

LEVEL 1 - 16 OF 26 STORIES

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SECTION: Neighbor; The Public Record; Pg. 2

LENGTH: 3932 words

BODY:

A compilation of DuPage County Circuit Court proceedings of July 24-30.

Felonies

- Shaheed B. Bryant, 20, 1013 N. 7th Ave., Maywood. Possession of controlled substance: guilty; 28 days in jail.

- Darrick C. Bynum, 22, 374 N. Kendall Ave., Aurora. Retail theft: guilty; 24 months probation, court costs/fines, \$ 664. Retail theft: case dropped. - Louis J. Delsol, 23, 2038 N. 18th Ave., Melrose Park. Retail theft: guilty; 364 days periodic imprisonment, court costs/fines, \$ 215.

- Michael A. Grant, 31, 4429 Jefferson Drive, Richton. Forgery: not guilty.

- Thomas K. Harder, 25, 613 N. Van Auken, Elmhurst. Manufacture or deliver more than 30 but not more than 500 grams of cannabis: guilty; 100 days periodic imprisonment. Weapons-firearm in vehicle or concealed: case dropped. Possession of weapon by convicted felon: guilty; 100 days periodic imprisonment, court costs/fines, \$ 325.

- Michael G. Hermosura, 18, 17 Buckskin Lane, Streamwood. Theft by deception: guilty; 2 days in jail, court costs/fines, \$ 540.

- Florian G. Jurcau, 27, 1225 Waterbury, Roselle. Receive, possess or sell stolen motor vehicle: guilty; 4 days in jail, court costs/fines, \$ 430. Theft of stolen goods: guilty; 4 days in jail, court costs/fines, \$ 215.

- Anthony M. Lippincott, 25, 9928 Stacy Lane, Union. Burglary: guilty; 3 years in jail.

- Guy J. Molnar, 38, 770 N. Farnsworth, Aurora. Manufacture or deliver 1 to 15 grams of substance containing cocaine: guilty; 60 days periodic imprisonment, court costs/fines, \$ 2,638.

- Donald L. Morris, 18, 8 Testa Drive, Naperville. Deception-bad check: guilty; 86 days in jail, court costs/fines, \$ 275.

- Maria L. Oling, 23, 29W406 Butternut, Warrenville. Manufacture or deliver 400 to 900 grams of substance containing cocaine: guilty; 12 years in jail, court costs/fines, \$ 903,235.



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Misdemeanors

- David J. Albert, 34, 1012 Lincoln, Elk Grove Village. Driving with license revoked: guilty; 150 days in jail, court costs/fines, \$ 120.
- Marco T. Aleman, 30, 413 E. Montana, Glendale Heights. Domestic battery: case dropped.
- Jerry L. Alexander, 44, 314 S. 2nd Ave., St. Charles. Driving while licensed revoked or suspended: guilty; court supervision.
- Leonard A. Alfonzo, 32, 1675 Kiowa, Naperville. Driving while license suspended: guilty; court costs/fines, \$ 100.
- Jason C. Allen, 19, 1032 Knollwood, Schaumburg. Unlawful possession or consumption of alcohol by a minor: guilty; court costs/fines, \$ 237.
- William J. Allen, 18, 21318 Willow Road, Lake Zurich. Fail to give aid or information at attended accident involving vehicle damage: case dropped.
- Clarissa B. Alterson, 19, 3 Vermont Court, Bolingbrook. Possess not more than 2.5 grams of cannabis: guilty; 1 year probation, court costs/fines, \$ 415. Unlawful possession of drug paraphernalia: guilty; court costs/fines, \$ 1,031.
- James P. Amabile, 32, 299 Boyd, Elmhurst. Improper use of evidences of registration or certificate of title: guilty; court supervision.
- Sebastian S. Andrade, 23, 17 N. Main, Glen Ellyn. Possess firearm with no valid **FOID** - is eligible: guilty; court costs/fines, \$ 195.
- Mohammed S. Arif, 26, 1065 Westmore Ave., Lombard. Retail theft: guilty; court costs/fines, \$ 130.
- Brien P. Arnold, 23, 8021 Janes Ave., Woodridge. Domestic battery: guilty; 1 year conditional discharge, court costs/fines, \$ 250. Domestic battery: case dropped. Criminal damage to property: guilty; 1 year conditional discharge, court costs/fines, \$ 140.
- Christopher M. Arnold, 23, 236 S. Lathrop, Forest Park. Retail theft: case dropped.
- Thomas P. Arra, 52, 215 W. 58th Place, Willowbrook. Obstructing justice-evidence and false information: case dropped. Driving with license revoked: case dropped.
- Ashfaq A. Azmi, 20, 188 Vantroba Drive, Glendale Heights. Improper use of evidences of registration or certificate of title: guilty; court costs/fines, \$ 80.
- Ryan E. Balasa, 23, 485 Kenilworth, Glen Ellyn. Driving while license suspended: guilty; 14 days in jail, court costs/fines, \$ 110. Driving with license revoked: guilty; 14 days in jail, fined \$ 110.
- Felicia R. Barnes, 35, 1010 Fairway, Naperville. Endangering the health or



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life of a child: guilty; 1 year probation, court costs/fines, \$ 140.

- Victor R. Barrera, 25, 190 Meadow Lane, Carol Stream. Fail to give information to owner after striking unattended vehicle or property: guilty; court costs/fines, \$ 75.

- Lisa R. Barrington, 20, 1580 Burr Oak Court, Wheaton. Theft of stolen goods not exceeding \$ 300: guilty; court costs/fines, \$ 237.

- Michael J. Bartos, 18, 2730 Carriage Way, Aurora. Theft: guilty; court costs/fines, \$ 237. Theft by deception: case dropped.

- Matthew L. Betsinger, 20, 567 Woodlawn Ave., Aurora. Obstructing justice-evidence and false information: guilty; court costs/fines, \$ 237. Driving while license suspended: guilty; court costs/fines, \$ 217.

- Benjamin D. Biancofori, 18, 515 E. Roosevelt, Wheaton. Criminal damage to property: guilty; 304 days in jail, court costs/fines, \$ 145.

- William A. Borger, 28, 5512 Riverview Drive, Lisle. Driving while license suspended: guilty; court costs/fines, \$ 500.

- Martin A. Bosshart, 37, 796 Maple Lane, Bensenville. Driving while license suspended: guilty; 7 days in jail, court costs/fines, \$ 80.

- Lawrence W. Boutte, 44, 1484 Grand, Columbus, IN. Theft of labor, services or use of property: case dropped.

- Seamus A. Boyle, 19, 3429 Vernon Ave., Brookfield. Possess more than 2.5 but not more than 10 grams of cannabis: case dropped.

- Siobhan E. Boyle, 21, 3429 S. Vernon, Brookfield. Possess more than 2.5 but not more than 10 grams of cannabis: guilty; court costs/fines, \$ 370.

- Adam J. Brake, 22, 1010 Palmer, Downers Grove. Improper use of evidences of registration or certificate of title: guilty; court costs/fines, \$ 100.

- James W. Brooks, 48, 81 Waxwing, Naperville. Disorderly conduct-breach of peace: case dropped.

- Jerome D. Brown, 39, 580 Gunderson, Carol Stream. Driving while license suspended: guilty; court costs/fines, \$ 100.

- Dustin J. Brozenec, 24, 2154 Walcott, Aurora. Driving while license suspended: guilty; court costs/fines, \$ 500.

- Michelle A. Bryant, 17, 81 Oxford Lane, Glendale Heights. Disorderly conduct-breach of peace: guilty; court costs/fines, \$ 75.

- Brian P. Byrnes, 26, 1105 Michael St., Lockport. Driving while license suspended: guilty; 20 days in jail, court costs/fines, \$ 120.

- Philip A. Campagna, 21, 2336 Century Point, Glendale Heights. Unlawful possession of drug paraphernalia: guilty; court costs/fines, \$ 1,031. Possess



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more than 2.5 but not more than 10 grams of cannabis: guilty; 24 months probation, court costs/fines, \$ 415.

- David A. Capps, 38, 207 Montrose, Romeoville. Driving with license revoked: guilty; 30 days in jail, court costs/fines, \$ 150.

- Dominick V. Caputo, 28, 29W565 Winchester, Warrenville. Domestic battery: case dropped.

- David S. Carlson, 17, 850 S. Lorraine, Wheaton. Criminal damage to property: guilty; court costs/fines, \$ 130. Criminal trespass to land: guilty; court costs/fines, \$ 120.

- Antonio J. Castro, 26, 170 Mill Run Lane, St. Peters, MO. Criminal damage to property: case dropped. Criminal trespass to residence: case dropped.

- Jeffrey S. Chapman, 27, 329 Hale, Addison. Driving while license suspended: guilty; court costs/fines, \$ 200.

- Cara L. Christiansen, 22, 1143 S. David Drive, Bensenville. Unlawful possession of drug paraphernalia: guilty; 1 year probation, court costs/fines, \$ 1,071.

- Erica T. Chudy, 20, 511 Rand Court, Wheaton. Battery: guilty; court supervision.

- Boguslawa E. Chyrka, 42, 5440 S. Harding, Chicago. Criminal damage to property: guilty; court costs/fines, \$ 140.

- Jennifer L. Cieminski, 20, 121 Dartford Lane, Schaumburg. Unlawful possession or consumption of alcohol by a minor: guilty; court costs/fines, \$ 237.

- Patrick M. Cirino, 32, 415 E. Benton, Naperville. Violation of order of protection: guilty; 1 year conditional discharge, court costs/fines, \$ 260. Resisting or obstructing a police officer: guilty; 1 year conditional discharge, court costs/fines, \$ 140. Domestic battery: case dropped. Violation of order of protection: case dropped.

- Willie L. Clark, 46, 119 N. Monroe St., North Aurora. Operate a vehicle with canceled, suspended or revoked Illinois registration: guilty; court costs/fines, \$ 80.

- Matthew S. Coleman, 21, 592 S. Bryan Ave., Elmhurst. Weapons-possess knife or club with intent to use: guilty; 18 months probation, court costs/fines, \$ 285. Possess firearm ammunition without valid FOID card: case dropped. Possess firearm with no valid FOID - is eligible: case dropped. Possess fictitious or altered drivers license or permit: case dropped. Possess more than 10 but not more than 30 grams of cannabis: guilty; 18 months probation, court costs/fines, \$ 490. Obstructing justice-evidence and false information: case dropped.

- Richard E. Collins, 22, 333 S. Madison, LaGrange. No valid commercial drivers license: guilty; court costs/fines, \$ 200.



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- John B. Comerford, 20, 14 E. Opal, Glendale Heights. Drag racing prohibited: guilty; 7 days in jail, court costs/fines, \$ 1,000.
- Brent E. Compford, 24, 511 Preston Drive, Bolingbrook. Unlawful possession of drug paraphernalia: case dropped.
- William M. Contreras, 41, 8228 Smith Lane, River Grove. Driving while license suspended: guilty; court costs/fines, \$ 250.
- Deborah L. Conway, 27, 727 S. Merle, Villa Park. Retail theft: guilty; court costs/fines, \$ 180.
- Joseph S. Covelli, 25, 1 Renaissance, Palatine. Driving while license suspended: guilty; court costs/fines, \$ 100.
- Tiffany S. Crahan, 24, 362 Park Ridge, Aurora. Criminal trespass to residence: case dropped.
- Venus W. Craig, 18, 229 Marengo, Forest Park. Theft: guilty; court costs/fines, \$ 130.
- Donald G. Crawford, 46, 1135 S. Grace, Lombard. Public indecency-lewd exposure: case dropped. Disorderly conduct-breach of peace: guilty; court costs/fines, \$ 120.
- Darryl E. Crossley, 36, 12104 S. Justine, Chicago. Possess more than 2.5 but not more than 10 grams of cannabis: guilty; court costs/fines, \$ 474.
- Procoro E. Cruz, 34, 504 Prospect Blvd., Elgin. Retail theft: guilty; court costs/fines, \$ 700.
- Tammy K. Cutler, 19, 1247 Hailshaw Court, Wheaton. Unlawful possession or consumption of alcohol by a minor: guilty; court costs/fines, \$ 130.
- Scott C. Danbrauskas, 19, 730 Warren, Downers Grove. Unlawful possession of drug paraphernalia: guilty; court costs/fines, \$ 1,031. Possess not more than 2.5 grams of cannabis: guilty; court costs/fines, \$ 370.
- Daniel J. Davis, 17, 605 E. Wilson, Batavia. Theft by deception: guilty; court costs/fines, \$ 130.
- Jacob S. Deems, 19, 7955 Westview Lane, Woodridge. Operate a vehicle with canceled, suspended or revoked Illinois registration: guilty; court costs/fines, \$ 80.
- Luis J. Delsol, 23, 2038 N. 18th Ave., Melrose Park. Battery: case dropped. Obstructing justice-evidence and false information: case dropped. Battery: case dropped.
- Scott W. Dempsey, 27, 557 N. Ardmore Ave., Villa Park. Driving while license suspended: guilty; court costs/fines, \$ 200. Display or possess canceled, revoked or suspended license or permit: case dropped.
- Brett M. Depatie, 27, 1379 Branchwood, Naperville. Resisting or obstructing



a police officer: case dropped. Driving with license revoked: case dropped.

- Juan A. Diaz Jr., 26, 8238 W. Forest Preserve, Chicago. Reckless driving: guilty; court costs/fines, \$ 200.

- Kenneth A. Dibiase, 55, 27W466 Ridgeview, West Chicago. Operate a vehicle with canceled, suspended or revoked Illinois registration: guilty; court costs/fines, \$ 80.

- Russell E. Donahue, 41, 6057 S. 75th Court, Summit. Driving while license suspended: guilty; court costs/fines, \$ 200.

- Steven L. Draper, 42, 9S020 Frontage Road, Clarendon Hills. Domestic battery: case dropped. Battery: guilty; court costs/fines, \$ 135.

- Daniel L. Driscoll, 21, 2295 Woodview Lane, Naperville. Unlawful possession of drug paraphernalia: guilty; court costs/fines, \$ 1,031.

- Arthur R. Duda, 38, 6140 Fairview, Downers Grove. Domestic battery: case dropped.

- Steven H. Duntelman, 32, 605 Briar Hill Lane, Addison. Driving while license suspended: guilty; court costs/fines, \$ 80.

- John R. Eiffes, 34, 544 Gregory, Glendale Heights. Leave scene of accident involving damage to attended vehicle: guilty; court costs/fines, \$ 250.

- John P. Emhons, 20, 2S674 Horseshoe Drive, Batavia. Operate a vehicle with canceled, suspended or revoked Illinois registration: guilty; court costs/fines, \$ 80.

- Rita F. Erwin, 48, 16W641 Mockingbird, Hinsdale. Driving while license suspended: guilty; court costs/fines, \$ 200.

