

LEADS OPERATING MANUAL FIREARM OWNERS IDENTIFICATION AND CONCEALED CARRY CHAPTER (Previously FOID Chapter)

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SECTION 1 - INTRODUCTION

1.1 INTRODUCTION

The Illinois State Police is the administrator of the Firearm Owner's Identification (FOID) Act (430 ILCS/65) 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. For explanation of the requirements for FOID card application/issuance/renewal, please refer to https://www.ispfsb.com.

The Illinois State Police is also the administrator of the Concealed Carry License (CCL) Act (Illinois Compiled Statutes, ACT 430 ILCS 66) which was enacted to provide a means for identification and registration of those individuals who are eligible to carry a firearm on their person in Illinois.

For an explanation of the requirements for CCL application/issuance/renewal, refer to the link above.

SECTION 2 - HOW TO INQUIRE INTO/SEARCH THE FOID FILE

2.1 ON-LINE INQUIRY MESSAGE

FOID inquiries will be automatically generated in a Z5 plate inquiry, when a DLN is attached, as well as in a Z2 Name, Sex, DOB inquiry.

FOID only inquiry:

Identifiers required for a FOID inquiry are Name and Date of Birth, or FOID number.

Below is an example of the FOID Query Format in Messenger.

E ZF - Query Firearm Owner Identification Document	🔁 ZF - Query Firearm Owner Identification Document
Header Information QRI IL08496X2 = ISP INFORMATION SERVICES BUR SPRINGFIELD By NAM By FID Query by NCIC Number * FOID # 1234567890	Header Information QRI IL08496X2 = ISP INFORMATION SERVICES BUR SPRINGFIELD ▼ By NAM By FID Query by Name * Name * Name DOE_JOHN * Date of Birth 01/01/1972 Sex ▼
Submit Clear Close	Submit Clear Close

2.2 ADDITIONAL INQUIRY INFORMATION

The NAM Field has 3-30 positions available. If a person's full name exceeds 30 positions, use the last name and the first name initial.

If an inquiry cannot be formatted by using NAM, SEX, and DOB, or the FID number, or if you have any questions about your FOID inquiry response, please send an administrative message to terminal KYW during Monday through Friday from 8:30am to 5:00pm or call FOID Program personnel at 217-782-7980.



2.3 NOTIFYING FOID PROGRAM PERSONNEL ABOUT LOST OR STOLEN FOID CARDS

When an agency is notified by a FOID cardholder that the individual's FOID card has been stolen or lost, the agency should send an administrative message to KYW with the following information:

FOID Cardholder's Name Date of Birth FOID Card Number Whether card was lost or stolen

FOID Program personnel will complete proper transaction to update the FOID computerized record by indicating that it is "LOST ID" or "STOLEN ID".

2.4 POSITIVE RESPONSE

The following is an example of a positive response from the computerized FOID File. The information provided reflects what appears on the face of the FOID card.

FOID RESPONSEFID 47380679ISS/2013-12-01STATUS ACTIVE FOID CARD

NAME YOSEMITE, SAM SEX MALE DOB 07/20/1962 STREET ADDRESS 321 CACTUS LANE CITY OTTAWA COUNTY LASALLE ZIP 61350 HEIGHT 511 WEIGHT 200 HAIR BRO EYES HAZ NO SPONSOR

MRI: 2625 IN: APPRISS 136 AT 18MAR2021 13:47:33 OUT: BN3 14 AT 18MAR2021 13:47:33

Line 3 indicates the card status which will be one of the following:

RESPONSE	DEFINITION
ACTIVE	Card is valid and active; not expired, revoked,
	canceled, lost or stolen
ACTIVE AND MODIFIED NAME FOR THAT DATE	Card is valid and active; not expired, revoked,
	canceled, lost, or stolen. In addition, the cardholder
	has been identified by another name.
ACTIVE AND MODIFIED DOB FOR THAT DATE	Card is valid and active; card is not expired, revoked,
	canceled, lost, or stolen. In addition, the cardholder
	has been identified by another date of birth.
STOLEN ID	The department has been notified about this card
	being stolen.
LOST ID	The department has been notified about the card
	being lost.
CANCELLED	FOID Program personnel canceled the FOID card due

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	to card fee being returned by banking facility
	because of insufficient funds or closed account.
	There card is not valid.
REVOKED	The cardholder no longer meets eligibility
	requirements for possessing a FOID card as
	mandated by Illinois Compiled Statutes, 430 ILCS
	65/8 chapter 38, paragraph 83-8.

