



Title:
VIOLATION OF FIREARM CONCEALED CARRY SATUTE POLICY

Subject: EMERGENCY & SAFETY	Page: 1 of 5	Policy Number: 01.40.00
Category: DISTRICTWIDE POLICY	Approval Date: 01/27/2014	Last Revised Date: 01/27/2014

POLICY STATEMENT:

Illinois Law (430 ILCS 66/65 (a) (14)) prohibits unauthorized persons from carrying a concealed firearm onto any real property under the control of the Forest Preserve District of Cook County (*the "District"*).

This prohibition shall include all private citizens, including those who obtain a license to carry a concealed firearm from the State of Illinois based on recent passed legislation which takes effect 01/01/2014.

This prohibition shall not apply to law enforcement personnel and other persons who, by virtue of their employment or other lawful duty, have been granted an exemption and are authorized to carry a firearm.

PURPOSE:

The primary purpose of this directive is to inform all District employees that, despite the recent adoption of a Firearms Concealed Carry Act by the Illinois General Assembly, firearms continue to be prohibited in and on District property. Please note that under the Firearms Concealed Carry Act, District property is deemed a **PROHIBITED AREA**.

As a Prohibited Area, persons who have been issued a Firearm Concealed Carry license will NOT be authorized to carry or possess a firearm on or about their person while on any real property under the control of the District.

A secondary purpose of this directive is to provide procedural guidance to District employees in the event they encounter a person who they believe may be carrying a concealed firearm (*or other unauthorized weapon*) on District property.

AFFECTED AREAS:

In accordance with Illinois State statute, no person may enter onto any real property under the control of the District while carrying a concealed firearm such as a loaded or unloaded handgun. Pursuant to the District Code, additional concealed weapons including, but not limited to, rifles, shotguns, bowie knives, dirk knives, razor, and metallic knuckles also are prohibited.

This prohibition shall apply to private persons who have been issued a license to carry a concealed handgun by the Illinois Department of State Police in accordance with the recently enacted Firearms Concealed Carry Act (430 ILCS 66/65).

This prohibition shall **NOT** be construed to prevent any police officer of the District, sheriff, coroner, constable, member of a city police department or other peace officers from carrying such weapons as may be necessary in the discharge of his or their duties as such officers, nor shall it to be construed to apply to any person summoned by any of such officers to assist in making arrest, or preserving the peace, while such person so summoned is engaged in assisting such officer.

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Violators will be subject to arrest and may be charged with federal state or county offenses. In addition, weapons found shall be ordered forfeited to, and confiscated by, the District.

DEFINITIONS:

Concealed Firearm: Concealed Firearm is a portable gun, being a barreled weapon that launches one or more projectiles often defined by the action of an explosive that could be carried on or about a person completely or mostly concealed from the view of the public or on or about a person within a vehicle.

Handgun: Handgun means any device which is designed to expel a projectile or projectiles by the action of an explosion of gas, or escape of gas that is designed to be held and fired by the use of a single hand. "Handgun" does not include: **(a)** A stun gun or taser; **(b)** A machine gun as defined in item (i) of paragraph 7 of subsection (7) of subsection **(a)** of Section 24-1 of the Criminal Code of 2012; **(c)** A short-barreled rifle or shotgun as defined in item (ii) of paragraph (7) of subsection **(a)** of Section 24-1 of the Criminal Code of 2012; or **(d)** Any pneumatic gun, spring gun, paint ball gun, or B-B gun which expels a single globular projectile not exceeding .18 inch in diameter, or which has a maximum muzzle velocity of less than 700 feet per second, or which expels breakable paint balls containing washable marking colors.

PROCEDURE/PROCESS:

1) Reporting by District Employees:

- a. Whenever a District employee believes a private person may be unlawfully in possession of a firearm (or other unauthorized weapon) while on any real property under the control of the District, the employee will:
 - **NEVER** approach or confront the person; and,
 - **ALWAYS** Contact 911 – without unnecessary delay.

- b. District employees should provide the following information to the 911 operator:
 - Inform the 911 operator the call is to report unauthorized possession of a firearm or weapon;
 - Describe the firearm or weapon;
 - Describe, as accurately as possible, the violator’s location and mention that the violator is on District property; and,
 - Describe, with as much detail as possible, the violator(s) and include, to the extent it is safe to ascertain, the following information: Gender; Race; Age; Height; Weight; Hair Color and How Worn; Eye Color; Noticeable features or distinguishing marks such as scars, marks, tattoos, etc.; Clothing – color and type of all clothing items and any distinguishing features; and, Vehicle – License number, vehicle make/model, color and body type.

- c. At all times, District employees will:
 - Maintain a safe distance from the violator;
 - Avoid alerting the violator unless it is necessary for their safety or the safety of another;
 - Contact the police officer - once they are at the scene and it is safe to do;
 - Cooperate with the police officers on scene to further the police investigation;
 - Notify your immediate supervisor about the incident and your involvement.; and,
 - If District police officer(s) have not arrived on scene, and the violator has either left the scene or been apprehended by police officers from another agency, immediately notify the District Police Communications desk by telephoning **708-771-1000** to report the incident.

