into the NCIC system through LEADS and is identified by the computer as a firearm that has been previously entered into the NCIC system as stolen.

estimates of a number of variables regarding firearm owners and the number of firearms owned by Illinois residents in an estimated year, 1978. Even though the combined sample is not large enough for reliable estimates of firearm ownership in individual counties, it is large enough for estimates of the following regions:

Chicago

Cook: Cook County minus Chicago.

Chicago SMSA: The Standard Metropolitan Statistical Area minus Cook County.

Northwest: Boone, Carroll, DeKalb, JoDaviess, Lee, Stephenson, Whiteside, Winnebago counties.

The Chicago SMSA: Cook, DuPage, Kane, Lake, McHenry, and Will counties.

West Central: Fulton, Hancock, Henderson, Henry, Knox, Mc Donough, Mercer, Rock Island, Warren counties.

North Central: Bureau, Grundy, Kendall, LaSalle, Marshall, McLean, Peoria, Putnam, Stark, Tazewell, Woodford counties.

West South Central: Adams, Brown, Calhoun, Cass, Greene, Jersey, Macoupin, Morgan, Pike, Schuyler, Scott counties.

South Central: Christian, DeWitt, Logan, Macon, Mason, Menard, Montgomery, Moultrie, Sangamon, Shelby counties.

East Central: Champaign, Clark, Coles, Cumberland, Douglas, Edgar, Ford, Iroquois, Kankakee, Livingston, Piatt, Vermilion counties.

Metro South: Bond, Clinton, Madison, Monroe, Randolph, St. Clair, Washington counties.

Wabash South: Clay, Crawford, Edwards, Effingham, Fayette, Jasper, Lawrence, Marion, Richland, Wabash, Wayne, White counties.

Deep South: Alexander, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Massac, Perry, Pope, Pulaski, Saline, Union, Williamson counties.

Professor Bordua in 1988 estimated the number of firearms per region by dividing the total number of each kind of firearm in the sample households in each region and dividing it by the number of sample households in that region (Table 19). He then multiplied this average number per sampled household by the total number of households in that region, obtained through the U.S. Bureau of the Census for 1981. These regional estimates were then totaled to give the estimate for the state. To estimate the number of firearms per 100 persons Bordua used 1980 U.S. Census figures for all adults over 18 years old for each region (Table 20).²²

Tables 19 and 20 show that, although the largest *numbers* of firearms owned are concentrated in the Chicago SMSA, the highest *rates* of ownership are in other regions, especially West South Central (134.83 guns per 100 people over age 18), Wabash South (71.51 guns per 100 people over age 18), and Deep South (69.69 guns per 100 people

²²The Bordua sample was limited to respondents aged 18 or older.

Table 19
Estimated Number of Firearms in Illinois
by Region, 1978

<u>Region</u>	<u>Handguns</u>	<u>Rifles</u>	<u>Shotguns</u>	<u>All Guns</u>
Chicago	223,142	104,692	73,306	401,140
Cook	204,084	194,756	152,058	550,898
Chicago SMSA	173,877	237,221	268,741	679,839
North West	72,021	163,595	151,725	387,341
West Central	37,626	92,361	98,123	228,110
North Central	147,306	187,662	163,993	498,961
West Central So	100,674	120,313	123,467	344,454
South Central	49,898	149,991	143,707	343,596
East Central	39,711	98,918	116,320	254,949
Metro South	79,387	133,708	160,956	374,051
Wabash South	13,523	65,373	90,611	169,507
Deep South	71,595	77,558	84,875	234,028
Illinois Total	1,212,844	1,626,148	1,627,882	4,466,874

Source: Bordua Survey Data, combined data for 1976, 1977, 1981.

Table 20
Estimated Firearms per 100 Adults in Illinois by Region, 1978

<u>Region</u>	<u>Handguns</u>	<u>Rifles</u>	<u>Shotguns</u>	<u>All Guns</u>
Chicago	7.43	3.48	2.44	13.35
Cook	9.08	8.66	6.76	24.50
Chicago SMSA	9.40	12.83	14.53	36.77
North West	12.11	27.51	25.52	65.14
West Central	8.54	20.96	22.27	51.76
North Central	20.21	25.74	22.50	68.44
West Central South	39.41	47.09	48.33	134.83
South Central	10.08	30.29	29.02	69.39
East Central	6.67	16.62	19.54	42.83
Metro South	12.54	21.12	25.42	59.08
Wabash South	5.71	27.58	38.23	71.51
Deep South	<u>21.32</u>	<u>23.10</u>	<u>25.27</u>	<u>69.69</u>
Illinois Average	13.54	22.08	23.32	58.94

Source: Bordua Survey Data, combined data for 1976, 1977, 1981.

over age 18). Table 20 also shows that regions other than Chicago and Cook County have higher ownership rates for rifles and shotguns than for handguns. In contrast, Chicago and Cook County have higher ownership rates for handguns than for long guns. For example, Chicago has an ownership rate of 7.43 handguns per 100 people over age 18 compared to rates of 2.44 for shotguns and 3.48 for rifles. In contrast, the West Central region, which has a handgun ownership rate close to Chicago's (8.54), has

ownership rates of 20.96 for rifles and 22.27 for shotguns per 100 people over age 18.

Table 21 describes the number of firearms per owner. This information is from a combination of the three surveys. The range in numbers of firearms owned is quite large, but the concentration of numbers owned is not. Of all firearm owners surveyed, 70 percent owned three or fewer firearms, and only 3 percent owned 10 or more. However, this 3 percent accounted for 20 percent of the total number of firearms. One owner surveyed, probably a collector, had 77. Even though this one owner made up only 0.22 percent of the firearm owners in the survey, his guns accounted for slightly more than 5 percent of the total number of firearms counted in the surveys.

Table 21
Number of Firearms Owned by Owning Respondents; Illinois 1978

Firearms Owned	Owners			Firearms		
	No.	Percent	Cumulative Percent	No.	Percent	Cumulative Percent
1	169	36.58	36.58	169	11.49	11.49
2	98	21.21	57.79	196	13.32	24.81
3	60	12.99	70.78	180	12.24	37.05
4	57	12.34	83.12	228	15.50	52.55
5	21	4.55	87.66	105	7.14	59.69
6	21	4.55	92.71	126	8.57	68.25
7	8	1.73	93.94	56	3.81	72.06
8	6	1.30	95.24	48	3.24	75.33
9	5	1.08	96.32	45	3.06	78.38
10	3	.65	96.97	30	2.04	80.42
11	1	.22	97.19	11	.75	81.17
12	4	.87	98.05	48	3.26	84.43
15	1	.22	98.27	15	1.02	85.45
16	1	.22	98.48	16	1.09	86.54
17	2	.43	98.92	34	2.31	88.85
20	1	.22	99.13	20	1.36	90.21
21	2	.43	99.56	42	2.86	93.07
25	1	.22	99.78	25	1.70	94.77
77	1	.22	100.00	77	5.24	100.00
TOTAL		100.00%			100.00%	

Source: 1976, 1977, 1981 Bordua Survey Data

Interpreting Firearm Trace Data

The success of the Bureau of Alcohol, Tobacco and Firearms' tracing program depends upon the record keeping of manufacturers, importers, wholesalers, and retail dealers. If

information has not been accurately recorded at any point in a firearm's history, the trace cannot be continued. For example, if any of the information pertaining to the serial number of a firearm, or the name or license number of the transferee is missing, the ATF Tracing Center cannot go any further and will be unable to determine the name of the buyer. Occasionally, a trace is stopped when the buyer sold a firearm to someone whose name is unknown, or when there is no record of the sale. Sometimes a firearm used in a crime will change hands or cross state lines several times without any record of the transfer.

FIREARMS AND CRIME

Most of the data available in Illinois on crimes committed with firearms are offense or arrest records maintained by law enforcement agencies, or estimates based on surveys of victims. This section briefly reviews the data available from reports made by law enforcement agencies and surveys of crime victims.

What Data Are Available?

Illinois Uniform Crime Reports (I-UCR)

Each of the more than 1,000 Illinois police jurisdictions (sheriffs' offices and police departments) keeps records of reported offenses, arrests, and additional information. The Illinois State Police collects these data and maintains them in computer files. To ensure continuity in the reporting of offenses from this large number of agencies, ISP's Division of Forensic Services and Identification has established Illinois Uniform Crime Reports (I-UCR) offense and arrests codes, which are used by reporting agencies.²³ In addition, the *Supplementary Homicide Reports (SHR)*, collected and maintained by ISP since April 1973, contain detailed information about homicides, such as the specific type of weapon used (handgun, rifle, shotgun, or multiple offenders using different types of firearms). The *Victim-Level Murder (VLM)* file contains information on the victim, circumstances, known offenders, and information contained in the SHR.²⁴

Offenses Known to the Police and Arrests

In Illinois, law enforcement agencies file Illinois Uniform Crime Reports with the Illinois State Police for, among other categories, offenses known to the police and arrests for crimes occurring in their jurisdiction. An offense is classified as "known to the police" when it comes to the attention of law enforcement authorities and is not classified as unfounded or referred to another jurisdiction. An arrest is defined as the taking into custody by law enforcement authorities of a suspect of a crime.

²³For more information about the Illinois Uniform Crime Reports, see the Authority's Introduction to Illinois Uniform Crime Reports, May, 1985.

²⁴For more information on the SHR and the Victim-Level Murder File, see Miller (1982).

There are four violent index crimes that may involve the use of firearms for which various I-UCR arrest and offense data are available.

- o Index Murder: The willful killing of a person. Index murder also includes voluntary manslaughter, in which a person's death is caused by gross negligence of any individual other than the victim.

- o Index Criminal Sexual Assault: All sexual assaults, completed and attempted, aggravated and non-aggravated. Until 1984, "rape" was defined as the carnal knowledge of a female, forcibly and against her will. On July 1, 1984, Illinois' sexual assault laws became gender-neutral and the old concept of rape was broadened to include many types of sexual assault.

- o Index Robbery: The taking of, or attempt to take, anything of value from the care, custody, or control of a person by force or threat of force or violence.

- o Index Aggravated Assault: The intentional causing of, or attempt to cause, serious bodily harm, or the threat of serious bodily injury or death. Index aggravated assault includes aggravated assault, aggravated battery, and attempted murder. In Illinois, "assault" is a threat, while "battery" is an actual attack. "Aggravated" means that serious bodily harm, or the threat of serious bodily harm, is involved.

Victimization Survey Data for Illinois

There have been separate victim surveys of Illinois regions, as well as a nationwide survey (National Crime Victimization Survey) conducted by the U.S. Department of Justice's Bureau of Justice Statistics, which has been re-weighted to represent Illinois. In Illinois, there have been victim surveys of Region 20 (southern Illinois counties, also called Greater Egypt), Joliet, Peoria, Champaign, and Chicago (see Perrin, 1977, 1979). In addition, as part of National Crime Panel surveys of 26 cities, two surveys were conducted in Chicago, in 1972 and 1974 (Block and Block, 1980).

Begun in 1972 and continuing today, the National Crime Victimization Survey (NCVS) was established to create a measure of crime that would be independent of the decisions and definitions of the criminal justice system. The NCVS sample design includes about 132,000 respondents every six months, making it one of the largest continuing random sample surveys ever attempted (Block and Block, 1984). However, because crime

(especially serious crime) is a rare event, even this large sample uncovers a relatively small number of victimizations. Because of these small numbers, and also because of technical problems in weighting the sampled data so that the population is accurately represented, estimates of state-level victimization are difficult to determine. However, since 1985, the U.S. Bureau of the Census has created annual estimates for Illinois.

The NCVS asks respondents who say they have been the victims of violent crimes (rape, robbery, or aggravated assault) what type of weapon, if any, was used. In addition, the respondent is asked other questions regarding the crime, such as the following:

- o Whether or not the victim knew the offender
- o The time of the occurrence
- o Whether or not the police were informed
- o The age of the offender(s)
- o The sex and race of the offenders
- o Whether or not the victim attempted to protect him- or herself and if so, with what type of weapon
- o If the victim suffered any injuries that required medical attention and, if so, the medical expenses

For a complete list of the questions asked of respondents and what data are compiled in the NCVS, see the NCVS Codebook, *The National Crime Surveys: National Sample, 1979-1985 [Revised Questionnaire]*.

Illinois Department of Public Health

The Illinois Department of Public Health compiles statistics on suicides, homicides, and accidental deaths in which a firearm was used. The information the Department of Public Health has for deaths caused by firearms includes age, gender, and race of the victims. For the address, see Appendix 1.

How to Obtain Data on Firearms and Crime

Illinois Uniform Crime Reports

Summary data on offenses and arrests from the Illinois Uniform Crime Reports are available from ISP's annual publication, *Crime in Illinois*. Because it is impractical for *Crime in Illinois* to present all agencies separately, more detailed agency-specific

information is available upon request from the Illinois State Police (see address in Appendix 1). The weapon information available from ISP varies from one jurisdiction and type of crime to another, between offenses and arrests, and from year to year.

In addition to municipal and county data available in I-UCR, some offense and arrest data are available directly from individual law enforcement agencies. To obtain that information, contact the agencies directly. In the following section, we offer specific advice about data available for Chicago.

Municipal Data—Chicago

Data on index murders in Chicago are published in the Chicago Police Department's annual publication *Murder Analysis*, which contains information on types of firearms used in murders. Data on other crimes in Chicago are published in the *Police Period Summaries*, which is available for public use at the Chicago Municipal Reference Library (see Appendix 1). The type of weapon for index robbery in the *Police Period Crime Summary* specifies only armed and unarmed robberies, but does not specify the type of weapon. However, the Chicago Police Department can provide more specific information on request. The *Police Period Crime Summary* records are generally complete, except for some months in 1975 and 1976. However, it is possible to calculate the missing data from the information on percent change from the same period in the report from the subsequent year or month.

The Illinois Criminal Justice Information Authority maintains the Chicago Index Assault Data file (CIAD), which was created through the information available in the *Police Period Crime Summary* reports. This CIAD file contains information on the total number of aggravated assaults known to the police in each police period from 1965 to 1989, categorized by firearm, knife, other deadly weapon, and personal weapon (fists, feet and so on). These data sets are complete for battery, containing all the data points for every police period for all years. Periods in which data were missing were calculated from information on the percent change from the same period in the subsequent year's report. The only weapon category that is not complete is battery committed with a knife, which has missing data for 1975 and 1976. The Illinois Criminal Justice Information Authority has also transformed the police period data contained in these summaries into estimated monthly data. For a user's guide to these data, see Taylor (1992).

National Crime Survey Victimization Data

Estimates of victimization in Illinois, based on National Crime Victimization Survey data, are available on paper at the Illinois Criminal Justice Information Authority for 1985, 1986, 1987, 1988 and 1989. These Illinois-specific crime survey data printouts are available for use at the Illinois Criminal Justice Information Authority's library. Information specifically on Illinois is not available for years prior to 1985. In addition, some of the more general information regarding national data is published in the annual *Sourcebook of Criminal Justice Statistics* and in numerous reports and publications of the National Institute of Justice and the Bureau of Justice Statistics. For example, see the two BJS reports, *Report to the Nation on Crime and Justice*, 1983 and 1988.

Illinois Department of Public Health

Data related to firearm suicides, homicides, and accidental deaths can be obtained from the Center for Health Statistics of the Illinois Department of Public Health. Summary data on mortality rates has been published by the Department of Public Health *Mortality from Firearms Among Illinois Residents: 1980-1988. A Vital Statistics Report*. The report contains information on mortality from firearms among Illinois residents by age and race, for the years 1980 through 1988.

How to Interpret the Data

Illinois Uniform Crime Reports Offense Data

I-UCR data on weapons used in the commission of offenses reported to the police varies from year to year for Chicago and for the rest of Illinois. Tables 22 (Illinois excluding Chicago) and 23 (Chicago) show the years for which firearm data are available—and the I-UCR codes under which the data were reported—for violent index offenses for reporting agencies in Illinois. "Availability" in these tables means that Illinois reporting agencies (jurisdictions and sheriff's offices) were required to report these data. All law enforcement agencies in Illinois are required to report I-UCR data to ISP either directly or through the sheriff's office of their county. However, the Authority has not checked the completeness of reporting of every Illinois law enforcement agency for every year.

Individual agencies may present unique data problems. One such agency is the Chicago Police Department. Because Chicago reporting practices differ from the rest of the state, it is necessary to look at the availability of Chicago data separately from the rest of Illinois.

Table 22

Data Availability of Offense with a Firearm
Illinois Excluding Chicago

Index Rape/ Criminal Sexual Assault

CODE DEFINITIONS	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0211 Firearm	X	X	X	X	X	X	X	X	X	X	X								
021A Agg. Handgun												X	X						
0261 Agg. Handgun														X	X	X	X	X	X
021B Agg. O/Handgun												X	X						
0262 Agg. O/Handgun														X	X	X	X	X	X
0212 Knife/Ct.	X	X	X	X	X	X	X	X	X	X	X	X							
0263 Agg. Knife/Ct.														X	X	X	X	X	X
0213 Other Weapon	X	X	X	X	X	X	X	X	X	X	X	X							
0264 Agg O/Weapon														X	X	X	X	X	X
0214 Other Means	X	X	X	X	X	X	X	X	X	X	X	X							
0265 Agg O/Mean														X	X	X	X	X	X

CODE DEFINITIONS	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0220 Attempts	X	X	X	X	X	X	X	X	X	X	X								
022A Handgun												X	X						
0271 Att. Handgun														X	X	X	X	X	X
022B O/Firearm												X	X						
0272 Att. O/Firearm														X	X	X	X	X	X
022C Knife/Ct.												X	X						
0273 Att. Knife/Ct.														X	X	X	X	X	X
022D Other Weapon												X	X						
022E Str Arm/No Weap												X	X						
0274 Att. O/Weapon														X	X	X	X	X	X
0275 Att. Other Mean														X	X	X	X	X	X
0281 C.S.A.														X	X	X	X	X	X
0291 Att. C.S.A.														X	X	X	X	X	X

INDEX ROBBERY

CODE DEFINITIONS	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0311 Armed: Firearm		X	X	X	X	X	X	X	X	X	X								
031A Armed Handgun												X	X	X	X	X	X	X	X
031B Armed: O/Firearm												X	X	X	X	X	X	X	X
0312 Knife/Ct.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0313 Other Weapon	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0320 Strong Armed	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

CODE DEFINITIONS	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0330 Firearm				X	X	X	X	X	X	X	X								
033A Handgun												X	X	X	X	X	X	X	X
033B O/Firearm												X	X	X	X	X	X	X	X
0334 Knife/Ct.				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0337 Other Weapon	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0340 No Weapon	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

Table 22 Cont.

INDEX ASSAULT

CODE DEFINITIONS	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0410 Firearm	X	X	X	X	X	X	X	X	X	X	X								
041A Handgun												X	X	X	X	X	X	X	X
041B Other Firearm												X	X	X	X	X	X	X	X
0420 Knife/Ct.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0430 Other Weapon	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0440 Hands/Fist/Feet										X	X	X	X	X	X	X	X	X	X

Aggravated Assault	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0510 Firearm	X	X	X	X	X	X	X	X	X	X	X								
051A Handgun												X	X	X	X	X	X	X	X
051B Other Firearm												X	X	X	X	X	X	X	X
0520 Knife/Ct.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0530 Other Weapon	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

Attempted Murder	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0121 Firearm	X	X	X	X	X	X	X	X	X	X	X								
012A Handgun												X	X	X	X	X	X	X	X
012B Other Firearm												X	X	X	X	X	X	X	X
0122 Knife/Ct.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0123 Other Weapon	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0124 Hands/Fist/Feet	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

Table 23

Data Availability of Offense with a Firearm
Chicago

Index Rape/ Criminal Sexual Assault

CODE DEFINITIONS	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	
0211 Firearm																				
021A Agg. Handgun													X	X						
0261 Agg. Handgun															X	X	X	X	X	
021B Agg. O/Handgun																				
0262 Agg. O/Handgun															X	X	X	X	X	
0212 Knife/Ct.																				
0263 Agg. Knife/Ct.																		X	X	
0213 Other Weapon																				
0264 Agg O/Weapon																		X	X	
0214 Other Means	X	X	X	X	X	X	X	X	X	X	X	X	X	X						
0265 Agg O/Means																			X	X

CODE DEFINITIONS	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0220 Attempts	X	X	X	X	X	X	X	X	X	X	X	X							
022A Handgun												X	X						
0271 Att. Handgun														X	X	X	X	X	X
022B O/Firearm											X	X							
0272 Att. O/Firearm														X	X	X	X	X	X
022C Knife/Ct.											X	X							
0273 Att. Knife/Ct.														X	X	X	X	X	X
022D Other Weapon											X	X							
022E Str Arm/No Weap											X	X							
0274 Att. O/Weapon														X	X	X	X	X	X
0275 Att. Other Mean														X	X	X	X	X	X
0281 C.S.A.														X	X	X	X	X	X
0291 Att. C.S.A.														X	X	X	X	X	X

INDEX ROBBERY

CODE DEFINITIONS	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0311 Armed: Firearm		X	X	X	X	X	X	X	X	X	X	X							
031A Armed Handgun												X	X	X	X	X	X	X	X
031B Armed: O/Firearm												X	X	X	X	X	X	X	X
0312 Knife/Ct.		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0313 Other Weapon	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0320 Strong Armed	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

CODE DEFINITIONS	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0330 Firearm				X	X	X	X	X	X	X	X								
033A Handgun												X	X	X	X	X	X	X	X
033B O/Firearm												X	X	X	X	X	X	X	X
0334 Knife/Ct.				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0337 Other Weapon	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0340 No Weapon	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

Table 23 Cont.

INDEX ASSAULT

CODE DEFINITIONS	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0410 Firearm																			
041A Handgun												X	X	X	X	X	X	X	X
041B Other Firearm												X	X	X	X	X	X	X	X
0420 Knife/Ct.			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0430 Other Weapon			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0440 Hands/Fist/Feet			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

Aggravated Assault	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0510 Firearm																			
051A Handgun			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
051B Other Firearm			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0520 Knife/Ct.			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0530 Other Weapon			X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

Attempted Murder	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0121 Firearm	X	X	X	X	X	X	X	X	X	X	X								
012A Handgun												X	X	X	X	X	X	X	X
012B Other Firearm												X	X	X	X	X	X	X	X
0122 Knife/Ct.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0123 Other Weapon	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0124 Hands/Fist/Feet	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

Therefore, Table 22 shows the availability of weapon use data for offenses reported to the Illinois Uniform Crime Reports for jurisdictions outside of Chicago, and Table 23 shows availability for Chicago by the Chicago Police Department. I-UCR firearm data for murder are available beginning in April 1973 for both Chicago and the rest of the state, in the Supplementary Homicide Reports (see Miller, 1982). For other violent crimes, specific types of firearms are reported beginning in 1983 at the earliest. In fact, for a number of crimes, data on firearm use may be absent for some years or difficult to extract from the published data.

In 1983, all violent index crime classifications indicating the use of a firearm were expanded from merely indicating that a firearm was used to more specific codes indicating whether a handgun or some other type of firearm was used. Although at first these differences were shown by "A" or "B" in the code, in 1986 all-numeric codes were assigned to indicate whether an offense was committed with a handgun or some other type of firearm.

In order to determine the number of index rape/criminal sexual assault offenses or index robbery offenses, data must exist for completed and attempted crimes. Index aggravated assault includes attempted murder, statutory aggravated assault and statutory aggravated battery. Index robbery includes robbery and attempted robbery. Index rape includes rape and attempted rape. If firearm offense data are not available for one of the index sub-categories, such as attempted robbery, firearm offense data cannot be determined for the index crime, such as index robbery. The discussion below lists the years in which complete data in these categories were collected by ISP from Illinois law enforcement agencies, and what interpretations can be made from the available information.

Murder

The most extensive source of information for weapons used in the commission of a specific index crime is the *Supplementary Homicide Reports (SHR)*. The SHR contain detailed information about homicide, such as the specific type of weapon used (handgun, rifle, shotgun, or multiple offenders using different types of firearms).