- Paul A. Faber, 18, 2304 Richmond Drive, Wheaton. Disorderly conduct-breach of peace: guilty; court costs/fines, \$ 120. Leave the scene of accident resulting in personal injury or death: case dropped. Fail to give aid or information in accident involving death or personal injury: case dropped.

- Kristen A. Faltin, 20, 57 W. Logan St., Lemont. Driving while license suspended: guilty; court costs/fines, \$ 100.

- Michael R. Faltz, 21, 3663 Wolf Road, Oswego. Theft: guilty; 1 year probation, court costs/fines, \$ 235.

- Lance R. Fara, 39, 28W716 Lester, West Chicago. Operate a vehicle with canceled, suspended or revoked Illinois registration: case dropped.

- Stephen J. Feldt, 30, 744 Bluff, Carol Stream. Unlawful possession of drug paraphernalia: guilty; court costs/fines, \$ 1,031.

- Andrew S. Fenoglio, 20, 310 Springbrook, Carol Stream. Possess more than 10 but not more than 30 grams of cannabis: guilty; 20 days periodic imprisonment. Unlawful possession of drug paraphernalia: guilty; 20 days periodic



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imprisonment. Possess not more than 2.5 grams of cannabis: guilty; 20 days periodic imprisonment.

- Francis J. Ferrin, 49, 302 N. Ardmore Ave., Villa Park. Driving while license suspended: guilty; court costs/fines, \$ 250.

- Ellen L. Flores, 37, 412 Cochise Court, Carol Stream. Leave scene of accident involving damage to attended vehicle: guilty; court costs/fines, \$ 287.

- Kevin A. Fulton, 25, 1N726 Park Blvd., Glen Ellyn. Possess not more than 2.5 grams of cannabis: case dropped.

- Cresenciano V. Garcia, 50, 2431 S. Whipple, Chicago. Driving while license suspended: guilty; court costs/fines, \$ 100.

- Jeremy G. Gari, 26, 208 E. South Ave., Elburn. Driving while license suspended: guilty; court costs/fines, \$ 250.

- Jarlon R. Garrett, 23, 1910 W. Division, Melrose Park. Driving with license revoked: guilty; 14 days in jail, court costs/fines, \$ 150. Improper use of evidences of registration or certificate of title: case dropped.

- Juan D. Gavina-Gomez, 31, 475 Laurel St., Elgin. Driving with license revoked: guilty; court costs/fines, \$ 80.

- Matthew L. Gegenhuber, 47, W882 Elm Road, Hawkins, WI. Leave scene of accident involving damage to attended vehicle: guilty; court costs/fines, \$ 200.

- Thomas J. Giambalvo, 27, 1025 Elizabeth St., West Chicago. Driving while license suspended: guilty; court costs/fines, \$ 110.

- Michael L. Goss, 51, 159 E. North, Glendale Heights. Driving while license suspended: guilty; court costs/fines, \$ 100.

- Gregory T. Graham, 34, 2105 Apple Lane, Woodridge. Domestic battery: case dropped.

- Stephen A. Grigsby, 22, 233 Pinewood, Bloomingdale. Produce or possess not more than 5 cannabis plants: guilty; 2 years probation, court costs/fines, \$ 540. Unlawful possession of drug paraphernalia: guilty; court costs/fines, \$ 1,031.

- Jack D. Grove, 17, 1662 Gilberto, Glendale Heights. Driving while license suspended: guilty; court costs/fines, \$ 200.

- Michael A. Gumaer, 25, 909 E. Clinton St., Joliet. Driving while license suspended: case dropped.

- Tara M. Hais, 18, 1855 Tall Oaks Drive, Aurora. Retail theft: guilty; court costs/fines, \$ 130.

- Thomas K. Harder, 25, 613 Van Auken, Elmhurst. Unlawful possession of drug paraphernalia: case dropped. Unlawful possession of drug paraphernalia: guilty; 1 year conditional discharge, court costs/fines, \$ 1,071. Possession of



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hypodermic syringe or needle: guilty; 1 year conditional discharge, court costs/fines, \$ 140. Possess more than 2.5 but not more than 10 grams of cannabis: case dropped. Possess anabolic steroid: guilty; 1 year conditional discharge, court costs/fines, \$ 130.

- Dale A. Heatherly, 41, 5109 Belmont Road, Downers Grove. Violation of order of protection: case dropped. Violation of order of protection: guilty; 3 days in jail, court costs/fines, \$ 250.

- James I. Henley, 26, 6030 N. Kenmore, Chicago. Driving while license suspended: guilty; court costs/fines, \$ 150.

- Gilbert C. Hernandez, 42, 101 Woodstock, Clarendon Hills. Driving while license suspended: guilty; court costs/fines, \$ 80. Missing front or rear bumper or bumper of illegal height: guilty; court costs/fines, \$ 150.

- Anthony J. Hessling, 19, 14 Curtmar Court, Montgomery. Driving while license suspended: guilty; court costs/fines, \$ 150.

- Gary M. Hillier, 34, 3307 W. Pensacola, Chicago. Driving while licensed revoked or suspended: guilty; court costs/fines, \$ 200.

- Denise A. Hinz, 31, 415 S. Oakland Ave., Villa Park. Domestic battery: case dropped.

- Thomas A. Hisey, 23, 29W138 Barnes, West Chicago. Battery: guilty; court costs/fines, \$ 287.

- Frank G. Hjelm, 21, 812 Red Barn Lane, Elgin. Reckless driving: guilty; 20 days in jail, court costs/fines, \$ 120. Possession of hypodermic syringe or needle: case dropped.

- Daniel B. Hollow, 33, 419 W. Franklin Ave., Naperville. Domestic battery: guilty; 1 year conditional discharge, court costs/fines, \$ 250. Domestic battery: case dropped. Criminal damage to property: guilty; court costs/fines, \$ 240.

- Edward J. Hornberger, 36, 108 Rome Blvd., Hebron, IN. Driving while license suspended: guilty; court costs/fines, \$ 330.

- Cary A. Howlleit, 46, 4446 W. Walton, Chicago. Driving while license suspended: guilty; court costs/fines, \$ 80. Operate a vehicle with canceled, suspended or revoked Illinois registration: guilty; court costs/fines, \$ 80.

- Walter D. Humble, 36, 13942 S. Keeler Ave., Crestwood. Driving with license revoked: guilty; 14 days in jail.

- Richard R. Hyzy, 29, 799 Royal Drive, Naperville. Driving while license suspended: guilty; 6 months probation. Obstructing justice-evidence and false information: guilty; 6 months probation.

- Ronald L. Ingole, 33, 634 N. Harvard, Villa Park. Domestic battery: case dropped.



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- Donald W. Insko, 34, 1 S. Park, Lombard. Reckless conduct: guilty; 1 year conditional discharge, court costs/fines, \$ 210.

- Teiko L. Jackson, 21, 6030 S. Wood St., Chicago. Improper use of evidences of registration or certificate of title: guilty; court costs/fines, \$ 100.

- Michael S. Jacobsen, 22, 1439 Fairway Drive, Glendale Heights. Driving while license suspended: guilty; court costs/fines, \$ 150.

- Diana D. Jaeger, 46, 222 N. Addison, Elmhurst. Battery: case dropped.

- Edward M. James, 37, 5028 Switchgrass Lane, Naperville. Public indecency-sexual conduct or penetration: guilty; 60 days in jail, court costs/fines, \$ 277.

- Kofi A. Jamison, 20, 841 N. Lombard, Oak Park. Driving while license suspended: guilty; court costs/fines, \$ 75.

- Mark C. Johnson, 24, 1620 S. 20th, Maywood. Possess more than 10 but not more than 30 grams of cannabis: guilty; court costs/fines, \$ 370.

- Ray C. Johnson, 36, 533 W. Chestnut, Chicago. Obstructing justice-evidence and false information: case dropped. Driving with license revoked: case dropped.

- Cory D. Jones, 21, 1041 32nd Ave., Bellwood. Disorderly conduct-breach of peace: case dropped.

- Shirley A. Jones, 38, 950 Fairway Drive, Naperville. Domestic battery: case dropped.

- Timothy S. Jones, 30, 282 Lakewood, Park Forest. Criminal damage to property: guilty; 26 days in jail, court costs/fines, \$ 140.

- Jules T. Judkins, 32, 1450 S. Bussey Road, Mt. Prospect. Domestic battery: case dropped.

- Ryan E. Kaelin, 18, 117 Glen Ave., West Chicago. Driving while license suspended: guilty; court costs/fines, \$ 150.

- Bryan M. Keeter Jr., 27, 718 E. Wakeman Ave., Wheaton. Domestic battery: case dropped.

- Stacey A. Kemp, 32, 233 S. 15th Ave., Maywood. Retail theft: guilty; 24 days in jail, court costs/fines, \$ 126.

- Kevin L. Kitchen, 22, 2902 Dunton, Arlington Heights. Theft: guilty; court costs/fines, \$ 130. Resisting or obstructing a police officer: guilty; court costs/fines, \$ 130.

- Matthew L. Kolaczowski, 21, 99 11th Ave., Bartlett. Driving while license suspended: guilty; court costs/fines, \$ 80.

- Erwin F. Koschel, 39, 2N109 Grace St., Lombard. Leave scene of accident involving damage to attended vehicle: case dropped. Fail to give aid or



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information at attended accident involving vehicle damage: case dropped.

- Timothy F. Kratz, 18, 5411 Blodgett, Downers Grove. Operate a vehicle with canceled, suspended or revoked Illinois registration: guilty; court costs/fines, \$ 100.

- Justin G. Krejci, 17, 27W711 Galusha Ave., Warrenville. Domestic battery: guilty; 1 year probation, court costs/fines, \$ 280.

DUI Report

A listing from the Illinois Secretary of State of drivers licenses revoked or suspended for DUI convictions during the week ending August 1. Some revocations or suspensions are later rescinded; such actions are indicated.

Revocation for DUI Conviction - Alcohol

- Marlon H. Acosta, 27, 619 Gundersen Drive, Carol Stream.
- Jesus Adolfo-Estrada Alcala, 29, 541 N. View St., Aurora.
- Juan R. Barajas, 58, 1397 Georgetown Drive, Carol Stream.
- Margarito J. Berron, 28, 47 Michael, Addison.
- Eladio Castillo, 23, 1639 S. Michigan, Villa Park.
- Gary Joseph Cervelli, 34, 111 W. 65th St., Westmont.
- Christopher R. Copenhaver, 25, 130 Kingswood Court, Naperville.
- Marcos Garciamancera, 23, 1217 Kingcross, West Chicago.
- Eduardo Guerrero, 28, 1032 S. Oak St., West Chicago.
- Roman Ismael, 37, 507 Valerie, Addison.
- Coleen M. Murphy, 29, 591 Sunnyside Ave., Elmhurst.
- Arne Randall Pederson Jr., 21, 185 College Drive, Bloomingdale.
- Jose Ramos, 32, 1206 Kings Court, West Chicago.
- Eric H. Reims, 38, 376 Dublin Court, Carol Stream.
- Randall R. Richards, 36, 317 S. Riverside, Villa Park.
- Jose Rodriguez, 25, 13 W. Main St., Bensenville.
- Robert E. Rosch, 50, 263 Edgewood, Wood Dale.
- Charlotte G. Ruiz, 28, 4827 Douglas Road, Downers Grove.
- Domingo Salcedo, 26, 141 Michael Lane, Addison.



- John L. Schneck, 56, 1209 Nashua Lane, Hanover Park.
- Theresa J. Shaw, 34, 208 Tallman Ave., Romeoville.
- Young Wook Shin, 45, 1493 Georgia Court, Naperville.

Revocation for DUI Conviction - Rescinded

- Daniel L. Addison, 21, 1870 Mayfair, Westchester.
- Jose D. Arteaga, 37, 759 Saylor, Elmhurst.
- John R. Bielenda, 19, 825 S. Fairfield, Lombard.
- Matthew W. Mathisen, 24, 926 W. Irving Park Road, Bensenville.
- John P. Murphy, 34, 33 W. Graham, Lombard.
- Jose Ramos, 32, 1206 Kings Court, West Chicago.

Suspension for out-of-State Implied

- Michael Leigh Beaubien, 35, 240 Springhill Drive, Roselle.

Suspension For Refusing or Failing Chemical Testing

- Tim Alaniz, 24, 1223 Gates, West Chicago.
- Rafael Andrade, 27, 351 Elmhurst, Wood Dale.
- Richard M. Andersen, 57, 5309 Newport Drive, Lisle.
- Scott K. Berard, 23, 1269 Sandpiper Lane, Naperville.
- Robert G. Boivin, 28, 731 Rogers St., Downers Grove.
- Heidi S. Brabaw, 24, 635 E. Gunderson Drive, Carol Stream.

LANGUAGE: ENGLISH

LOAD-DATE: August 24, 1998



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LEVEL 1 - 17 OF 26 STORIES

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August 3, 1998, Saturday, EARLY AND CITY EDITIONS

SECTION: NEWS, Pg. 1

LENGTH: 830 words

HEADLINE: Firearm ID system limited in checks / Illinois verifies in-state data,
can't check out-of-state

BYLINE: JOHN O'CONNOR STATE CAPITOL BUREAU
Staff writer Jason Piscia

DATELINE: PHOENIX

BODY:

Illinois authorities check every day to see whether applicants for **Firearm Owner's Identification cards** have been committed to mental

But that didn't stop suspected gunman Russell E. Weston Jr. from renewing his before the July 24 shootings in the U.S. Capitol.

State police said Weston, a Valmeyer native, was given a renewal of his state **FOID** card last fall because police had no way of knowing that he had spent time in a Montana mental health institution.

Illinois might be the only state in which law enforcement officials can check whether applicants for **FOID** cards have been committed to a mental health facility, said Tom Diaz, senior policy analyst for the Violence Policy Center in Washington, D.C.

In fact, the Illinois State Police checks their database of 1.15 million **FOID** card holders with the state Department of Human Services every day to find the names of people who have been patients in state institutions, police spokesman Mark McDonald said.

Law enforcement agencies from other states may get access to those records when faced with an application from someone who once lived in Illinois, Diaz said.

But that is not the case in Montana, where Weston was involuntarily committed to a state mental hospital for 56 days in 1996. Illinois officials issued an **FOID** card to Weston because they could not have known about his Montana history, McDonald said.

Officials don't know whether Weston ever bought a gun. A .38-caliber handgun he had in Washington apparently belonged to his father, who also had a valid



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FOID card, McDonald said.

Weston first applied for and received a **FOID** card in 1987. He renewed his card in 1992 and again in October 1997. The card must be reissued every five years, and renewals can be done by mail.

But, as state officials have now discovered, he was actually ineligible in 1997. A question on the form asks applicants if they've even been in a mental institution within the last five years. If they respond in the affirmative, the card is denied.

"People in Montana feel very strongly about privacy. . . .," said Gary Marbut, president of the Montana Shooting Sports Association. "Many times, the legislature wants to do this or that, but their hands are tied because the privacy laws are very strong, stronger than those read into the U.S. Constitution."

