

**ILLINOIS STATE POLICE DIRECTIVE  
ENF-052, CLEAR AND PRESENT DANGER REPORTING**

<b>RESCINDS:</b> New Directive	<b>REVISED:</b> 09-23-2024 <span style="float:right"><b>2024-032</b></span>
<b>RELATED DOCUMENTS:</b>	<b>RELATED CALEA STANDARDS (6<sup>th</sup> Edition):</b> 41.2.7, 42.1.5, 42.2.1, 42.2.2, 42.2.3, 45.1.1, 46.1.2, 46.1.10, 55.2.2, 55.2.3, 55.2.4

I. POLICY

The Illinois State Police (ISP) will:

- I.A. Respond accordingly to all clear and present danger (C&PD) reports submitted to the ISP in which an individual is demonstrating threatening physical or verbal behavior and poses a clear and present threat of harm to themselves or others.
- I.B. Report all C&PD incidents involving threats, physical or verbal threatening behaviors, or acts which involve physical violence accordingly in the Law Enforcement (LE) Portal.

II. AUTHORITY

- II.A. 405 ILCS 5, et. seq., "Mental Health and Developmental Disabilities Code"
- II.B. 430 ILCS 65/0.01, et. seq., "Firearm Owners Identification (FOID) Card Act"
- II.C. Title 20: Part 1230 Firearm Owner's Identification Card Act
- II.D. Title 20: Part 1231 Firearm Concealed Carry Act Procedures

III. DEFINITIONS

- III.A. Clear and present danger (C&PD) – a person who:
  - III.A.1. Communicates a serious threat of physical violence against a reasonably identifiable victim or poses a clear and imminent risk of serious physical injury to himself, herself, or another person as determined by a physician, clinical psychologist, or qualified examiner; or
  - III.A.2. Demonstrates threatening physical or verbal behavior, such as violent, suicidal, or assaultive threats, actions, or other behavior, as determined by a physician, clinical psychologist, qualified examiner, school administrator, or law enforcement official.
- III.B. Requestor – a law enforcement agency or officer, school administrator, or medical personnel submitting a C&PD report in the interest of public safety and, additionally, requesting revocation/denial of a FOID card based on a C&PD prohibitor.
  - III.B.1. Law enforcement official – for the purpose of C&PD reporting, any peace officer, warden, superintendent, or keeper of prisons, penitentiaries, jails, and other institutions for the detention of persons accused or convicted of a criminal offense, and employees of police laboratories having a department or section of forensic firearm identification.
  - III.B.2. School administrator – the person required to report under the School Administrator Reporting of Mental Health Clear and Present Danger Determinations Law and may include the principal of a public elementary or secondary school, or his or her designee, and the chief administrative officer of a private elementary or secondary school or a public or private community college, college, or university, or his or her designee.
  - III.B.3. Medical personnel – includes physicians, clinical psychologists, and qualified examiners as defined by the Mental Health and Developmental Disabilities Code.

- III.C. Supporting documentation – includes, but is not limited to, incident reports, witness statements, case files, case notes, and messages, including emails, instant messages, and text messages, Department of Human Services (DHS) reports, suicide notes, court dockets, videos, and any additional media which may provide evidentiary value and will be provided by the requestor.
- III.D. Law Enforcement (LE) Portal – a web-based application used by law enforcement officers and school administrators for various law enforcement functions. For the purposes of this directive, the LE Portal is specifically used for making notification of a determination of C&PD to the ISP per the FOID Act (430 ILCS 65/8.1).

#### IV. RESPONSIBILITIES

- IV.A. The Office of Firearms Safety (OFS) is responsible for maintaining records relating to C&PD reporting as required by 20 Ill. Admin. Code §1230.120.
- IV.B. ISP officers are responsible for reporting determinations of a C&PD as required by 430 ILCS 65/8.1(d)(2).

#### V. PROCEDURES

- V.A. Law enforcement officials, including ISP officers, and school administrators will use the LE Portal, <https://www.cclisp.com> to report to the ISP OFS within 24 hours of determining a person poses a C&PD to themselves or others. Supporting documentation must also be submitted with the report. These additional documents shall be uploaded to the LE Portal as attachments.
- V.B. If it is determined by the OFS that the report meets the C&PD statutory requirements, and the individual possesses an active FOID card, the FOID card will be revoked immediately. If the person has a pending FOID application, it will be denied immediately.
- V.C. Notification will be made within two business-days of the revocation/denial of application.
  - V.C.1. A revocation/denial letter will be sent to the FOID cardholder/applicant.
  - V.C.2. Written notification regarding the revocation will be made to the requesting ISP officer, other impacted local police departments, the county sheriff of the FOID card holder's residence, and the ISP Zone Commander with geographical coverage.
  - V.C.3. For ISP initiated C&PD reports, written notification will also be made to the Communications Command Center (CCC).
    - V.C.3.a. The CCC will make the appropriate entry into the LEADS Field Notification Program.
    - V.C.3.b. The OFS will be responsible for validating the LEADS file upon the request of the CCC.
  - V.C.4. For non-ISP initiated C&PD reports, written notification will also be made to the law enforcement entity making the initial report. In the case of a C&PD report from a non-law enforcement entity, written notification will be made to the law enforcement entity with jurisdiction of the initiator's location.
    - V.C.4.a. The law enforcement entity will make the appropriate entry into the LEADS Field Notification Program.
    - V.C.4.b. The entering law enforcement entity will be responsible for validating the LEADS file.
  - V.C.5. If the FOID card holder is under 21 and the ISP can verify the card holder's sponsor's identifiers, notification will be made to the sponsor.

V.D. Officers, school administrators, and medical professionals will review the training documents provided in the LE Portal under the Firearms Intelligence Resources tab of the main page of the LE Portal.

V.E. The OFS will maintain relevant information and records per the administrative code.

**VI. TRAINING**

VI.A. The OFS will provide all applicable training to officers, school administrators, and medical professionals regarding C&PD and accessing the LE Portal.

VI.B. Officers, school administrators, and medical professionals will be notified of any relevant updates or amendments necessary for ISP compliance with related statutes and administrative codes.

VI.C. OneNet training will be made available if applicable.

**-End of Directive-**