SHR data files are difficult to use, however, because victim information is repeated for each offender. Thus, if more than one person murders a single victim, the victim information is entered once for each offender, making it appear as though there were multiple victims. If two offenders murder three victims, there would be six records in the SHR. The Victim-Level Murder (VLM) file maintained by the Authority contains all the information contained in the SHRs, but is organized so that information occurs only once for each victim. VLM data are available monthly from April 1973. The victim level file can

thus be used to answer such questions as the number of victims killed with a firearm versus some other weapon.²⁵

Forcible Rape/Criminal Sexual Assault

Data for the use of firearms during an offense of rape/criminal sexual assault are available for most of Illinois, beginning in 1973. However, index rape/criminal sexual assault data (including attempts) are not available until 1984 (Table 24).

In 1972, all rapes were recorded under the I-UCR code 0214 ("rape by other means"). From 1973 to 1982, all law enforcement agencies except Chicago submitting Illinois Uniform Crime Reports to the ISP recorded the offense of rape with a firearm as I-UCR Code 0211 (forcible rape with a firearm). *Attempted* rapes with a firearm were not distinguished from other attempted rapes, but were all reported as "attempted rape," I-UCR code 0220. This format of reporting all firearm offenses under one general firearm group was changed in 1983 to provide more specific codes for rape and attempted rape with a handgun versus another type of firearm; I-UCR codes 021A or 022A (rape or attempted rape with a handgun) and 021B or 022B (rape and attempted rape with other firearm).

Table 24
Index Criminal Sexual Assault by Weapon-Illinois
(including attempts)

Year	Total Offenses	Weapon		
		Handgun	Other Firearm	Other/None
1984	4,226	516 (12.2%)	29 (0.7%)	3,681 (87.1%)
1985	5,412	468 (8.6%)	30 (0.5%)	4,914 (90.9%)
1986	5,930	497 (8.4%)	42 (0.7%)	5,391 (90.9%)
1987	5,952	455 (7.6%)	20 (0.3%)	5,477 (92.1%)
1988	6,087	427 (7.0%)	30 (0.5%)	5,630 (92.5%)
1989	6,153	470 (7.6%)	32 (0.5%)	5,651 (92.0%)
1990	6,399	507 (7.9%)	31 (0.5%)	5,861 (91.6%)

Source: Crime in Illinois

In 1984, state law changed the crime of rape to criminal sexual assault and broadened

²⁵For more information on the SHR and the Victim-Level Murder File, see SAC Victim-Level Murder File Codebook, Technical Manual, Miller & Block, 1982. Murder In Illinois 1973 to 1982, Miller. December, 1983. Illinois Murder Victim Data 1973 to 1981, Guide to Quality, Availability and Interpretation, Miller & Block, April, 1983.

the definition.²⁶ This change may have had an effect on the number of sexual assault offenses reported overall. In 1986, the I-UCR codes were again changed. I-UCR codes 021A and 021B were changed to 0261 and 0262 for criminal sexual assault committed with a handgun or another type of gun, respectively. Codes for *attempts* with a handgun or some other gun (formerly 022A and 022B) were changed to 0271 and 0272, respectively.

The data for rape/criminal sexual assault committed with a firearm in the I-UCR do not, however, permit the calculation of the total number of sexual assaults committed with a firearm in *all* of Illinois, because the Chicago Police Department did not report sexual assaults committed with a firearm as a separate category until 1984. From 1974 to 1983, Chicago reported all rapes to ISP under the I-UCR code 0214, "rape by other means." This caused an artificially high number of reported sexual assaults "by other means" in Illinois for those years. After 1983, since those sexual assaults occurring with a firearm, knife, or other weapon were reported separately from the "other means" category, the number of sexual assaults with other means is much lower. Therefore, weapon-specific data for Illinois before 1984 cannot be compared to later data.

Attempted Rape/Criminal Sexual Assault

From 1972 to 1983, there was no I-UCR code for attempted rape with a firearm (see Table 22). Instead, all attempts, with or without a firearm, were recorded under one general category, "attempted rape," I-UCR Code 0220. In 1983, the I-UCR classification for attempted rape was expanded to attempted rape with a handgun (022A). Attempted rape with another type of firearm (022B) was established in 1984 along with codes for other types of weapons. In 1986, when the I-UCR changed its category from rape to criminal sexual assault, the codes were changed again, to 0271 and 0272.

Because attempted rapes/criminal sexual assaults with a firearm were not recorded until 1984, and index rape/criminal sexual assault includes attempts, it is not possible to determine the number of index rapes/criminal sexual assaults with a firearm until 1984.

Robbery

Completed robbery offenses committed with a firearm, with no distinction between handguns and other firearms, were reported to ISP by Illinois law enforcement agencies, other than Chicago, from 1973 to 1982 (Table 22). Chicago began reporting robberies

²⁶For details, see the UCR Bulletin (May, 1985) and Trends and Issues 1989, p. 31 and 34.

with a firearm one year later, in 1974 (Table 23).

In 1983, the codes changed to separate the use of a handgun from any other type of gun in the commission of armed robbery—from I-UCR code 0311 (robbery with a firearm) to 031A (robbery with a handgun) and 031B (robbery with some other firearm). Chicago also began using these more specific firearm codes in 1983.

According to an analysis by the Authority (Block, 1987), the number of index firearm robberies known to the police was not significantly affected by the change in reporting practices in Chicago (data collection was fairly accurate and complete even before the change occurred). However, the recorded numbers of robberies committed with other weapons and of strong arm robberies did increase sharply due to the change in reporting practices.

During years in which the codes for firearms were not yet used or established, all robberies committed with weapons other than knives, including firearms, were reported under the "other weapons" classification. There was a category specifically for knives. In Illinois excluding Chicago in 1972, all robbery offenses were recorded under either I-UCR codes 0313 (other weapon) or 0320 (no weapon); all robberies committed with a weapon were included under the classification of "other weapon." In 1973, when the other classifications of weapons were implemented, there was an artificial decrease in the number of robberies with "other weapons" due to the separation of robberies with a firearm and a knife, which had previously made up a large portion of "other weapon" robberies.

Because the categories for the use of a firearm were expanded in 1983 from simply "firearm" to "handgun" and "other firearm," in order to determine the *total* number of firearm robberies from 1983 to 1990, the number of robberies with a handgun must be added to the number committed with another firearm.

Attempted Robbery

In the I-UCR, attempted robbery with a firearm was not reported separately from attempted robberies with other weapons in the I-UCR (see Table 22). Prior to this, all attempted robberies with a firearm, knife, or other weapon were entered under the "other weapon" category (I-UCR code 0337). In 1975, separate I-UCR codes for attempted robbery with a firearm (0330) or a knife (0334) were implemented in Illinois. ISP expanded the classifications in 1984 to separate handguns from other guns; from I-UCR Code 0330 (for attempted robbery with a firearm) to 033A and 033B (for attempted robbery with a handgun and some other gun, respectively).

The Chicago Police Department did not begin reporting attempted robberies by type of weapon (firearm or not) to the ISP until 1984 (see Table 23). When it did begin, however, it reported separate categories for attempted robberies with handguns, other firearms, knives, other weapons, and no weapons.

Thus, as for rape, it is impossible to calculate index robbery (which includes attempts) with a firearm for all of Illinois prior to 1984. Chicago did not report attempted firearm robberies until 1984. Data for Chicago, however, may be obtained from sources other than I-UCR.

Aggravated Assault

Aggravated assault offenses with a firearm have been reported to I-UCR from all law enforcement agencies in Illinois, except Chicago, since 1972. From 1972 to 1982, the I-UCR code for aggravated assault with a firearm was 0510. In 1983, I-UCR Codes 051A and 051B were adopted for the reporting of aggravated assault with a handgun and aggravated assault with some other firearm, respectively (see Table 22).

Chicago did not report statutory aggravated assaults or attempted murder to ISP at all prior to 1984, although I-UCR codes (see Table 23) appear to indicate that aggravated assault data are available. All the data under the I-UCR codes for aggravated assault from Chicago between 1972 and 1983 are actually aggravated *battery*.²⁷ The ISP codes that indicate that Chicago I-UCR data are not available under the codes used for battery and that there are data available for assault are incorrect. In fact, the opposite is actually true. In 1984, the Chicago Police Department began reporting battery offenses by weapon under the codes for battery, and assault offenses by weapon under the codes for assault. Therefore, aggravated assault data are available in I-UCR for Chicago beginning in 1984.

Because of the extremely difficult and confusing situation for users of Chicago index aggravated assault data, the Authority's Statistical Analysis Center has determined the validity of all available data sets, and compiled assault data files that are consistently defined throughout. This Chicago Index Assault Data set (CIAD) is available from SAC on request. For documentation, see Taylor (1991).

Aggravated Battery

Offense information for aggravated battery with a firearm has been reported under code

²⁷Telephone conversation with Lt. John Culloton, Research and Development Division, Chicago Police Department, December 5, 1988.

0410 to I-UCR since 1972 by Illinois law enforcement agencies outside Chicago (Table 22). In conjunction with the changes in reporting codes for aggravated assault, in 1983 codes for battery were developed to separate handguns (041A) from other types of guns (041B).

Aggravated battery data are available for Chicago from I-UCR under the codes for assault from 1972 to 1983. (The user must add "assault" to "battery" to obtain actual aggravated battery totals.) Beginning in 1984, the battery data are reported under the 041A and 041B codes. Thus, to compare aggravated battery offenses over time in Chicago, it is necessary to use assault *plus* battery data for the years 1972 through 1983, and battery data beginning in 1984. This has been done in the Authority CIAD files.

In addition to ISP data for Chicago, battery data are also available from the *Chicago Police Period Crime Summary* for 1967 to 1983. In those years, "serious assault" was equivalent to "battery." From 1984 to the present, the Chicago police period crime summary data on "serious assault" combines both aggravated assault and statutory aggravated battery, so that battery figures are not available from that source. However, the Authority has obtained battery data from the CPD Data Division for those years.

Attempted Murder

Attempted murder with a firearm has been reported to the I-UCR since 1972 by all Illinois law enforcement agencies except the Chicago police department. The Chicago police department has never reported any attempted murder offenses to the I-UCR. According to the department, however, the number of cases in which someone is charged with attempted murder in Chicago is very small—10 a year.²⁸ Most offenses that could be reported as attempted murder are reported by CPD as an aggravated battery. However, since the number of attempted murders in Chicago is so small compared to the number of aggravated assaults and aggravated batteries, the exclusion of attempted murder from index assault has very little effect on the total figures.

Index Aggravated Assault

Index aggravated assault is made up of three types of offenses, statutory aggravated assault, statutory aggravated battery, and attempted murder. It is possible to determine the number of index aggravated assaults committed with a firearm for Illinois *excluding* Chicago from 1972 to the present.

²⁸See note 28 also SAC Victim-Level Murder File Codebook, Technical Manual. Miller & Block, September, 1982

Table 25
Chicago Aggravated Battery, by Weapon
Offenses Known to the Police, 1967 to 1990

<u>Year</u>	<u>Weapon</u>			<u>Total</u>
	<u>Firearm</u>	<u>Knife</u>	<u>Other</u>	
1967	2,417	3,702	6,249	12,368
1968	2,839	5,299	4,173	12,311
1969	3,145	5,300	4,342	12,787
1970	3,652	4,708	3,258	11,618
1971	3,245	4,680	2,970	11,173
1972	3,483	4,562	3,102	11,147
1973	4,047	4,601	3,529	12,177
1974	4,071	4,798	3,433	12,302
1975	3,569	4,757	3,285	11,611
1976	2,864	4,201	3,162	10,227
1977	2,733	4,251	2,584	9,568
1978	2,531	4,228	2,744	9,503
1979	2,937	4,417	2,687	10,041
1980	2,974	3,946	2,525	9,445
1981	2,464	2,710	1,682	6,856
1982	2,357	3,167	2,193	7,717
1983	3,211	4,497	4,742	12,450
1984	4,539	5,970	8,848	19,357
1985	3,686	6,067	9,269	19,022
1986	4,594	6,651	11,148	22,393
1987	4,061	6,559	12,224	22,844
1988	4,411	6,474	12,899	23,784
1989	5,522	6,147	13,677	25,346

Source: CIAD see Taylor

In Chicago, however, it is *not* possible to calculate the number of index aggravated assaults, since assault data were not reported in the Illinois Uniform Crime Reports prior to 1984, and since attempted murder data are still not reported. I-UCR data for Chicago, or for total Illinois, that appear to include aggravated assaults and aggravated battery for the years prior to 1984 actually include only aggravated battery.

After 1984, attempted murder was not reported separately in Chicago, most of these offenses were reported as aggravated battery. Therefore, index aggravated assault figures are meaningful after 1984.

Illinois Uniform Crime Reports Arrest Data

The definition of an arrest is the taking into police custody of someone believed to have committed a crime, regardless of whether or not the person is formally charged.²⁹ Tables 26 and 27 outline the availability of arrest data that is reported to the Illinois State Police in the Illinois Uniform Crime Reports. As with offense data, arrest data regarding firearms are not available for all years. Until 1983, there was only one category for the use of specific types of firearm. Like the I-UCR offense data, the I-UCR arrest data have certain limitations and are available in different forms for different years.

Rape/Criminal Sexual Assault

The arrest data for rape/criminal sexual assault with a firearm have limitations similar to those for offense data for rape. In Illinois outside Chicago, arrest data for rapes committed with a firearm are available beginning in 1973. In 1972, all arrests for rape in Illinois excluding Chicago were categorized as "rape by other means."

Chicago reported all arrests for rape (regardless of weapon type) under the "other means" classification from 1972 to 1984 (Table 27). Although an I-UCR printout of rape arrest data for Chicago will have figures for rape arrests by weapon, these are not actual data reported by the Chicago Police Department. Instead, they are *estimates* made by ISP using trends in weapon use in rape arrests from other reporting Illinois agencies. Since 1985, Chicago has reported actual data on weapon use, showing higher knife and firearm usage rates than ISP had estimated for the earlier years. Actual data for rape arrests involving a firearm are available for Illinois outside Chicago between 1973 and 1984, but not for Chicago.

Attempted Rape

Arrests for attempted rape with a firearm are not available in Illinois outside Chicago prior to 1983, and are not available for Chicago prior to 1984. Before the inclusion of categories for attempted rape with a firearm or other weapons, all attempted rapes in Illinois excluding Chicago were grouped together under the general category "attempted rape" (I-UCR code 0220). Chicago did not report any attempted rapes to the I-UCR prior to 1984 (see Table 27).

Thus, it is not possible to calculate the number of arrests for index rape with a firearm

²⁹For details, see Trends and Issues 1990, p.41 and p.42.

Table 26

Data Availability of Arrests with a Firearm
Illinois Excluding Chicago

Index Rape/ Criminal Sexual Assault

CODE DEFINITIONS	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0211 Firearm		X	X	X	X	X	X	X	X	X	X								
021A Agg. Handgun												X	X						
0261 Agg. Handgun														X	X	X	X	X	X
021B Agg. O/Handgun												X	X						
0262 Agg. O/Handgun														X	X	X	X	X	X
0212 Knife/Ct.		X	X	X	X	X	X	X	X	X	X	X	X						
0263 Agg. Knife/Ct.														X	X	X	X	X	X
0213 Other Weapon		X	X	X	X	X	X	X	X	X	X	X	X						
0264 Agg O/Weapon														X	X	X	X	X	X
0214 Other Means	X	X	X	X	X	X	X	X	X	X	X	X	X						
0265 Agg O/Means														X	X	X	X	X	X

CODE DEFINITIONS	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0220 Attempts	X	X	X	X	X	X	X	X	X	X	X								
022A Handgun												X	X						
0271 Att. Handgun														X	X	X	X	X	
022B O/Firearm												X	X						
0272 Att. O/Firearm														X	X	X	X	X	X
022C Knife/Ct.												X	X						
0273 Att. Knife/Ct.														X	X	X	X	X	X
022D Other Weapon												X	X						
022E Str Arm/No Weap												X	X						
0274 Att. O/Weapon														X	X	X	X	X	
0275 Att. Other Mean														X	X	X	X	X	X
0281 C.S.A.														X	X	X	X	X	X
0291 Att. C.S.A.														X	X	X	X	X	X

Index Robbery

CODE DEFINITIONS	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0311 Armed: Firearm		X	X	X	X	X	X	X	X	X	X								
031A Armed Handgun												X	X	X	X	X	X	X	X
031B Armed: O/Firearm												X	X	X	X	X	X	X	X
0312 Knife/Ct.		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0313 Other Weapon	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0320 Strong Armed	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

CODE DEFINITIONS	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0330 Firearm				X	X	X	X	X	X	X	X								
033A Handgun												X	X	X	X	X	X	X	X
033B O/Firearm												X	X	X	X	X	X	X	X
0334 Knife/Ct.				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0337 Other Weapon	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0340 No Weapon	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

Table 26 Cont.

Index Assault

CODE DEFINITIONS	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0410 Firearm	X	X	X	X	X	X	X	X	X	X	X								
041A Handgun												X	X	X	X	X	X	X	X
041B Other Firearm												X	X	X	X	X	X	X	X
0420 Knife/Ct.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0430 Other Weapon	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0440 Hands/Fist/Feet										X	X	X	X	X	X	X	X	X	X

Aggravated Assault	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0510 Firearm	X	X	X	X	X	X	X	X	X	X	X								
051A Handgun												X	X	X	X	X	X	X	X
051B Other Firearm												X	X	X	X	X	X	X	X
0520 Knife/Ct.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0530 Other Weapon	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

Attempted Murder	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0121 Firearm	X	X	X	X	X	X	X	X	X	X	X								
012A Handgun												X	X	X	X	X	X	X	X
012B Other Firearm												X	X	X	X	X	X	X	X
0122 Knife/Ct.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0123 Other Weapon	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0124 Hands/Fist/Feet	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

Table 27

Data Availability of Arrests with a Firearm
Chicago

Index Rape/ Criminal Sexual Assault

CODE DEFINITIONS	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0211 Firearm		X	X	X	X	X	X	X	X	X	X								
021A Agg. Handgun												X	X						
0261 Agg. Handgun														X	X	X	X	X	X
021B Agg. O/Handgun												X	X						
0262 Agg. O/Handgun														X	X	X	X	X	X
0212 Knife/Ct.		X	X	X	X	X	X	X	X	X	X	X	X						
0263 Agg. Knife/Ct.														X	X	X	X	X	X
0213 Other Weapon		X	X	X	X	X	X	X	X	X	X	X	X						
0264 Agg O/Weapon														X	X	X	X	X	X
0214 Other Means	X	X	X	X	X	X	X	X	X	X	X	X	X						
0265 Agg O/Means														X	X	X	X	X	X

	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0220 Attempts	X	X	X	X	X	X	X	X	X	X	X								
022A Handgun												X	X						
0271 Att. Handgun														X	X	X	X	X	
022B O/Firearm												X	X						
0272 Att. O/Firearm														X	X	X	X	X	X
022C Knife/Ct.												X	X						
0273 Att. Knife/Ct.														X	X	X	X	X	X
022D Other Weapon												X	X						
022E Str Arm/No Weap												X	X						
0274 Att. O/Weapon														X	X	X	X	X	
0275 Att. Other Mean														X	X	X	X	X	X
0281 C.S.A.														X	X	X	X	X	X
0291 Att. C.S.A.														X	X	X	X	X	X

Index Robbery

CODE DEFINITIONS	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0311 Armed: Firearm		X	X	X	X	X	X	X	X	X	X								
031A Armed Handgun												X	X	X	X	X	X	X	X
031B Armed: O/Firearm												X	X	X	X	X	X	X	X
0312 Knife/Ct.		X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0313 Other Weapon	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0320 Strong Armed	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

Attempts	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0330 Firearm				X	X	X	X	X	X	X	X								
033A Handgun												X	X	X	X	X	X	X	X
033B O/Firearm												X	X	X	X	X	X	X	X
0334 Knife/Ct.				X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0337 Other Weapon	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0340 No Weapon	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

Table 27 Cont.

Index Assault

CODE DEFINITIONS	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0410 Firearm	X	X	X	X	X	X	X	X	X	X	X								
041A Handgun												X	X	X	X	X	X	X	X
041B Other Firearm												X	X	X	X	X	X	X	X
0420 Knife/Ct.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0430 Other Weapon	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0440 Hands/Fist/Feet										X	X	X	X	X	X	X	X	X	X

Aggravated Assault	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0510 Firearm	X	X	X	X	X	X	X	X	X	X	X								
051A Handgun												X	X	X	X	X	X	X	X
051B Other Firearm												X	X	X	X	X	X	X	X
0520 Knife/Ct.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0530 Other Weapon	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

Attempted Murder	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
0121 Firearm	X	X	X	X	X	X	X	X	X	X	X								
012A Handgun												X	X	X	X	X	X	X	X
012B Other Firearm												X	X	X	X	X	X	X	X
0122 Knife/Ct.	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0123 Other Weapon	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
0124 Hands/Fist/Feet	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

prior to 1984 for Chicago or for total Illinois, because index crimes include attempts. Beginning in 1983, it is possible to calculate arrests for index rape with a firearm, but only for Illinois outside of Chicago. Prior to 1983, it is not possible to calculate it at all.

Robbery

Although I-UCR data for robbery arrests are relatively complete for Illinois outside Chicago, the data for Chicago robbery arrests do not include the use of firearms. In Illinois outside Chicago, numbers of robbery arrests classified by weapon are available from 1973 on. In 1972, only two I-UCR codes were used for robbery arrests, "other weapon" and "no weapon." In Chicago, all robbery arrests are reported under the I-UCR code 0313, "other weapon," except for one year, 1972, when robbery arrests for "no weapon" were reported.

Attempted Robbery

I-UCR has arrest data on *attempted* robberies in which firearms were used in Illinois outside Chicago beginning in 1975. Prior to 1975, all arrests for attempted robbery with a firearm were included under "other weapon" (see Table 26). Chicago, on the other hand, has never reported any information regarding attempted robbery by weapon (see Table 27). Prior to 1975 Chicago has reported robbery attempts committed with a firearm as code 0337, "other weapon" in the I-UCR data. Therefore, index robbery data are not available for Chicago for those years.

Index Aggravated Assault

In order to calculate the number of arrests for index aggravated assaults committed with a firearm, it is necessary to have complete data for the three crimes that made up index aggravated assault: statutory aggravated battery, statutory aggravated assault, and attempted murder.

o **Aggravated Battery:** Data pertaining to arrests for aggravated battery involving the use of a firearm are complete for Illinois outside of Chicago from 1972 on. Chicago, on the other hand, until 1988, reported only the number of aggravated battery arrests as "serious assault" or "index aggravated assault." I-UCR allocated some of these aggravated battery arrests into the aggravated battery category and others into the aggravated assault category. Thus, to obtain Chicago arrest figures for aggravated battery, the I-UCR category for battery must be added to the I-UCR category for assault from 1972 to 1987. Beginning in 1988, Chicago reported both aggravated battery arrests and aggravated assault arrests.

o Aggravated Assault: Data pertaining to arrests for the use of a firearm during statutory aggravated assault are also complete in Illinois outside Chicago from 1972 to the present. The Chicago data do not, however, include aggravated assault prior to 1988. The arrests listed as "aggravated assault" in I-UCR data through 1987 are actually part of the aggravated battery total, some of which were mistakenly allocated to aggravated assault by ISP. Beginning in 1988, however, I-UCR data for Chicago contain *actual* aggravated assault arrests.

o Attempted Murder: Arrest data for attempted murder are complete for all weapons, including firearms, in Illinois outside Chicago from 1972 to the present. Chicago, however, has never reported any arrests for attempted murder. In almost all cases, however, an arrest in which the person is later prosecuted for attempted murder is recorded by CPD as an arrest for aggravated battery.³⁰

How to Interpret Crime Survey Data

The National Crime Victimization Survey (NCVS) is a large and extensive continuing survey of crime victims in the United States. The survey asks respondents if they were the victims of a crime, and collects a multitude of additional information about the circumstances surrounding the crime, such as the time the crime took place, the perceived age of the offender, whether property was taken, the value of any stolen goods, and whether any weapon was used, including the use of a handgun or other firearm. Thus, a vast amount of information pertaining to the use of firearms in the commission of crimes is gathered in the national survey.