Other gun rights advocates, including the National Rifle Association, believe police should be able to easily check mental health records.

"The NRA has long argued that those records should be accessible to the Illinois State Police or the FBI or whatever law enforcement agency is doing the investigation," spokesman Tom Wyld said.

Illinois' system was constructed in the early 1980s, McDonald said. The state adopted its **FOID** law in 1968, which precluded people from owning guns if they have a record of mental illness. But there was no system to check it.

"To ease people's minds about confidential information, we don't ask (the Department of Human Services) for information," McDonald said. "We send them our database. Every day, they run that against their admissions and they will tell us if they've had a hit and we investigate those."

Involuntary commitments to mental institutions are public record, said Dave Kopel, adjunct law professor at New York University. But there's no system to share those records among states.

"The difficulty is that a felony conviction is highly reliable because we have an adversarial process in which the defendant is assured of his day in court," Kopel said. "That's not always necessarily true with mental health records."

Diaz agreed.

"It's not a crime to be mentally ill, and there's a very strong federal law to protect mental health records from unnecessary disclosure," Diaz said.

"There is no way, unless a local official knows about some mental problem or, as in Illinois, there's an in-state system, to keep a firearm out of the hands of a person who has a serious problem, and we're years and possibly decades away from making that system work nationally."

Diaz noted that the federal government has spent \$ 200 million in the past five years to update its national system for sharing records of criminal



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convictions for purposes of the Brady gun control law. A tougher version of that 3-year-old law takes effect Dec. 1.

State police generally refuse to disclose names of **FOID** card owners -- in fact, they rejected a State Journal-Register request for those names in May -- on the grounds that disclosure would violate personal privacy.

The department disclosed the **FOID** status of Weston and his father because of the importance of the situation and the number of questions about it from all over the country, according to McDonald.

"It was our feeling that he (Weston) had given up all expectations of privacy at that point and with the overwhelming curiosity about his situation, it was just better to go ahead and provide the information."

McDonald said.

TYPE: NEWS

LOAD-DATE: August 5, 1998



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LEVEL 1 - 18 OF 26 STORIES

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August 3, 1998, Saturday, EARLY AND CITY EDITIONS

SECTION: NEWS, Pg. 1

LENGTH: 467 words

HEADLINE: Firearm ID system limited in checks / Springfield ranks 3rd in **FOID** card holders

BYLINE: JOHN O'CONNOR STATE CAPITOL BUREAU
Illinois State Police

BODY:

The city of Springfield has more **Firearm Owner's Identification card** holders than all but two cities in the state, records show.

An analysis of the Illinois State Police database indicates that 18,461 Springfield residents have **FOID** cards, or 16.3 percent of the city's

That represents 1.6 percent of the 1.15 million card-holders statewide.

Springfield is behind only Chicago, with 133,290 cards (4.8 percent of its population) and Rockford, with 18,949, or 13.3 percent of its residents, based on 1997 population figures.

Not surprisingly, the state's larger cities -- including Peoria, Joliet, Aurora, Elgin, Naperville, Waukegan and Pekin -- appear among the 25 cities in the state with the largest populations of **FOID** card-holders.

But some smaller cities have far larger concentrations of gun-card holders.

One in four Belleville residents has a gun card, while 22 percent of Collinsville's 22,400 residents have them.

More than 37 percent of Plainfield residents have them, as do nearly a third of those with Beardstown addresses, more than 28 percent of Washington residents and 23 percent of those living in Litchfield.

People living in rural areas often are hunters or want firearms for protection in remote areas, state police spokesman Mark McDonald said.

The records show that 189 residents of Valmeyer, population 897 and home of suspected U.S. Capitol gunman Russell E. Weston Jr., have **FOID** cards.

Four people with **FOID** cards list their address as Roby. That's the home of Shirley Allen, who held state police at bay with a shotgun for 39 days last fall



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after they tried to take her for a psychiatric examination.

But because the state police won't release names of card-holders, there is no way to know whether Allen has a **FOID** card.

The list of counties with the most **FOID** cards almost mirrors the population rankings: Cook, DuPage, Will, Lake, Madison, St. Clair, Kane, Winnebago, Sangamon, Peoria, McHenry and Tazewell counties.

Men make up the overwhelming majority of card-holders: 960,105 men have cards, representing 84 percent of the total cards issued, to 188,179 women.

But the number of women with **FOID** cards has grown tremendously in the past five years, McDonald said.

Whites make up more than 85 percent of the card-holders -- 981,722 -- to 107,823 blacks. Nearly 60,000 list their race on the **FOID** application as "other," and 331 chose not to reveal their race.

Predictably, 506,000 people -- nearly half of those with cards -- are baby boomers aged 31 to 50. But 103,000 are older than 70, and more than 30,000 are aged 10 to 20. At least 76 are younger than nine.

State law places no minimum age on **FOID** card holders, but anyone younger than 21 must have a parent or guardian's go-ahead to obtain a card, McDonald said.

GRAPHIC: 1 COLOR FACT BOX

TYPE: NEWS

LOAD-DATE: August 5, 1998



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August 3, 1998, Saturday, EARLY AND CITY EDITIONS

SECTION: NEWS, Pg. 3

LENGTH: 530 words

HEADLINE: **FOID** cards available with relative ease

BYLINE: JASON PISCIA STAFF WRITER

BODY:

Illinois' Firearm Owner's Identification Act was enacted in 1968 to keep guns out of the hands of criminals and people with mental disorders.

The state is one of 12 in the country that have some form of gun license or permit law on the books, according to the National Rifle Association.

Today, nearly 1.2 million Illinoisians have valid **FOID** cards. With \$ 5 and an application available at most sporting goods and gun stores or any Illinois State Police facility, anyone can apply to get one, even if they don't own a gun. The form also can be printed out from the state police's Web site (www.state.il.us/isp).

Residents under age 21 need written consent from a parent or legal guardian who personally is eligible to get a card.

Under the law, someone can be denied an **FOID** card if he or she is found to be:

- o Convicted of a felony. Applicants under 21 cannot have a misdemeanor on their record, except for a traffic offense.
- o Convicted within the past five years of domestic battery, battery, assault, aggravated assault or violation of an order of protection when the offenses involved a firearm.
- o Addicted to narcotics.
- o Committed to a mental institution within the last five years.
- o Diagnosed as mentally retarded.
- o An illegal alien.
- o Under an order of protection that prohibits the person from possessing a firearm.



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These criteria are first determined through a series of yes/no questions on the **FOID** application form.

After receiving the application, state police also complete their own background check to see if the responses to the criminal history and residency questions are accurate, said state police spokesman Mark McDonald.

Applicants who lie on the forms could face perjury charges.

Checks also are performed when a person renews his or her card every five years or when a card-holder purchases a gun or ammunition, McDonald said.

Dealers are required to call the state with the buyer's **FOID** number when a transaction is made.

But verifying the questions about a person's mental history is more difficult, since states other than Illinois typically keep their mental patients' records confidential.

Police are able to check patients in Illinois institutions, however, by using a computer program at the state Department of Human Services to compare patients' names against card-holders, McDonald said.

If an active card-holder does commit a felony or meets any of the other criteria that could deny them a card, state police will revoke it.

In 1994, the most recent figures available, the state revoked 2,247 **FOID** cards.

Law enforcement and authorized military personnel in Illinois are able to possess guns without **FOID** cards. But those firearms can be used only on the job. These officials do need a card to use a gun when off duty.

People who reside outside the state do not need an **FOID** card to use a gun within Illinois. But in order to legally possess the gun, a firearms owner must be in an area where hunting is permitted, on a shooting range recognized by the state or at a state-recognized firearm showing or display. At all other times, the gun must be unloaded and enclosed in a case.

TYPE: NEWS

LOAD-DATE: August 5, 1998



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August 2, 1998, Friday, EARLY AND CITY EDITIONS

SECTION: EDITORIAL, Pg. 13, STATEHOUSE INSIDER

LENGTH: 797 words

SOURCE: Written by Doug Finke and John O'Connor, Statehouse reporters for The State Journal-Register. They can be reached at 788-1537 or insiderfsj-r.com.

BODY:

BRUCE BABBITT did it in 1986.

So, does state Sen. STEVE RAUSCHENBERGER's participation in the 500-mile Register's Annual Great Bicycle Ride Across Iowa mean the Elgin Republican will be there for the Iowa caucuses in 2000?

"The Republicans are looking for someone. I'm as qualified as Newt," Rauschenberger joked last week. "I don't have as much sex appeal as others, though -- a gray, bearded guy. It would be an intern-less White House."

But Rauschenberger, who made the six-day jaunt with office-mate DOUG HOEFT, a Republican representative from Elgin, sees an opportunity in RAGBRAI, a 26-year-old event sponsored by the Des Moines Register.

Rest your hamstrings, legislators. He's not suggesting a Ray LaHood-style retreat for lawmakers on saddled two-wheelers across the corn and bean fields.

He just thinks the departments of Natural Resources or Commerce and Community Affairs might jump on the idea.

"I will encourage DNR to go next year and take a look at it for 2000 for the Lincoln circuit," Rauschenberger said. "The circuit Lincoln rode (from courthouse to courthouse during his days as a lawyer) would be scenic and an interesting economic promotion.

"There were a lot of bikers from Illinois" in RAGBRAI, said Rauschenberger, who with his wife covered the whole 485-mile route, while Hoeft skipped the third and sixth days to ride in the support van Hoeft's wife was driving.

"Twenty thousand riders converge on a town of 1,200 -- they drop a lot of dough."

Those state employees are like church mice at work.

They had some tourists fooled the other day.

NOREEN JUE of Foster City, Calif., was outside the Statehouse with her daughter two Fridays ago, the afternoon of the shooting at the U.S. Capitol. We stopped and asked her about security under the state dome and whether her guided



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tour came off safely.

"I'm surprised there aren't more people around," Jue said. "I would have thought it was a work day."

If you have an Illinois **Firearm Owner's Identification Card** and you don't want your name released to the public, don't get yourself suspected of shooting two guards in the U.S. Capitol.

The Illinois State Police last spring refused to disclose to The State Journal-Register the names of the 1.15 million **FOID** card holders when it gave the newspaper its computer database of records.

But one of them on the list was made an exception -- RUSSELL E. WESTON JR. of Valmeyer. He is suspected of shooting a gun at the Capitol on July 24.

State police spokesman MARK McDONALD, whose agency believes disclosing names on the **FOID** list is an invasion of privacy, felt free to talk about Weston's card when media across the country called him about it.

"He had just shot two people," McDonald said of Weston, who has been charged in the shooting, but not convicted, last we checked. "For us to protect his privacy on a **FOID** card just didn't make much sense when the whole country is clamoring for information about the guy."

One of the guns Weston had in Washington apparently was taken from Weston's father. Surely McDonald would draw the line when asked whether his RUSSELL WESTON SR. has a card, since he's not been charged in anything.

"His father did have a valid **FOID** card," McDonald reported.

So, let's amend our introductory statement: Don't get yourself suspected of shooting two guards in the U.S. Capitol -- or be the father of someone suspected of shooting two guards in the U.S. Capitol.

Last week, Secretary of State GEORGE RYAN's staff went through the Capitol pressroom passing out thick stacks of paper documenting charges Ryan is making in a TV ad attacking GLENN POSHARD's environmental record.

Nothing wrong with that, both parties do it all of the time. What struck is as odd, however, is that when you turned some of those papers over, you found this campaign stuff was printed on the back side of official George Ryan, Secretary of State memo paper. That's official paper as in stuff paid for by taxpayers and used by the office to print news releases.

We asked a red-faced Ryan spokesman, DAVE URBANEK, about this miscue. (Actually, Urbanek's face literally turned quite red when we showed the pages to him).

"What can I say?" Urbanek responded. "The office believes in recycling."

During an appearance before the Illinois Association of Minorities in Government last week, Ryan was effusive in his praise of state Human Services Director HOWARD PETERS.



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Peters is an example, Ryan said, of someone who literally worked his way from an entry level job to director of the state's largest agency. In fact, there is only one more step in Peters' ladder, Ryan said.

"The next job is governor," said Ryan, the Republican candidate for governor. "Not this time, Howard."

TYPE: COLUMN. FORUM

LOAD-DATE: August 4, 1998



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LEVEL 1 - 21 OF 26 STORIES

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July 26, 1998, SUNDAY, Late Sports Final Edition

SECTION: NWS; Pg. 1

LENGTH: 535 words

HEADLINE: Suspect got past Illinois gun law;
Alleged Capitol attacker given permit by loophole

BYLINE: BY JON SCHMID

BODY:

Russell Eugene Weston, who allegedly killed two police officers Friday in a shootout at the U.S. Capitol, slipped through the cracks and obtained an Illinois Firearm Ownership Identification card this year even though he had spent time in a Montana mental hospital.

Illinois law requires State Police to deny an **FOID** card to anybody who has been an in-patient in a mental institution in the last five years.

There is a national system for checking criminal records but no system for sharing mental health records among states, said Mark McDonald, a State Police spokesman.

Weston never used his **FOID** card to try to buy a gun in Illinois, McDonald said. The handgun used in the Capitol shooting was believed stolen by Weston from his father in Downstate Valmeyer.

On Oct. 11, 1996, a judge committed Weston to the state mental hospital in Warm Springs, Mont., because he had threatened a resident in Helena, said Andrew Malcolm, a spokesman for the governor of Montana. Weston was released 53 days later.

If the Illinois State Police had known Weston was in a mental institution, his **FOID** application would have been rejected, McDonald said.

Had Weston been in an Illinois mental hospital instead of one in Montana, the State Police would have found out from the Illinois Public Health Department, McDonald said.

Dan Kotowski of the Illinois Council Against Handgun Violence sees the loophole in mental health information as a problem.

"If the Illinois State Police are able to get the (mental health) information



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Chicago Sun-Times, July 26, 1998

from Illinois but not from other states, that means we have a problem on our hands," Kotowski said. "That means we need to do something immediately to rectify it."

State Police Director Gene Marlin acknowledged the loophole. "We'll be looking into the best way to close that particular door," he said.

In 1997, the State Police revoked 6,166 **FOID** cards, 1,237 of them because the holder had a history of mental illness and 23 because the applicant lied on the form.

Illinois law prohibits issuing the gun cards to convicted felons, recent mental patients, drug addicts, the mentally retarded, illegal immigrants, those prohibited from owning a gun by an order of protection, and those convicted of domestic battery or assault within the last five years.

State Police background checks include court records and Illinois mental health records but otherwise rely on the applicants' honesty, McDonald said.

If an applicant lies on an **FOID** application, the person can be charged with perjury, but such a prosecution is considered rare. When an applicant is caught lying, the only punishment often is denial of the **FOID** card.

Weston had been investigated by the Secret Service in 1996 for comments he made about public officials, including President Clinton. A psychological evaluation of Weston was conducted, and the agency determined he was not an immediate threat.

The Secret Service does not share information on its investigations with the Illinois State Police as part of the **FOID** card background check, McDonald said. And in any case, a Secret Service investigation would not have caused an **FOID** application to be rejected unless it resulted in a criminal conviction.