2.5 OTHER FOID RESPONSES

Valid FOID With Former Name

FOID RESPONSE

FID 1911183874 ISS/2019-06-14 EXP/2029-06-13 STATUS ACTIVE FOID CARD

NAME DOE, JANE ELIZABETH SEX FEMALE DOB 07/31/1971 STREET ADDRESS 1750 DORCHESTER AVE CITY OLNEY COUNTY RICHLAND ZIP 62450 HEIGHT 501 WEIGHT 110 HAIR BLN EYES GRN NO SPONSOR FORMER NAME WHITE, JANE ELIZABETHSEX FEMALE DOB 71/07/31 FORMER NAME JONES, JANE ELIZABETH SEX FEMALE DOB 71/07/31

Valid FOID With Sponsor

Response for a subject with a FOID card that has a Sponsor (parent or legal guardian for persons under age 21).

FOID RESPONSE FID 2011532698 ISSUED/2021-05-28 EXP/2031-05-28 STATUS ACTIVE FOID CARD

NAME ENGINE, GERALD JOHN SEX MALE DOB 2002-06-25 STREET ADDRESS 431 STATE HIGHWAY 20 CITY WAVERLY COUNTY MORGAN ZIP 62692 HEIGHT 509 WEIGHT 170 HAIR BRO EYES HAZ SPONSOR ENGINE, MARTY K



2.6 NEGATIVE RESPONSE

The following is an example of a negative response from the computerized FOID File, based on a NAM, SEX, DOB inquiry.

FOID RESPONSE NO RECORD FOUND FOR NAM/FLOWER, PETUNIA J DOB/10/7/1965

**NOTE: If further information is needed, you may send an administrative message to terminal KYW, Monday through Friday from 8:30am to 5:00pm.

SECTION 3 - CONCEALED CARRY LICENSE (CCL)

3.1 GENERAL INFORMATION

This section provides information specifically for CCL queries in LEADS 3.0. For further information on the CCL application and process, please refer to <u>https://www.ispfsb.com</u>.

Under the Law Enforcement Officers Safety Act (HR-218), qualified active and retired law enforcement officers are permitted to carry concealed handguns nationwide. The law amends the Gun Control Act (18 U.S.C. Chapter 44) to exempt qualified active and retired law enforcement officers from state and local laws prohibiting the carry of concealed firearms. In accordance with the Federal Act, Illinois passed Public Act 94-103 (2005) that provides for the annual certification of retired law enforcement officers qualified under federal law to carry a concealed weapon.

The Illinois Law Enforcement Training and Standards Board is responsible for certifying and issuing permits to these officers. The officer must submit an application to the Illinois Enforcement Training and Standards Board and a background check is conducted. The retired officer must make application for a FOID card.

For additional information and application forms, refer to the Illinois Law Enforcement Training and Standards Board website: <u>https://www.ptb.illinois.gov/</u>.

3.2 CCL RESPONSES

The Illinois CCL file will automatically be checked when:

- 1. An Illinois Name, Sex, DOB inquiry is made using the Z2 message key.
- 2. An Illinois DLN inquiry is made using the Z2 message key and the inquiry yields a positive DL response.
- 3. An Illinois license plate (LIC) inquiry is made using the Z5 message key and a DLN is included on the registration response, which yields a positive SOS DL response.
- 4. An out-of-sate Name, Sex, DOB inquiry will generate an Illinois positive or negative response. Out of state concealed weapons permit responses will be received if the state participates in the NLETS

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Concealed Weapon Permit System. If a state does not participate in this system, the following reject will be received:

EPO 11.28.30 10/03/14 NLSRVCMSG IL09999E4 .01. USER TN DOES NOT RESPOND TO MSG TYPE CWQ - NLETS WILL NOT FORWARD

For further information on the NLETS Concealed Weapon Permit system, and a list of participating states, refer to the Concealed Weapon Permit chapter of the NLETS manual <u>https://wiki.nlets.org/index</u>

For questions about the Illinois CCL program, please contact the ISP Firearms Services Bureau (217/782-7980) or refer to <u>https://www.ipsfsb.com</u>.

3.3 RESPONSE EXAMPLES

The following are examples of new CCL responses that may be received as a result of NAM, SEX, DOB, or CCL number inquiry regarding a concealed carry permit.