Only some of this detail is available in the specific victimization estimates for Illinois derived from the national sample data. Even though the NCVS sample is large, it is not large enough for relatively infrequent crimes, such as rape, to be represented adequately in state-level estimates. For more frequent crimes, such as robbery, an estimate of the total number of robbery victimizations may be possible at the Illinois level, but not detailed estimates of robberies with various weapons.

Definitions

It is imperative that the definitions used in the NCVS are understood before one attempts

³⁰Source: A personal conversation between the Authority and Director Ron Manka, Data System Division, CPD, on October 18, 1988.

to interpret the available data.³¹ For example, the NCVS definition of assault is not necessarily the same as the UCR definition. Listed below are some of the definitions needed to understand NCVS data.³²

o Robbery: A completed or attempted theft, directly from a person, of property or cash by force or threat of force with or without a weapon. This includes attacks involving theft or attempted theft.

o Assault: An unlawful physical attack, including attempted or threatened attack, with or without a weapon. Like the I-UCR definitions, the NCVS definition excludes rape and attempted rape, as well as attacks involving theft or attempted theft, which are classified as robbery. Simple assault includes attempted or threatened attacks without a weapon and attacks that result in less than serious bodily injury. Aggravated assault includes attacks resulting in serious bodily injury as well as threats or attempts to inflict bodily injury or death with a weapon.

The NCVS category "completed aggravated assault with injury" is somewhat comparable to the ISP I-UCR categories of attempted murder and aggravated battery. The NCVS category of "attempted aggravated assault with weapon" is somewhat comparable to the I-UCR category, "aggravated assault." The total "aggravated assault" is somewhat comparable to the I-UCR category, index aggravated assault. However, the correspondence between the NCVS and ISP categories is not exact. For example, aggravated battery in Illinois involves any attack with a weapon; it is not necessary that the victim be injured. Also, in Illinois, an aggravated assault or battery can occur with no weapon under two circumstances: if the assailant's body is considered a weapon (as in a karate attack) or if the victim is a teacher or public official.

o Rape: Completed or attempted unlawful sexual intercourse with a male or female through the use of force or the threat of force. Statutory rape (without force) is excluded.

o Personal Victimization: A personal victimization is recorded when a household member more than twelve years old indicates that he or she was a victim of a criminal incident. The National Crime Victimization Survey is based on a random sample of households. In conducting the survey, the interviewer asks members of the household if they had been the victim of a crime. Only persons aged 12 and

³¹In addition to definitions being different, there are many other obstacles to comparing NCVS to UCR data. See Block & Block (1984).

³²Definitions from Violent Crime Trends, Bureau of Justice Statistics, November 1987, page 6.

older are included in the sample. Household members who are 14 and older are asked the questions directly; information pertaining to the 12 and 13 year-olds is gathered from an older household member. The weighing used by the NCVS to estimate the number of *victimizations* from the survey responses is different from the weighing used to estimate the number of *incidents*.

o Incident: A specific criminal act involving one or more victims and offenders. Personal crimes that occur during the course of a commercial crime are now counted as incidents of personal crime, contrary to previous practice, which assumed that such incidents were primarily directed against the business and, therefore, were not counted as personal incidents in the NCVS.

o Victimization: A specific criminal act as it affects a single victim, whether a person or a household. In criminal acts against persons, the number of victimizations is determined by the number of victims of such acts. Ordinarily, the number of victimizations is somewhat higher than the number of incidents, because more than one individual is victimized during certain incidents. For example, if someone robs two people at the same time, there is one robbery incident but two robbery victims. Since two people were robbed, this incident could be included in the NCVS sample as two robberies, each with one victim. The incident weighting in published NCVS data takes this into account.³³

o Commercial Crimes: Criminal offenses in which a business or commercial establishment is the victim of a crime. This occurs when the commercial enterprise itself loses something of value, such as during a burglary or a holdup. The current NCVS does not include commercial crimes. However, personal victimizations that occur in a commercial location are included.

Sample Size and Standard Error: Illinois Weighting

The National Crime Victimization Survey is a national random sample of households. The NCVS-Illinois data estimates were derived by the U.S. Department of the Census from Illinois data gathered in the national census. In order to interpret the state estimates of NCVS data, one must look at a number of factors, such as the sample size, the weights used to estimate total Illinois figures from sampled figures, and the standard error (which indicates the precision of the estimate).

³³Definitions from *Criminal Victimization in the United States, 1986*. U.S. Department of Justice, glossary, page 117.

Sample Size: The NCVS sampled 6,426 households in Illinois during 1985 and 5,666 in 1986. The total number of individuals sampled in Illinois was 13,207 in 1985 and 11,701 in 1986.³⁴

Weighting Factors: The observations taken in Illinois were weighted to represent all persons in Illinois aged 12 and older. This weighting takes into account the population distribution in Illinois, and the degree to which certain segments of the population may be undercounted in a sample of households. For example, young men are often undercounted in a random household sample, and the weighting corrects for this.

Because the sample size is relatively small, the weighting factors are very large. The total number of households in Illinois *after* weighting was 4,316,966 in 1985 and 4,275,845 in 1986. Thus, each sampled household observation translates into roughly 672 cases (4,316,966/6,426) in 1985 and 755 cases (4,275,845/5,666) in 1986. The total number of *individual* cases (12-year-olds and older) in the Illinois survey was 13,207 in 1985 and 11,701 in 1986. The weighted number of persons 12 and older in Illinois was 9,297,017 in 1985 and 9,329,018 in 1986. Thus, each individual observation was equivalent to about 703 weighted individual observations (9,297,017/13,207) in 1985 and 797 (9,329,018/11,701) in 1986.

Each surveyed individual's responses to questions concerning victimization carries considerable weight in the published number of victimization estimates. Exact weights are different for each crime, and are not available. However, using the same weight that was used for the total population, the total number of estimated Illinois robberies in 1986 (41,470) could have been based on interviews of only about 52 individuals surveyed in Illinois who responded that they had been a victim of a robbery.³⁵ Similarly, the total number of estimated rape victimizations in 1986 (6,360) may have come from only eight people actually interviewed.

Standard Error: Because NCVS estimates are based on a random sample of households, we know that they represent the single best estimate of the actual number of victimizations in Illinois, and that there is a known chance that the real number is higher or lower than this best estimate. The standard error is a statistic that provides an indication of the precision of that best estimate.

³⁴Memorandum for Survey Documentation for State Level Data Produced from the 1985/1986 National Crime Survey--National Sample, Lawrence S. McGinn Chief, Crime Surveys Branch, U.S. Department of Commerce, Bureau of the Census. September 30, 1987 and June 14, 1988.

³⁵This estimate of 52 comes from dividing the total number of estimated robberies by the above rough estimate of the total weighting factor for Illinois individuals, or 41,470/797.

Technically, a standard error is the standard deviation of the estimate's sampling distribution. In other words, there is a known chance that the estimate will fall within a certain range around a given estimate. One standard error is similar to one standard deviation, in that there is a 68 percent chance that the actual number will fall within a range plus or minus one standard error. A two standard error range (plus or minus) gives a 95 percent chance interval, and a three-standard error gives a 98 percent chance interval within which the estimate will fall.³⁶

The formula used to calculate the standard errors (S.E.) for the NCVS state estimates is:

$$S.E. = \sqrt{ax^2 + bx}$$

where: "x" is the estimated number of crimes, and "a" and "b" are parameters specifically calculated for Illinois, which take into account sample size and the state population.³⁷

The values of the "a" and "b" parameters for Illinois for 1985 and 1986 are the following:

Parameter	1985	1986
a	-0.0004333	-0.0004144
b	4028	4144

When these parameters are substituted for "a" and "b" in the formula above, the standard error for that particular crime can be calculated. For example, the estimated number of total robbery incidents in 1986 was 38,720. Therefore, the standard error for total robberies in 1986 is calculated in the following way:

$$S.E. = \sqrt{ax^2 + bx}$$

$$S.E. = \sqrt{-.0004144(38,720)^2 + 4,144(38,720)}$$

$$S.E. = \sqrt{-621,284 + 160,455,680}$$

$$S.E. = \sqrt{159,834,396}$$

$$S.E. = 12,642$$

³⁶The use of more than one S.E. is usually not possible with these victimization incident estimates, because the range would include negative values.

³⁷Memorandum For The Record, Lawrence S. McGinn, Chief of Crime Surveys Branch, U.S. Department of Commerce, September 30, 1987.

This means that there is a 68 percent chance that the actual number of total Illinois robbery victimization incidents in 1986 fell between 26,078 and 51,362 [38,720 (- or +) 12,642]. In other words, the 68 percent confidence limits of estimated Illinois robbery incidents in 1986 were 26,078 and 51,362. Similarly, there is a 95 percent chance that the actual number is between 13,436 and 64,004 [38,720 (+ or -) 2 (12,642)], and a 98 percent chance that the number of estimated total robberies is actually between 794 and 76,646 [38,720 (+ or -) 3(12,642)]. Obviously, the large 98 percent confidence limits are not very useful for practical analysis.

Illinois National Crime Victimization Survey Estimates Compared to Illinois Uniform Crime Report Data

To interpret NCVS data and compare NCVS to other data, it is necessary to understand the difference between victim survey data and offenses known to the police. Offenses known to the police is an I-UCR classification for all crimes that come to the attention of law enforcement authorities, minus those that are unfounded or referred to another jurisdiction.

Although it is interesting to compare the number of victimizations estimated by the survey to the number known to the police counted by law enforcement agencies, it must be understood that these two sources of data are not exactly comparable. The reasons for this include the following:

- o Age: NCVS data are only for persons aged 12 and older, whereas ISP-UCR data are for all ages.
- o Place of residence: Illinois NCVS data are only for persons who reside in Illinois, and may include victimizations of Illinois residents that occurred in other states. I-UCR data are for all reported crimes occurring in Illinois, which may include victimization of non-Illinois residents, but do not include crimes that may have occurred elsewhere to an Illinois resident.
- o Commercial versus noncommercial crimes: Current NCVS data do not include victimizations of businesses or commercial establishments. ISP-UCR data do include commercial crimes, such as bank robberies, store holdups and shoplifting offenses.

For example, in 1985, the NCVS estimated 56,690 victimizations of Illinois residents 12 and older for robbery, 34,290 completed and 13,710 attempted. According to I-UCR,

30,368 completed and 3,402 attempted robberies were reported as known to the police that year.³⁸ One of the questions asked of robbery victims in the NCVS was the type of weapon used against them. In 1985, there were 8,990 completed robbery offenses known to the police that were committed with a handgun (I-UCR figures) in Illinois, compared to 4,750 estimated robbery victimizations with handguns in the 1985 NCVS data. The standard error for the estimate of completed robberies with a handgun in 1985 was 4,373, which means that there is a 68% chance that the actual number could have been between 377 and 9,123.

The NCVS estimate is probably lower than crimes known to the police in the case of completed handgun robberies because of the small sample size and the fact that I-UCR figures include commercial crimes. In contrast, the number of *attempted* robberies in the NCVS is much higher than the number reported to the police. For example, only 679 attempted robberies with a handgun were reported to the police in 1985 (I-UCR figures), compared to 1,950 incidents estimated by the 1985 NCVS. The fact that the estimated number of attempted robberies with a handgun is higher in the NCVS data is probably due to the lower likelihood that attempted crimes will be reported to the police, compared to completed crimes.³⁹ The likelihood of reporting also differs depending on the type of weapon.

Because of the small sample size, the data from the available survey years are quite different from each other.⁴⁰ For example, there were 56,690 estimated robbery incidents in 1985 and 38,720 in 1986. The 68 percent confidence limits of these estimates, which were 41,625 to 71,755 in 1985 and 26,078 to 51,362 in 1986, overlap. Therefore, the different estimates probably are not the result of an actual trend, but rather the result of a small sample size, which can lead to large year-to-year differences.

Another way of looking at this is to calculate the standard error of the *change* from year to year.⁴¹ Between 1985 and 1986, the NCVS robbery incident estimate for Illinois

³⁸Crime In Illinois 1985. Illinois State Police, Division of Forensic Services and Identification. Springfield, Illinois.

³⁹Block and Block, (1984), p. 153.

⁴⁰The following analysis compares 1985 and 1986, the only years available when this section was written. Currently, 1987, 1988 and 1989 are also available.

⁴¹The formula for this is:

$$S.E. = \sqrt{[S.E. (Y1)]^2 + [S.E. (Y2)]^2 - 2r[S.E. (Y1)][S.E. (Y2)]}$$

where: Y1 = Year 1 and Y2 = Year 2. See Attachment IV, Survey Documentation for State Level Data Produced from the 1985 National Crime Victimization Survey--National Sample, September 9, 1987.

decreased 17,970, or 32 percent. The standard error of this *difference* is 19,176, which means that there is a 68 percent chance that the actual difference between the two years fell between -1,206 (17,970 - 19,176) and 37,146 (17,970 + 19,176). In other words, the 1986 victimizations could have been slightly higher than 1985, or 1986 could have been very low compared to 1985. How should NCVS data for different years be interpreted? Instead of using either year by itself and instead of comparing "trends" between 1985 and 1986, the most conservative interpretation of the Illinois NCVS data would be to assume that the actual number of victimizations per year is somewhere between the 1985 and the 1986 estimate.

In general, four rules should be followed when interpreting National Crime Victimization Survey data for Illinois:

1. Place more trust in the accuracy of larger estimates (such as total robberies) than smaller estimates (such as robberies categorized by weapon). The rarer the event, the less likely that it will be adequately represented in the small Illinois sample.

2. Use data from all available survey years to set a "ballpark figure" for the real number, not as an indication of change from year to year.

3. Keep in mind that the National Crime Victimization Survey estimates only individual and household victimizations, whereas the number of crimes reported to the police includes crimes in which a business (commercial crime) was the victim. In addition, the NCVS estimates victimizations of Illinois *residents* aged 12 and older, whereas the I-UCR/ISP data include all victims of crimes that occurred in Illinois. Tourists and other out-of-state visitors would not be included in the survey of Illinois residents.

4. Be aware of the difference between incident-weighted data and personal-weighted data in the NCVS. In the I-UCR, multiple-victim assaults are counted one per person, but multiple-victim robberies are counted one per incident.

Illinois Department of Public Health

The data were taken from the report *Mortality from Firearms Among Illinois Residents: 1980-1988*. Between 1980 and 1988, 11,657 Illinois residents were killed by firearms. Of these, 299 were due to accidental injuries, 4,666 were classified as suicides and 6,386 homicides. This report contains numerous analyses by age and race.

APPENDICES

APPENDIX 1

Firearm Data Contacts

The addresses below appear in the order which they were presented in the text of the Guide to Illinois Firearm Data.

For information on Firearm Owners Identification Card data, contact:

Doug Howard
FOID Operations Manager
Illinois Department of State Police
726 South College Street
Springfield, Illinois 62708-3677
(217) 782-1763

For more information on the Bordua Sample Survey data, contact:

David J. Bordua Ph.D.
Department of Sociology
University of Illinois at Urbana-Champaign
326 Lincoln Hall, 702 South Wright St.
Urbana, Illinois 61801
(217) 333-1950

Survey Research Laboratory
University of Illinois at Urbana-Champaign
Department of Sociology
326 Lincoln Hall
Urbana, Illinois 61801
(217) 333-7988

Pat Bova
National Opinion Research Center (NORC)
115 East 60th Street
Chicago, Illinois 60637
(312) 702-1200

The A.T.F. has toll-free numbers for anyone who has questions about its laws and regulations. The numbers are:

(800) 572-3178 in Illinois
(800) 621-3211 in other Midwest states.

For more information on Dealer Data or other Bureau of Alcohol, Tobacco and Firearm Data, contact:

Bureau of Alcohol, Tobacco, and Firearms
Chicago District Office
One South 450 Summit Avenue
Suite 250
Oak Brook, Illinois 60521-1364
(708) 268-0986

Bureau of Alcohol, Tobacco and Firearms
St. Louis District Office
100 South 4th Street
St. Louis, Missouri 63102
(314) 425-5560

Chicago ATF Compliance Operations Office
230 S. Dearborn Avenue
Fifteenth Floor
Chicago, Illinois 60604
(312) 353-3768

Department of the Treasury
Bureau of Alcohol, Tobacco, and Firearms
Public Affairs Office
Washington, D.C. 20226
(202) 566-7268

For information on Gun Registration Data for Chicago, contact:

Gun Registration Office
Chicago Police Department
Room CC 114 Daley Center
50 W. Washington Blvd.
Chicago, Illinois 60602
(312) 747-5418

For requests of special computer runs or access to Chicago Police Department Data, write to:

Superintendent of Police
Chicago Police Department
1121 South State Street
Chicago, Illinois

For more information regarding Peoria gun registration data contact:

General Services Division
Peoria Police Department
542 S.W. Adams St.
Peoria, Illinois 61602
(309) 673-4521

For information on Firearm Confiscation Data in Chicago, contact:

Firearms Identification Unit
Criminalistics Division
Chicago Police Department
1121 S. State Street
Chicago, Illinois 60405
(312) 747-5522

For information on Stolen and Recovered Firearm Data from LEADS or requests for special computer runs, contact;

Richard V. White
Illinois State Police
Bureau of Information Services - LEADS Administrator
200 Armory Building
Springfield, Il. 62794
(217) 782-6429

For information pertaining to Illinois Uniform Crime Report Data, contact:

Department of State Police
Division of Forensic Services and Identification
Bureau of Identification
726 South College
Springfield, Illinois 62704

For information on guns stolen from Chicago, contact:

Chicago Police Department
Detective Division
1121 South State Street
Chicago, Illinois 60605
(312) 747-6375

For information on Police Period Crime Summaries, contact:

Municipal Reference Library
121 N. LaSalle, 10th Floor
Chicago, Illinois 60602
(312) 744-4992

For information regarding the National Crime Victimization Survey,
contact:

Michael R. Rand
National Crime Victimization Survey Unit
Bureau of Justice Statistics
633 Indiana Avenue, N.W.
Washington, D.C. 20531

For information regarding reports issued by the Illinois Department
of Public Health contact:

Illinois Department of Public Health
Division of Health Statistics and Policy Development
2nd Floor, 535 West Jefferson Street
Springfield, Illinois 62761

ADDITIONAL SOURCES OF INFORMATION

The national lobby against gun control:

National Rifle Association
1600 Rhode Island Avenue, N.W.
Washington, D.C. 20036
(202) 828-6000

Information on firearms used in sports:

National Shooting Sports Foundation
555 Danbury Road
Wilton, Connecticut 06897
(203) 762-1320

Information on firearm manufacturers in the United States:

Sport Arms Ammunition Manufacturing Institute
555 Danbury Road
Wilton, Connecticut 06897
(203) 762-5463

The Illinois branch of the lobby against handgun violence:

Illinois Council Against Handgun Violence
30 W. Washington Street, Suite 1236
Chicago, Illinois 60602
(312) 641-5575

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I. INTRODUCTION

A. PURPOSE

The Illinois State Police is the administrator of the Firearm Owner's Identification (FOID) Act (Illinois Revised Statutes, chapter 38, paragraph 83) which was enacted to provide a means for identification and registration of those individuals who are eligible to purchase or possess firearms and firearm ammunition in Illinois. Each FOID applicant is required to submit a completed FOID application which contains responses to questions relating to the following eligibility requirements:

- (i) He is 21 years of age or over, or if he is under 21 years of age that he has the written consent of his parent or legal guardian to possess and acquire firearms and firearm ammunition and that he has never been convicted of a misdemeanor other than a traffic offense or adjudged delinquent, provided, however, that such parent or legal guardian is not an individual prohibited from having a Firearm Owner's Identification card and files an affidavit with the department as prescribed by the department stating that he is not an individual prohibited from having a card;
- (ii) He has not been convicted of a felony under the laws of this or any other jurisdiction;
- (iii) He is not addicted to narcotics;
- (iv) He has not been a patient in a mental institution within the past 5 years;
- (v) He is not mentally retarded; and
- (vi) He has not intentionally made a false statement on the FOID application.

B. COMPUTERIZED FOID FILE CONTENT

Currently, the FOID computerized file contains over one million records. The FOID computerized system contains certain data that is only accessible by FOID Program personnel for administering the FOID Act. For example, the FOID computerized system is utilized for generating FOID renewal notifications. FOID computerized records with a specific expiration date and an active status are selected for receiving a FOID renewal notification. The computerized records selected are flagged to indicate that a renewal notice was generated and the date of the renewal generation.

Such general data as the FOID applicant's name, date of birth, sex, address information and physical description are available when criminal justice agencies generate a FOID number or name inquiry via LEADS.

C. WHERE FOID APPLICATIONS ARE PROCESSED

Firearm Owner's Identification (FOID) applications are received, processed and maintained at the Bureau of Identification, Division of Forensic Sciences and Identification, Illinois State Police, 726 South College Street, Springfield, Illinois 62704.

When the FOID application is received with the required five dollar fee, the FOID Program personnel review the fee to determine if it is acceptable. The FOID fees are deposited. The FOID application is reviewed for completeness and accuracy and is processed by the date of receipt.

The FOID applicant's name, date of birth, sex, address information and physical description are entered into the FOID computerized system. The name, sex and date of birth are automatically compared against various state and federal investigative files to verify applicant eligibility. If there is a computerized match, the FOID Program personnel review the computer generated information to verify an actual match and to verify applicant's eligibility status.

If the applicant does not meet all of the eligibility requirements, the FOID Program personnel will deny issuance of the FOID card. The five dollar fee is vouchered for refund to the applicant. Correspondence is mailed to the applicant indicating the reason for the denial and the procedure for requesting an administrative hearing is given. If the denial is for a forcible felony conviction and a minimum of 20 years has not passed since final discharge from the sentence associated with the forcible felony conviction, the applicant is not eligible for an administrative hearing.

If the FOID applicant meets all of the eligibility requirements, the FOID card is issued. The FOID card is valid for a five-year time period.

Once a month the department receives information from the Illinois Department of Mental Health and Developmental Disabilities, the Illinois Department of Corrections and the Illinois Computerized Criminal History System that is compared against the FOID computerized system. If there is a computerized match, the FOID Program personnel review the computer generated information to verify an actual match. If the computerized information is an actual match, the FOID Program personnel will complete transactions for revoking the FOID card.

Correspondence is mailed to the FOID cardholder indicating the reason for the revocation, requesting the return of the FOID card to the department and the procedure for requesting an administrative hearing is given. If the revocation is for a forcible felony conviction and a minimum of 20 years has not passed since final discharge from the sentence associated with the forcible felony conviction, the FOID cardholder is not eligible for an administrative hearing.

D. HOW TO ORDER FOID APPLICATIONS

1. Law Enforcement agencies may order FOID applications by:
 - (a) Sending an administrative message to terminal KYW between the hours of 8:30 a.m. and 5 p.m., Monday through Friday; or
 - (b) Telephone (217/782-5272), or by mail using the order form found in the appendix.

All orders for applications should be addressed to:

Illinois State Police
FOID Program
726 South College
Springfield, Illinois 62704
Attention: Mail Room

2. An individual or an organization can obtain FOID applications by mail using the address given above, by telephone (217/782-7980), or in person.

II. ILLINOIS FIREARM OWNER'S IDENTIFICATION LAW

A. FIREARM DEFINITION

The Firearm Owner's Identification Act (Illinois Revised Statutes, chapter 38, paragraph 83-1.1) defines a firearm as "any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas; excluding, however:

- (1) any pneumatic gun, spring gun, or B-B gun which expels a single globular projectile not exceeding .18 inch in diameter;
- (2) any device used exclusively for signalling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission; or
- (3) any device used exclusively for the firing of stud cartridges, explosive rivets or similar industrial ammunition;
- (4) an antique firearm (other than a machine-gun) which, although designed as a weapon, the Department of State Police finds by reason of the date of its manufacture, value, design and other characteristics is primarily a collector's item and is not likely to be used as a weapon."