GRAPHIC: See also related stories.

LANGUAGE: English

LOAD-DATE: July 28, 1998



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June 28, 1998, Friday, EARLY AND CITY EDITIONS

SECTION: EDITORIAL, Pg. 16, LETTERS, FAXES & E-MAIL

LENGTH: 773 words

BODY:

Drivers facility didn't accept her **FOID** card

Dear Editor, I was recently married and had to change my name on my driver's license. I went to the Drivers Facility on Dirksen Parkway and because I didn't bring my driver's license with me, they asked for three forms of I.D.

When I showed them my **FOID** card, they flipped it back to me and told me "that the **FOID** card doesn't mean anything to them." As I looked with disbelief he continued to tell me "that anyone can get one of those." A clerk standing by said "that card doesn't mean that's really me." He proceeded to say "maybe that means something to the State Police, but not us."

So, the three forms of I.D. I used were my Social Security card, a blank check, and a Visa credit card (none of which have a picture I.D.).

Apparently the IDOT gives more credibility to blank checks and credit card companies than to the state police.

If the IDOT doesn't have faith in the Illinois State Police **FOID** card system, then how can the state of Illinois have faith in it?

I'd like to know if this is a driver's facility policy or is this a gun

Angela Morse

Springfield Chatham bond issue wouldn't be \$ 71 million

Dear Editor, I have read Jack Sherman's letters to the editor lately. I am concerned by a misconception he has about the cost of the Chatham bond referendum.

The citizens advisory committee presented three options that came about through many public meetings. One option did have a price tag of \$ 71 million. That option was not chosen nor was it ever a real possibility; the price was just too high.

The first phase costs \$ 26.5 million, which will be used to build a new high school. The existing high school becomes a seventh and eighth grade center.



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The junior high becomes a fifth and sixth grade center. The two elementary schools will become neighborhood schools serving the pre-K through fourth grades giving space in all the schools.

So this \$ 26 million does solve our problems now; however, we did not want to plan for the short term. That's why we have a second phase that is optional, and a third phase based on the growth of our schools.

If we decide every phase is necessary the entire plan would cost \$ 47 million not \$ 71 million. This is a plan that could take this school district to the year 2014.

Kathleen Jorgensen

Chatham Gun ban won't make people responsible

Dear Editor, How easily we forget the price of our freedom. If merely "the right to bear arms" is now a problem revealing itself, they why did our forefathers not have this same problem in their society? Guns were more in use during the period in which our country was being born, by the age group we now call children. These "children" were raising families during this time and were more responsible than the same age group today.

The people committing these crimes will always find a method or tool to do so. The banning of guns will not cause children or adults to become responsible.

In place of controlling who has the right or is responsible enough to have guns, maybe we should control who has the right and is responsible enough to raise children to be responsible adults.

When any other form of tool or weapon is used to take lives are we then to take away those freedoms from all Americans or do we correct the problem by taking away those freedoms from the Americans who choose to commit such crimes.

America -- "land of the free and home of the brave"--is not as such without freedoms and rights.

Steven Van Ostran

Morrisonville Kidnapping and killing of dogs terrible crime

Dear Editor, I am writing in response to all the terrorist actions against some of our city's residents. At a time when Britain is attempting to bridle terrorism it has never been stronger in Springfield. I'm talking serious stuff, kidnapping, possible torture and murder!

My dog is very much a part of my family, as I'm sure all the rest of the dogs that have been kidnapped and murdered most likely are, and I am interested in knowing what investigations are currently going on to stop this madness.

Almost every time I read the paper someone's dog has been stolen. Who knows what's being done with them. I'm sure Bob and Mary Manning (unfortunately) can tell you! I was appalled to hear of such an act. What kind of person (or animal) could commit such a horrendous crime against nature as to kill and mutilate an



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innocent creature of God just to make a statement?

If that is what was intended, we have got to put a stop to these heinous crimes! We've got to put a stop to the terrorism in Springfield.

James Fox

Springfield

TYPE: LETTER TO EDITOR

LOAD-DATE: June 30, 1998



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LEVEL 1 - 23 OF 26 STORIES

Copyright 1998 The State Journal-Register
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May 4, 1998, Saturday, EARLY AND CITY EDITIONS

SECTION: LOCAL, Pg. 7

LENGTH: 1107 words

HEADLINE: Lawmakers question Corrections' judgement / Indicate they might consider restricting department's hiring

BYLINE: JOHN O'CONNOR STATE CAPITOL BUREAU

BODY:

State legislators say they might restrict hiring by the Illinois Department of Corrections because a man with three convictions for violent misdemeanors and two charges of illegal firearms possession now is a parole agent with a gun permit.

Manuel L. Holloway Jr., 60, of Champaign, served county jail time 16 years ago in Texas for two counts of misdemeanor assault and a count each of resisting arrest and unlawfully carrying a gun. The charges arose from two separate incidents. Court records indicate he planned to present a defense of insanity.

In 1991, Champaign County authorities dropped a charge that Holloway had battered his wife, Zelema Harris, president of Parkland College in Champaign, and another gun charge. After that incident, Holloway agreed to surrender to police two rifles and a .38-caliber handgun for which officials said he had no permit. He received a **Firearm Owner's Identification card** in November 1996, according to confidential state records.

Holloway, who said he took the appropriate test and is qualified for the position, started as a parole agent in February 1995. Because of his background, three deputy directors at Corrections reviewed his application and approved the hire, department spokesman Nic Howell said.

"We believe in rehabilitation," Howell said.

But Rep. Thomas Dart, D-Chicago, chairman of the Special Committee on Prison Management Reform countered, "That's supposed to be for the inmates, not for the employees."

He called Holloway's placement in the \$ 36,264-a-year position as a parole officer "poor judgment."

Senate Judiciary Committee Chairman Carl Hawkinson, R-Galesburg, said it warranted further inquiries.



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Holloway, then a dean at Centennial High School in Champaign, also was charged in April 1991 with three counts of criminal sexual abuse and one count of battery. Prosecutors claimed he improperly touched a 16-year-old girl in his office. But a jury acquitted him in July 1991.

"It was probably the quickest 'not guilty' verdict for a case of that magnitude that I've ever seen. The 'not guilty' verdict came back in about 15 or 20 minutes," said Holloway's attorney, Bob Kirchner of Champaign. "It was a case that never should have been brought. There was absolutely no merit or truth to the allegations."

The prosecutor in the case did not return calls seeking comment. The incident caused Corrections officials to change Holloway's initial assignment as a juvenile probation officer, Howell said.

Superiors knew about the sexual abuse charges when they hired him as a juvenile agent, Howell said, but switched him to the adult division because of news accounts of the incident.

"It was more of a perception thing," he said.

In a brief telephone interview, Holloway would say only that the Texas arrests were the result of his work as a civil rights activist -- although one count of assault was for allegedly attacking Jocelyn E. Holloway, who Jefferson County, Texas records indicate was then his wife. That charge was dismissed after he pleaded no contest to the two other counts of assault, resisting arrest and unlawful gun possession.

As for the dismissed Champaign County battery charge, Holloway said he has never hit his wife -- a police report said he shoved her and displayed a gun. He also said the Centennial High School charges were fabricated.

Holloway, who said he received a master's degree in education from the University of Illinois at Urbana-Champaign after he left his job at Centennial High School, said he got the parole job because he qualified legitimately.

"I went down, took the test, made 'A' on the test, and qualified for parole officer and, I think, counselor," Holloway said. "I don't think you're being fair. You're trying to destroy me. This is wrong."

But Dart said putting someone with a violent record in such a sensitive position was a mistake.

"It seems like very poor judgment on the Department of Corrections' part," Dart said. "There are other places, if you feel that this individual is not somebody who is a danger, and he has been rehabilitated, and his infractions were minor, there are plenty of places in record-keeping or whatever where your actual contact with criminals is minimal."

The fact that Holloway works in the regional service center, answering calls from parolees and not visiting them at their homes, doesn't ease Dart's concern. In fact, because of the way the state has shifted toward parolee contact by phone as the primary monitoring method, Holloway is a typical parole agent, Dart said.



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Holloway's Texas record includes an incident on Nov. 24, 1981, in which he was charged in Beaumont, Texas, with resisting arrest and four counts of assault -- all misdemeanors. On Dec. 2, 1981, he was charged with making a terroristic threat, after allegedly saying he would "blow the head off" a man.

On July 14, 1982, he was charged with assault for allegedly stabbing Jocelyn Holloway in the hand and unlawfully carrying a handgun. Married in August 1980, the couple divorced in October 1984, according to county clerk's records.

Ultimately, he pleaded no contest to the resisting arrest charge and two assaults from the November incident and the weapons charge from July. He was sentenced to 90 days in jail. Howell said he served 60 days. The other charges were dropped.

Court records indicate that Holloway's attorney filed a motion to present a defense of insanity in the November and December charges.

"I'm totally unaware of those motions," Holloway said.

Howell said numerous Department of Corrections employees have criminal records.

"This guy was never convicted of a felony," Howell said. "You can make accusations all over the place, but he was not convicted other than the one time in Texas and that was 15 years ago and that was for a misdemeanor."

Hawkinson said if Corrections can hire parole agents with criminal convictions, legislators might have to tighten restrictions.

"As a matter of general principle, you wouldn't want people with criminal records serving as parole officers," said.

Holloway received a **Firearm Owner's Identification card** in late 1996. Applicants for the card are asked on a form whether they have ever been convicted of a felony or convicted of assault or battery within the past five years.

"The way the **FOID** law is written, an individual in this situation (such as Holloway's) would be granted a **FOID** card because he has no felony convictions and meets the qualifications for a **FOID** card," said Mark McDonald, spokesman for the Illinois State Police, which issues the permits.

TYPE: NEWS

LOAD-DATE: May 5, 1998



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LEVEL 1 - 24 OF 26 STORIES

Copyright 1998 Chicago Sun-Times, Inc.
Chicago Sun-Times

February 1, 1998, SUNDAY, Late Sports Final Edition

SECTION: SUNDAY NEWS; Pg. 1

LENGTH: 760 words

HEADLINE: More women packing pistols

SOURCE: BRAIN JACKSON

BYLINE: BY JON SCHMID

BODY:

Some women shoot for sport. Others own guns to feel safe. While the reasons vary, more women in the Chicago area are opting to own firearms.

The number of firearm ownership identification cards held by women in the six-county Chicago area has increased 43 percent since 1991, according to figures from the Illinois State Police.

Increasingly, there are women at shooting ranges, gun shops and gun sporting events.

"We do firearm safety courses and notice a lot more women wanting guns," said Lynn Haas of Rinks Gun and Sport in Lockport, who has been an NRA-certified gun-safety instructor since 1989.

Dawn Boerena, 28, of Lombard, was at the Midwest Guns and Pistol Range in Lyons on a recent afternoon shooting a pistol for the first time with her boyfriend. She also was applying for an FOID card and was thinking about buying a gun.

"At first it was a little scary, but it's starting to feel comfortable," said Boerena, after plugging away at a paper target with a Browning .38 automatic pistol.

Why is she thinking about buying a gun? "For protection purposes. In case someone broke into my house," Boerena said. "There's a lot of strange people out there."

People who work at gun shops and shooting ranges believe that protection is the biggest reason women are getting into guns -- although the violent crime rate in Illinois and across the country has been going down.

Last year, Chicago's suburbs reported a 10 percent drop in violent crime and the city saw almost an 11 percent drop. Nationally, the violent crime rate has gone down for three years in a row, from 1994 to 1996, the most recent year for



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which numbers were available.

Fear of crime still seems to be strong. A 1996 study by the National Opinion Research Center at the University of Chicago found that "people continue to want to spend money on fighting crime because they are worried and want to do something about it."

And women seem to be more afraid of crime than are men.

A survey of Chicago residents the same year by the Institute for Policy Research at Northwestern University found that 61 percent of women knew of a particular place in their neighborhood where they would be afraid to go alone, compared with only 39 percent of men.

Critics say that gun manufacturers are exploiting this fear to boost sales.

"This is about moneymaking," said Dan Kotowski, with the Illinois Council Against Handgun Violence. "There has been a concerted effort on the part of the gun industry to sell more guns to women because the male market is saturated. The implication is that if you don't have a gun, you choose to be a victim."

Advertising targeted toward women and product lines made especially for women, such as Smith & Wesson's LadySmith line, are evident in gun magazines and on the World Wide Web.

Gun control advocates also question the premise that having a gun in the home makes you safer. An oft-quoted study in 1986 found that a gun in the home is 43 times more likely to kill a family member or friend than it is to kill in self-defense.

While more women may be turning to guns to allay their fear of crime, 84 percent of **FOID** cardholders in the area are men.

The total number of **FOID** cards in the region, 505,351, is up 22 percent since 1991. The number held by women jumped 43 percent, to 83,130. The total held by men, 422,221, represented an 18.5 percent increase.

To own a gun legally in Illinois, it is necessary to obtain an **FOID** card. A cardholder can own many guns, or none.

There are no reliable numbers on how many guns are in the region because most municipalities and the state do not require guns to be registered. And of course, even if all guns were required to be registered, this would not count the illegal trade in guns.

Most local police said they haven't noticed an increase in the number of guns or gun-related crimes that would mirror the rise in **FOID** cards.

"Criminals don't get **FOID** cards. They don't need them," said Pat Camden, spokesman for the Chicago Police Department.

Fear isn't the only reason why women are getting into guns.

Sabra Browning, 25, from Villa Park, was at a local gun shop recently with her boyfriend, a competitive shooter, to buy ammunition and look at guns.



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Chicago Sun-Times, February 1, 1998

Browning owns a .38 revolver and is thinking about buying another pistol.

"I've always been interested, but never had anybody to show me the ropes," Browning said. "We started dating, and he told me he had a gun. I wanted to learn about it."

That was a year ago. Now the couple go target shooting almost every weekend.

GRAPHIC: Dawn Boerena, 28, takes target practice at Midwest Guns and Pistol Range in Lyons. She may buy a gun "for protection."

LANGUAGE: English

LOAD-DATE: February 2, 1998



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LEVEL 1 - 25 OF 26 STORIES

Copyright 1997 Paddock Publications, Inc.
Chicago Daily Herald

December 28, 1997, Sunday

SECTION: Neighbor; The Public Record; Pg. 2

LENGTH: 2656 words

BODY:

A compilation of DuPage County Circuit Court proceedings of Nov. 21-27.

Felonies

- Sean D. Ekl, 21, 9107 Fairway Drive, Orland Park. Burglary: guilty; 7 years in jail, court costs/fines, \$ 215.

- Michael A. Hammad, 23, 11123 S. 84th Ave., Palos Hills. Retail theft: guilty; 24 months probation, court costs/fines, \$ 275. - Sabu W. Hudson, 29, 437 Yorkshire Square, Bolingbrook. Aggravated robbery: guilty; 15 years in jail, court costs/fines, \$ 215.

