



Management Audit of the

Firearm Owner's Identification Card and Concealed Carry License Programs

Background:

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

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

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

Key Findings:

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

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

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

Key Recommendations:

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

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

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

Report Digest

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

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

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

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

Background

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

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

Application Process

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

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

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

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

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

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

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

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

FOID and CCL Approvals and Denials

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

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

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

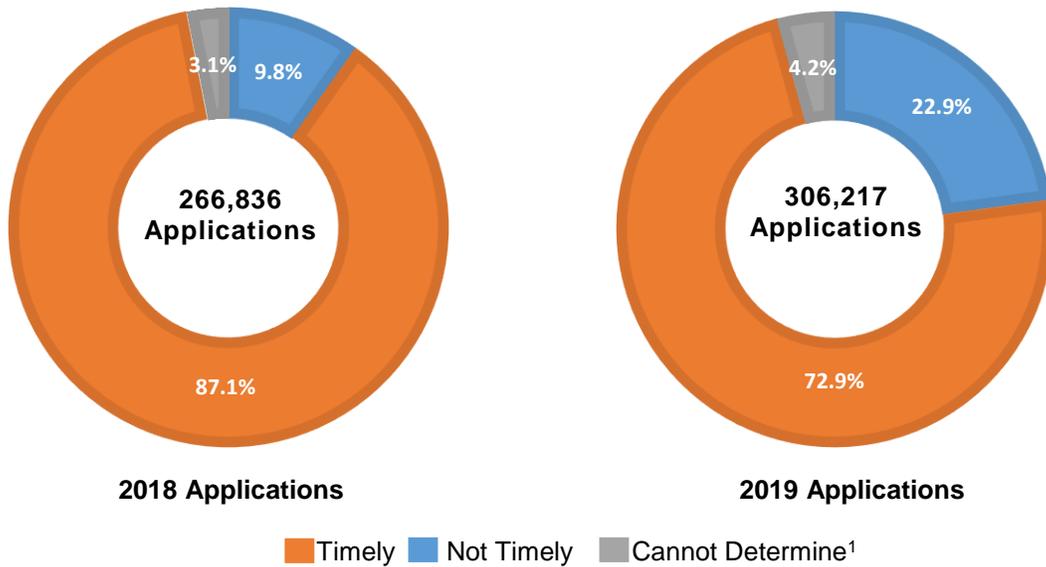
Timeliness of FOID Application Approval and Denial

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

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

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

Digest Exhibit 2
FOID APPLICATION TIMELINESS
 Calendar Years 2018-2019



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

Source: OAG analysis of Illinois State Police data.

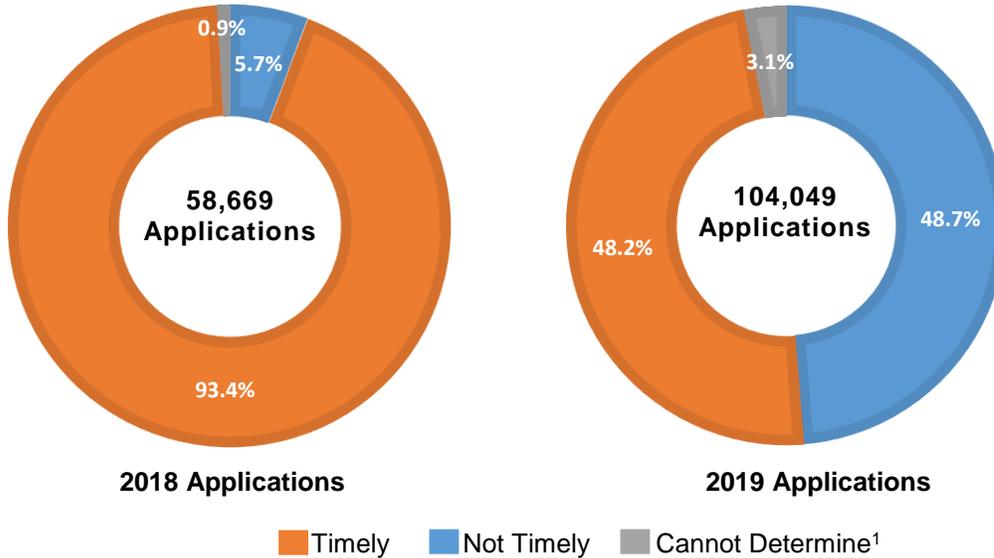
Timeliness of CCL Application Approval and Denial

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

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

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

Digest Exhibit 3
CCL APPLICATION TIMELINESS
 Calendar Years 2018-2019



Note:

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

Source: OAG analysis of Illinois State Police data.

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

FOID Revocations

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

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

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

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

Source: OAG analysis of Illinois State Police data.

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

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

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

CCL Revocations

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

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

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

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

Firearm Transfer Procedures

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

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

Appeals

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

Audit Recommendations

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

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

SIGNED ORIGINAL ON FILE

 JOE BUTCHER
 Division Director

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

SIGNED ORIGINAL ON FILE

 FRANK J. MAUTINO
 Auditor General

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