B. FIREARM AMMUNITION

The Firearm Owner's Identification Act (Illinois Revised Statutes, chapter 38, paragraph 83.1.1) defines firearms ammunition as: "any self-contained cartridge or shotgun shell, by whatever name known,

which is designed to be used or adaptable to use in a firearm; excluding, however:

- (1) any ammunition exclusively designed for use with a device used exclusively for signalling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission; or
- (2) any ammunition designed exclusively for use with a stud or rivet driver or other similar industrial ammunition."

C. FOID ACT EXEMPTIONS

The Illinois Firearm Owner's Identification Act (Illinois Revised Statutes, chapter 38, paragraph 83-2) states the following:

- "(a) No person may acquire or possess any firearm or firearm ammunition within this State without having in his possession a Firearm Owner's Identification Card previously issued in his name by the Department of State Police under the provisions of this Act.
- (b) The provision of this Section regarding the possession of firearms and firearm ammunition do not apply to:
 - (1) United States Marshals, while engaged in the operation of their official duties;
 - (2) Members of the Armed Forces of the United States or the National Guard, while engaged in the operation of their official duties;
 - (3) Federal officials required to carry firearms, while engaged in the operation of their official duties;
 - (4) Members of bona fide veterans organizations which receive firearms directly from the armed forces of the United States, while using such firearms for ceremonial purposes with blank ammunition;
 - (5) Nonresident hunters during the hunting season, with valid nonresident hunting licenses and while in an area where hunting is permitted; however, at all other times and in all other places such persons must have their firearms unloaded and enclosed in a case;
 - (6) Those hunters exempt from obtaining a hunting license who are required to submit their Firearm Owner's Identification Card when hunting on Department of Conservation owned or managed sites;

- (7) Nonresidents while on a firing or shooting range recognized by the Department of State Police; however, such persons must at all other times and in all other places have their firearms unloaded and enclosed in a case;
 - (8) Nonresidents, while at a firearm showing or display recognized by the Department of State Police; however, at all other times and in all other places such persons must have their firearms unloaded and enclosed in a case;
 - (9) Nonresidents, whose firearms are unloaded and enclosed in a case;
 - (10) Nonresidents, who are currently licensed or registered to possess a firearm in their resident state;
 - (11) Unemancipated minors while in the custody and immediate control of their parent or legal guardian or other person in loco parentis to such minor if such parent or legal guardian or other person in loco parentis to such minor has a currently valid Firearm Owner's Identification Card; and
 - (12) Color guards of bona fide veterans organizations or members of bona fide American Legion bands while using firearms for ceremonial purposes with blank ammunition.
- (c) The provisions of this Section regarding the acquisition and possession of firearms and firearm ammunition do not apply to law enforcement officials of this or any other jurisdiction, while engaged in the operation of their official duties."

D. RELIEF FROM DISABILITIES IMPOSED BY THE FOID ACT

Administrative hearings are required for all individuals seeking relief from the disabilities imposed by the FOID Act. Administrative hearings which require a personal appearance must be conducted before the Illinois State Police will reconsider a revocation or denial action. Administrative hearings are conducted in Joliet or Springfield by appointment and require a personal appearance. An individual's eligibility cannot be restored unless relief is granted through the administrative hearing process. The following are eligible for an administrative hearing:

1. Any person who has been convicted of a felony, other than a forcible felony, or convicted of a forcible felony and a

- minimum of 20 years has passed since final discharge from the sentence associated with the forcible felony conviction;
2. Any person who is addicted to narcotics;
 3. Any person who is mentally retarded;
 4. Any person who has been a patient in a mental institution within the past five years;
 5. Any person under 21 years of age who has been convicted of a non-traffic misdemeanor or has been adjudged delinquent;
 6. Sponsor for any person under 21 years of age who is ineligible to obtain a FOID registration.

An avenue of appeal is **NOT** available to those individuals convicted of a forcible felony and a minimum of 20 years has not passed since the final discharge from the sentence associated with the forcible felony conviction.

E. FOID CARD FOR ILLINOIS FIREARM DEALERS

Within the State of Illinois, no person may acquire or possess any firearm or firearm ammunition without having in their possession a FOID card issued in their name by the Illinois State Police. As such, the Illinois State Police issues FOID cards to individuals after determining the eligibility of each applicant. The FOID Act pertains to individual eligibility and does not provide for the issuance of dealer licenses. Furthermore, the FOID Act does not exempt federally licensed dealers from the provisions of the Act.

F. QUESTIONS AND ANSWERS ABOUT THE ILLINOIS FIREARM OWNER'S IDENTIFICATION LAW

WHAT IS THE FIREARM OWNER'S IDENTIFICATION LAW?

The Firearm Owner's Identification (FOID) law is a registration procedure whereby Illinois residents meeting minimum qualifications are issued identification cards which authorize them to own, acquire, possess or handle firearms and/or firearm ammunition within the state. The law requires registration of persons rather than guns.

WHO MUST HAVE A FIREARM OWNER'S IDENTIFICATION CARD?

Any adult resident of Illinois who acquires, possesses or handles firearms or firearm ammunition within the state must have in their possession a valid FOID card issued in his/her name by the Illinois State Police. It is not necessary for the applicant to own a gun to be registered. Since it is an Illinois law, it is not applicable to nonresidents.

WHAT IS THE LAW AS IT PERTAINS TO MINORS?

A person under 21 years of age can apply for his own FOID card if he has the written consent of his parent or legal guardian and if he has never been convicted of a felony or a misdemeanor other than a traffic offense or adjudged delinquent. The law requires that the

parent or legal guardian giving consent must be an individual not prohibited from holding a FOID card. However, a minor need not possess a FOID card when using firearms or ammunition if he/she is in the company of a parent, legal guardian or any adult who has a currently valid card.

WHAT HAPPENS TO THE \$5 COLLECTED AS A REGISTRATION FEE?

The \$5 fee is the statutory fee set by the 75th General Assembly and it covers registration for five years. Three (\$3) dollars of this fee is allocated to the Wildlife and Fish Fund of the Department of Conservation for use in funding programs of interest to Illinois sportsmen, one (\$1) dollar is deposited in the General Revenue Fund in the State Treasury and one (\$1) dollar is deposited in the Firearm Owner's Notification Fund.

IF A PERSON INHERITS A FIREARM, DOES HE NEED A FOID CARD AND IS THERE A PENALTY FOR MAKING APPLICATION?

Yes, you need a FOID card if you wish to retain possession of the firearm(s), and there is no penalty for making application. The law specifically allows the new owner(s) of firearms obtained through estate matters 60 days to either make application for Firearm Owner's Identification card or to dispose of or transfer the firearm(s).

AFTER MAKING APPLICATION HOW LONG BEFORE A PERSON CAN EXPECT TO RECEIVE HIS FOID CARD?

The law allows the Illinois State Police 30 days to either issue or deny an application for a FOID card. During that period, the qualifications of applicants are checked through data processing techniques against available records to determine if they are qualified for registration. If there is reason to believe the applicant has falsified his application, the department will order a further investigation by state or local law enforcement officials. The department has authority to deny a registration for cause.

IS ANYONE EXCLUDED FROM PROVISIONS OF THIS LAW?

The provisions of the FOID law regarding the possession of firearms and firearm ammunition do not apply to United States Marshals, members of the Armed Forces of the United States or the National Guard and all law enforcement officials required to carry firearms while engaged in the operation of their official duties.

CAN A NONRESIDENT OF ILLINOIS HUNT AND USE FIREARMS IN ILLINOIS WITHOUT AN IDENTIFICATION CARD?

Yes, provided (1) he has a nonresident Illinois hunting license; (2) he is in an area where hunting is permitted; and (3) it is during hunting season. A nonresident may also participate in firearm displays,

showings or firings at a shooting range. At all other times, however, the nonresident's guns must be unloaded, enclosed in a case or be in an inoperable condition.

CAN A PERSON PICK UP HIS FOID CARD OVER THE COUNTER LIKE HE DOES AUTOMOBILE LICENSE PLATES?

No. The process of checking qualifications of applicants for registration requires time. Temporary permits are not issued and cancelled checks, cash or money order receipts are not legal substitutes for FOID cards.

WHAT PROCEDURES DOES A PERSON FOLLOW TO REPLACE A LOST OR STOLEN IDENTIFICATION CARD?

When an individual wants to replace a lost or stolen identification card, he must submit a new application, recent photo and \$5.00 fee, by check or money order. A fee is not required for a stolen card if a copy of the police officer's report, specifically stating stolen or theft, accompanies the application and photo and the stolen card indicated an expiration date of six months or more.

WHAT IS REQUIRED TO MAKE APPLICATION FOR A FOID CARD?

Application forms are available from sporting goods stores, city and county official's offices, the Illinois State Police and other law enforcement agencies. The application must be completed in accordance with instructions printed on the form and submitted with a recent head and shoulders photograph (1" x 1½") and a \$5 check or money order.

ARE THERE OTHER FIREARM CONTROL REGULATIONS APPLICABLE TO ILLINOIS RESIDENTS?

Yes. In addition to the FOID Act, the Federal Gun Control Act of 1968 and the sections of the Illinois Criminal Code pertaining to unlawful sale, unlawful use and unlawful ammunition are applicable. Besides these, some local governmental units have passed regulations to supplement these controls.

WHAT IS THE PENALTY FOR VIOLATION OF THE FIREARM OWNER'S IDENTIFICATION LAW?

Persons held in violation of any provision of the FOID Act are subject to a fine not to exceed \$1,000 or imprisonment in a penal institution other than a penitentiary not to exceed one year, or both. Persons obtaining identification cards by falsifying information recorded on applications submitted under notary oath are subject to prosecution for perjury. Persons guilty of fraud when they create, change, deface or alter FOID cards can be prosecuted for forgery under Illinois law. Enforcement of this Act, like all Illinois laws, is the responsibility of local law enforcement officials.

CAN A NONRESIDENT PURCHASE FIREARM AMMUNITION OR A FIREARM IN ILLINOIS WITHOUT A FOID CARD?

Illinois Revised Statutes, chapter 38, paragraph 83-3a, allows any resident of Iowa, Missouri, Indiana, Wisconsin or Kentucky, who is 18 years of age or older and who is not prohibited by the laws of Illinois, the state of his domicile, or the United States, from obtaining, possessing or using a firearm, to purchase or obtain a rifle, shotgun or ammunition for a rifle or shotgun in Illinois. This law applies only to the five states listed.

CAN AN ILLINOIS RESIDENT PURCHASE A FIREARM OR FIREARM AMMUNITION IN ANOTHER STATE?

Illinois Revised Statutes, chapter 38, paragraph 83-3(a), allows any resident of Illinois who has obtained a Firearm Owner's Identification card pursuant to the FOID Act and who is not otherwise prohibited from obtaining, possessing or using a firearm, to purchase or obtain a rifle or shotgun or ammunition for a rifle or shotgun in Iowa, Missouri, Indiana, Wisconsin or Kentucky. Again, this law applies only to the five states listed.

CAN A PERSON GIVE, TRADE OR SELL HIS FIREARMS TO A RELATIVE, FRIEND OR NEIGHBOR?

Yes, providing both parties, if residents of Illinois, have valid FOID cards and that the person making the transfer keeps a record for ten years. Such record must list: (1) date; (2) name and address of person to whom transferred; (3) description and serial number of firearm; and (4) the FOID card number of the person receiving the firearm. In any sale or transfer of a firearm the proper waiting period must be observed (long gun-24 hour waiting period; concealable weapon-72 hour waiting period).

MUST AN INDIVIDUAL OWNING ONLY ANTIQUE FIREARMS HAVE A FOID CARD?

Persons owning only antique firearms are exempt from the provisions of the FOID law. An antique firearm is defined as a weapon which, by reason of date of manufacture (prior to 1899), value, design and other characteristics, is primarily a collectors' item and is not likely to be used as a weapon. Therefore, a person owning only an antique firearm is not required to be registered under this law.

MUST AN INDIVIDUAL HAVE A FOID CARD TO PURCHASE A MUZZLE LOADING WEAPON OR A REPLICIA KIT?

Yes. These weapons are not considered antique firearms and a FOID card is required to possess or acquire them.

DOES THE FOID CARD GIVE THE OWNER PERMISSION TO CARRY A CONCEALED WEAPON?

Definitely not! The FOID card states: "CAUTION: This card does not permit bearer to unlawfully carry or use firearms." Carrying a concealed weapon is unlawful in Illinois and the State does not issue such permits. Only persons exempted by state laws are allowed to carry concealed weapons.

DO MILITARY PERSONNEL WHOSE PERMANENT DUTY STATION (PDS) OR TEMPORARY DUTY STATION (TDS) ASSIGNMENT IS WITHIN ILLINOIS NEED A FOID CARD?

Military personnel in active service, with permanent duty station in Illinois, are considered residents of the State under this law. They must have a FOID card if they wish to acquire, possess or handle firearms or firearm ammunition within the State when off duty or away from their base. Persons on temporary duty station (TDS) assignment in Illinois are not Illinois residents and therefore exempt from the provisions of the law since they are considered nonresidents.

III. CERTIFYING STATEMENT FOR LAW ENFORCEMENT OFFICIALS

A. DEFINITION OF CERTIFYING STATEMENT

As of January 1, 1984, law enforcement officials became exempt from the provisions of the Firearm Owner's Identification (FOID) Act while engaged in the operation of their **official duties**. Therefore, law enforcement officials are no longer required to possess a FOID card as a prerequisite to acquiring firearms or firearm ammunition for duty use. Law enforcement officials attempting to acquire either a firearm or firearm ammunition for duty use **must** present a Certifying Statement signed by the employing agency's chief administrator (or designee). The Certifying Statement verifies the employment status of the law enforcement official, the type of weapon or ammunition to be purchased and that the firearm/ammunition identified within is intended for duty use by the acquiring officer. A copy of the Certifying Statement should be retained by the firearm dealer as verification of the exempted status of the law enforcement official. The Certifying Statement also serves as justification for waiving the withholding period pursuant to Illinois Revised Statutes, chapter 38, paragraph 24-3(g). The guidelines for the use of the certifying statement are set forth within the Administrative Rules, State of Illinois, chapter II, section 1230, exhibit B.

B. DEFINITION OF LAW ENFORCEMENT OFFICIAL

A Law Enforcement Official or Peace Officer is defined as any person who by virtue of his office or public employment is vested by law with a duty to maintain public order or to make arrests for offenses whether that duty extends to all offenses or is limited to specific offenses. Persons who are employed as bank guards, security guards, private detectives, armed truck guards or other similar

employment are not classified as law enforcement officials or peace officers.

C. PRIVATE POSSESSION OR ACQUISITION BY LAW ENFORCEMENT OFFICIALS

The provisions of the FOID Act pertain to all individuals, including law enforcement officials, concerning the personal or private possession or acquisition of firearms or firearm ammunition. Law enforcement officials are required to possess a FOID card for the personal possession or acquisition of a firearm or firearm ammunition. The withholding period is not waived for personal acquisition of firearm or firearm ammunition.

D. ACQUISITION OF FIREARMS BY BANK GUARDS OR OTHER SIMILAR EMPLOYMENT

All provisions of the FOID Act pertain to bank guards, armed truck guards, or other individuals promoting the public interest in other similar types of employment. Therefore, a valid FOID card is required for the purchase or possession of firearms or firearm ammunition by the aforementioned individuals. However, the withholding period may be waived for the above named individuals pursuant to Illinois Revised Statutes, chapter 38, paragraph 24-3(g).

In order to ensure transactions are completed with qualified individuals, the department recommends that all dealers request a statement signed by the employing agency's chief administrator (or designee) verifying the employment status of the purchaser. The statement is proof that the purchase of the firearm is incident to the individual's employment thus qualifying for the waiver of the withholding period. It is also recommended that a copy of the statement be retained by the dealer as justification for waiving the withholding period. It should be clearly understood that requesting such a statement is only a recommendation and is intended as a safeguard for firearm dealers.

Please refer to Appendix for copy of the Certifying Statement.

Appendix A - Firearm Owner's Identification Act
(Illinois Revised Statutes, chapter 38, paragraph 83)

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

83-1. Legislative declaration. § 1. It is hereby declared as a matter of legislative determination that in order to promote and protect the health, safety and welfare of the public, it is necessary and in the public interest to provide a system of identifying persons who are not qualified to acquire or possess firearms and firearm ammunition within the State of Illinois by the establishment of a system of Firearm Owner's Identification Cards, thereby establishing a practical and workable system by which law enforcement authorities will be afforded an opportunity to identify those persons who are prohibited by Section 24-3.1 of the "Criminal Code of 1961", as amended, from acquiring or possessing firearms and firearm ammunition.

83-1.1. Definitions. § 1.1. For purposes of this Act:

"Firearm" means any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas; excluding, however:

- (1) any pneumatic gun, spring gun, or B-B gun which expels a single globular projectile not exceeding .18 inch in diameter;
- (2) any device used exclusively for signalling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission; or
- (3) any device used exclusively for the firing of stud cartridges, explosive rivets or similar industrial ammunition;
- (4) an antique firearm (other than a machine-gun) which, although designed as a weapon, the Department of State Police finds by reason of the date of its manufacture, value, design, and other characteristics is primarily a collector's item and is not likely to be used as a weapon.

"Firearm Ammunition" means any self-contained cartridge or shotgun shell, by whatever name known, which is designed to be used or adaptable to use in a firearm; excluding, however:

- (1) any ammunition exclusively designed for use with a device used exclusively for signalling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission; or
- (2) any ammunition designed exclusively for use with a stud or rivet driver or other similar industrial ammunition.

83-2. Requisites for acquisition or possession - Exempted persons or entities. § 2. (a) No person may acquire or possess any firearm or any firearm ammunition within this State without having in his possession a Firearm Owner's Identification Card previously issued in his name by the Department of State Police under the provisions of this Act.

(b) The provisions of this Section regarding the possession of firearms and firearm ammunition do not apply to:

- (1) United States Marshals, while engaged in the operation of their official duties;
- (2) Members of the Armed Forces of the United States or the National Guard, while engaged in the operation of their official duties;
- (3) Federal officials required to carry firearms, while engaged in the operation of their official duties;
- (4) Members of bona fide veterans organizations which receive firearms directly from the armed forces of the United States, while using such firearms for ceremonial purposes with blank ammunition;
- (5) Nonresident hunters during hunting season, with valid nonresident hunting licenses and while in an area where hunting is permitted; however, at all other times and in all other places such persons must have their firearms unloaded and enclosed in a case;
- (6) Those hunters exempt from obtaining a hunting license who are required to submit their Firearm Owner's Identification Card when hunting on Department of Conservation owned or managed sites;
- (7) Nonresidents while on a firing or shooting range recognized by the Department of State Police; however, such persons must at all other times and in all other places have their firearms unloaded and enclosed in a case;
- (8) Nonresidents, while at a firearm showing or display recognized by the Department of State Police; however, at all other times and in all other places such persons must have their firearms unloaded and enclosed in a case;
- (9) Nonresidents, whose firearms are unloaded and enclosed in a case;
- (10) Nonresidents, who are currently licensed or registered to possess a firearm in their resident state;
- (11) Unemancipated minors while in the custody and immediate control of their parent or legal guardian or other person in loco parentis to such minor if such parent or legal guardian or other person in loco parentis to such minor has a currently valid Firearm Owner's Identification Card; and
- (12) Color guards of bona fide veterans organizations or members of bona fide American Legion bands while using firearms for ceremonial purposes with blank ammunition.

(c) The provisions of this Section regarding the acquisition and possession of firearms and firearm ammunition do not apply to law enforcement officials of this or any other jurisdiction, while engaged in the operation of their official duties.

83-3. Requisites for transfer. § 3. (a) Except as provided in Section 3a, no person within this State may knowingly transfer, or cause to be transferred, any firearm or any firearm ammunition to any person within this State unless the transferee with whom he deals displays a currently valid Firearm Owner's Identification Card which has previously been issued in his name by the Department of State Police under the provisions of this Act.

- (b) Any person within this State who transfers or causes to be transferred any firearm shall keep a record of such transfer for a period of 10 years from the date of transfer. Such record shall contain the date of the transfer; the description, serial number or other information identifying the firearm if no serial number is available; and, if the transfer was completed within this State, the transferee's Firearm Owner's Identification Card number. On demand of a peace officer such transferor shall produce for inspection such record of transfer.
- (c) The provisions of this Section regarding the transfer of firearm ammunition shall not apply to those persons specified in paragraph (b) of Section 2 of this Act.

83-3a. Reciprocity. § 3a. (a) Any resident of Illinois who has obtained a firearm owner's identification card pursuant to this Act and who is not otherwise prohibited from obtaining, possessing or using a firearm may purchase or obtain a rifle or shotgun or ammunition for a rifle or shotgun in Iowa, Missouri, Indiana, Wisconsin or Kentucky.

- (b) Any resident of Iowa, Missouri, Indiana, Wisconsin or Kentucky, who is 18 years of age or older and who is not prohibited by the laws of Illinois, the state of his domicile, or the United States from obtaining, possessing or using a firearm, may purchase or obtain a rifle, shotgun or ammunition for a rifle or shotgun in Illinois.
- (c) Any transaction under this Section is subject to the provisions of the Gun Control Act of 1968 (18 U.S.C. 922 (b)(3)).

83-4. Application for Firearm Owner's Identification Card. § 4. (a) Each applicant for a Firearm Owner's Identification Card shall:

- (1) Make application on blank forms prepared and furnished at convenient locations throughout the State by the Department of State Police; and
- (2) Submit evidence under penalty of perjury to the Department of State Police that:
 - (i) He is 21 years of age or over, or if he is under 21 years of age that he has the written consent of his parent or legal guardian to possess and acquire firearms and firearm ammunition and that he has never been convicted of a misdemeanor other than a traffic offense or adjudged delinquent, provided, however, that such parent or legal guardian is not an individual prohibited from having a Firearm Owner's Identification Card and files an affidavit with the Department as prescribed by the Department stating that he is not an individual prohibited from having a Card;
 - (ii) He has not been convicted of a felony under the laws of this or any other jurisdiction;
 - (iii) He is not addicted to narcotics;
 - (iv) He has not been a patient in a mental institution within the past 5 years; and
 - (v) He is not mentally retarded.

- (b) Each application form shall include the following statement printed in bold type: "Warning: False statements of the applicant shall result in prosecution for perjury in accordance with Section 32-2 of the Criminal Code of 1961."
 - (c) Upon such written consent, pursuant to Section 4, paragraph (a) (2) (i), the parent or legal guardian giving the consent shall be liable for any damages resulting from the applicant's use of firearms or firearm ammunition.
- 83-5. Approval or denial of application. § 5. The Department of State Police shall either approve or deny all applications within 30 days from the date they are received, and every applicant found qualified pursuant to Section 8 of this Act by the Department shall be entitled to a Firearm Owner's Identification Card upon the payment of a \$5 fee. \$3 of each fee derived from the issuance of Firearm Owner's Identification Cards, or renewals thereof, shall be deposited in the Wildlife and Fish Fund in the State Treasury; \$1 of such fee shall be deposited in the General Revenue Fund in the State Treasury and \$1 of such fee shall be deposited in the Firearm Owner's Notification Fund. Monies in the Firearm Owner's Notification Fund shall be used exclusively to pay for the cost of sending notices of expiration of Firearm Owner's Identification Cards under Section 13.2 of this Act. Excess monies in the Firearm Owner's Notification Fund shall be used to ensure the prompt and efficient processing of applications received under Section 4 of this Act.
- 83-6. Contents of identification card. § 6. A Firearm Owner's Identification Card, issued by the Department of State Police at such places as the Director of the Department shall specify, shall contain the applicant's name, residence, date of birth, sex, physical description, recent photograph and such other personal identifying information as may be required by the Director. Each Firearm Owner's Identification Card must have printed on it the following: "CAUTION - This card does not permit bearer to UNLAWFULLY carry or use firearms."
- 83-7. Duration of identification card. § 7. Except as provided in Section 8 of this Act, a Firearm Owner's Identification Card issued under the provisions of this Act shall be valid for the person to whom it is issued for a period of 5 years from the date of issuance.
- 83-8. Denial of application or revocation or seizure of card. § 8. The Department of State Police has authority to deny an application for or to revoke and seize a Firearm Owner's Identification Card previously issued under this Act only if the Department finds that the applicant or the person to whom such card was issued is or was at the time of issuance:
- (a) A person under 21 years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent;
 - (b) A person under 21 years of age who does not have the written consent of his parent or guardian to acquire and possess firearms and firearm ammunition, or whose parent or guardian has revoked such written consent, or where such parent or guardian does not qualify to have a Firearm Owner's Identification Card;
 - (c) A person convicted of a felony under the laws of this or any other jurisdiction;
 - (d) A person addicted to narcotics;
 - (e) A person who has been a patient of a mental institution within the past 5 years; or
 - (f) A person who is mentally retarded; or
 - (g) A person who intentionally makes a false statement in the Firearm Owner's Identification Card application.