- Lorne L. Kramer, 17, 2N303 Bernice, Glen Ellyn. Obstructing justice-evidence and false information: case dropped.

- William R. Krefting, 46, 266 Linden Ave., Elmhurst. Obstructing justice-evidence and false information: guilty; 3 years in jail, court costs/fines, \$ 215.

- Chris A. Kupka, 42, 1515 Highland, Glendale Heights. Weapons-firearm in vehicle or concealed: case dropped. Possession of controlled substance: case dropped.

- Bryant K. Langdon, 29, 603 N. Mayfield, Chicago. Retail theft: not guilty.

- Shane R. Lawrence, 24, 1905 Richton Drive, Wheaton. Aggravated battery-police officer: guilty; 30 days in jail, court costs/fines, \$ 425. Aggravated battery-police officer: case dropped. Aggravated battery-public place: case dropped.

- Wayne J. Miller, 22, 306 E. Maple, Villa Park. Receive, possess or sell stolen motor vehicle: guilty; 3 years in jail.

Misdemeanors

- Robert D. Grief, 24, 315 Dee Court, Bloomingdale. Mob action-assemble for unlawful act: case dropped. Resisting or obstructing a police officer: case dropped. Resisting or obstructing a police officer: case dropped.

- Jason M. Haggerty, 24, 6300 Church, Hanover Park. Display false insurance card: guilty; court costs/fines, \$ 125.



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- Darryl E. Hall, 32, 14420 S. Drexel, Dolton. Driving while license suspended: guilty; court costs/fines, \$ 349.
- Jin H. Ham, 29, 121 S. Clay, Hinsdale. Driving while license suspended: guilty; court costs/fines, \$ 100.
- Shane J. Hannan, 24, 619 Kingston Drive, Romeoville. Driving while license suspended: guilty; court costs/fines, \$ 90. Improper use of evidences of registration or certificate of title: guilty; court costs/fines, \$ 80.
- Christopher D. Harper, 25, 1933 Egerton Court, Woodridge. Domestic battery: case dismissed.
- Roger D. Harsla, 34, 5495 Burr Oak Rd., Lisle. Driving while license suspended: guilty; court costs/fines, \$ 80.
- Jeffrey R. Hart, 40, 5301 Fonda, Hanover Park. Domestic battery: case dismissed.
- Celeste D. Hawkins, 39, 14200 43rd Ave., Plymouth, MN. Unlawful possession of drug paraphernalia: case dropped. Possess not more than 2.5 grams of cannabis: guilty; court costs/fines, \$ 370.
- Sean M. Heaver, 19, 117 Ainslie Court, Westmont. Retail theft: guilty; court costs/fines, \$ 292.
- Gary L. Hendrix, 36, 21724 Juneau Drive, Plainfield. Operate a vehicle with canceled, suspended or revoked Illinois registration: guilty; court costs/fines, \$ 80.
- Ivan A. Herchenbach, 26, 7330 Winthrop Way, Downers Grove. Fail to give information to owner after striking unattended vehicle or property: guilty; court costs/fines, \$ 125.
- Hector U. Hernandez, 23, 1003 Maple Ave., Lisle. Domestic battery: guilty; 1 year conditional discharge, court costs/fines, \$ 140.
- Jose L. Hernandez, 23, 233 E. Hazel, West Chicago. Driving while license suspended: guilty; 14 days periodic imprisonment, court costs/fines, \$ 120.
- Juan C. Hernandez, 23, 44 N. Church, Addison. Driving while license suspended: guilty; 1 year conditional discharge, court costs/fines, \$ 225. Obstructing justice-evidence and false information: guilty; 1 year conditional discharge, court costs/fines, \$ 130.
- Latorya T. Hicks, 19, 4533 S. Prairie, Chicago. Retail theft: guilty; court costs/fines, \$ 130.
- Gerald C. Hines, 28, 5509 King Arthur Court, Westmont. Driving while license suspended: guilty; court costs/fines, \$ 80.
- Keneye E. Horak, 20, 420 S. Main, Wauconda. Unlawful possession of drug paraphernalia: guilty; court costs/fines, \$ 1,012. Possess not more than 2.5



grams of cannabis: case dropped.

- Frederick D. Howard, 23, 346 W. 58th St., Chicago. Driving while license suspended: guilty; court costs/fines, \$ 100.

- Richard C. Howell, 40, 212 Meadow Lane, Carol Stream. Assault: guilty; 7 days in jail, court costs/fines, \$ 165. Battery: guilty; 37 days in jail, court costs/fines, \$ 145.

- Harold K. Hutton, 29, 528 Jordan Way, Bolingbrook. Driving while license suspended: guilty; 40 days in jail, court costs/fines, \$ 110.

- Richard A. Imming, 24, 1816 Barthelome, Crest Hill. Driving while license suspended: guilty; court costs/fines, \$ 80. Display or possess canceled, revoked or suspended license or permit: case dropped.

- Taima J. Jackson, 17, 1245 Downing Court, Roselle. Improper use of evidences of registration or certificate of title: case dropped.

- Delia G. James, 33, 825 S. Bell, Chicago. Driving while license suspended: guilty; court costs/fines, \$ 125. Display or possess canceled, revoked or suspended license or permit: guilty; court costs/fines, \$ 125.

- John R. Janicek Jr., 43, 1410 Carriage Lane, Westmont. Operate a vehicle with canceled, suspended or revoked Illinois registration: guilty; court costs/fines, \$ 80.

- Brian R. Johnson, 21, 4735 Lake Trail, Lisle. Driving while license suspended: guilty; court costs/fines, \$ 100.

- Kevin M. Johnson, 18, 1860 Nickolas Court, Glendale Heights. Possess not more than 2.5 grams of cannabis: guilty; court costs/fines, \$ 175.

- Tony J. Johnson, 21, 1457 Laramie, Chicago. Resisting or obstructing a police officer: guilty; 96 days in jail, court costs/fines, \$ 140. Battery: guilty; 96 days in jail, court costs/fines, \$ 145.

- Patrick G. Jozefowicz, 32, 166 Cherrywood Court, Romeoville. No valid commercial drivers license: guilty; court costs/fines, \$ 100.

- Nicholas E. Jutton, 18, 2406 W. 45th, Chicago. Driving with license revoked: guilty; court costs/fines, \$ 150.

- James S. Kaad, 52, 26W511 Grand Ave., Wheaton. Fail to give aid or information at attended accident involving vehicle damage: case dropped.

- Steven A. Karns, 21, 1230 Elizabeth, West Chicago. Possess firearm ammunition without valid **FOID** card: case dropped.

- Ryan M. Kellett, 18, 2264 Wildwood Lane, Hanover Park. Driving while license suspended: guilty; court costs/fines, \$ 200.

- Sandra L. Kennedy, 46, 255 E. Oak, Addison. Driving while license suspended: case dropped. Leave scene of accident involving damage to attended



vehicle: case dropped. Fail to give information to owner after striking unattended vehicle or property: case dropped.

- Michael T. Kiem, 22, 1327 Whispering Pine, Delavan, WI. Unlawful possession of drug paraphernalia: case dropped. Possess more than 2.5 but not more than 10 grams of cannabis: guilty; court costs/fines, \$ 470.

- Kelly A. King, 20, 376 E. Fullerton Ave., Glendale Heights. Possess not more than 2.5 grams of cannabis: guilty; court costs/fines, \$ 370. Unlawful possession of drug paraphernalia: guilty; court costs/fines, \$ 1,012. Domestic battery: case dropped.

- Jeanna R. Koperniak, 22, 22120 Princeton Circle, Frankfort. Driving while license suspended: guilty; court costs/fines, \$ 175.

- Richard A. Korkowski, 44, 988 S. Swain, Elmhurst. Criminal trespass to land: guilty; 30 days in jail, court costs/fines, \$ 116.

- Suzy J. Kozar, 38, 1811 Four Lakes Ave., Lisle. Improper use of evidences of registration or certificate of title: guilty; court costs/fines, \$ 90.

- Lorne L. Kramer, 17, 2N303 Bernice, Glen Ellyn. Disorderly conduct-false crime report: guilty; 38 days in jail, court costs/fines, \$ 190.

- Crystal R. Krause, 17, 6N151 Kenney Road, Roselle. Fail to give information to owner after striking unattended vehicle or property: guilty; court costs/fines, \$ 75.

- Carol G. Kucera, 55, 2236 Camden Lane, Hanover Park. Operate a vehicle with canceled, suspended or revoked Illinois registration: guilty; court costs/fines, \$ 100. Driving while license suspended: guilty; court costs/fines, \$ 100.

- Chris A. Kupka, 42, 1515 Highland, Glendale Heights. Possess firearm with no valid **FOID**. Case dropped. Unlawful possession of drug paraphernalia: case dropped.

- Robert D. Latham, 26, 563 Deere Park Circle, Bartlett. No valid commercial drivers license: case dropped.

- Shane R. Lawrence, 24, 1905 Richton Drive, Wheaton. Resisting or obstructing a police officer: case dropped. Battery: case dropped. Driving while license suspended: guilty; 30 days in jail.

- Rebecca S. Lazier, 20, 28W244 Oswego Road, Naperville. Unlawful possession or consumption of alcohol by a minor: guilty; court costs/fines, \$ 406.

- Todd C. Lentz, 20, 995 Acorn Hill Lane, West Chicago. Possess fictitious or altered drivers license or permit: guilty; court costs/fines, \$ 100.

- Jerry E. Leonard, 27, 235 Springhill Drive, Roselle. Unlawful possession of drug paraphernalia: guilty; 1 year conditional discharge, court costs/fines, \$ 1,022.

- Jessica L. Lewis, 17, 338 W. Madison, Villa Park. Unlawful possession of



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drug paraphernalia: guilty; court costs/fines, \$ 1,012.

- Edward J. Lindemulder, 18, 833 Minnesota, Carol Stream. Operate vehicle with revoked, canceled or suspended non-Illinois registration: guilty; court costs/fines, \$ 90.

- Stephen K. Livermore, 37, 1008 Argyle, Bensenville. Possession of drug paraphernalia: guilty; 20 days in jail. Possess not more than 2.5 grams of cannabis: guilty; 20 days in jail. Driving while license suspended: guilty; 20 days in jail.

- Christopher C. Longoria, 23, 5213 Strong, Chicago. Driving while license suspended: guilty; court costs/fines, \$ 125.

- Juan R. Lopez, 19, 10232 Medill Ave., Melrose Park. Obstructing justice-evidence and false information: guilty; 1 year conditional discharge, court costs/fines, \$ 140. Retail theft: guilty; 1 year conditional discharge, court costs/fines, \$ 140.

- Michael K. Ludvigsen, 19, 11610 N. Copper Creek, Oro Valley, AZ. Possess fictitious or altered drivers license or permit: guilty; court costs/fines, \$ 150.

- Lawrence K. Luttman, 35, 211 Coral Court, Bolingbrook. Driving with license revoked: guilty; court costs/fines, \$ 200.

- Matthew T. Machuta, 19, 1901 Oxnard, Downers Grove. Possess firearm with expired FOID card eligible for renewal: guilty; court costs/fines, \$ 130. Produce or possess not more than 5 cannabis plants: guilty; court costs/fines, \$ 480. Possession of explosive bullet: guilty; court costs/fines, \$ 130.

- Marcia Z. Macrae, 41, 223 E. Hillside, Naperville. Operate a vehicle with canceled, suspended or revoked Illinois registration: guilty; court costs/fines, \$ 80.

- David C. Maiorca, 33, 381 Park Ridge Lane, Aurora. Driving while license suspended: guilty; court costs/fines, \$ 80.

- Michele A. Malec, 43, 2 Wheaton Center, Wheaton. Battery: not guilty. Battery: guilty; 1 year conditional discharge, court costs/fines, \$ 269.

- Joseph A. Matusak, 18, 437 Camden, Romeoville. Criminal damage to property: guilty; 1 year conditional discharge, court costs/fines, \$ 140.

- Wally M. Matuszczak, 30, 210 N. Elizabeth St., Lombard. Driving with license revoked: guilty; 30 days in jail, court costs/fines, \$ 226.

- Lawrence McCurty, 45, 3513 W. Fulton, Chicago. Driving while license suspended: guilty; court costs/fines, \$ 110.

- Lawrence E. McIntyre, 32, 344 N. Austin Blvd., Oak Park. Driving while license suspended: guilty; court costs/fines, \$ 100.

- Michelle M. McKay, 22, 6707 Tudor Drive, Westmont. Driving while license



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suspended: guilty; court costs/fines, \$ 80.

- Mariah A. McVeigh, 19, 6242 Stonewall, Downers Grove. Battery: guilty; court costs/fines, \$ 135. Resisting or obstructing a police officer: guilty; 1 year conditional discharge, court costs/fines, \$ 140.

- Ronald A. Mear, 30, 1438 Solfisburg, Aurora. Driving with license revoked: guilty; 20 days in jail, court costs/fines, \$ 110.

- Henry J. Miles, 19, 8418 S. Drexel, Chicago. Leave scene of accident involving damage to attended vehicle: guilty; 1 year conditional discharge.

- Wayne J. Miller, 22, 306 E. Maple, Villa Park. Retail theft: guilty; 80 days in jail, court costs/fines, \$ 140.

- Joseph P. Mogavero, 37, 200 E. St. Charles, Lombard. Violation of order of protection: guilty; court costs/fines, \$ 234.

- Brian H. Mohr, 22, 1610 N. Mohawk St., Chicago. Improper use of evidences of registration or certificate of title: case dropped.

- Efrain D. Montes, 27, 2448 Emerald Court, Woodridge. Driving while license suspended: guilty; court costs/fines, \$ 100.

- Tad J. Moravek, 19, 1919 Buckingham Drive, Wheaton. Possess not more than 2.5 grams of cannabis: guilty; court costs/fines, \$ 100.

- Patricia E. Moser, 46, 1176 Haag Court, Aurora. Domestic battery: case dropped.

- Michael J. Mullally Jr., 44, 1331 Cantigny Court, Naperville. Domestic battery: case dropped.

- Paul D. Nelson, 27, 554 W. Center St., Itasca. Operate a vehicle with canceled, suspended or revoked Illinois registration: guilty; court costs/fines, \$ 90.

- Susan L. Newton, 37, 2449 Spring, Woodridge. Disorderly conduct-breach of peace: case dropped.

- Tiffany M. Norris, 24, 4301 W. Hirsch, Chicago. Obstructing justice-evidence and false information: guilty; 1 year conditional discharge, court costs/fines, \$ 130.

- George J. Nutoni, 38, 422 S. Lombard, Lombard. Criminal trespass to vehicles: guilty; 62 days in jail, court costs/fines, \$ 140.

- Timothy E. O'Malley, 27, 20234 Cantara St., Winnitka, CA. Battery: guilty; 364 days in jail, court costs/fines, \$ 145.

- Robert B. O'Neill, 32, 104 Chestnut Ave., Hinsdale. Unlawful acquisition of controlled substance: guilty; court costs/fines, \$ 234.