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2) Police Investigation

- a. District patrol personnel will respond immediately to the scene of every call involving a report of a person in possession of a firearm (or other weapon) on any real property under the control of the District.
 - b. In every instance, the assigned District police officer will:
 1. Proceed to the scene with safety and dispatch;
 2. Locate and identify the person believed to be in possession of a firearm or other weapon;
 3. Make a tactical and safe approach once the person is located;
 4. Identify self as a police officer upon approaching the person(s); and,
 5. Ask the person if they are in possession of a firearm or other weapon, and take custody of any firearm or weapon, during any questioning.
 - c. If a determination is made during questioning that a firearm (*or other weapon*) was unlawfully possessed, then:
 1. The person will be placed under arrest;
 2. The person will be charged with a violation of a state offense unless circumstances dictate charging with either a federal offense or county ordinance;
 3. Inventory the weapon. All firearms will be subsequently transported for forensic analysis; and,
 4. Seek a “*Confiscate and Destroy Order*” from the court as part of the final court disposition.
 - d. If a determination is made during questioning that a firearm (or other weapon) was lawfully possessed, then District officers will:
 1. Allow the person to proceed on their way after verifying the person’s identity and examining any credentials; and,
 2. Return the weapon after a close examination and recording all available identifiers (including but not limited to: serial number, make and model, etc.).
 - e. District police officers are hereby advised that all real property under the control of the District are legally recognized as **prohibited areas** and therefore persons issued a license to carry a concealed handgun who are not otherwise authorized to carry a weapon pursuant to 720 ILCS 5/24-2 are subject to arrest if a concealed handgun is found on or about their person.
 - f. However, persons issued such licenses may be permitted to carry a concealed firearm on or about their person within a vehicle into the parking area and may store a firearm or ammunition concealed in a “case” within a locked vehicle or locked container out of plain view within the vehicle in the parking area, provided it is determined the licensee:
 1. Carried the concealed firearm in the immediate area surrounding his or her vehicle within a prohibited parking lot area only for the limited purpose of storing or retrieving a firearm within the vehicle’s trunk, **AND**,
 2. Provided the licensee ensured the concealed firearm was unloaded prior to exiting the vehicle.
- NOTE:** For purposes of this subsection of the statute, "case" includes a glove compartment or console that completely encloses the concealed firearm or ammunition, the trunk of the vehicle, or a firearm carrying box, shipping box, or other container.

- g. District police officers will complete an Incident Report summarizing the investigation and recording all pertinent information (including, but not limited to, agency credentials, firearm information, etc.)

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any time they respond to a call involving a report of unlawful possession of a firearm and it is determined.

- h. District police officers will notify their immediate supervisor - without delay and preferably from the scene - regarding the results of the on-scene investigation

RESPONSIBILITY:

- 1) **District Employees:** All District employees shall have the responsibility of calling 911 to request the immediate dispatch of law enforcement officers to conduct a prompt investigation whenever he/she believes a private person may be unlawfully in possession of a firearm while on any real property under the control of the District.
- 2) **Department of Law Enforcement:** The Department of Law Enforcement (police) shall be responsible for immediately responding, promptly investigating and submitting a completed Incident Report for every call for service involving possession of a firearm by any person while on any real property under the control of the District.
- 3) **The Department of Facilities & Fleet Management:** The Department of Facilities & Fleet Management shall be responsible for the construction, erection and maintenance of signs which shall communicate to the public that the carrying of firearms on District property is prohibited. The signs shall be of uniform size and conform to the requirements established by the Illinois State Police and be erected at the entrance gates leading to all District properties, and at all other locations deemed appropriate or necessary by the General Superintendent and/or his/her designee.

TRAINING REQUIREMENTS:

- 1) NA

COMMUNICATION PLAN:

- 1) This policy should be distributed to all staff.
- 2) This policy should be added to the District shared drive, intranet, and website.
- 3) Department Heads should work to ensure that their staff is knowledgeable about this policy.
- 4) The Communications Office should help disseminate District policies through the District website and marketing materials.

REFERENCES:

Illinois Statute

Firearm Concealed Carry Act (430 ILCS 66. *et seq.*)

Illinois Statute

Unlawful Use of Weapons (720 ILCS 5/24-1 to 720 ILCS 5/24-1.8)

Illinois Statute

Unlawful Use of Weapons Exemptions (720 ILCS 5/24-2)

Forest Preserve District of Cook County

Police Regulations, Weapons (FPDCC Code Section [3-3-6](#))

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POLICY LEAD:

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APPROVAL:

Arnold Randall
General Superintendent

POLICY HISTORY

Approved: 01/27/2014

Revised: 04/15/2016

Revised: 06/13/2018

If you have questions, comments, or suggestions concerning District policies, please contact:

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