- 83-8.1. Felony convictions - Notification - Time for notification. § 8.1. The Circuit Clerk shall notify the Department of State Police, Firearms Identification Division, of the names and addresses of all persons convicted of a felony in his county. Such information shall be furnished within 30 days after the judgment of conviction becomes final.
- 83-9. Denial of application or revocation or seizure of card - Notice. § 9. Every person whose application for a Firearm Owner's Identification Card is denied, and every holder of such a Card before his Card is revoked or seized, shall receive a written notice from the Department of State Police stating specifically the grounds upon which his application has been denied or upon which his Identification Card has been revoked.
- 83-10. Appeal to director - Hearing - Relief from firearm possession prohibition. § 10. (a) Whenever an application for a Firearm Owner's Identification Card is denied, whenever the Department fails to act on an application within 30 days of its receipt, or whenever such a Card is revoked or seized as provided for in Section 8 of this Act, the aggrieved party may appeal to the Director of the Department of State Police for a hearing upon such denial, revocation or seizure.
- (b) Whenever, upon the receipt of such an appeal for a hearing, the Director is satisfied, that substantial justice has not been done, he may order a hearing to be held by the Department upon the denial or revocation.
- (c) Any person prohibited from possessing a firearm under Sections 24-1.1 or 24-3.1 of the Criminal Code of 1961 or acquiring a Firearm Owner's Identification Card under Section 8 of this Act may apply to the Director of the Department of State Police requesting relief from such prohibition and the Director may grant such relief if it is established by the applicant to the Director's satisfaction that:
- (1) the applicant has not been convicted of a forcible felony under the laws of this State or any other jurisdiction within 20 years of the applicant's application for a Firearm Owner's Identification Card, or at least 20 years have passed since the end of any period of imprisonment imposed in relation to that conviction,
 - (2) the circumstances regarding a criminal conviction, where applicable, the applicant's criminal history and his reputation are such that the applicant will not be likely to act in a manner dangerous to public safety; and
 - (3) granting relief would not be contrary to the public interest.
- 83-11. Review under Administrative Review Law. § 11. All final administrative decisions of the Department under this Act shall be subject to judicial review under the provisions of the Administrative Review Law, and all amendments and modifications thereof, and the rules adopted pursuant thereto. The term "administrative decision" is defined as in Section 3-101 of the Code of Civil Procedure.
- 83-12. Death of owner - Transfer. § 12. The provisions of this Act shall not apply to the passing or transfer of any firearm or firearm ammunition upon the death of the owner thereof to his heir or legatee or to the passing or transfer of any firearm or firearm ammunition incident to any legal proceeding or action until 60 days after such passing or transfer.
- 83-13. Acquisition or possession prohibited by law. § 13. Nothing in this Act shall make lawful the acquisition or possession of firearms or firearm ammunition which is otherwise prohibited by law.

- 83-13.1. Municipal ordinance imposing greater restrictions or limitations. § 13.1. The provisions of any ordinance enacted by any municipality which requires registration or imposes greater restrictions or limitations on the acquisition, possession and transfer of firearms than are imposed by this Act, are not invalidated or affected by this Act.
- 83-13.2. Firearm owner's identification card - Notice of expiration. § 13.2. The Department of State Police shall, 30 days prior to the expiration of a Firearm Owner's Identification Card, forward each person whose card is to expire a notification of the expiration of the card and an application which may be used to apply for renewal of the card.
- 83-14. Sentence. § 14. Violation of this Act is a Class A misdemeanor.
- 83-15. Severability clause. § 15. If any provision of this Act or application thereof to any person or circumstance is held invalid, such invalidity does not affect other provisions or applications of this Act which can be given effect without the invalid application or provision, and to this end the provisions of this Act are declared to be severable.
- 83-15a. Transfer of records - Identification cards, validity - Rights, powers and duties of Department. § 15a. When this amendatory Act enacted by the Seventy-Sixth General Assembly takes effect the records of the Department of Public Safety relating to the administration of the Act amended shall be transferred to the Department of State Police. All Firearm Owner's Identification Cards issued by the Department of Public Safety shall be valid for the period for which they were issued unless revoked or seized in the manner provided in the Act amended. The Department of State Police as the successor to the Department of Public Safety shall have the rights, powers and duties provided in, and be subject to the provisions of sections 32, 33 and 34 of "The Civil Administrative Code of Illinois".

- 1) The guidelines for the use of the Certifying Statement are set forth in the Administrative Rules, State of Illinois, chapter II, section 1230, exhibit B.
- 2) As of January 1, 1984, law enforcement officials became exempt from the provisions of the Firearm Owner's Identification (FOID) Act while engaged in the operation of their official duties. Therefore, law enforcement officials are no longer required to possess a FOID card as a prerequisite to acquiring firearms or firearm ammunition for duty use.
- 3) Law enforcement officials attempting to acquire either a firearm or firearm ammunition for duty use must present a Certifying Statement signed by the employing agency's chief administrator (or designee). The Certifying Statement verifies the employment status of the law enforcement official, the type of weapon or ammunition to be purchased and that the firearm/ammunition identified within is intended for duty use by the acquiring officer. A copy of the Certifying Statement should be retained by the firearm dealer as verification of the exempted status of the law enforcement official. The Certifying Statement also serves as justification for waiving the withholding period pursuant to Illinois Revised Statutes, chapter 38, paragraph 24-3(g).
- 4) At the time of acquisition of a firearm or firearm ammunition to be used by a law enforcement official in the performance of his official duties, the law enforcement official (purchaser) must present a signed statement from the agency's chief administrator (or designee) certifying the following:
 - a) Confirmation of the purchasing officer's employment;
 - b) Confirmation that the firearm(s) or firearm ammunition will be used in the performance of official duties pursuant to the Illinois Revised Statutes, chapter 38, paragraph 83-2(c);
 - c) Confirmation of the officer's eligibility to possess firearms and firearm ammunition in accordance with Illinois Revised Statutes, chapter 38, paragraph 24-3.1.
- 5) Any law enforcement official not qualified to possess firearms or firearm ammunition due to the provisions of Illinois Revised Statutes, chapter 38, paragraph 24-3.1, may seek relief from disabilities in accordance with Illinois Revised Statutes, chapter 38, paragraph 83-10. It should also be noted that the provisions of the FOID Act pertain to all individuals (including law enforcement officials) concerning the personal or private possession or acquisition of firearms or firearm ammunition. **The exemption for law enforcement officials is limited to the acquisition and possession of firearms and firearm ammunition for duty use only.**
- 6) All federally licensed firearm dealers are responsible for ensuring transactions are completed with qualified individuals. Firearm dealers should verify the purchaser's identity by inspection of the officer's credentials.
- 7) If you have any questions, please contact FOID Program personnel at 217/782-7980.

APPENDIX 3

ILLINOIS STATE AND MUNICIPAL CODES REGARDING FIREARMS

Source: State Laws and Published Ordinances-Firearms
Bureau of Alcohol, Tobacco and Firearms, December 1986.

Illinois
State Law
IL Ann. Stat.
Chapter 38. Criminal Law and Procedure

ARTICLE 24. DEADLY WEAPONS

24-1. Unlawful use of weapons.

(a) A person commits the offense of unlawful use of weapons when he knowingly: * * *

(2) Carries or possesses with intent to use the same unlawfully against another, a * * * stun gun or taser or any other dangerous or deadly weapon or instrument of like character; or

(3) Carries on or about his person or in any vehicle, a tear gas gun projector or bomb or any object containing noxious liquid gas or substance, other than an object containing a nonlethal noxious liquid gas or substance designed solely for personal defense carried by a person 18 years of age or older; or

(4) Carries or possesses in any vehicle or concealed on or about his person except when on his land or in his own abode or fixed place of business any pistol, revolver, stun gun or taser or other firearm; or

(5) Sets a spring gun; or

(6) Possesses any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm; or

(7) Sells, manufactures, purchases, possesses or carries a machine gun, which shall be defined for the purposes of this subsection as any weapon, which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot without manually reloading by a single function of the trigger, including the frame or receiver of any such weapon, or sells, manufactures, purchases, possesses, or carries any combination of parts designed or intended for use in converting any weapon into a machine gun, or any combination of parts from which a machine gun can be assembled if such parts are in the possession or under the control of a person, or any rifle having one or more barrels less than 18 inches in length or a shotgun having one or more barrels less than 18 inches in length or any weapon made from

a rifle or shotgun, whether by alteration, modification, or otherwise, if such a weapon as modified has an overall length of less than 26 inches or any bomb, bomb-shell, grenade, bottle or other container containing an explosive substance of over one-quarter ounce for like purposes, such as, but not limited to, black powder bombs and Molotov cocktails or artillery projectiles; or

(8) Carries or possesses any firearm, stun gun or taser or other deadly weapon in any place which is licensed to sell intoxicating beverages, or at any public gathering held pursuant to a license issued by any governmental body or any public gathering at which an admission is charged, excluding a place where a showing, demonstration or lecture involving the exhibition of unloaded firearms is conducted; or

(9) Carries or possesses in a vehicle or on or about his person any pistol, revolver, stun gun or taser or firearm, when he is hooded, robed or masked in such manner as to conceal his identity; or

(10) Carries or possesses on or about his person, upon any public street, alley, or other public lands within the corporate limits of a city, village or incorporated town, except when an invitee thereon or therein, for the purpose of the display of such weapon or the lawful commerce in weapons, or except when on his land or in his own abode or fixed place of business, any pistol, revolver, stun gun or taser or other firearm.

A "stun gun or taser", as used in this paragraph (a) means (i) any device which is powered by electrical charging units, such as batteries, and which fires one or several barbs attached to a length of wire and which, upon hitting a human, can send out a current capable of disrupting person's nervous system in such a manner as to render him incapable of normal functioning or (ii) any device which is powered by electrical charging units, such as batteries, and which, upon

contact with a human or clothing worn by a human, can send out a current capable of disrupting the person's nervous system in such a manner as to render him incapable of normal functioning.

(11) Sells, manufactures or purchases any explosive bullet. For purposes of this paragraph (a) "explosive bullet" means the projectile portion of an ammunition cartridge which contains or carries an explosive charge which will explode upon contact with the flesh of a human or an animal. "Cartridge" means a tubular metal case having projectile affixed at the front thereof and a cap or primer at the rear end thereof, with the propellant contained such tube between the projectile and the cap.

(12) Carries or possesses on or about his person any * * * pistol or revolver or other firearm, bomb, grenade, bottle or other container containing an explosive substance of over one quarter ounce, or cartridge while in the building or on the grounds of any elementary or secondary school, community college, college or university. This paragraph (12) shall not apply to law enforcement officers or security officer of such school, college or university, nor to students carrying or possessing firearms for use in training courses, parades, hunting, target shooting on school ranges, or otherwise with the consent of school authorities and which firearms are transported unloaded and enclosed in a suitable case, box or transportation package.

(b) **Sentence.** A person convicted of a violation of Subsection 24-1(a)(1) through (5) Subsection 24-1(a)(8), Subsection (a)(10) or of 24-1(a)(11), commits a Class A misdemeanor; a person convicted of a violation of Subsection 24-1(a)(6) or 24-1(a)(7) commits a Class 3 felony. A person convicted of a violation of Subsection 24-1(a)(9) or 24-1(a)(12) commits a Class 4 felony. A person convicted of a second or subsequent viola-

tion of Subsection 24-1(a)(4) commits a Class 4 felony.

(c) Violations on school property. (1) A person who violates Subsection 24-1(a)(6) or 24-1(a)(7) in any school or on the real property comprising any school commits a Class 2 felony. (2) A person who violates Subsection 24-1(a)(9) in any school or on the real property comprising any school commits a Class 3 felony. School is defined as any public or private elementary or secondary school, community college, college or university.

(d) The presence in an automobile other than a public omnibus of any weapon, instrument or substance referred to in Subsection (a)(7) is prima facie evidence that it is in the possession of, and is being carried by, all persons occupying such automobile at the time such weapon, instrument or substance is found, except under the following circumstances: (i) if such weapon, instrument or instrumentality is found upon the person of one of the occupants therein; or (ii) if such weapon, instrument or substance is found in an automobile operated for hire by a duly licensed driver in the due, lawful and proper pursuit of his trade, then such presumption shall not apply to the driver.

COMPLIER'S NOTES:

1. All persons in Illinois, including law enforcement officers, are prohibited from possessing "sound suppressors" or "silencers," since such devices are designed for use in silencing the report of a firearm [§24-1(a)(6)]. IL State advisory 9-28-82.

2. No member of the general public is authorized to purchase or possess a weapon described in subsection 24-1(a)(7) The fact that a weapon is currently incapable of discharging rounds automatically solely because of the capacity of its magazine does not authorize its purchase or possession by an Illinois resident [§24-1(a)(7)]. IL State advisory 9-3-82.

24-1.1 Unlawful use of firearms by felons.

(a) It is unlawful for a person to knowingly possess on or about his person or on his land or in his own abode or fixed place of business any weapon prohibited under Section 24-1 of this Act or any firearm or any firearm ammunition if the person has been convicted of a felony under the laws of this State or any other jurisdiction. This Section shall not apply if the person has been granted relief by the Director of the Department of State Police pursuant to Section [83-10].

(b) Sentence. Violation of this Section by a person not confined in a penal institution shall be a Class 3 felony. Any person who violates this Section while confined in a penal institution as defined in Section 2-14 of this Code is guilty of a Class 1 felony, if he possesses any weapon prohibited under Section 24-1 of this Code regardless of the intent with which he possesses it, and a Class X felony if he possesses any firearm, firearm ammunition or explosive.

24-2. Exemptions.

(a) Subsections 24-1(a)(3), 24-1(a)(4) and 24-1(a)(10) do not apply to or affect any of the following:

(1) Peace officers or any person summoned by any such officers to assist in making arrests or preserving the peace while he is actually engaged in assisting such officer.

(2) Warden, superintendents and keepers of prisons, penitentiaries, jails, and other institutions for the detention of persons accused or convicted of an offense, while in the performance of their official duty, or while commuting between their homes and place of employment.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard or the Reserve Officers Training Corps, while in the performance of their official duty.

(4) Special agents employed by a railroad or a public utility to perform police functions or guards of armored car companies while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment; watchmen while actually engaged in the performance of the duties of their employment;

(5) Persons licensed as private security contractors, private detectives, private alarm contractors or employed by an agency certified by the Department of Registration and Education if their duties include the carrying of a weapon under the provisions of [Chapter 111, §2651 et seq.] while actually engaged in the performance of the duties of their employment or commuting between their homes and places of employment, provided that such commuting is accomplished within one hour from departure from home or place of employment, as the case may be. Persons exempted under this subsection shall be required to have completed a course of study in firearms handling and training approved and supervised by the Department of Registration and Education as prescribed by [Chapter 111, §2678] prior to becoming eligible for this exemption.

The Department of Registration and Education shall provide suitable documentation demonstrating the successful completion of the prescribed firearms training. Such documentation shall be carried at all times when such persons are in possession of a concealed weapon.

(6) Any person regularly employed in a commercial or industrial operation for the protection of persons employed and private property related to such commercial or industrial operation while actually engaged in the performance of their duty or traveling between sites or properties belonging to the employer of such security guards, and who, as such security guards are members of a security force of 5 persons or more registered with the Department of Registration and Education, provided, that such security guard has successfully completed a course of study, approved by and supervised by the Department of Registration and Education, consisting of not less than 40 hours of training which shall include theory of law enforcement, liability

for acts and the handling of weapons. The Department of Registration and Education shall provide suitable documentation to demonstrate the successful completion of such course. Such documentation shall be carried by the security guard at all times when he is in possession of a concealed weapon.

(7) Agents and investigators of the Illinois Legislative Investigating Commission authorized by the Commission to carry the weapons specified in Subsections 24-1(a)(3) and 24-1(a)(4), while on duty in the course of any investigation for the Commission.

(8) Persons employed by a financial institution for the protection of other employees and property related to such financial institution, while actually engaged in the performance of their duties, commuting between their homes and places of employment, or traveling between sites or properties owned or operated by such financial institution, provided that any person so employed has successfully completed a course of study, approved by and supervised by the Department of Registration and Education, consisting of not less than 40 hours of training which includes theory of law enforcement, liability for acts, and the handling of weapons. The Department of Registration and Education shall provide suitable documentation to demonstrate the successful completion of such course, and such documentation shall be carried by the person so trained at all times when such person is in possession of a concealable weapon. For purposes of this subsection, "financial institution" means a bank, savings and loan association, credit union or company providing armored car services.

(9) Any person employed by an armored car company to drive an armored car while actually engaged in the performance of his duties.

(10) Persons who have been classified as peace officers pursuant to [Chapter 127 1/2, §501, et seq.].

(11) Investigators of the Office of the State's Attorneys Appellate Prosecutor authorized by the board of governors of the Office of the State's Attorneys Appellate Prosecutor to carry weapons pursuant to [Chapter 14, §207.08].

(12) Manufacture, transportation, or sale of weapons to persons authorized under (1) through (10) of this Subsection to possess those weapons.

(b) Subsection 24-1(a)(4) and 24-1(a)(10) do not apply to or affect any of the following:

(1) Members of any club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, patrons of such ranges while such members or patrons are using their firearms on those target ranges.

(2) Duty authorized military or civil organizations while parading, with the special permission of the Governor.

(3) Licensed hunters, trappers or fishermen while engaged in hunting, trapping or fishing.

(4) Transportation of weapons broken down in a non-functioning state or not immediately accessible.

(c) Subsection 24-1(a)(7) does not apply to or affect any of the following:

(1) Peace officers while in performance of their official duties.

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense.

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.

(4) Manufacture, transportation, or sale of machine guns to persons authorized under (1) through (3) of this Subsection to possess machine guns, if the machine guns are broken down in a non-functioning state or not immediately accessible.

(5) Persons licensed under federal law to manufacture any weapon from which eight or more shots or bullets can be discharged by a single function of the firing device, or ammunition for such weapons, and actually engaged in the business of manufacturing such weapons or ammunition, but only with respect to activities which are within the lawful scope of such business, such as the manufacture, transportation, or testing of such weapons or ammunition. This exemption does not authorize the general private possession of any weapon from which eight or more shots or bullets can be discharged by a single function of the firing device but only such possession and activities which are within the lawful scope of a licensed manufacturing business described in this paragraph.

During transportation, such weapons shall be broken down in a non-functioning state or not immediately accessible.

(6) The manufacture, transport, testing, delivery, transfer or sale, and all lawful commercial or experimental activities necessary thereto, of rifles, shotguns, and weapons made from rifles or shotguns, or ammunition for such rifles, shotguns or weapons, where engaged in by a person operating as a contractor or subcontractor pursuant to a contract or subcontract for the development and supply of such rifles, shotguns, weapons or ammunition to the United States government or any branch of the Armed Forces of the United States, when such activities are necessary and incident to fulfilling the terms of such contract.

The exemption granted under this subsection shall also apply to any authorized agent of any such contractor or subcontractor who is operating within the scope of his employment, where such activities involving such weapon, weapons or ammunition are necessary and incident to fulfilling the terms of such contract.

During transportation, any such weapon shall be broken down in a non-functioning state, or not immediately accessible.

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(e) Subsection 24-1(a)(8) does not apply to any owner, manager or authorized employee of any place specified in that Subsection nor to any law enforcement officer.

(f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) do not apply to members of any

club or organization organized for the purpose of practicing shooting at targets upon established target ranges, whether public or private, while using their firearms on those target ranges.

(g) Subsection 24-1(a)(11) and 24-3.1(a)(7) do not apply to:

(1) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duty.

(2) Bonafide collectors of antique or surplus military ordinance.

(3) Laboratories having a department of forensic ballistics, or specializing in the development of ammunition or explosive ordinance;

(4) Commerce, preparation, assembly, or possession of explosive bullets by manufacturers of ammunition licensed by the federal government, in connection with the supply of those organizations and persons exempted by subsection (1) of subparagraph (g) of this Section, or like organizations and persons outside the State, or the transportation of explosive bullets to any organization or person exempted in this Section by a common carrier or by a vehicle owned or leased by an exempted manufacturer.

(h) An information or indictment based upon a violation of any Subsection of this Article need not negate any exemptions contained in this Article. The defendant shall have the burden of proving such an exemption.

(i) Nothing in this Article shall prohibit, apply to, or affect the transportation, carrying, or possession, of any pistol or revolver, stun gun, taser, or other firearm consigned to a Common Carrier operating under license of the State of Illinois or the Federal Government, where such transportation, carrying, or possession is incident to the lawful transportation in which such Common Carrier is engaged; and nothing in this Article shall prohibit, apply to, or affect the transportation, carrying, or possession of any pistol, revolver, stun gun, taser, or other firearm, not the subject of and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of this Article, which is unloaded and enclosed in a case, firearm carrying box, shipping box, or other container, by the possessor of a valid Firearm Owners Identification Card.

24-2.1 Unlawful use of metal piercing bullets.

(a) A person commits the offense of unlawful use of metal piercing bullets when he knowingly manufactures, sells, purchases, possesses, or carries any metal piercing bullet.

For the purposes of this Section, "metal piercing bullet" means polytetrafluoroethylene-coated bullets; jacketed bullets with other than lead or lead alloy cores; and ammunition of which the bullet itself is wholly composed of a metal or metal alloy other than lead.

The definition contained herein shall not be construed to include shotgun shells.

(b) Exemptions. This Section does not apply to or affect any of the following:

(1) Peace officers.

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense.

(3) Members of the Armed forces or Reserve Forces of the United States or the Illinois National Guard while in the performance of their official duties.

(4) Federal officials required to carry firearms, while engaged in the performance of their official duties.

(5) United States Marshals, while engaged in the performance of their official duties.

(6) Persons licensed under federal law to manufacture, import, or sell firearms and firearm ammunition, and actually engaged in any such business, but only with respect to activities which are within the lawful scope of such business, such as the manufacture, transportation, or testing of such bullets or ammunition.

This exemption does not authorize the general private possession of any metal or armor piercing bullet, but only such possession and activities which are within the lawful scope of a licensed business described in this paragraph.

(7) Laboratories having a department of forensic ballistics or specializing in the development of ammunition or explosive ordinance.

(8) Manufacture, transportation or sale of metal or armor piercing bullets to persons specifically authorized under paragraphs (1) through (7) of this subsection to possess such bullets.

(c) An information or indictment based upon a violation of this Section need not negate any exemption herein contained. The defendant shall have the burden of proving such an exemption.

(d) Sentence. A person convicted of unlawful use of metal piercing bullets shall be guilty of a Class 3 felony.

24-2.2 Manufacture, sale or transfer of bullets represented to be metal piercing bullets.

(a) Except as provided in subsection (b) of this Section, it is unlawful for any person to knowingly manufacture, sell, offer to sell, or transfer any bullet which is represented to be metal or armor piercing; to be polytetrafluoroethylene coated; to be jacketed and have a core other than lead or lead alloy; or to be wholly composed of a metal or metal alloy other than lead.

(b) Exemptions. This Section does not apply to or affect any person authorized under Section 24-2.1 to manufacture, sell, purchase, possess, or carry any metal piercing bullet with respect to activities which are within the lawful scope of the exemption therein granted.