- Lino P. Ortega, 24, 504 Valerie Lane, Addison. Improper use of evidences of



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registration or certificate of title: guilty; court costs/fines, \$ 125.

- Charles D. Osborn, 29, 289 Shawnee, Carol Stream. Criminal damage to property: guilty; 5 days in jail.

- Scott M. Overby, 37, 716 Prescott Drive, Roselle. Driving with license revoked: guilty; court costs/fines, \$ 125.

- Eric A. Paige, 24, 414, Villa Park. Driving while license suspended: guilty; court costs/fines, \$ 250.

- Dale E. Pankow, 43, 131 S. Lalonde, Addison. Unlawful possession of drug paraphernalia: guilty; 1 year conditional discharge, court costs/fines, \$ 1,022. Driving while license suspended: case dropped .

DUI Report

A listing from the Illinois Secretary of State of drivers licenses that have been revoked or suspended for DUI convictions during the week ending Dec. 6. Some revocations or suspensions are later rescinded; such actions are indicated.

Revocation for DUI Conviction Rescinded

- Laura A. Bradburn, 26, 629 Sheffield Lane, Bolingbrook.

- Craig J. Haddy, 37, 2685 Leyland Lane, Aurora.

- Patrick W. Oakes, 39, 548 Creekwood Court, Westmont.

- Jeremy J. Rosenfeld, 20, 1394 Deep Run Road, Naperville.

- Jeffrey M. Smalley, 40, 2212 Prentiss Drive, Downers Grove.

- James R. Smith, 25, 323 Cromwell Court, Westmont.

- Errol G. Vestuto, 49, 28W264 Riviera Court, Bartlett. Suspensions For Accident Involvement

- Brian R. Johnson, 21, 6103 Puffer Road, Downers Grove.

- Donald G. Kowalski, 58, 5760 Abbey Drive, Lisle.

Suspension For Refusing or Failing Chemical Testing

- Brandon Frizzelle Acuff, 25, 110 Iroquois, Naperville.

- Michael A. Aschenbrenner, 20, 961 N. Route 53, Addison.

- Mark A. Bugiel, 23, 2142 Prentiss Drive, Downers Grove.

- Jose I. Chavez, 21, 1S161 Danby, Villa Park.

- Joshua S. Chiaravalle, 22, 1462 Fairway Drive, Naperville.



Chicago Daily Herald December 28, 1997, Sunday

- James J. Cook, 41, 1731 Marion Court, Wheaton.
- Carolyn J. Connelly, 22, 2S530 Lakeview Drive, Wheaton.
- John T. Cusack, 35, 1919 Brookdale Road, Naperville.
- James P. Doorhy, 32, 556 Spruce Drive, Naperville.
- Frank M. Dube, 42, 6N188 Garden Ave., Roselle.
- Brett Christopher Eagan, 22, 337 S. Westmore, Lombard.
- Benjamin M. Ellsworth, 21, 1585 Woodcrest Court, Aurora.

LANGUAGE: ENGLISH

LOAD-DATE: January 12, 1998



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LEVEL 1 - 26 OF 26 STORIES

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March 15, 1997 Saturday, NORTH SPORTS FINAL EDITION

SECTION: COMMENTARY; Pg. 23; ZONE: N; Voice of the people (letter).

LENGTH: 330 words

HEADLINE: AIMING FOR TRUTH

BYLINE: Mitchell H. Shore.

DATELINE: LINCOLNWOOD

BODY:

Regarding facts omitted from the Feb. 24 editorial titled "Preserve local gun controls":

You state that "Illinois' minimal set of gun laws require owner ID cards and ban unlawful discharge or concealment." There is no mention of the fact that when a person applies for a **Firearm Owners Identification Card (FOID)**, the applicant's federal and state criminal history are checked, as well as whether or not the person has been in a mental institution within the last five years.

The new **FOID** form now also includes questions regarding being addicted to narcotics, being subject to an existing order of protection and having been convicted of domestic battery or violating an order of protection within the last five years. A "yes" answer to any of these questions could mean rejection of the applicant. There is also a 30-day delay in processing the **FOID** card and approving or denying the applicant.

Illinois also has a 72-hour delay on the purchase of a handgun and a 24-hour delay on rifles and shotguns. These delays have been in effect since 1968, long before the Brady Bill national five-day delay. We also now have an instant-check program in Illinois, which has been in effect since January 1992--again, long before the federally mandated instant check that is supposed to take effect in 1998.

The Firearm Transfer Inquiry Program (FTIP) requires all federal firearms licensed dealers to receive an FTIP approval before any firearm is transferred to the customer. This instant-check system runs the person's state and federal criminal history and state mental health history in less than 90 seconds.

You also stated that federal law allows owners to transport firearms through restrictive towns without being harassed. This is not true. A state law can be more restrictive than the federal law, and in Illinois this does occur.

Even an editorial as an expression of your newspaper's opinion should contain



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Chicago Tribune, March 15, 1997

all the facts unless your intent is to mislead.

LANGUAGE: ENGLISH

LOAD-DATE: March 15, 1997



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COMMENTS

1 cover + 16 pages (Public Act 98-129).

PUBLIC ACT NO. 98-129

Page 1 of 16

HOME | SEARCHSubstitute House Bill No. 5746

PUBLIC ACT NO. 98-129

AN ACT CONCERNING HANDGUN SAFETY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (c) of section 29-33 of the general statutes is repealed and the following is substituted in lieu thereof:

(c) [When any pistol or revolver is sold, delivered or otherwise transferred, such pistol or revolver shall be enclosed in a package, the paper or wrapping of which shall be securely fastened, and no pistol or revolver when sold, delivered or otherwise transferred] NO PERSON, FIRM OR CORPORATION SHALL SELL, DELIVER OR OTHERWISE TRANSFER ANY PISTOL OR REVOLVER, OTHER THAN AT WHOLESALE, UNLESS SUCH PISTOL OR REVOLVER IS EQUIPPED WITH A REUSABLE TRIGGER LOCK, GUN LOCK OR GUN LOCKING DEVICE APPROPRIATE FOR SUCH PISTOL OR REVOLVER, WHICH LOCK OR DEVICE SHALL BE CONSTRUCTED OF MATERIAL SUFFICIENTLY STRONG TO PREVENT IT FROM BEING EASILY DISABLED AND HAVE A LOCKING MECHANISM ACCESSIBLE BY KEY OR BY ELECTRONIC OR OTHER MECHANICAL ACCESSORY SPECIFIC TO SUCH LOCK OR DEVICE TO PREVENT UNAUTHORIZED REMOVAL. NO PISTOL OR REVOLVER shall be loaded or contain therein any gunpowder or other explosive or any bullet, ball or shell WHEN SUCH PISTOL OR REVOLVER IS SOLD, DELIVERED OR OTHERWISE TRANSFERRED.

Sec. 2. Section 29-37b of the general statutes is repealed and the following is substituted in lieu thereof:

(a) Each person, firm or corporation which engages in the retail sale of any [firearm, as defined in section 53a-3] PISTOL OR REVOLVER, at the time of sale of any such [firearm] PISTOL OR REVOLVER, shall [provide to the purchaser thereof (1) a] (1) EQUIP SUCH PISTOL OR REVOLVER WITH A REUSABLE trigger lock, gun lock or gun locking device appropriate for such firearm, WHICH LOCK OR DEVICE SHALL BE CONSTRUCTED OF MATERIAL SUFFICIENTLY STRONG TO PREVENT IT FROM BEING EASILY DISABLED AND HAVE A LOCKING MECHANISM ACCESSIBLE BY KEY OR BY ELECTRONIC OR OTHER MECHANICAL ACCESSORY SPECIFIC TO SUCH LOCK OR DEVICE TO PREVENT UNAUTHORIZED REMOVAL, and (2) PROVIDE TO THE PURCHASER THEREOF a written warning which shall state in block letters not less than one inch in height: "UNLAWFUL STORAGE OF A LOADED FIREARM MAY RESULT IN IMPRISONMENT OR FINE."

(b) Each such person, firm or corporation shall conspicuously post and at all times display [at each service counter] the warning specified in subsection (a) of this section in block letters not less than three inches in height.

(c) Any person, firm or corporation which

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violates any provision of this section shall be fined not less than five hundred dollars for each violation.

Sec. 3. (NEW) (a) Whenever a law enforcement agency seizes a firearm in connection with a criminal arrest or pursuant to a search warrant without an arrest or otherwise recovers a firearm, such agency shall forthwith take all appropriate steps to identify and trace the history of such firearm.

(b) In complying with the provisions of subsection (a) of this section, a law enforcement agency shall use the National Tracing Center of the Federal Bureau of Alcohol, Tobacco and Firearms. Such law enforcement agency shall immediately transmit to the National Tracing Center, by facsimile or by entering such information on the Connecticut On-Line Law Enforcement Communications Teleprocessing (COLLECT) System when said system becomes available for transmitting such information directly to the National Tracing Center, all information necessary to comply with the provisions of subsection (a) of this section.

(c) The Department of Public Safety shall take appropriate action to allow the COLLECT System to be used by law enforcement agencies in complying with the provisions of this section.

(d) Whenever a firearm is identified and is determined to have been stolen, the law enforcement agency shall return such firearm to the rightful owner thereof provided such owner is not prohibited from possessing such firearm and such agency does not need to retain such firearm as evidence in a criminal prosecution.

Sec. 4. Subsection (a) of section 29-30 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) The fee for each permit originally issued under the provisions of subsection (a) of section 29-28, AS AMENDED BY THIS ACT, for the sale at retail of pistols and revolvers shall be one hundred dollars and for each renewal thereof one hundred dollars. The fee for each permit originally issued under the provisions of subsection (b) of section 29-28, AS AMENDED BY THIS ACT, for the carrying of pistols and revolvers shall be thirty-five dollars and for each renewal thereof thirty-five dollars. Such fees shall be paid to the authority issuing the same and by him to the municipality wherein issued or the state, as the case may be. [Upon deposit of such fees in the General Fund, ten dollars of each fee shall be credited within thirty days to the appropriation to the Department of Public Safety to a separate nonlapsing account for the purposes of the issuance of permits under subsections (a) and (b) of section 29-28.]

Sec. 5. Section 29-29 of the general statutes is repealed and the following is substituted in lieu thereof:

No permit for carrying any pistol or revolver shall be issued under the provisions of section 29-28 unless the applicant for the same gives to

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the issuing authority, upon its request, full information concerning his criminal record, and such issuing authority shall thereupon take a full description [and the fingerprints] of such applicant and make an investigation concerning his suitability to carry any such weapons. The issuing authority shall TAKE THE FINGERPRINTS OF SUCH APPLICANT UNLESS THE ISSUING AUTHORITY DETERMINES THAT THE FINGERPRINTS OF SUCH APPLICANT HAVE BEEN PREVIOUSLY TAKEN AND HIS IDENTITY ESTABLISHED AND SUCH APPLICANT PRESENTS IDENTIFICATION THAT THE ISSUING AUTHORITY VERIFIES AS VALID. THE ISSUING AUTHORITY SHALL record the date the fingerprints were taken in the applicant's file and, within five business days of such date, [if deemed necessary, may] SHALL forward such fingerprints to the Federal Bureau of Investigation for a national criminal history records check. [If the applicant's fingerprints are submitted to the Federal Bureau of Investigation for such records check, the] THE issuing authority may, in his discretion, issue such permit before a report from said bureau relative to such applicant's record has been received. Upon receipt of such report, the issuing authority shall inform the applicant and render a decision on the application within one week of the receipt of the report. If such report has not been received within eight weeks after a sufficient application for a permit has been made, the issuing authority shall inform the applicant of such delay, in writing. No permit shall be issued if the issuing authority has reason to believe the applicant has ever been convicted of a felony.

Sec. 6. Section 29-28 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) No person who sells ten or more pistols or revolvers in a calendar year or is a federally-licensed firearm dealer shall advertise, sell, deliver, or offer or expose for sale or delivery, or have in his possession with intent to sell or deliver, any pistol or revolver at retail without having a permit therefor issued as hereinafter provided. The chief of police or, where there is no chief of police, the warden of the borough or the first selectman of the town, as the case may be, may, upon the application of any person, issue a permit in such form as may be prescribed by the Commissioner of Public Safety for the sale at retail of pistols and revolvers within the jurisdiction of the authority issuing such permit. No permit for the sale at retail of any pistol or revolver shall be issued unless the applicant holds a valid eligibility certificate for a pistol or revolver issued pursuant to section 29-36f or a valid permit to carry a pistol or revolver issued pursuant to subsection (b) of this section and the applicant submits documentation sufficient to establish that local zoning requirements have been met for the location where the sale is to take place except that any person selling or exchanging a pistol or revolver for the enhancement of a personal collection or

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for a hobby or who sells all or part of his personal collection of pistols or revolvers shall not be required to submit such documentation for the location where the sale or exchange is to take place.

(b) Upon the application of any person having a bona fide residence or place of business within the jurisdiction of any such authority or upon the application of any bona fide resident of the United States having a permit or license to carry any firearm issued by the authority of any state or subdivision of the United States, such chief of police, warden or selectman may issue a permit to such person to carry a pistol or revolver within the jurisdiction of the authority issuing the same, provided such authority shall find that such applicant intends to make no use of any pistol or revolver which he may be permitted to carry thereunder other than a lawful use and that such person is a suitable person to receive such permit. No permit to carry a pistol or revolver shall be issued under this subsection if the applicant (1) has failed to successfully complete a course approved by the Commissioner of Public Safety in the safety and use of pistols and revolvers including, but not limited to, a safety or training course in the use of pistols and revolvers available to the public offered by a law enforcement agency, a private or public educational institution or a firearms training school, utilizing instructors certified by the National Rifle Association or the Department of Environmental Protection and a safety or training course in the use of pistols or revolvers conducted by an instructor certified by the state or the National Rifle Association, (2) has been convicted of a felony or of a violation of subsection (c) of section 21a-279, section 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d, (3) HAS BEEN CONVICTED AS DELINQUENT FOR THE COMMISSION OF A SERIOUS JUVENILE OFFENSE, AS DEFINED IN SECTION 46b-120, AS AMENDED, [(3)] (4) has been discharged from custody within the preceding twenty years after having been found not guilty of a crime by reason of mental disease or defect pursuant to section 53a-13, [(4)] (5) has been confined in a hospital for [mental illness] PERSONS WITH PSYCHIATRIC DISABILITIES, as defined in section 17a-495, within the preceding twelve months by order of a probate court, [(5)] (6) is subject to a restraining or protective order issued by a court in a case involving the use, attempted use or threatened use of physical force against another person, or [(6)] (7) is an alien illegally or unlawfully in the United States. Nothing in this section shall require any person who holds a valid permit to carry a pistol or revolver on October 1, 1994, to participate in any additional training in the safety and use of pistols and revolvers. Said commissioner may, upon application, issue, to any holder of any such permit, a permit to carry a pistol or revolver within the state. Each permit to carry any pistol

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or revolver shall be issued in triplicate and one of the copies issued by said commissioner shall be delivered to the person to whom issued, one shall be delivered forthwith to the authority issuing the local permit and one shall be retained by said commissioner, and the local authority issuing any such permit shall forthwith deliver one of such copies to the person to whom issued and one copy to said commissioner and shall retain one of such copies. The copy of the state permit delivered to the permittee shall be laminated and shall contain a full-face photograph of such permittee. A person holding a permit issued pursuant to this subsection shall notify the issuing authority within two business days of any change of his address. The notification shall include his old address and his new address.