Valid Concealed Carry Permit:

CCW RESPONSE

*** ILLINOIS CONCEALED CARRY LICENSE RECORD ***

RECORD AS OF/2021-06-25 NAM/LIGHT,ELECTRA J ADR/123 W SOUTH ST PO BOX 10 SEYMOUR,IL 61875 SEX/F DOB/1960-07-26 SOC/ LICENSE/16107543743 STATUS/ACTIVE EXP/2021-07-06 ISSUED/2016-07-06 ISSUED BY/STATE OF ILLINOIS

Revoked Concealed Carry Permit and FOID Card:

CCW RESPONSE *** ILLINOIS CONCEALED CARRY LICENSE RECORD *** RECORD AS OF/2021-06-25 NAM/BRIM, HATTA M ADR/6543 110TH ST, APT 5 LANSING,IL 60438 SEX/F DOB/1972-06-07 SOC/ LICENSE/1510181792 STATUS/REVOKED EXP/2021-11-15 ISSUED/2016-11-15 ISSUED BY/STATE OF ILLINOIS



Expired Concealed Carry Permit:

CCW RESPONSE *** ILLINOIS CONCEALED CARRY LICENSE RECORD *** RECORD AS OF/2021-06-25 NAM/SMITH, ALBERT GEORGE ADR/9292 FLOWER ROAD NORTHBROOK,IL 60062 SEX/M DOB/1975-06-18 SOC/ LICENSE/1437491371 STATUS/EXPIRED EXP/2019-03-22 ISSUED/2014-03-22 ISSUED BY/STATE OF ILLINOIS

No Record Found:

CCW RESPONSE *** ILLINOIS CONCEALED CARRY LICENSE RECORD *** NOT ON FILE NAM/DOE,JANE J DOB/1965-10-07

For assistance please contact the FSB at (217) 782-7980 or CDC/KYW

3.4 CCL OBJECTION PROCESS

The Illinois State Police Firearms Services Bureau's Law Enforcement Portal associated with the Concealed Carry Objection Process is located at <u>www.ispfsb.com</u>. Law Enforcement has the ability to download by county, a copy of all currently revoked Firearm Owner's Identification (FOID) card holders including their FOID number, name, physical address, mailing address, cell phone/email if available, the revocation date, and revocation reasons. The report also includes an indicator, whether or not the revoked card holder has returned their FOID card and submitted their Firearm Disposition Record, and the number of Firearm Transfer Inquiry Program (FTIP) transactions associated with the FOID number. The report is updated within the first 4 business days of each month.

For those agencies with access to the portal, there is a new tab named "FOID Revocation Reports." For agencies not yet registered, please send an email to:<u>isp.ccw.illinois@illinois.gov</u> requesting access forms/agreements.

3.5 WHAT LEADS MAY NOT BE USED FOR

LEADS may not be used by agencies to check the criminal background of Firearm Concealed Carry Act (FCCA) license applicants.

The prohibition that local law enforcement refrain from conducting a background search using LEADS for FCCA license applicants is grounded in federal law. Specifically, the FBI has determined licensing under the FCCA to be a non-criminal justice purpose. Accordingly, neither ISP nor local law enforcement may conduct LEADS inquiries, which are not positive identification based, as part of the law enforcement objection process within the FCCA.



Additionally, as the FBI-authorized Point Of Contact (POC) for Illinois firearm-related or explosives-related permits or licenses, the ISP Firearms Services Bureau does conduct a National Instant Criminal Background Check (NICS) on all CCL applicants. Information obtained via the NICS check includes all data that would be obtained with a LEADS/NCIC query plus records on persons who may be disqualified from receiving firearms. So not only is a LEADS check by local law enforcement prohibited, it is unnecessary.

SECTION 4 - CLEAR AND PRESENT DANGER

4.1 INTRODUCTION

When an individual has been deemed by ISP Firearm Services Bureau (FSB) to be a "clear and present danger" (in accordance with the Firearm Owners Identification Card Act, 430 ILCS 65/8(f)), and the individual has a FOID card, the card will be revoked.

The FOID card response will indicate a status of: "REVOKED".

A category (CAT) code for Clear and Present Danger has been developed in the Field Notification Program (FNP) section of the LEADS File. This way when a LEADS name, sex, DOB inquiry is made, and an FNP Clear and Present Danger record exists for the individual, a hit will return alerting the operator to the individual's FOID card revocation for Clear and Present Danger.

4.2 LEADS ENTRY PROCESS

To qualify for a FOID Clear and Present Danger status, one must be in a mental state that is manifested by violent, suicidal, threatening, or assaultive behavior.

FSB must receive a police report and letter from the chief law enforcement administrator requesting this type of denial or revocation by indicating the threatening behavior of the subject.

Once the letter and report are received, FSB will evaluate and make the decision whether to revoke the subject's FOID card or deny their FOID application.

If the subject is determined to be considered a Clear and Present Danger and the FOID card is revoked, FSB will send a letter to the subject indicating the card has been revoked. Additionally, the letter will indicate the card must be returned to FSB and what procedures must be followed for a document review/appeal process.

The submitting law enforcement agency will receive a copy of the letter sent to the subject advising of the FOID revocation. Once the letter is received, the submitting law enforcement agency will be responsible for entering the subject into the LEADS Field Notification Program, as a Clear and Present Danger using FNP category code CNP - CLEAR AND PRESENT DANGER.