(c) An information or indictment based upon a violation of this Section need not negate any exemption herein contained. The defendant shall have the burden of proving such an exemption and that the activities forming the basis of any criminal charge brought pursuant to this Section were within the lawful scope of such exemption.

(d) Sentence. Manufacture, sale, or transfer of bullets represented to be metal piercing bullets is a Class 4 felony.

24-3. Unlawful sale of firearms.

A person commits the offense of unlawful sale of firearms when he knowingly:

(a) Sells or gives any firearm of a size which may be concealed upon the person to any person under 18 years of age; or

(b) Sells or gives any firearm to a person under 21 years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent; or

(c) Sells or gives any firearm to any narcotic addict; or

(d) Sells or gives any firearm to any person who has been convicted of a felony under the laws of this or any other jurisdiction; or

(e) Sells or gives any firearm to any person who has been a patient in a mental hospital within the past 5 years; or

(f) Sells or gives any firearms to any person who is mentally retarded; or

(g) Delivers any firearm of a size which may be concealed upon the person, incidental to a sale, without withholding delivery of such firearm for at least 72 hours after application for its purchase has been made, or delivers any rifle, shotgun or other long gun, incidental to a sale, without withholding delivery of such rifle, shotgun or other long gun for at least 24 hours after application for its purchase has been made. However, this paragraph shall not apply to:

(1) the sale of a firearm to a law enforcement officer or a person who desires to purchase a firearm for use in promoting the public interest incident to his employment as a bank guard, armed truck guard, or other similar employment; or

(2) a mail order sale of a firearm to a nonresident of Illinois under which the firearm is mailed to a point outside the boundaries of Illinois; or

(3) the sale of a firearm to a nonresident of Illinois while at a firearm showing or display recognized by the Illinois Department of State Police; or

(4) the sale of a firearm to a dealer licensed under the Federal [Gun Control] Act of the United States; or

(h) While holding any license under the Federal "Gun Control Act of 1968", as amended, as a dealer, importer, manufacturer or pawnbroker; manufactures, sells or delivers to any unlicensed person a handgun having a barrel, slide, frame or receiver which is a die casting of zinc alloy or any other nonhomogeneous metal which will melt or deform at a temperature of less than 800 degrees Fahrenheit. For purposes of this paragraph,

(1) "firearm" is defined [in § 83-1.1];

(2) "handgun" is defined as a firearm designed to be held and fired by the use of a single hand, and includes a combination of parts from which a firearm can be assembled.

(i) Sells or gives a firearm of any size to any person under 18 years of age who does not possess a valid Firearm Owner's Identification Card.

(j) Paragraph (h) of this Section shall not include firearms sold within 6 months after enactment of this amendatory Act of 1973, nor shall any firearm legally owned or possessed by any citizen or purchased by any

citizen within 6 months after the enactment of this amendatory Act of 1973 be subject to confiscation or seizure under the provisions of this amendatory Act of 1973. Nothing in this amendatory Act of 1973 shall be construed to prohibit the gift or trade of any firearm if that firearm was legally held or acquired within 6 months after the enactment of this amendatory Act of 1973.

(k) Sentence.

Any person convicted of unlawful sale of firearms in violation of paragraphs (b) through (h) commits a Class A misdemeanor.

Any person convicted of unlawful sale of firearms in violation of paragraphs (a) or (i) commits a Class 4 felony.

24-3.1 Unlawful possession of firearms and firearm ammunition.

(a) A person commits the offense of unlawful possession of firearms or firearm ammunition when:

(1) He is under 18 years of age and has in his possession any firearm of a size which may be concealed upon the person.

(2) He is under 21 years of age, has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent and has any firearms or firearm ammunition in his possession; or

(3) He has been convicted of a felony under the laws of this State or any other jurisdiction, and has any firearm or firearm ammunition in his possession; or

(4) He is a narcotic addict and has any firearms or firearm ammunition in his possession; or

(5) He has been a patient in a mental hospital within the past 5 years and has any firearms or firearm ammunition in his possession; or

(6) He is mentally retarded and has any firearms or firearm ammunition in his possession.

(7) He has in his possession any explosive bullet.

For purposes of this paragraph "explosive bullet" means the projectile portion of an ammunition cartridge which contains or carries an explosive charge which will explode upon contact with the flesh of a human or an animal. "Cartridge" means a tubular metal case having a projectile affixed at the front thereof and a cap or primer at the rear end thereof, with the propellant contained in such tube between the projectile and the cap.

(b) Sentence. Unlawful possession of firearms and firearm ammunition is a Class A misdemeanor.

24-3.2 Unlawful discharge of metal piercing bullets.

(a) A person commits the offense of unlawful discharge of metal piercing bullets when he knowingly or recklessly uses a metal piercing bullet in violation of this Section. For purposes of this Section, "metal piercing bullet" means polytetrafluoroethylene-coated bullets; jacketed bullets with other than lead or lead alloy cores; and ammunition of which the bullet itself is wholly composed of a metal or metal alloy other than lead. The definition contained herein shall not be construed to include shotgun shells.

(b) A person commits a Class X felony when he or she knowing that a firearm as defined in Section [83-1.1] is loaded with a metal piercing bullet, intentionally or recklessly discharges such firearm and such bullets strikes any other person.

(c) Any person who possesses, concealed on or about his person, a metal piercing bullet and a firearm suitable for the discharge thereof is guilty of a Class 2 felony.

(d) This Section does not apply to or affect any of the following:

(1) Peace officers;

(2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense;

(3) Members of the Armed Services or Reserve Forces of the United States or the Illinois National Guard while in the performance of their official duties;

(4) Federal officials required to carry firearms while engaged in the performance of their official duties;

(5) United States Marshals, while engaged in the performance of their official duties.

24-3.3. Unlawful sale or delivery of firearms on the premises of any school. Any person 18 years of age or older who sells, gives or delivers any firearm to any person under 18 years of age in any school or on the real property comprising any school commits a Class 3 felony. School is defined, for the purposes of this Section, as any public or private elementary or secondary school, community college, college or university. This does not apply to peace officers or to students carrying or possessing firearms for use in school training courses, parades, target shooting on school ranges, or otherwise with the consent of school authorities and which firearms are transported unloaded and enclosed in a suitable case, box or transportation package.

24-4. Register of sales by dealer.

(a) Any seller of firearms of a size which may be concealed upon the person, other than a manufacturer selling to a bona fide wholesaler or retailer or a wholesaler selling to a bona fide retailer, shall keep a register of all firearms sold or given away.

(b) Such register shall contain the date of the sale or gift, the name, address, age and occupation of the person to whom the weapon is sold or given, the price of the weapon, the kind, description and number of the weapon, and the purpose for which it is purchased and obtained.

(c) Such seller on demand of a peace officer shall produce for inspection the register and allow such peace officer to inspect such register and all stock on hand.

(d) Sentence.

Violation of this Section is a Class B misdemeanor.

COMPLER'S NOTE

1977 Opinion of the Attorney General: Auctioneer must follow statutory restrictions on sale and delivery of firearms and keep register of firearms sold. (No. 8-1291.)

24-6. Defacing identification marks of firearms.

(a) Any person who shall change, alter, remove or obliterate the name of the maker, model, manufacturer's number or other mark of identification of any firearm commits a misdemeanor.

(b) Possession of any firearm upon which any such mark shall have been changed, altered, removed or obliterated shall be prima facie evidence that the possessor has changed, altered, removed or obliterated the same.

24-6. Confiscation and disposition of weapons

(a) Upon conviction of an offense in which a weapon was used or possessed by the offender, any weapon seized shall be confiscated by the trial court.

(b) Any stolen weapon so confiscated, when no longer needed for evidentiary purposes, shall be returned to the person entitled to possession if known. After the disposition of a criminal case and when a confiscated weapon is no longer needed for evidentiary purposes, and when in due course no legitimate claim has been made for such weapon, the court may transfer such weapon to the sheriff of the county who shall proceed to destroy it, or may in its discretion order such weapon preserved as property of the governmental body whose police agency seized the weapon, or may in its discretion order such weapon to be transferred to the Division of Forensic Services and Identification of the Department of State Police for use by that Division's criminal laboratory system. If, after the disposition of a criminal case, a need still exists for the use of said confiscated weapon for evidentiary purposes, the court may transfer such weapon to the custody of the State Department of Corrections for preservation.

The provision of this section shall not apply to violations of the "Fish Code of 1971" [Chapter 56, §1.1 et seq.] or the "Game Code of 1971" as now or hereafter amended. [Chapter 61, §1.1 et seq.] Confiscation of weapons for Fish and Game Code violations shall be only as provided in such Code.

ARTICLE 83. FIREARMS AND AMMUNITION

83-1. Legislative declaration. It is hereby declared as a matter of legislative determination that in order to promote and protect the health, safety and welfare of the public, it is necessary and in the public interest to provide a system of identifying persons who are not qualified to acquire or possess firearms and firearm ammunition within the State of Illinois by the establishment of a system of Firearm Owner's Identification Cards, thereby establishing a practical and workable system by which law enforcement authorities will be afforded an opportunity to identify those persons who are prohibited by Section 24-3.1 of the "Criminal Code of 1961", as amended, from acquiring or possessing firearms and firearm ammunition.

83-1.1 Definitions. For purposes of this Act: "Firearm" means any device, by whatever name known, which is designed to expel

a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas; excluding, however;

(1) any pneumatic gun, spring gun, or B-B gun which expels a single globular projectile not exceeding .18 inch in diameter.

(2) any device used exclusively for signaling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission; or

(3) any device used exclusively for the firing of stud cartridges, explosive rivets or similar industrial ammunition;

(4) an antique firearm (other than a machine-gun) which, although designed as a weapon, the Department of State Police finds by reason of the date of its manufacture, value, design, and other characteristics is primarily a collector's item and is not likely to be used as a weapon.

"Firearm Ammunition" means any self-contained cartridge or shotgun shell, by whatever name known, which is designed to be used or adaptable to use in a firearm; excluding, however:

(1) any ammunition exclusively designed for use with a device used exclusively for signaling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission; or

(2) any ammunition designed exclusively for use with a stud or rivet driver or other similar industrial ammunition.

83-2. Requisites for acquisition or possession — Exempted persons or entities.

(a) No person may acquire or possess any firearm or any firearm ammunition within this State without having in his possession a Firearm Owner's Identification Card previously issued in his name by the Department of State Police under the provisions of this Act.

(b) The provisions of this Section regarding the possession of firearms and firearm ammunition do not apply to:

(1) United States Marshals, while engaged in the operation of their official duties;

(2) Members of the Armed Forces of the United States or the National Guard, while engaged in the operation of their official duties;

(3) Federal officials required to carry firearms, while engaged in the operation of their official duties;

(4) Members of bona fide veterans organizations which receive firearms directly from the armed force of the United States, while using such firearms for ceremonial purposes with blank ammunition;

(5) Nonresident hunters during hunting season, with valid nonresident hunting licenses and while in an area where hunting is permitted; however, at all other times and in all other places such persons must have their firearms unloaded and enclosed in a case;

(6) Nonresidents while on a firing or shooting range recognized by the Department of State Police however, such persons must at all other times and in all other places have their firearms unloaded and enclosed in a case;

(7) Nonresidents, while at a firearm showing or display recognized by the Department of State Police however, at all other times

and in all other places such persons must have their firearms unloaded and enclosed in a case;

(8) Nonresidents, whose firearms are unloaded and enclosed in a case; and

(9) Nonresidents, who are currently licensed or registered to possess a firearm in their resident state; and

(10) Unemancipated minors while in the custody and immediate control of their parent or legal guardian or other person in loco parentis to such minor if such parent or legal guardian or other person in loco parentis to such minor has a currently valid Firearm Owner's Identification Card.

(11) Color guards of bona fide veterans organizations or members of bona fide American Legion bands while using firearms for ceremonial purposes with blank ammunition.

(c) The provisions of this Section regarding the acquisition and possession of firearms and firearm ammunition do not apply to law enforcement officials of this or any other jurisdiction, while engaged in the operation of their official duties.

83-3. Requisites for transfer.

(a) Except as provided in [83-3a] no person within this State may knowingly transfer, or cause to be transferred, any firearm or any firearm ammunition to any person within this State unless the transferee with whom he deals displays a currently valid Firearm Owner's Identification Card which has previously been issued in his name by the Department of State Police under the provisions of this Act.

(b) Any person within this State who transfers or causes to be transferred any firearm shall keep a record of such transfer for a period of 10 years from the date of transfer. Such record shall contain the date of the transfer, the description, serial number or other information identifying the firearm if no serial number is available; and, if the transfer was completed within this State, the transferee's Firearm Owner's Identification Card number. On demand of a peace officer such transferor shall produce for inspection such record of transfer.

(c) The provisions of this Section regarding the transfer of firearm ammunition shall not apply to those persons specified in [83-2(b)].

83-3a. Reciprocity.

(a) Any resident of Illinois who has obtained a firearm owner's identification card pursuant to this Act and who is not otherwise prohibited from obtaining, possessing or using a firearm may purchase or obtain a rifle or shotgun or ammunition for a rifle or shotgun in Iowa, Missouri, Indiana, Wisconsin or Kentucky.

(b) Any resident of Iowa, Missouri, Indiana, Wisconsin or Kentucky, who is 18 years of age or older and who is not prohibited by the laws of Illinois, the state of his domicile, or the United States from obtaining, possessing or using a firearm, may purchase or obtain a rifle, shotgun or ammunition for a rifle or shotgun in Illinois.

(c) Any transaction under this Section is subject to the provisions of the Gun Control Act of 1968 (18 U.S.C. 922(b)(3)).

83-4. Application for Firearm Owner's Identification Card.

(a) Each applicant for a Firearm Owner's Identification Card shall:

(1) Make application on blank forms prepared and furnished at convenient locations throughout the State by the Department of State Police; and

(2) Submit evidence under penalty of perjury to the Department of State Police that:

(i) He is 21 years of age or over, or if he is under 21 years of age that he has the written consent of his parent or legal guardian to possess and acquire firearms and firearm ammunition and that he has never been convicted of a misdemeanor other than a traffic offense or adjudged delinquent, provided, however, that such parent or legal guardian is not an individual prohibited from having a Firearm Owner's Identification Card and files an affidavit with the Department as prescribed by the Department stating that he is not an individual prohibited from having a Card;

(ii) He has not been convicted of a felony under the laws of this or any other jurisdiction;

(iii) He is not addicted to narcotics;

(iv) He has not been a patient in a mental institution within the past 5 years; and

(v) He is not mentally retarded.

(b) Each application form shall include the following statement printed in bold type: "Warning: False statements of the applicant shall result in prosecution for perjury in accordance with Section 32-2 of the Criminal Code of 1961."

(c) Upon such written consent, pursuant to [83-4(a)(2)(i)], the parent or legal guardian giving the consent shall be liable for any damages resulting from the applicant's use of firearms or firearm ammunition.

83-5. Approval or denial of application. The Department of State Police shall either approve or deny all applications within 30 days from the date they are received, and every applicant found qualified pursuant to [83-8] by the Department shall be entitled to a Firearm Owner's Identification Card upon the payment of a \$5 fee. \$3 of each fee derived from the issuance of Firearm Owner's Identification Cards, or renewals thereof, shall be deposited in the Wildlife and Fish Fund in the State Treasury; \$1 of such fee shall be deposited in the General Revenue Fund in the State Treasury and \$1 of such fee shall be deposited in a special fund outside the State treasury to be designated the Firearm Owner's Notification fund. The State Treasurer shall be ex officio custodian of the Firearm Owner's Notification Fund. Monies in the Firearm Owner's Notification Fund shall be used exclusively to pay for the cost of sending notices of expiration of Firearm Owner's Identification Cards under [83-13.2].

83-6. Contents of identification card. A Firearm Owner's Identification Card, issued by the Department of State Police at such places as the Director of the Department shall specify, shall contain the applicant's name, residence, date of birth, sex, physical description, recent photograph and such other personal identifying information as may be required by the Director. Each Firearm Owner's Identification Card must have printed on it the following: "CAUTION—This card

does not permit bearer to UNLAWFULLY carry or use firearms."

83-7. Duration of identification card. Except as provided in [83-8], a Firearm Owner's Identification Card issued under the provisions of this Act shall be valid for the person to whom it is issued for a period of 5 years from the date of issuance.

83-8. Denial of application or revocation or seizure of card. The Department of State Police has authority to deny an application for or to revoke and seize a Firearm Owner's Identification Card previously issued under this Act only if the Department finds that the applicant or the person to whom such card was issued is or was at the time of issuance:

(a) A person under 21 years of age who has been convicted of a misdemeanor other than a traffic offense or adjudged delinquent;

(b) A person under 21 years of age who does not have the written consent of his parent or guardian to acquire and possess firearms and firearm ammunition, or whose parent or guardian has revoked such written consent, or where such parent or guardian does not qualify to have a Firearm Owner's Identification Card;

(c) A person convicted of a felony under the laws of this or any other jurisdiction;

(d) A person addicted to narcotics;

(e) A person who has been a patient of a mental institution within the past 5 years; or

(f) A person who is mentally retarded; or

(g) A person who intentionally makes a false statement in the Firearm Owner's Identification Card application.

83-8.1. Felony convictions—Notification—Time for notification. The Circuit Clerk shall notify the Department of State Police, Firearms Identification Division, of the names and addresses of all persons convicted of a felony in his county. Such information shall be furnished within 30 days after the judgment of conviction becomes final.

83-8. Denial of application or revocation or seizure of card—Notice. Every person whose application for a Firearm Owner's Identification Card is denied, and every holder of such a Card before his Card is revoked or seized, shall receive a written notice from the Department of State Police stating specifically the grounds upon which his application has been denied or upon which his Identification Card has been revoked.

83-10. Appeal to director—Hearing—Relief from firearm possession prohibition.

(a) Whenever an application for a Firearm Owner's Identification Card is denied, whenever the Department fails to act on an application within 30 days of its receipt, or whenever such a Card is revoked or seized as provided for in [83-8], the aggrieved party may appeal to the Director of the Department of State Police for a hearing upon such denial, revocation or seizure.

(b) Whenever, upon the receipt of such an appeal for a hearing, the Director is satisfied that substantial justice has not been done, he may order a hearing to be held by the Department upon the denial or revocation.

(c) Any person prohibited from possessing a firearm under [Sections 24-1.1 or 24-3.1] or

acquiring a Firearm Owner's Identification Card under [83-8] may apply to the Director of the Department of State Police requesting relief from such prohibition and the Director may grant such relief if it is established by the applicant to the Director's satisfaction that:

(1) the applicant has not been convicted of a forcible felony under the laws of this State or any other jurisdiction;

(2) the circumstances regarding a criminal conviction, where applicable, the applicant's criminal history and his reputation are such that the applicant will not be likely to act in a manner dangerous to public safety; and

(3) granting relief would not be contrary to the public interest.

83-11. Review under Administrative Review Law. All final administrative decisions of the Department under this Act shall be subject to judicial review under the provisions of [Chapter 110, §3-101, et seq.], and the rules adopted pursuant thereto. The term "administrative decision" is defined as in [Chapter 110, §3-101].

83-12. Death of owner—Transfer. The provisions of this Act shall not apply to the passing or transfer of any firearm or firearm ammunition upon the death of the owner thereof to his heir or legatee or to the passing or transfer of any firearm or firearm ammunition incident to any legal proceeding or action until 60 days after such passing or transfer.

83-13. Acquisition or possession prohibited by law. Nothing in this Act shall make lawful the acquisition or possession of firearms or firearm ammunition which is otherwise prohibited by law.

83-13.1. Municipal ordinance imposing greater restrictions or limitations. The provisions of any ordinance enacted by any municipality which requires registration or impose greater restrictions or limitations on the acquisition, possession and transfer of firearms than are imposed by this Act, are not invalidated or affected by this Act.

83-13.2. Firearm owner's identification card—Notice of expiration. The Department of State Police shall, 30 days prior to the expiration of a Firearm Owner's Identification Card, forward each person whose card is to expire a notification of the expiration of the card and an application which may be used to apply for renewal of the card.

83-14. Sentence. Violation of this Act is a Class A misdemeanor.

83-15. Severability clauses. If any provision of this Act or application thereof to any person or circumstance is held invalid, such invalidity does not affect other provisions or applications of this Act which can be given effect without the invalid application or provision, and to this end the provisions of this Act are declared to be severable.

83-15a. Transfer records—Identification cards, validity—Rights, powers and duties of Department. When this amendatory Act enacted by the Seventy-Sixth General Assembly takes effect the records of the Department of Public Safety relating to the administration of the Act amended shall be transferred to the Department of State Police. All Firearm Owner's Identification Cards issued by the Department of Public Safety shall

(B) Before any such permit is granted, an application in writing shall be made therefor setting forth in such application the name, address, age, height, weight, complexion, nationality and other elements of identification of the person desiring such permit.

(C) Before issuing the permit, the Village Clerk shall refer the same to the Chief of Police who shall take and record the fingerprints of such applicant. In addition, the Chief of Police shall make such inquiry or investigation as shall be necessary to ascertain whether or not the applicant is entitled to receive such a permit under the provisions of this Section and other applicable laws and ordinances; and if said Chief of Police finds that the applicant is entitled to such permit he shall endorse his approval of the issuance of such permit upon the application and return same to the Village Clerk. If the Chief of Police finds that the applicant is not entitled to a permit, he shall make a statement to that effect upon said application and return the same to the Village Clerk with a statement of his reasons for denying such application.

3-7-10-4: Refusing permit: The Chief of Police shall refuse his approval of permits, as above provided for, to the following:

(A) All persons having been convicted of any crime;

(B) All minors.

Otherwise, he shall approve a permit upon payment of a fee of twenty five dollars (\$25.00), which fee shall be payable to the Village Collector.

Cicero

38-7. Minors using firearms. No person shall sell, loan or furnish to any minor any gun, pistol or other firearms, or any toy gun, toy pistol or other toy firearms, in which any explosive substance can be used, within the town, under a penalty of not more than one hundred dollars for each offense; provided, that minors may be permitted, with the consent of their parents or guardians, to use firearms on the premises of a duly licensed shooting gallery, gun club or rifle club.

38-8. Sale or gift of deadly weapons concealable on person — License — Required. It shall be unlawful for any person to engage in the business of selling, or to sell or give away, any pistol, revolver, * * * derringer, * * * or other deadly weapon which can be concealed on the person, without securing a license so to do.

38-12. Same — Application to, permission from, superintendent of police required. No pistol, revolver, * * * derringer, * * * or other deadly weapon can be sold unless application is made to the superintendent of police of the town stating that a request has been made for the purchase of a pistol, revolver, * * * derringer, * * * or other deadly weapon * * *

38-14. Same — Prohibited to other than license dealers, or persons granted permits. It shall be unlawful for any person to sell, barter, or give away to any person within the town, any deadly weapon mentioned in section 38-8, except to licensed dealers and to persons who have secured a permit for the purchase of such articles from the superin-

tendent of police of the town as hereinafter required. This section shall not apply to sales made of such articles which are to be delivered or furnished outside the town.

38-15. Same — Purchasers required to obtain permit; permits prohibited to minors and persons convicted of crime. It shall be unlawful for any person to purchase any deadly weapon mentioned in section 38-9 which can be concealed on the person without first securing from the superintendent of police of the town a permit so to do. * * *

East St. Louis

ORDINANCE NO. 81-10043

An Ordinance Regulating the Possession or Sale of Firearms, Handguns and Other Dangerous Weapons and Repealing Ordinance Nos. 3548, 3509, 3438 and 4431

Whereas, it has been determined that in order to promote the health, safety and welfare of the citizens of the City of East St. Louis (hereinafter "City"), it is necessary to regulate the possession, use and sale of firearms, handguns and other dangerous weapons; and

Whereas, the corporate authorities of the City have found and determined that the easy and convenient availability of certain types of firearms, handguns and other dangerous weapons and the sale of same have increased the potentiality of death or injury to citizens of the City which are caused or due to firearms, handguns or other dangerous weapons; and

Whereas, handguns specifically play a major role in the commission of homicide, aggravated assault, and armed robbery, and accidental injury and death.