(c) No issuing authority may require any sworn member of the Department of Public Safety or an organized local police department to furnish his residence address in a permit application. The issuing authority shall allow each such sworn member who has a permit to carry a pistol or revolver on May 26, 1992, issued by such authority, to revise his application to include his business or post office address in lieu of his residence address. The issuing authority shall notify each such member of his right to revise such application.

(d) Notwithstanding the provisions of sections 1-19 and 1-19a, the name and address of a person issued a permit to sell at retail pistols and revolvers pursuant to subsection (a) of this section or a permit to carry pistols and revolvers pursuant to subsection (b) of this section, shall be confidential and shall not be disclosed, except (1) such information may be disclosed to law enforcement officials acting in the performance of their duties, [and] (2) an issuing authority may disclose such information to the extent necessary to comply with a request made pursuant to section 29-33 for verification that such permit is still valid and has not been suspended or revoked, AND (3) SUCH INFORMATION MAY BE DISCLOSED TO THE COMMISSIONER OF MENTAL HEALTH AND ADDICTION SERVICES TO CARRY OUT THE PROVISIONS OF SUBSECTION (c) OF SECTION 17a-500, AS AMENDED BY THIS ACT.

(e) THE ISSUANCE OF A PERMIT TO CARRY A PISTOL OR REVOLVER UNDER SUBSECTION (b) OF THIS SECTION DOES NOT THEREBY AUTHORIZE THE POSSESSION OR CARRYING OF A PISTOL OR REVOLVER IN ANY PREMISES WHERE THE POSSESSION OR CARRYING OF A PISTOL OR REVOLVER IS OTHERWISE PROHIBITED BY LAW OR IS PROHIBITED BY THE PERSON WHO OWNS OR EXERCISES CONTROL OVER SUCH PREMISES.

Sec. 7. Section 29-36g of the general statutes is repealed and the following is substituted in lieu thereof:

(a) Requests for eligibility certificates under section 29-36f, AS AMENDED BY THIS ACT, shall be submitted to the Commissioner of Public Safety on application forms prescribed by the commissioner. No eligibility certificate for a pistol or revolver shall be issued under the

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provisions of said section unless the applicant for the same gives to the Commissioner of Public Safety, upon his request, full information concerning the applicant's criminal record and relevant information concerning the applicant's mental health history, and the commissioner shall thereupon take a full description and the fingerprints of such applicant. The commissioner shall record the date the fingerprints were taken in the applicant's file and shall forward such fingerprints to the Federal Bureau of Investigation for a national criminal history records check and to the State Police Bureau of Identification for a state criminal history records check. The commissioner shall, within sixty days of receipt of the national criminal history records check from the Federal Bureau of Investigation, either approve the application and issue the eligibility certificate or deny the application and notify the applicant of the reason for such denial in writing.

(b) With respect to any application for an eligibility certificate filed with the Commissioner of Public Safety on or before July 1, 1995, the commissioner shall, not later than October 1, 1995, (1) approve the application and issue the eligibility certificate, (2) issue a temporary eligibility certificate or (3) deny the application and notify the applicant of the reason for such denial in writing. With respect to any application for an eligibility certificate filed with the Commissioner of Public Safety after July 1, 1995, the commissioner shall, within ninety days, (1) approve the application and issue the eligibility certificate, (2) issue a temporary eligibility certificate or (3) deny the application and notify the applicant of the reason for such denial in writing. A temporary certificate issued under this subsection shall be valid until such time as the commissioner either approves or denies the application.

(c) An eligibility certificate for a pistol or revolver shall be of such form and content as the commissioner may prescribe, shall be signed by the certificate holder and shall contain an identification number, the name, address, place and date of birth, height, weight and eye color of the certificate holder and a full-face photograph of the certificate holder.

(d) A person holding an eligibility certificate issued by the commissioner shall notify the commissioner within two business days of any change of his address. The notification shall include his old address and his new address.

(e) Notwithstanding the provisions of sections 1-19 and 1-19a, the name and address of a person issued an eligibility certificate for a pistol or revolver under the provisions of section 29-36f shall be confidential and shall not be disclosed, except (1) such information may be disclosed to law enforcement officials acting in the performance of their duties, [and] (2) the Commissioner of Public Safety may disclose such information to the extent necessary to comply with

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a request made pursuant to section 29-33 for verification that such certificate is still valid and has not been suspended or revoked, AND (3) SUCH INFORMATION MAY BE DISCLOSED TO THE COMMISSIONER OF MENTAL HEALTH AND ADDICTION SERVICES TO CARRY OUT THE PROVISIONS OF SUBSECTION (c) OF SECTION 17a-500, AS AMENDED.

(f) An eligibility certificate for a pistol or revolver shall not authorize the holder thereof to carry a pistol or revolver upon his person in circumstances for which a permit to carry a pistol or revolver issued pursuant to subsection (b) of section 29-28, AS AMENDED BY THIS ACT, is required under section 29-35.

Sec. 8. Subsection (a) of section 53-202d of the general statutes is repealed and the following is substituted in lieu thereof:

(a) Any person who lawfully possesses an assault weapon, as defined in section 53-202a, prior to October 1, 1993, shall apply by October 1, 1994, or, if such person is a member of the military or naval forces of this state or of the United States and is unable to apply by October 1, 1994, because he or she is or was on official duty outside of this state, shall apply within ninety days of returning to the state to the Department of Public Safety, for a certificate of possession with respect to such assault weapon. The certificate shall contain a description of the firearm that identifies it uniquely, including all identification marks, the full name, address, date of birth and thumbprint of the owner, and any other information as the department may deem appropriate. The department shall adopt regulations in accordance with the provisions of chapter 54 not later than January 1, 1994, to establish procedures with respect to the application for and issuance of certificates of possession pursuant to this section. Notwithstanding the provisions of sections 1-19 and 1-19a, the name and address of a person issued a certificate of possession shall be confidential and shall not be disclosed, except such records may be disclosed to (1) law enforcement agencies, AND (2) THE COMMISSIONER OF MENTAL HEALTH AND ADDICTION SERVICES TO CARRY OUT THE PROVISIONS OF SUBSECTION (c) OF SECTION 17a-500, AS AMENDED BY THIS ACT.

Sec. 9. Section 53-206 of the general statutes is repealed and the following is substituted in lieu thereof:

[(a)] Any person who carries upon his person any [slung shot, air rifle,] BB. gun, blackjack, [sand bag,] metal or brass knuckles, or any dirk knife, or any switch knife, or any knife having an automatic spring release device by which a blade is released from the handle, having a blade of over one and one-half inches in length, or stiletto, or any knife the edged portion of the blade of which is four inches or over in length, or any martial arts weapon or electronic defense weapon, as defined in section 53a-3, or any other dangerous or deadly weapon or instrument, [unless such person has been granted a written permit

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issued and signed by the first selectman of a town, the mayor or chief of police of a city or the warden of a borough, authorizing such person to carry such weapon or instrument within such town, city or borough,] shall be fined not more than five hundred dollars or imprisoned not more than three years or both. [No permit shall be issued to any applicant who has ever been convicted of a felony. The issuing authority may request the applicant's fingerprints and full information concerning his criminal record and make an investigation concerning the suitability of the applicant to carry any such weapon. Refusal of fingerprinting by the applicant shall be sufficient cause to refuse issuance of a permit.] Whenever any person is found guilty of a violation of this [subsection] SECTION, any weapon or other [implement] INSTRUMENT within the provisions [hereof] OF THIS SECTION, found upon the body of such person, shall be forfeited to the municipality wherein such person was apprehended, notwithstanding any failure of the judgment of conviction to expressly impose such forfeiture. [Any person who has been granted a permit to carry any martial arts weapon pursuant to this section may carry such weapon anywhere within the state.] The provisions of this [subsection] SECTION shall not apply to THE CARRYING OF A KNIFE, THE EDGED PORTION OF THE BLADE OF WHICH IS FOUR INCHES OR OVER IN LENGTH, BY any officer charged with the preservation of the public peace [nor to] WHILE ENGAGED IN THE PURSUIT OF HIS OFFICIAL DUTIES, ANY MEMBER OF THE ARMED FORCES OF THE UNITED STATES, AS DEFINED IN SECTION 27-103, OR ANY RESERVE COMPONENT THEREOF, OR OF THE ARMED FORCES OF THIS STATE, AS DEFINED IN SECTION 27-2, WHEN ON DUTY OR GOING TO OR FROM DUTY, ANY MEMBER OF ANY MILITARY ORGANIZATION WHEN ON PARADE OR WHEN GOING TO OR FROM ANY PLACE OF ASSEMBLY, ANY PERSON WHILE TRANSPORTING SUCH KNIFE AS MERCHANDISE, any person who is found with any such [weapon or implement] KNIFE concealed upon his person while lawfully removing his household goods or effects from one place to another, or from one residence to another, [nor to] any person while actually and peaceably engaged in carrying any such [weapon or implement] KNIFE from his place of abode or business to a place or person where or by whom such [weapon or implement] KNIFE is to be repaired, or while actually and peaceably returning to his place of abode or business with such [weapon or implement] KNIFE after the same has been repaired OR ANY PERSON HOLDING A VALID HUNTING, FISHING OR TRAPPING LICENSE ISSUED PURSUANT TO CHAPTER 490 OR ANY SALT WATER FISHERMAN CARRYING SUCH KNIFE FOR LAWFUL HUNTING, FISHING OR TRAPPING ACTIVITIES.

[(b) Any person who sells to another a slung shot, air rifle, BB. gun, blackjack, sand bag, metal or brass knuckles, or any dirk knife, or any switch knife, or any knife having an automatic spring release device by which the blade is released from the handle, having a blade of over one and one-half inches in length, or stiletto, or

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any martial arts weapon or electronic defense weapon, as defined in section 53a-3, shall, within twenty-four hours after the delivery of such weapon or implement to the person to whom sold, give written notice of such sale or delivery, specifying the article sold and the name and address of the person to whom sold or delivered, to the chief of police of the city, the warden of the borough or the first selectman of the town, within which such weapon or implement is sold or delivered, as the case may be. Any person who violates any provision of this subsection shall be fined not more than one hundred dollars.]

Sec. 10. Subsection (b) of section 29-32b of the general statutes is repealed and the following is substituted in lieu thereof:

(b) Any person aggrieved by any refusal to issue or renew a permit or certificate under the provisions of section 29-28 [,] OR 29-36f, [or 53-206,] or by any limitation or revocation of a permit or certificate issued under any of said sections, or by a refusal or failure [or] OF any issuing authority to furnish an application as provided in section 29-28a, [or section 53-206a,] may, within ninety days after receipt of notice of such refusal, limitation or revocation, or refusal or failure to supply an application as provided in section 29-28a, [or section 53-206a,] and without prejudice to any other course of action open to him in law or in equity, appeal to the board. On such appeal the board shall inquire into and determine the facts, de novo, and unless it finds that such a refusal, limitation or revocation, or such refusal or failure to supply an application, as the case may be, would be for just and proper cause, it shall order such permit or certificate to be issued, renewed or restored, or the limitation removed or modified, as the case may be. If the refusal was for failure to document compliance with local zoning requirements, under subsection (a) of section 29-28, AS AMENDED BY THIS ACT, the board shall not issue a permit.

Sec. 11. Section 29-38 of the general statutes is repealed and the following is substituted in lieu thereof:

Any person who knowingly has, in any vehicle owned, operated or occupied by him, any weapon, ANY PISTOL OR REVOLVER for which a proper permit has not been issued as provided in section 29-28, AS AMENDED BY THIS ACT, [or section 53-206,] or ANY MACHINE GUN WHICH has not BEEN registered [such weapon] as required by section 53-202, [as the case may be,] shall be fined not more than one thousand dollars or imprisoned not more than five years or both, and the presence of any such weapon, PISTOL OR REVOLVER, OR MACHINE GUN in any vehicle shall be prima facie evidence of a violation of this section by the owner, operator and each occupant thereof. The word "weapon", as used in this section, means any [pistol or revolver] BB. GUN, ANY BLACKJACK, ANY METAL OR BRASS KNUCKLES, any dirk knife or switch knife, [or] any knife having an automatic spring release device by which a blade is released from the

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handle, having a blade of over one and one-half inches in length, [and] ANY STILETTO, ANY KNIFE THE EDGED PORTION OF THE BLADE OF WHICH IS FOUR INCHES OR OVER IN LENGTH, ANY MARTIAL ARTS WEAPON OR ELECTRONIC DEFENSE WEAPON, AS DEFINED IN SECTION 53a-3, OR any other dangerous or deadly weapon or instrument. [, including any slung shot, black jack, sand bag, metal or brass knuckles, stiletto, knife, the edged portion of the blade of which is four inches or over in length or martial arts weapon as defined in section 53a-3.] The provisions of this section shall not apply to [any person enrolled in and currently attending a martial arts school, with official verification of such enrolment and attendance, having any such martial arts weapon in a vehicle while traveling to and from such school] ANY PERSON HAVING A KNIFE, THE EDGED PORTION OF THE BLADE OF WHICH IS FOUR INCHES OR OVER IN LENGTH, IN A VEHICLE IF SUCH PERSON IS ANY OFFICER CHARGED WITH THE PRESERVATION OF THE PUBLIC PEACE WHILE ENGAGED IN THE PURSUIT OF HIS OFFICIAL DUTIES, ANY MEMBER OF THE ARMED FORCES OF THE UNITED STATES, AS DEFINED IN SECTION 27-103, OR ANY RESERVE COMPONENT THEREOF, OR OF THE ARMED FORCES OF THIS STATE, AS DEFINED IN SECTION 27-2, WHEN ON DUTY OR GOING TO OR FROM DUTY, ANY MEMBER OF ANY MILITARY ORGANIZATION WHEN ON PARADE OR WHEN GOING TO OR FROM ANY PLACE OF ASSEMBLY, ANY PERSON WHILE TRANSPORTING SUCH KNIFE AS MERCHANDISE, ANY PERSON WHILE LAWFULLY REMOVING HIS HOUSEHOLD GOODS OR EFFECTS FROM ONE PLACE TO ANOTHER, OR FROM ONE RESIDENCE TO ANOTHER, ANY PERSON WHILE ACTUALLY AND PEACEABLY ENGAGED IN CARRYING ANY SUCH KNIFE FROM HIS PLACE OF ABODE OR BUSINESS TO A PLACE OR PERSON WHERE OR BY WHOM SUCH KNIFE IS TO BE REPAIRED, OR WHILE ACTUALLY AND PEACEABLY RETURNING TO HIS PLACE OF ABODE OR BUSINESS WITH SUCH KNIFE AFTER THE SAME HAS BEEN REPAIRED OR ANY PERSON HOLDING A VALID HUNTING, FISHING OR TRAPPING LICENSE ISSUED PURSUANT TO CHAPTER 490 OR ANY SALT WATER FISHERMAN WHILE HAVING SUCH KNIFE IN A VEHICLE FOR LAWFUL HUNTING, FISHING OR TRAPPING ACTIVITIES.