NOTE: The FNP category code of CNP - CLEAR AND PRESENT DANGER may only be used to make FNP entries on individuals who have been deemed by ISP Firearms Services Bureau as a "clear and present danger" (in



accordance with the Firearm Owners Identification Card Act, 430 ILCS 65/8(f)), and have had their FOID card revoked as a result.

4.3 LEADS RESPONSE

For further information on interpreting an FNP Clear and Present Danger response, please refer to the LEADS emanual, Field Notification Program chapter.

Name, Sex, and DOB Inquiry (Sample of Response in LEADS 3.0 Messenger)

CHF QUERY:QW NAM/FUDD,ELMER.DOB/19631201 ****** *DO NOT SEARCH, DETAIN OR ARREST BASED SOLEY ON THIS RECORD* *CAUTION - SUBJECT REPORTED TO BE INVOLVED WITH THE * *FOLLOWING ACTIVITIES* *FIELD NOTIFICATION – FOID CLEAR AND PRESENT DANGER* ** *DO NOT SEARCH, DETAIN OR ARREST BASED SOLEY ON THIS RECORD* QD2R LDS/E20A4780 FIELD NOTIFICATION PROGRAM NAM/FUDD, ELMER SEX/M RAC/W DOB/1963-12-01 AGE/57 HGT/601 WGT/190 HAI/GRY EYE/GRN RAN/1234 RSN/PRICKLEY LANE RCN/ANYWHERE RZC/55555 COR/SANG OCA/TESTING **MIS/TESTING ONLY** NOA/N ORI/IL016XYM2 ENT/D2R OPR/MCGRATM DTE/2020-11-23 10:24 DLU/2020-11-23 10:24 CONFIRM WITH ORI *DO NOT SEARCH, DETAIN OR ARREST BASED SOLELY ON THIS RECORD* *IF ACTUAL CONTACT: DOCUMENT LDS/E20A4780 WITH ADDON RECORD* *FOR FULL RESPONSE: INQUIRE USING LEADS NUMBER* MRI 129 IN: FH1 20 AT 23NOV2020 10:25:39 OUT: D2R 3 AT 23NOV2020 10:25:39

4.4 ADD-ON RECORD

Contact with a subject entered in the Field Notification Program as a Clear and Present Danger may be documented with an Add-On record when appropriate. Refer to the LEADS, Field Notification Program Chapter, for additional information. 06/28/2021



4.5 CLEAR (DELETE)

FOID Card Reissued

If FSB determines the subject's FOID card should be reissued based on a document review/appeal process requested by the subject and they are no longer considered Clear and Present Danger, FSB will submit a letter to the subject and provide a copy to the Originating Agency. Once the agency receives a copy of this letter, the FNP Clear and Present Danger record must be cleared from LEADS. If the ORA has evidence to believe the subject still poses a threat, the agency should consider making an FNP entry using the appropriate FNP Category (CAT) code.

FOID Card Revoked for Other Reason

If FSB determines the subject's FOID card should be revoked for other than Clear and Present Danger (i.e., mental health admission, domestic battery conviction, etc.), FSB will submit a letter to the subject and provide a copy to the Originating Agency. The Originating Agency must clear the FNP Clear and Present Danger record. If the ORA has evidence to believe the subject still poses a threat, the agency should consider making an FNP entry using the appropriate FNP Category (CAT) code.

4.6 LEADS VALIDATION

Like other LEADS CHF files, Clear and Present Danger FNP records must be validated 90 days after the initial entry and annually thereafter.

VALIDATION STEPS:

Make a FOID inquiry on the subject to determine if the FOID card is still revoked for Clear and Present Danger (CNP).

- 1. If the FOID card is valid (reinstated after successful appeal) the FNP entry must be cleared from LEADS.
 - A. If the ORA has evidence to believe the subject still poses a threat, the agency should consider making an FNP entry using the appropriate FNP Category (CAT) code.
- 2. If the FOID card is revoked but the Originating Agency of the FNP Clear and Present Danger record is not sure if the revocation is for Clear and Present Danger, contact FSB at (217) 782-7980 or CDC/KYW.
 - A. If it is revoked for a reason other than CNP, the FNP entry must be cleared from LEADS. If the ORA has evidence to believe the subject still poses a threat, the agency should consider making an FNP entry using the appropriate FNP Category (CAT) code.
 - B. If it is revoked for CNP, validate the record using the following steps:
- 1. Inquire on the LEADS number to obtain complete information including any add-on information that may have been entered by another agency.
- 2. Compare with supportive documentation for completeness and accuracy. Modify as necessary.
- 3. Validate the record.

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