NOW, THEREFORE, be it Ordained by the Mayor and the Aldermanic Council of the City of East St. Louis, Illinois, that:

Ordinance Nos. 3548, 3509, 3438 and 4431 be and are hereby repealed and in their stead a new Ordinance known as Ordinance [No. 81-10043] is hereby enacted, as follows:

ARTICLE I. PURPOSES

Section 1. Incorporation of findings: The corporate authorities do hereby incorporate the foregoing Whereas clauses into this Ordinance, thereby making the findings as hereinabove set forth.

ARTICLE II. DEFINITIONS

Section 1. Definitions: The following definitions shall apply and, unless otherwise noted, all other words are given their usual and customary meaning and usage.

(A) City: Means City of East St. Louis, Illinois.

(B) Dealer: Means any person engaged in the business of (a) selling or renting firearms, handguns or other dangerous weapons at wholesale or retail, (b) manufacturing firearms, handguns or other dangerous weapons, (c) repairing firearms, handguns or other dangerous weapons or making or fitting special barrels or trigger mechanisms to firearms, handguns or other dangerous weapons as herein defined.

(C) Dangerous weapons: Means * * * Any weapon from which eight (8) or more

shots or bullets may be discharged by a single function of the firing device, any shotgun having one or more barrels less than 18 inches in length, sometimes called a sawed-off shotgun or any weapon made from a shotgun, whether by alteration, modification or otherwise, if such weapon, as modified or altered has an overall length of less than 26 inches, or a barrel length of less than 18 inches or any bomb, bomb shell, grenade, bottle or other container containing an explosive substance of over one-quarter ounce for like purposes, such as, but not limited to, black powder bombs and molotov cocktails or artillery projectiles.

(D) Firearm: Means any device by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas; excluding however:

(1) Any pneumatic gun, spring gun or BB gun, which expels a single globular projectile not exceeding .18 inches in diameter.

(2) Any device used exclusively for signaling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission.

(3) Any device used exclusively for the firing of stud cartridges, explosive rivets or similar industrial ammunition.

(4) Any antique firearm (other than a machine gun) which, although designed as a weapon, the Department of Law Enforcement of the State of Illinois finds that by reason of the date of its manufacture, value, design and other characteristics is primarily a collector's item and is not likely to be used as a weapon.

(5) Model rockets designed to propel a model vehicle in a vertical direction.

(E) Gun club: Means a club or organization organized for the purpose of practicing shooting targets upon established target ranges, whether public or private.

(F) Handgun: Any firearm which (a) is designed or redesigned or made or remade, and intended to be fired while in one hand or, (b) having a barrel of less than ten (1) inches in length or, (c) a firearm of a size which may be concealed upon the person.

(G) Licensed firearm collector: Means any person licensed as a collector by the Secretary of the Treasury of the United States under and by virtue of Title 18, United States Code, Section 923.

(H) Person: Means any individual, corporation, company, association, firm partnership, club, society or joint stock company.

ARTICLE III. POSSESSION OR SALE OF FIREARMS, HANDGUNS OR OTHER DANGEROUS WEAPONS OR SUBSTANCES

Section 1. Possession or use of firearms, handguns or other dangerous weapons: It shall be unlawful for any person to possess or carry in any vehicle, or about his person except when on his land, or in his own abode or fixed place of business, any firearm, handgun or other dangerous weapon as herein defined while said person is within the corporate limits of the City of East St. Louis (hereinafter "City").

Section 2. Possession of tear gas gun projector or dangerous substances: It shall be unlawful for any person to possess or

carry on or about his person or in any vehicle, a tear gas gun projector or bomb or any object containing noxious liquid gas or substance.

Section 3. Use of spring gun or possession of silencer: It shall be unlawful to set a spring gun, or to possess any device or attachment of any kind designed, used or intended for use in silencing the report of any firearm.

ARTICLE IV. EXEMPTIONS

Section 1. Exemption for law enforcement officials, etc.: Article 3, Sections 1 & 2 shall not apply to the following:

(A) Sworn police officers of the City Police Department (hereinafter "police officer"), or any person summoned by any such police officer to assist in making arrests or preserving the peace while he is actually engaged in assisting such officer.

(B) Warden, superintendents and keepers of prisons, penitentiaries, jails, and other institutions for the detention of persons accused or convicted of an offense, while in the performance of their official duties, or while commuting between their homes and place of employment.

(C) Members of the Armed Services or Reserved Forces of the United States or the Illinois National Guard or the Reserved Officers Training Corps while in the performance of their official duties.

(D) Special agents employed by the railroad to perform police functions and security guards and watchmen while actually engaged in the performance of their duties or commuting between their homes and places of employment.

Section 2. Miscellaneous exemptions: Article 3, Section 1 relating only to firearms or handguns shall not apply to any of the following, and the following shall be exempt from the provisions of said Article and Section under the terms and provisions of this Section:

(A) Members of any gun club as herein defined provided the gun club has premises from which it operates and maintains possession and control of firearms or handguns used by its members, and has procedures and facilities for keeping such handguns in a safe place, under the control of the club's chief officer, at all times when they are not being used for target shooting or other sporting or recreational purposes at the premises of the gun club, and the gun club members while such members are using their firearms or handguns at the gun club premises.

(B) Any person transporting handguns from a gun club as herein defined to another gun club or transportation from a gun club within the corporate limits of the City to a gun club outside the corporate limits of the City; provided, however, that the transportation is for the purpose of engaging in competitive target shooting or for the purpose of permanently keeping said firearms or handguns at such new gun clubs; and, provided further, that at all times during such transportation said firearms or handguns shall have trigger locks securely fasten to each of them.

(C) Licensed Hunters or Fishermen while engaged in hunting or fishing. (Ord. No. 82-10008)

(D) Transportation of weapons broken down in a non-functioning state or not immediately accessible. (Ord. No. 82-10008)

ARTICLE V. VOLUNTARY DELIVERY TO POLICE DEPARTMENT

Section 1. Voluntary delivery to police department: If a person voluntarily and peaceably delivers and abandons to the Police Department of the City any firearm, handgun or other dangerous weapon mentioned in Article 3, Sections 1, 2 or 3, such delivery shall preclude the arrest and prosecution of such person on a charge of violating any provision of this Ordinance with respect to the weapon or weapons voluntarily delivered.

Section 2. Place of delivery: Delivery under this Article may be made at the headquarters of the Police Department or by summoning a police officer to the residence or place of business of the person so summoning.

Section 3. Requirements of delivery: Every firearm or handgun to be delivered and abandoned to the Police Department under this Article shall be unloaded and securely wrapped in a package and in the case of the delivery to the Police headquarters, the package shall be carried in open view.

Section 4. No requirement to furnish information: No person who delivers and abandons a firearm, handgun or other dangerous weapon under this Section shall be required to furnish identification, photographs, fingerprints, or any other information to the Police Department at the time of said delivery.

Section 5. Compensation for delivery: No amount of money or other compensation shall be paid for any firearm, handgun or other dangerous weapon delivered or abandoned under this Article.

Section 6. Duty of police department to conduct weapon investigation destruction: Whenever any firearm, handgun or other dangerous weapon is delivered or abandoned under this Article, the Police Department shall require of all law enforcement agencies whether such firearm, handgun or other dangerous weapon is needed as evidence and if the same is not needed as evidence, it shall be destroyed.

(THERE ARE TWO ARTICLES V)

ARTICLE V. PENALTY

Section 1. Penalty: Any person violating a provision of this Ordinance shall be guilty of a misdemeanor and shall be fined \$500.00 or incarcerated for a period of not more than six (6) months for each offense, or both fined and incarcerated.

Section 2. Continuing offense: Each day that any person violates any term or provision of this Ordinance shall constitute a separate offense for which the penalties as herein stated shall be imposed.

Section 3. Confiscation of weapons upon conviction: Upon conviction of a violation of the terms and provisions of this Ordinance, any firearm, handgun or other dangerous weapon shall be confiscated by the trial Court and when no longer needed for

evidentiary purposes, the Court shall transfer such firearm, handgun or other dangerous weapon to the Police Department who shall destroy them.

Section 4: Payment of bond upon arrest; minimum bond amount: Any person arrested and charged with violating any term or provision of this Ordinance shall post a bond, in order to obtain release from confinement, pending final disposition of the charges, in an amount not less than Five Hundred Dollars (\$500.00) cash. (Ord. No. 82-10008)

ARTICLE VI. MISCELLANEOUS PROVISIONS

Section 1. Construction: Nothing in this Article shall be construed or applied to necessarily acquire or excuse non-compliance with any provisions of the laws of the State of Illinois or to the laws of the United States. This Ordinance and the penalties prescribed for the violation hereof, shall not supersede, but shall supplement all statutes of the State of Illinois or the United States in which similar conduct may be prohibited or regulated.

Evanston

9-3-4: Dealers Prohibited: No person, firm or corporation shall engage in the business of a dealer in weapons, firearms or handguns or ammunition in the City, including exchange, loan, rental or other transfer for consideration.

Franklin Park

17-202. Affidavit required for sales. (a) No person licensed under the provisions of this article having secured such a license, shall sell or give away any deadly weapons as defined in this division to any person within this village who has not filed out, signed and had witnessed by a notary public a federal firearms affidavit.

(b) It shall be unlawful, for any person to purchase any deadly weapon as defined in this article without filing out a federal firearms affidavit in writing . . . Upon witnessing the identification of the applicant, the officer of the company, clerk or secretary, holding a notary public seal from the state shall notarize the affidavit. It shall be the duty of the notary, upon witnessing the identification of the applicant to affix his notary seal and sign the affidavit, refusing any applicant whom he concludes is a minor, lacks proper identification, shows physical signs of being a narcotic, or is unemployed.

17-211. Required. It shall be unlawful for any person to engage in the business of selling, or to sell or give away to any person within the village, any deadly weapon as defined in this article, without securing a license so to do as provided in this division and the general licensing provisions of this chapter.

Freeport

27-108 adopts 24-3 and 24-4

27-107. Intoxication or agitation. No person shall sell or give any weapon to any person under the influence of alcohol or to any person in a visibly agitated or excited condition.

Glen Ellyn

6-2-3.13: Weapons: (G) Sales to intoxicated Persons and Minors: No person shall purchase from or sell, loan or furnish any weapon in which any explosive substance can be used to any person under the influence of alcohol or any narcotic drug, or to any person in a condition of agitation or excitability, or to a minor under the age of eighteen (18) years.

Highland Park

134.001. Definitions: For the purposes of this chapter. (A) The term "person" includes any individual, corporation, company, association, partnership, society or joint stock company.

(B) The term "hand gun" means any device, or part of a device, by whatever name known, which is designed or may be readily converted to expel a projectile or projectiles by the action of any explosive, expansion of gas or air, or escape of gas or air, having an over-all length of 18 inches or less and designed to be held and operated with and by one hand.

(C) The term "Chief of Police" means the head law enforcement officer of the City of Highland Park or his duly authorized agent.

134.002. Manufacture, assembly, sale prohibited—special permit. No person shall engage in the business of manufacturing, assembling or selling, within the corporate limits of the City of Highland Park, any hand gun as defined in Section 134.001 of this Code, except in compliance with the provisions of this Chapter. No person shall engage in the business of manufacturing, assembling or selling such hand guns without first having been granted a special permit therefor by the City Council. No such permit shall be granted to any person incapable to register a hand gun in accordance with the requirements of Sections 134.007 and 134.010, nor to any person who fails to meet the standards for federal and Illinois dealer's licenses.

Joliet

32-19 Licensed required. It shall be unlawful for any person to engage in the business of selling or to sell or offer to sell or give away to any person within the city any pistol, rifle, shotgun, revolver, * * * or other weapons of like character without first securing a license to do so. * * *

32-21 Sales to minors. None of the articles governed by this article or of like character, shall be sold to any minor.

32-22 Permit required for concealable weapons; application; contents; ineligible applicants. (a) No sale of any revolver, pistol, * * * or other deadly weapon which can be concealed on the person shall be made by any licensee under this article to any purchaser unless the purchaser shall first exhibit to the licensee a permit for the purchase thereof, issued by the chief of police of the city.

(b) Before any permit required by this section is granted, an application in writing

shall be made to the chief of police [contact local authorities for required contents]. * * *

Lombard

9.16.040 Selling firearms to minors unlawful. No person shall sell, loan or furnish to any minor any gun, pistol or other firearm, in which any explosive substance can be used, within the limits of the village.

Morton Grove

ORDINANCE 81-10

An Ordinance Regulating the Sale of Firearms

Whereas, the annual sales of hand guns in the United States is ever increasing, and

Whereas, hand guns play a major role in the commission of homicide, aggravated assault, and armed robbery, and accidental injury and death, and

Whereas, the Corporate Authorities of the Village of Morton Grove have found and determined that the easy and convenient availability of certain types of firearms have increased the potentiality of firearm related deaths and injuries, and

Whereas, the President and Board of Trustees of the Village of Morton Grove have found and determined that it is necessary and desirable to protect the residents of the Village of Morton Grove from loss of property, death and injury by controlling the availability of firearms in the community.

NOW, THEREFORE, be it Ordained by the President and Board of Trustees of the Village of Morton Grove, Cook County, Illinois, as follows:

Section 1: The Corporate Authorities do hereby incorporate the foregoing Whereas clauses into this ordinance, thereby making the findings as hereinabove set forth.

Section 2: That Chapter 132 of the Code of Ordinances of the Village of Morton Grove be and is hereby amended by the addition of the following section:

Section 132.101. Firearm dealers. (A) Definitions: Firearm: "Firearm" means any device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas or escape of gas; excluding however:

(1) Any pneumatic gun, spring gun or B-B gun which expels a single globular projectile not exceeding .18 inches in diameter.

(2) Any device used exclusively for signaling or safety and required or recommended by the United States Coast Guard or the Interstate Commerce Commission.

(3) Any device used exclusively for the firing of stud cartridges, explosive rivets or similar industrial ammunition.

(4) An antique firearm (other than a machine gun) which, although designed as a weapon, the Department of Law Enforcement of the State of Illinois finds by reason of the date of its manufacture, value, design and other characteristics is primarily a collector's item and is not likely to be used as a weapon.

(5) Model rockets designed to propel a model vehicle in a vertical direction.

Handgun: A firearm which (a) is designed or redesigned or made or remade, and in-

tended to be fired while held in one hand or (b) having a barrel of less than 10 inches in length or (c) a firearm of a size which may be concealed upon the person.

Person: Any individual, corporation, company, association, firm, partnership, club, society or joint stock company.

Handgun Dealer: Any person engaged in the business of (a) selling or renting handguns at wholesale or retail (b) manufacture of handguns (c) repairing handguns or making or fitting special barrels or trigger mechanisms to handguns.

(B) Handgun Dealer Prohibited. No person shall engage in the business of handgun dealer in the Village of Morton Grove and no business license shall be granted by the Village of Morton Grove to any handgun dealer.

(C) Current Handgun Dealers. Any person currently engaged in the business of handgun dealer may continue to be so engaged for a period of ninety (90) days after the effective date of this Ordinance.

(D) Penalties. Any person violating any provision of this Ordinance shall be guilty of a misdemeanor and shall be fined not less than \$100.00 nor more than \$500.00 for each such offense. A conviction of a violation of this Ordinance by a holder of a business license issued by the Village of Morton Grove shall constitute grounds for revocation of such business license by the President and Board of Trustees of the Village of Morton Grove.

(E) Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of this Ordinance and the applicability of such provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

Section 3: That this Ordinance shall be published in a pamphlet form. Said pamphlet shall be received as evidence of the passage and legal publication of this Ordinance.

Section 4: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form according to law. [June 8, 1981].

ORDINANCE 81-11

An Ordinance Regulating the Possession of Firearms and Other Dangerous Weapons

Whereas, it has been determined that in order to promote and protect the health and safety and welfare of the public it is necessary to regulate the possession of firearms and other dangerous weapons, and

Whereas, the Corporate Authorities of the Village of Morton Grove have found and determined that the easy and convenient availability of certain types of firearms and weapons have increased the potentiality of firearm related deaths and injuries, and

Whereas, handguns play a major role in the commission of homicide, aggravated assault, and armed robbery, and accidental injury and death.

NOW, THEREFORE, be it Ordained by the President and Board of Trustees of the Village of Morton Grove, Cook County, Illinois, as follows:

Section 1. The Corporate Authorities do hereby incorporate the foregoing Whereas clauses into this Ordinance, thereby making the findings as hereinabove set forth.

Section 2. That Chapter 132 of the Code of Ordinances of the Village of Morton Grove be and is hereby amended by the addition of the following section:

Section 132.102. Weapons control

(A) Definitions: (For definitions of "Fire-arms," and exclusions therefrom; "Handgun," "Person," and "Handgun Dealer," see Ord. 81-10, Sec. 2, Sec. 132.101, as amended).

Licensed Firearm Collector: Any person licensed as a collector by the Secretary of the Treasury of the United States under and by virtue of Title 18; United States Code, Section 923.

Licensed Gun Club: A club or organization, organized for the purpose of practicing shooting at targets, licensed by the Village of Morton Grove under Section 90.20 of the Code of Ordinances of the Village of Morton Grove.

(B) Possession: No person shall possess, in the Village of Morton Grove the following:

• • • • • (2) Any weapon from which 8 or more shots or bullets may be discharged by a single function of the firing device, any shotgun having one or more barrels less than 18 inches in length, sometimes called a sawed off shotgun or any weapon made from a shotgun, whether by alteration, modification or otherwise, if such weapon, as modified or altered has an overall length of less than 26 inches, or a barrel length of less than 18 inches or any bomb, bomb-shell, grenade, bottle or other container containing an explosive substance of over one-quarter ounce for like purposes, such as, but not limited to black powder bombs and Molotov cocktails or artillery projectiles; or (3) Any handgun, unless the same has been rendered permanently inoperative.

(C) Subsection B(1) shall not apply to or affect any peace officer.

(D) Subsection B(2) shall not apply to or affect the following: (1) Peace officers, (2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense; (3) Member of the Armed Services or Reserve Forces of the United States or the Illinois National Guard, while in the performance of their official duties; and (4) Transportation of machine guns to those persons authorized under subparagraphs (1) and (2) of this subsection to possess machine guns, if the machine guns are broken down in a non-functioning state or not immediately accessible.

(E) Subsection B(3) does not apply to or affect the following: (1) Peace officers or any person summoned by any peace officer to assist in making arrests or preserving the peace while he is actually engaged in assisting such officer and if such handgun was provided by the peace officer; (2) Wardens, superintendents and keeper of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of an offense; (3) Members of the Armed Ser-

vice or Reserve Forces of the United States or the Illinois National Guard or the Reserve Officers Training Corps, while in the performance of their official duties; (4) Special Agents employed by a railroad or a public utility to perform police functions; guards of armored car companies; watchmen and security guards actually and regularly employed in the commercial or industrial operation for the protection of persons employed and private property related to such commercial or industrial operations; (5) Agents and investigators of the Illinois Legislative Investigating Commission authorized by the commission to carry such weapons; (6) Licensed gun collectors; (7) Licensed gun clubs provided the gun club has premises from which it operates and maintains possession and control of handguns used by its members, and has procedures and facilities for keeping such handguns in a safe place, under the control of the club's chief officer, at all times when they are not being used for target shooting or other sporting or recreational purposes at the premises of the gun club; and gun club members while such members are using their handguns at the gun club premises; (8) A possession of an antique firearm; (9) Transportation of handguns to those persons authorized under Subparagraph 1 through 8 of this subsection to possess handguns, if the handguns are broken down in a non-functioning state or not immediately accessible. (10) Transportation of handguns by persons from a licensed gun club to another licensed gun club or transportation from a licensed gun club to a gun club outside the limits of Morton Grove; provided however that the transportation is for the purpose of engaging in competitive target shooting or for the purpose of permanently keeping said handgun at such new gun club; and provided further that at all times during such transportation said handgun shall have trigger locks securely fastened to the handgun.

(F) Penalty: (1) Any person violating Section B(1) or B(2) of this Ordinance shall be guilty of a misdemeanor and shall be fined not less than \$100.00 nor more than \$500.00 or incarcerated for up to six months for each such offense.

(2) Any person violating Section B(3) of this Ordinance shall be guilty of petty offense and shall be fined no less than \$50.00 nor more than \$500.00 for such offense. Any person violating Section B(3) of this Ordinance more than one time shall be guilty of a misdemeanor and shall be fined no less than \$100.00 nor more than \$500.00 or incarcerated for up to six months for each such offense.

(3) Upon conviction of a violation of Section B(1) through B(3) of this Ordinance, any weapon seized shall be confiscated by the trial court and when no longer needed for evidentiary purposes, the court may transfer such weapon to the Morton Grove Police Dept. who shall destroy them.

(G) Voluntary Delivery to Police Department. (1) If a person voluntarily and peaceably delivers and abandons to the Morton Grove Police Dept. any weapon mentioned in Section B(1) through B(3), such delivery shall preclude the arrest and prosecution of such

person on a charge of violating any provision of this Ordinance with respect to the weapon voluntarily delivered. Delivery under this section may be made at the headquarters of the police department or by summoning a police officer to the person's residence or place of business. Every weapon to be delivered and abandoned to the police department under this paragraph shall be unloaded and securely wrapped in a package and in the case of delivery to the police headquarters, the package shall be carried in open view. No person who delivers and abandons a weapon under this section shall be required to furnish identification, photographs or fingerprints. No amount of money shall be paid for any weapon delivered or abandoned under this paragraph.

(2) Whenever any weapon is surrendered under this section, the police department shall inquire of all law enforcement agencies whether such weapon is needed as evidence and if the same is not needed as evidence, it shall be destroyed.

(H) All weapons ordered confiscated by the court under the provisions of Section F(3) and all weapons received by the Morton Grove Police Department under and by virtue of Section G shall be held and identified as to owner, where possible, by the Morton Grove Police Department for a period of five years prior to their being destroyed.

(I) Construction: Nothing in this Ordinance shall be construed or applied to necessarily require or excuse noncompliance with any provision of the laws of the State of Illinois or to the laws of the United States. This Ordinance and the penalties prescribed for violation hereof, shall not supersede, but shall supplement all statutes of the State of Illinois or of the United States in which similar conduct may be prohibited or regulated.

(J) Severability: If any provisions of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of this Ordinance and the applicability of such provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

(K) The provision of this Ordinance shall take effect ninety (90) days from and after its passage, approval and publication in pamphlet form according to law.

Section 3: That this Ordinance shall be published in pamphlet form. Said pamphlet shall be received as evidence of the passage and legal publication of this Ordinance. [June 8, 1981].

Titles

22-44. Affidavit to purchase firearms.

(a) It shall be unlawful for any person dealing in firearms to sell, barter, loan, or give away to any person within the village any pistol, revolver, or other firearm of like character which can be concealed upon the person, unless such person so purchasing or receiving such firearm shall have filed with the dealer an affidavit. . . .

(b) The following persons are covered by the section and not eligible to purchase a firearm:

(1) Any person convicted of a felony;

(2) Any minor under the age of eighteen (18) years;

(3) A narcotic addict.

22-45. **Selling, furnishing firearms to minors.** It shall be unlawful for any person to sell, give, loan or furnish to any minor under the age of eighteen (18) years any gun, pistol, rifle, revolver or other firearm within the corporate limits of the village.

22-48. **Machine guns prohibited.** It shall be unlawful for any person to sell, offer to sell, give, loan, furnish or possess a machine gun within the corporate boundaries of the village. The term "machine gun" means any weapon which shoots, is designed to shoot, or can be readily restored to shoot, automatically more than one shot, without manual reloading, by a single function of the trigger. The term shall also include the frame or receiver of any such weapon, any combination of parts designed and intended for use in converting a weapon into a machine gun, and any combination of parts from which a machine gun can be assembled if such parts are in the possession or under the control of a person.

Peoria

41-4. **License to sell, etc. — Required.** It shall be unlawful for any person to engage in the business of selling, or to sell or give away, any pistol, revolver, . . . derringier, . . . or other deadly weapon, which can be concealed on the person, without securing a license so to do.

41-8. **Required certificate and thumb print.** It shall be unlawful for any person to sell, barter, or give away to any person with the City, any deadly weapon mentioned in Section 41-4 of this Code, except to licensed dealers, without first obtaining from the person receiving such deadly weapon a signed statement [contact local authorities for required contents] . . . and which shall contain a thumb print from the person receiving such a weapon. Such thumb print shall be the right-hand thumb print unless circumstances prevent, in which case it shall be the left-hand thumb print. All such information required by this section shall be entered upon forms provided by the Superintendent of Police for that purpose.

41-11. **Restriction on sale.** It shall be unlawful for any person to sell, barter or give away, to any person within the city, any deadly weapon mentioned in section 41-4 of this Code, to any person known to him to be under twenty-one (21) years of age or of unsound mind or under indictment or a drug

addict or a fugitive from justice or who has been convicted of a crime of violence.

41-13. **Registration.** All permanent residents of the city and those persons who reside in the city continuously for more than ten (10) days who have in their possession any pistol, revolver or gun which may be concealed on the person, shall register such gun or pistol with the superintendent of police, setting forth the caliber, make, model and manufacturer's number of the weapon. No fee shall be required for such registration.

Rockford

7-260. **License required.** It shall be unlawful for any person to engage in the business of repairing or selling, or to repair, sell or give away to any person within the city, a new or used pistol, revolver, derringier or other weapons of similar character which can be concealed upon the person, without first having secured a license.

7-264. **Record required; inspection.** It shall be the duty of every licensee hereunder to keep a register of all weapons sold, repaired or given away by such licensee, the register to be in substantially the following form:

- (a) Date of transaction;
- (b) Number of weapon;
- (c) To whom sold or given;
- (d) Age and residence of purchaser;
- (e) Kind and description of weapon;
- (f) Purpose for which purchased;
- (g) Price of weapon;
- (h) The number of purchaser's permit.

Entries in this register shall be made at the time of the sale, repair or gift, and the register shall be kept open for inspection by any member of the police department at all reasonable times.

7-265. **Report required.** Any person making any sale, repair or gift of any weapon referred to in section 7-260 shall report such sale or gift to the chief of police within twenty-four (24) hours thereafter, upon a form to be furnished by the city, the report to contain the following information:

- (a) The date of transaction;
- (b) Number of weapon;
- (c) To whom sold or given;
- (d) Form whom repaired;
- (e) Age and residence of purchaser;
- (f) Residence of person requesting weapon to be repaired;
- (g) Kind and description of weapon;
- (h) Purpose for which purchased;
- (i) Price of weapon and description of the purchaser or person for whom the weapon is to be repaired.

55-025. **Permit.** It shall be unlawful for any person dealing in firearms to sell, barter, loan or give away to any person within the Village of Skokie, any pistol, revolver, or other firearm of like character which can be concealed upon the person, unless such person so purchasing or receiving such firearm shall have secured a written permit for the purchase of such firearm, from the Chief of Police. . . .

55-028. **Minors.** It shall be unlawful for any person to sell, loan or furnish to any minor any gun, pistol, rifle, revolver or other firearm within the Village.

Streamwood

3-7.3-1: **License and permit required:** It shall be unlawful for any person to engage in the business of selling or to sell or give away to any person within the Village, any firearms which are of such size or nature as may be concealed upon the person without securing a license therefor. No person, having secured such license, shall sell, loan, or give away any such weapon to any person who has not secured a permit from the Chief of Police to purchase such weapon.

4-4-1: **Definition: firearm:** A pistol, revolver, gun and small arms of a size and character that may be concealed upon or about the person.

4-4-2: **Permit to purchase firearms:** No person shall be permitted to purchase a firearm without having secured a permit from the Chief of Police. Such permit shall not be issued to a criminal, vagabond, minor under eighteen (18) years of age or an alien. Application for a permit shall state the type of firearm desired, the name, age, sex, residence, nationality, height, weight and complexion of the applicant. Recommendation by two (2) or more citizens of good moral character of the applicant shall accompany the application. . . .

Worth

3-11-1: **License required, Sale restricted:** It shall be unlawful for any person to engage in the business of selling or to sell, or give away, to any person within the Village, any firearms which are of such size or nature as may be concealed upon the person, without securing a license therefor. No person, having secured such license, shall sell, loan or give away, any such weapon to any person who has not secured a permit from the Chief of Police to purchase such weapon.

APPENDIX 4

The following is a list of those persons who can register handguns in the City of Chicago;

(1) Firearms owned or under the direct control or custody of any federal, state or local governmental authority maintained in the course of its official duties.

(2) Duty related firearms owned and possessed by Peace Officers who are not residents of the City of Chicago.

(3) Duty related firearms owned or possessed by Corrections Officers provided that such Corrections Officers are residents of the City of Chicago.

(4) Firearms owned, manufactured or possessed by licensed manufacturers of firearms, bulk transporters or licensed sellers of firearms at wholesale or retail.

(5) Any nonresident of the City of Chicago participating in any lawful recreational firearm-related activity in the City, or on his way to or from such activity in another jurisdiction. Provided that such weapon shall be unloaded and securely wrapped and that his possession or control of such firearm is lawful in the jurisdiction in which he resides.

(6) Peace Officers, while in the course of their duty, who possess and control any firearm or ammunition issued by their department, bureau, or agency in the normal course of business.

(7) Private security personnel who possess or controls any firearm or ammunition within the City of Chicago: provided that such firearms shall be owned and maintained by the security firm employing such personnel and shall be registered by the security firm in accordance with this Chapter.

(8) Those persons summoned by a Peace Officer to assist in making an arrest or preserving the peace while actually engaged in assisting the Peace Officer.

¹Chapter 11.1 of Municipal Code of Chicago Amended Concerning the Registration and Possession of Firearms in the City of Chicago, City Council, City of Chicago, Illinois.

APPENDIX 5

Example of Analysis of Illinois/NCVS Data

Robbery

The effects of a low sample size in the survey can be seen in Table 28, which examines robbery in the Illinois-NCVS data. The 1985 and 1986 estimates of victimization incidents are quite different, with the total number of estimated robbery victimizations in 1985 more than 45 percent higher than the estimate in 1986. However, the confidence limits of these two estimates are very wide (Table 29). There is a 68 percent chance that the actual number of robbery incidents was between 41,625 and 71,755 in 1985 (+/- 15,065) and between 26,078 and 51,362 in 1986 (+/- 12,642). This indicates that the real numbers in each year are probably somewhere between the two estimates (38,700 and 56,700), or perhaps the real numbers occur in the region where the estimates overlap (41,600 to 51,400).⁴²

When categorized by injury and weapon estimates of the percentage of completed robberies have even wider confidence limits (Table 29). For example, the standard error for the 1985 estimate of completed firearm robberies is 4,570, so that the 68 percent confidence limits are 197 to 8,943. Another problem of low sample size is that some estimates of detailed (and therefore rare) categories are so low that they do not provide useful information. This is evident, for example, in the number of completed robberies with a weapon other than a firearm in 1986 (Table 28). In all completed robberies in which a weapon was used in the 1986 Illinois sampled cases, the weapon was a firearm.

Thus, the wide confidence limits must be taken into account in the interpretation of estimates from Illinois-NCVS data. However, some *relationships* may be inferred from the data, if great caution is used to analyze only relatively large estimates. For example, the percentage of Illinois-NCVS robbery victimization incidents that were completed was probably about 60 percent (34,290/56,690) in 1985 and 64 percent (25,020/38,720) in 1986 (see Table 28).

Aggravated Assault

Victimization incidents may include more than one victim per offense. For example, in the estimated 52,920 aggravated assaults reported in the NCVS survey in 1985, there were

⁴²These calculations use the formula and the parameters presented earlier, with the data presented for robbery incidents from the NCVS.

71,830 victims, or an average of 1.36 victims per incident. In 1986, there were 41,200

Table 28
1985 Through 1987 Illinois-NCVS Robbery Victimization Incidents
by Weapon

<u>1985</u>	<u>Firearm*</u>	<u>Other Weapon</u>	<u>No Weapon</u>	<u>Don't Know if Weapon</u>	<u>Total</u>
Robbery	6,700	21,560	20,840	7,590	56,690
Completed Robbery	4,750	16,590	11,350	1,600	34,290
With Injury	820	4,140	1,710	0	6,670
Without Injury	3,930	12,450	9,630	1,600	27,610
Attempted Robbery	1,950	4,970	9,490	5,980	22,390
 <u>1986</u>					
Robbery	8,890	3,910	15,110	10,810	38,720
Completed Robbery	8,890	0	9,470	6,660	25,020
With Injury	2,120	0	2,910	1,790	6,820
Without Injury	6,770	0	6,560	4,860	18,190
Attempted Robbery	0	3,910	5,640	4,160	13,710
 <u>1987</u>					
Robbery	16,260	18,350	22,770	4,060	61,440
Completed Robbery	13,890	12,890	14,470	1,820	43,070
With Injury	4,660	5,560	8,780	1,820	20,820
Without Injury	9,230	7,330	5,690	0	22,250
Attempted Robbery	2,370	5,460	8,300	2,240	18,370

* In the 1985, 1986 and 1987 sample, all firearm robberies, completed or attempted, were done with a handgun.

Source: National Crime Victimization Survey--Illinois Data 1985, 1986 and 1987, U.S. Department of Justice, Bureau of Justice Statistics, page 1,390.

estimated victims of aggravated assault in Illinois and 34,950 incidents (1.18 victims per incident). I-UCR information on aggravated assaults known to the police is counted as one offense per victim. Thus, the personal victimization weighting of NCVS estimates (found in the "Victim Event Tables") is more comparable than the NCVS incident weighting to I-UCR assault figures. In 1985, the NCVS estimated that there were 71,830 aggravated assault victimizations in Illinois (Table 30). In that year, there were 43,863 index aggravated assaults known to the police.⁴³

⁴³Illinois Criminal Justice Information Authority version of Illinois-Uniform Crime Report data. However, these do not include attempted murder for Chicago.

The difference between NCVS estimated victimizations and crimes known to the police depends on the type of weapon.⁴⁴ The large number of zeros in Table 30 is partly a result of the small sample. In addition, there are no simple assaults with a firearm or other weapon, because the use of a weapon automatically makes an assault "aggravated." Also, attempted assaults with a weapon equal zero if the respondents indicated there was no weapon or it was not known if a weapon was involved.

Table 29
Standard Errors and 68 Percent Confidence Limits for
Illinois-NCVS
Robbery Incident Estimates

<u>1985</u>	<u>Estimated Number of Incidents</u>	<u>Standard Error</u>	<u>68% Confidence Limits</u>
Robbery	56,690	15,065	41,625 to 71,755
Completed Robbery	34,290	11,730	22,560 to 46,020
Completed-Firearm	4,570	4,373	197 to 8,943
Compl-Injury/Firearm	820	1,817	-997 to 2,637
Attempted Robbery	22,530	9,515	13,015 to 32,045
<u>1986</u>			
Robbery	38,720	12,642	26,078 to 51,362
Completed Robbery	25,020	10,169	14,851 to 35,189
Completed-Firearm	8,890	6,066	2,824 to 14,956
Compl-Injury/Firearm	2,120	2,964	-844 to 5,084
Attempted Robbery	13,710	7,532	6,178 to 21,242

Source: NCVS data and standard error parameters listed earlier.

In 1985, the Illinois-NCVS estimated 30,160 victimizations (age 12 or over) of aggravated assault with a handgun (Table 30), and 10,945 index assaults with a handgun were known to the police (35 percent). The total number of firearm assault victimizations estimated in the NCVS for Illinois in 1985 was 36,320 (handgun plus other gun), compared to 12,437 assaults (34 percent) committed with a firearm known to the police in Illinois in 1985. The Illinois NCVS estimate for aggravated assault victimizations with another weapon was 30,340 in 1985, compared to 10,863 assaults (40 percent) committed with another weapon (knife or other weapon) known to police.

There was a large difference between 1985 and 1986 Illinois-NCVS estimates for assault

⁴⁴In using the Illinois-weighted NCS tables, note that the detailed estimates (by weapon, for example) do not sum to the total estimates. This happens because the weights are applied individually to the sub-categories, and because rounding has a big effect on the small sample size.

victimizations (Table 31). This may indicate that NCVS estimates for assault were less

Table 30
Estimated Victimization - Illinois NCVS
1985 Through 1987 Assault by Weapon (Total)

	<u>Handgun</u>	<u>Other</u> <u>Firearm</u>	<u>Other No</u> <u>Weapon</u>	<u>No</u> <u>Weapon</u>	<u>D/Know</u> <u>Weapon</u>	<u>Total</u>
1985						
AGGRAVATED ASSAULT						
Complete W/Injury	0	0	18,030	5,170	0	23,200
Attempt W/Weapon	<u>30,160</u>	<u>6,160</u>	<u>14,350</u>	<u>0</u>	<u>0</u>	<u>50,670</u>
SUBTOTAL	30,160	6,160	32,380	5,170	0	73,870
SIMPLE ASSAULT						
Complete W/Injury	0	0	0	18,760	0	18,760
Attempt W/Weapon	<u>0</u>	<u>0</u>	<u>0</u>	<u>69,370</u>	<u>1,760</u>	<u>71,130</u>
SUBTOTAL	<u>0</u>	<u>0</u>	<u>0</u>	<u>88,130</u>	<u>1,760</u>	<u>89,890</u>
TOTAL ASSAULT	<u>30,160</u>	<u>6,160</u>	<u>32,380</u>	<u>93,300</u>	<u>1,760</u>	<u>163,760</u>
1986						
AGGRAVATED ASSAULT						
Complete W/Injury	4,580	0	11,550	2,480	2,230	20,840
Attempt W/Weapon	<u>9,750</u>	<u>2,020</u>	<u>10,650</u>	<u>0</u>	<u>0</u>	<u>22,420</u>
SUBTOTAL	14,330	2,020	22,200	2,480	2,230	43,260
SIMPLE ASSAULT						
Complete W/Injury	0	0	0	17,990	3,770	21,760
Attempt W/Weapon	<u>0</u>	<u>0</u>	<u>0</u>	<u>62,170</u>	<u>7,660</u>	<u>69,830</u>
SUBTOTAL	<u>0</u>	<u>0</u>	<u>0</u>	<u>80,160</u>	<u>11,430</u>	<u>91,590</u>
TOTAL ASSAULT	<u>14,330</u>	<u>2,020</u>	<u>22,200</u>	<u>82,640</u>	<u>13,660</u>	<u>134,850</u>
1987						
AGGRAVATED ASSAULT						
Complete W/Injury	0	0	12,060	3,940	0	16,000
Attempt W/Weapon	<u>9,130</u>	<u>0</u>	<u>8,340</u>	<u>0</u>	<u>0</u>	<u>17,470</u>
SUBTOTAL	9,130	0	20,400	3,940	0	33,470
SIMPLE ASSAULT						
Complete W/Injury	0	0	0	34,940	0	34,940
Attempt W/Weapon	<u>0</u>	<u>0</u>	<u>0</u>	<u>85,590</u>	<u>11,140</u>	<u>96,730</u>
SUBTOTAL	<u>0</u>	<u>0</u>	<u>0</u>	<u>120,530</u>	<u>11,140</u>	<u>131,670</u>
TOTAL ASSAULT	<u>9,130</u>	<u>0</u>	<u>20,400</u>	<u>124,470</u>	<u>11,140</u>	<u>165,140</u>

Source: National Crime Victimization Survey--Illinois Data 1985, 1986 and 1987, U.S. Department of Justice, Bureau of Justice Statistics, page 1,895.

reliable than robbery estimates, even though the assault numbers are higher. The number of sampled victimizations of aggravated assaults committed with a firearm in the 1985 crime survey (36,320) is 201 percent higher than those known to the police in 1985 (12,071). However, in 1986 the 16,350 assaults in the crime survey data was only 15 percent higher than the 14,208 assaults committed with a firearm known to the police in 1986.

Table 31
Standard Errors and 68 Percent Confidence Limits for
Illinois-NCVS
Aggravated Assault Victimization Estimates

	Estimated Number of <u>Victimizations</u>	Standard <u>Error</u>	68% Confidence <u>Limits</u>
1985			
Agg. Assault	63,020	16,944	46,076 to 79,964
W/Handgun	30,160	11,004	19,156 to 41,164
W/Other Gun	6,160	4,980	1,180 to 11,140
1986			
Agg. Assault	41,220	13,360	27,860 to 54,580
W/Handgun	14,330	7,701	6,629 to 22,031
W/Other Gun	2,020	2,893	- 873 to 4,913

While the total robbery incident estimates declined 32 percent between 1985 and 1986 (see Table 29), aggravated assault victimization estimates declined 66 percent. At the same time, simple assault estimates increased slightly. For aggravated assault, the estimate dropped from 30,160 in 1985 to 14,330 in 1986 for assaults with handguns, and from 6,160 in 1985 to 2,020 in 1986 for assaults with other guns. As for robbery, these changes probably are due to variation caused by the small sample size, and do not indicate a real change. Like the estimates for robbery, it is also possible to calculate the standard error of the estimates for aggravated assault victimizations (Table 31). As you can see, larger victimization estimates for total assault are more reliable than the detailed estimates by weapon. Also, in every case, the 68 percent confidence limits of the 1985 and 1986 estimates overlap.

Other Detailed Analysis Examples

Because of the small sample size, detailed analysis is not always possible with the Illinois NCVS data. Table 32 presents an attempt to analyze robbery incidents in which the victim perceived the age of the offenders to be between 21 and 29. Is it possible to give some indication of the relationship between the age of the offender, the weapon type, and whether the robbery was completed?

Table 32
Percentage of Robberies Committed by 21 - 29 Year-Olds
1985-1987 Illinois-NCVS Data

1985	<u>Handgun</u>	<u>Other Firearm</u>	<u>Other Weapon</u>	<u>No Weapon</u>	<u>D/Know Weapon</u>	<u>Total</u>
Com. Robberies	4,750	0	16,590	11,350	1,600	34,290
21-29 Offenders	3,720	0	12,450	6,110	1,600	23,880
Percent 21-29	78.3%	0.0%	75.0%	53.8%	100%	70.0%
Att. Robberies	1,950	0	4,970	9,490	5,980	22,390
21-29 Offenders	0	0	1,080	0	2,380	3,460
Percent 21-29	0.0%	0.0%	27.1%	0.0%	39.8%	15.5%
1986						
Com. Robberies	8,890	0	0	9,470	6,660	25,020
21-29 Offenders	3,780	0	0	3,940	0	7,720
Percent 21-29	42.5%	0.0%	0.0%	41.6%	0.0%	30.9%
Att. Robberies	0	0	3,910	5,640	4,160	13,710
21-29 Offenders	0	0	0	3,850	4,160	8,010
Percent 21-29	0.0%	0.0%	0.0%	68.3%	100.0%	58.0%
1987						
Com. Robberies	13,890	0	12,890	14,470	1,820	43,070
21-29 Offenders	4,660	0	3,700	8,650	0	17,010
Percent 21-29	33.5%	0.0%	28.7%	59.8%	0.0%	39.4%
Att. Robberies	2,370	0	5,460	8,300	2,240	18,370
21-29 Offenders	0	0	0	8,300	0	8,300
Percent 21-29	0.0%	0.0%	0.0%	100.0%	0.0%	45.2%

Source: National Crime Victimization Survey--Illinois Data 1985 and 1986, U.S. Department of Justice, Bureau of Justice Statistics, pp 1,381-1,390.

In the 1985 survey data, 78 percent of all completed handgun robberies were committed by offenders whose perceived age was between 21 and 29. In the 1986 survey data, 21 to 29-year-olds committed only about 42 percent of all the completed robberies with a handgun. In the 1987 survey data, only 34 percent of the surveyed victims of completed handgun robbery incidents perceived the offender to be aged 21 to 29. As discussed above, the small sample size in the Illinois NCVS does not permit speculation as to trends over time. The only safe interpretation is that the actual proportion of handgun robberies in Illinois committed by people aged 21 to 29 is likely to be between 34 and 78 percent.

Table 33 shows another type of firearm information available from the National Crime Victimization Survey data for Illinois. Although only day and night are presented in this table, the survey data are available in six-hour time spans, from 6 a.m. to noon, noon to 6 p.m., 6 p.m. to midnight, and midnight to 6 a.m.. By looking at the responses, it can be seen that 57 percent of handgun assaults were committed at night, compared to 62 percent of assaults with another weapon.

Table 33
1986 NCVS-Illinois Estimated Assault Estimates
by Weapon and Time of Occurrence

	Handgun		Other Weapon	
	<u>Day</u>	<u>Night</u>	<u>Day</u>	<u>Night</u>
Agg. Assault Total	5,000	6,600	7,050	11,590
Complete W/Injury	2,530	2,050	4,170	4,010
Attempt W/Weapon	2,470	4,550	2,880	7,580

Source: National Crime Victimization Survey--Illinois Data 1985 and 1986, U.S. Department of Justice, Bureau of Justice Statistics, pp. 1,151-1,156.

Table 34
1985-1987 Illinois-NCVS Rape Victimization by Weapon

1985	<u>Firearm</u>	<u>Knife</u>	<u>Other</u>	<u>Total</u>	<u>No</u>	<u>DK/NA</u>
	<u>Weapon</u>	<u>Weapon</u>	<u>Weapon</u>	<u>Weapon</u>	<u>Weapon</u>	<u>Weapon</u>
RAPE						
Completed	0	2,940	0	2,940	13,420	0
Attempted	0	0	2,200	2,200	4,920	1630
1986						
Rape						
Completed	0	0	0	0	1,870	0
Attempted	2,250	0	0	2,250	2,240	0
1987						
RAPE						
Completed	0	0	0	0	0	0
Attempted	0	4,670	0	4,670	0	0

Source: National Crime Victimization Survey-Illinois Data 1985 and 1986, U.S. Department of Justice, Bureau of Justice Statistics, page 1,895.

Criminal Sexual Assault

Although there are data presented in the National Crime Victimization Survey for criminal sexual assault, because of low numbers of respondents who had been victimized by this particular crime, the data are very sparse, especially for the use of firearms in the commission of the crime. Because of the rarity of this offense, and the weighting procedure used to estimate Illinois data from the National Crime Victimization Survey, there are many questionable figures for rape, as shown in Table 34.

From the data presented in Table 34, it can be seen how an event occurring as rarely as rape is not represented accurately in the state-level weighting of the National Crime Victimization Survey. In 1985, according to the Illinois estimation, there was no rape in Illinois with a firearm as the weapon, whether completed or attempted. In 1986, the survey estimated 2,250 attempted rapes with a firearm, compared to zero in 1985, and zero completed rapes with a knife in 1986, compared to 2,940 in the previous year.

The standard errors for the estimates of rape (Table 35) show how problematic and inaccurate these estimates can be. For example, the standard error for completed rape in 1986 was 3,731, which was higher than the estimated number of victimizations (1,870). This standard error tells us that there is a 68 percent chance that the number of completed rapes in 1986 was between 5,601 and -1,861. Because of these obvious problems, state estimates for rape should not be used. The sample size is far too low to accurately estimate the number of these crimes.⁴⁵

The examples explain how rarely occurring offenses are not represented accurately in the National Crime Victimization Survey Data, especially when it is estimated for only certain areas, such as Illinois.

⁴⁵Conversation with Michael R. Rand, National Crime Survey Unit, Bureau of Justice Statistics. December 2, 1988.

Table 35
Standard Errors and 68 Percent Confidence Limits for
Illinois-NCVS Rape/Criminal Sexual Assault
Victimization Estimates

	<u>Estimated Number of Incidents</u>	<u>Standard Error</u>	<u>Confidence Limits</u>
1985			
Completed Total	16,360	8,110	8,250 to 24,470
Attempted Total	6,420	5,083	1,337 to 11,503
Attempted-Firearm			
1986			
Completed Total	1,870	3,731	11,861 to 5,601
Attempted Total	3,360	3,730	-370 to 7,090
Attempted-Firearm	1,120	2,154	-1,034 to 3,274

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**ILLINOIS
CRIMINAL JUSTICE
INFORMATION AUTHORITY**

120 South Riverside Plaza

Chicago, Illinois 60606

(312) 793-8550