Sec. 12. Section 53a-217 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) A person is guilty of criminal possession of a firearm or electronic defense weapon when he possesses a firearm or electronic defense weapon and (1) has been convicted of a capital felony, a class A felony, except a conviction under section 53a-196a, a class B felony, except a conviction under section 53a-86, 53a-122 or 53a-196b, a class C felony, except a conviction under section 53a-87, 53a-152 or 53a-153, or a class D felony under sections 53a-60 to 53a-60c, inclusive, 53a-72a, 53a-72b, 53a-95, 53a-103, 53a-103a, 53a-114, 53a-136 or 53a-216, OR (2) HAS BEEN CONVICTED AS DELINQUENT FOR THE COMMISSION OF A SERIOUS JUVENILE OFFENSE, AS DEFINED IN SECTION 46b-120, AS AMENDED. For the purposes of this section, "convicted" means having a judgment of conviction entered by a court of competent

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jurisdiction.

(b) Criminal possession of a firearm or electronic defense weapon is a class D felony, for which two years of the sentence imposed may not be suspended or reduced by the court.

Sec. 13. Section 53a-217c of the general statutes is repealed and the following is substituted in lieu thereof:

(a) A person is guilty of criminal possession of a pistol or revolver when he possesses a pistol or revolver, as defined in section 29-27, and (1) has been convicted of a felony or of a violation of subsection (c) of section 21a-279, section 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d, (2) HAS BEEN CONVICTED AS DELINQUENT FOR THE COMMISSION OF A SERIOUS JUVENILE OFFENSE, AS DEFINED IN SECTION 46b-120, AS AMENDED, [(2)] (3) has been discharged from custody within the preceding twenty years after having been found not guilty of a crime by reason of mental disease or defect pursuant to section 53a-13, [(3)] (4) has been confined in a hospital for [mental illness] PERSONS WITH PSYCHIATRIC DISABILITIES, as defined in section 17a-495, within the preceding twelve months by order of a probate court, [(4)] (5) knows that he is subject to a restraining or protective order issued by a court, after notice and an opportunity to be heard has been provided to such person, in a case involving the use, attempted use or threatened use of physical force against another person, or [(5)] (6) is an alien illegally or unlawfully in the United States. For the purposes of this section, "convicted" means having a judgment of conviction entered by a court of competent jurisdiction.

(b) Criminal possession of a pistol or revolver is a class D felony.

Sec. 14. Subsection (b) of section 29-36f of the general statutes is repealed and the following is substituted in lieu thereof:

(b) The Commissioner of Public Safety shall issue an eligibility certificate unless he finds that the applicant: (1) Has failed to successfully complete a course approved by the Commissioner of Public Safety in the safety and use of pistols and revolvers including, but not limited to, a safety or training course in the use of pistols and revolvers available to the public offered by a law enforcement agency, a private or public educational institution or a firearms training school, utilizing instructors certified by the National Rifle Association or the Department of Environmental Protection and a safety or training course in the use of pistols or revolvers conducted by an instructor certified by the state or the National Rifle Association; (2) has been convicted of a felony or of a violation of subsection (c) of section 21a-279, section 53a-58, 53a-61, 53a-61a, 53a-62, 53a-63, 53a-96, 53a-175, 53a-176, 53a-178 or 53a-181d; (3) HAS BEEN CONVICTED AS DELINQUENT FOR THE COMMISSION OF A SERIOUS JUVENILE OFFENSE, AS DEFINED IN SECTION 46b-120, AS AMENDED; [(3)] (4) has been discharged

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from custody within the preceding twenty years after having been found not guilty of a crime by reason of mental disease or defect pursuant to section 53a-13; [(4)] (5) has been confined in a hospital for [mental illness] PERSONS WITH PSYCHIATRIC DISABILITIES, as defined in section 17a-495, within the preceding twelve months by order of a probate court; [(5)] (6) is subject to a restraining or protective order issued by a court in a case involving the use, attempted use or threatened use of physical force against another person; or [(6)] (7) is an alien illegally or unlawfully in the United States.

Sec. 15. Section 53a-217b of the general statutes is repealed and the following is substituted in lieu thereof:

(a) A person is guilty of possession of a weapon on school grounds when, KNOWING THAT HE IS NOT LICENSED OR PRIVILEGED TO DO SO, he possesses a firearm or deadly weapon, as defined in section 53a-3, (1) in or on the real property comprising a public or private elementary or secondary school or (2) at a school-sponsored activity as defined in subsection (h) of section 10-233a.

(b) The provisions of subsection (a) of this section shall not apply to the otherwise lawful possession of a firearm [(1) by a person holding a valid state or local permit to carry such firearm, (2)] (1) by a person for use in a program approved by school officials in or on such school property, [(3)] (2) by a person in accordance with an agreement entered into between school officials and such person or such person's employer, [(4)] (3) by a peace officer, as defined in subdivision (9) of section 53a-3, while engaged in the performance of his official duties, or [(5)] (4) by a person while traversing such school property for the purpose of gaining access to public or private lands open to hunting or for other lawful purposes, provided such firearm is not loaded and the entry on such school property is permitted by the local or regional board of education. [Notwithstanding the provisions of this subsection, a local or regional board of education or the supervisory agent of a private elementary or secondary school may prohibit the possession of firearms by students in or on the real property comprising the public or private elementary or secondary school or at a school-sponsored activity as defined in subsection (h) of section 10-233a.]

(c) Possession of a weapon on school grounds is a class D felony.

Sec. 16. (NEW) (a) Any owner, operator or user of a firing or shooting range operating on the effective date of this act shall be exempt from criminal prosecution with respect to noise or noise pollution violations and immune from civil liability with respect to noise or noise pollution resulting from shooting activity on such range provided the range was, at the time of its construction or operational approval by the municipality in which it is located, in compliance with the provisions of chapter 442 of the general statutes and regulations adopted thereunder.

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(b) No standards in a noise control ordinance adopted by any municipality for limiting levels of noise in terms of decibel level which may occur in the outdoor atmosphere shall apply to any firing or shooting range exempted from liability under this section if such standards are inconsistent with the provisions of chapter 442 of the general statutes or the regulations adopted thereunder.

(c) This section shall not limit the ability of a municipality to evaluate and regulate any increase in noise attributable to a physical expansion of an existing firing or shooting range.

Sec. 17. Section 17a-499 of the general statutes is repealed and the following is substituted in lieu thereof:

All proceedings of the Court of Probate, upon application made under the provisions of sections 17a-75 to 17a-83, inclusive, 17a-450 to 17a-484, inclusive, 17a-495 to 17a-528, inclusive, 17a-540 to 17a-550, inclusive, 17a-560 to 17a-576, inclusive, and 17a-615 to 17a-618, inclusive, shall be in writing and filed in such court, and, whenever a court passes an order for the admission of any person to any state hospital for psychiatric disabilities, it shall record the same and give a certified copy of such order and of the reports of the physicians to the person by whom such person is to be taken to the hospital, as the warrant for such taking and commitment, and shall also forthwith transmit a like copy to the Commissioner of Mental Health and Addiction Services, and, in the case of a person in the custody of the Commissioner of Correction, to the Commissioner of Correction. [All] WHENEVER A COURT PASSES AN ORDER FOR THE COMMITMENT OF ANY PERSON TO ANY HOSPITAL FOR PSYCHIATRIC DISABILITIES, IT SHALL, WITHIN THREE BUSINESS DAYS, PROVIDE A COPY OF THE ORDER OF COMMITMENT TO THE COMMISSIONER OF MENTAL HEALTH AND ADDICTION SERVICES WHO SHALL MAINTAIN IDENTIFYING INFORMATION INCLUDING, BUT NOT LIMITED TO, NAME, ADDRESS, SEX, DATE OF BIRTH AND DATE OF COMMITMENT ON ALL COMMITMENTS ORDERED ON AND AFTER JUNE 1, 1998. ALL COMMITMENT APPLICATIONS, orders of commitment and commitment papers issued by any court in committing persons with psychiatric disabilities to public or private hospitals for psychiatric disabilities shall be in accordance with a form prescribed by the Attorney General, which form shall be uniform throughout the state. For all such [commitments] COMMITMENT APPLICATIONS AND ORDERS, the Commissioner of Mental Health and Addiction Services shall cause suitable blanks, in accordance with said form, to be printed and furnished at the expense of the state. State hospitals and other hospitals for persons with psychiatric disabilities shall, so far as they are able, upon reasonable request of any officer of a court having the power of commitment, send one or more trained attendants or nurses to attend any hearing concerning the commitment of any person with psychiatric disabilities and any such attendant or nurse, when present, shall be designated by the court as the authority to serve commitment process issued under

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the provisions of sections 17a-75 to 17a-83, inclusive, 17a-450 to 17a-484, inclusive, 17a-495 to 17a-528, inclusive, 17a-540 to 17a-550, inclusive, 17a-560 to 17a-576, inclusive, and 17a-615 to 17a-618, inclusive.

Sec. 18. Section 17a-500 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) Each court of probate shall keep a record of the cases relating to persons with psychiatric disabilities coming before it under sections 17a-75 to 17a-83, inclusive, 17a-450 to 17a-484, inclusive, 17a-495 to 17a-528, inclusive, 17a-540 to 17a-550, inclusive, 17a-560 to 17a-576, inclusive, and 17a-615 to 17a-618, inclusive, and the disposition of them. It shall also keep on file the original application and certificate of physicians required by said sections, or a microfilm duplicate of such records in accordance with regulations issued by the Probate Court Administrator. All records maintained in the courts of probate under the provisions of said sections shall be sealed and available only to the respondent or his or her counsel unless the Court of Probate, after hearing held with notice to the respondent, determines such records should be disclosed for cause shown.

(b) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (a) OF THIS SECTION, THE COMMISSIONER OF MENTAL HEALTH AND ADDICTION SERVICES, IN ACCORDANCE WITH SECTION 17a-499, AS AMENDED BY THIS ACT, SHALL MAINTAIN INFORMATION ON COMMITMENT ORDERS BY A PROBATE COURT AND SHALL PROVIDE SUCH INFORMATION TO THE COMMISSIONER OF PUBLIC SAFETY IN FULFILLMENT OF HIS OBLIGATIONS UNDER SECTIONS 29-28 TO 29-38a, INCLUSIVE, AS AMENDED BY THIS ACT, AND SECTION 53-202d, AS AMENDED BY THIS ACT, IN SUCH A MANNER AS TO REPORT IDENTIFYING INFORMATION ON THE COMMITMENT STATUS INCLUDING, BUT NOT LIMITED TO, NAME, ADDRESS, SEX, DATE OF BIRTH AND DATE OF COMMITMENT, FOR A PERSON WHO APPLIES FOR OR HOLDS A PERMIT OR CERTIFICATE UNDER SAID SECTIONS 29-28 TO 29-38a, INCLUSIVE, AND SECTION 53-202d. THE COMMISSIONER OF PUBLIC SAFETY SHALL MAINTAIN AS CONFIDENTIAL ANY SUCH INFORMATION PROVIDED TO HIM AND SHALL USE SUCH INFORMATION ONLY FOR PURPOSES OF FULFILLING HIS OBLIGATIONS UNDER SECTIONS 29-28 TO 29-38a, INCLUSIVE, AS AMENDED BY THIS ACT, AND SECTION 53-202d, AS AMENDED BY THIS ACT, EXCEPT THAT NOTHING IN THIS SECTION SHALL PROHIBIT SAID COMMISSIONER FROM ENTERING SUCH INFORMATION INTO EVIDENCE AT A HEARING HELD IN ACCORDANCE WITH SECTION 29-32b.

(c) (1) THE COMMISSIONER OF MENTAL HEALTH AND ADDICTION SERVICES SHALL OBTAIN FROM THE COMMISSIONER OF PUBLIC SAFETY THE STATUS OF ANY FIREARM APPLICATION, PERMIT OR CERTIFICATE UNDER SECTIONS 29-28 TO 29-38a, INCLUSIVE, AS AMENDED BY THIS ACT, AND SECTION 53-202d, AS AMENDED BY THIS ACT, OF EACH PERSON WHO IS THE SUBJECT OF AN ORDER OF COMMITMENT PURSUANT TO SECTION 17a-499, AS AMENDED BY THIS ACT, IN SUCH A MANNER SO AS TO ONLY RECEIVE A REPORT ON THE FIREARM APPLICATION,

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PERMIT OR CERTIFICATE STATUS OF THE PERSON WITH RESPECT TO WHOM THE INQUIRY IS MADE.

(2) THE COMMISSIONER OF MENTAL HEALTH AND ADDICTION SERVICES SHALL REPORT TO THE COMMISSIONER OF PUBLIC SAFETY ANY COMMITMENT STATUS AND IDENTIFYING INFORMATION FOR ANY PERSON WHO IS AN APPLICANT FOR OR HOLDER OF ANY PERMIT OR CERTIFICATE UNDER SAID SECTIONS 29-28 TO 29-38a, INCLUSIVE, AND SECTION 53-202d.

(3) THE COMMISSIONER OF MENTAL HEALTH AND ADDICTION SERVICES SHALL ADVISE THE HOSPITAL FOR PSYCHIATRIC DISABILITIES TO WHICH A PERSON HAS BEEN COMMITTED OF THE STATUS OF A FIREARM APPLICATION, PERMIT OR CERTIFICATE OF SUCH PERSON UNDER SECTIONS 29-28 TO 29-38a, INCLUSIVE, AS AMENDED BY THIS ACT, AND SECTION 53-202d, AS AMENDED BY THIS ACT, AS REPORTED BY THE COMMISSIONER OF PUBLIC SAFETY FOR CONSIDERATION BY SUCH HOSPITAL IN ANY PSYCHIATRIC TREATMENT PROCEDURES.

(4) THE COMMISSIONER OF MENTAL HEALTH AND ADDICTION SERVICES AND A HOSPITAL FOR PSYCHIATRIC DISABILITIES SHALL MAINTAIN AS CONFIDENTIAL ANY INFORMATION PROVIDED TO SAID COMMISSIONER OR SUCH HOSPITAL CONCERNING THE STATUS OF A FIREARM APPLICATION, PERMIT OR CERTIFICATE UNDER SECTIONS 29-28 TO 29-38a, INCLUSIVE, AS AMENDED BY THIS ACT, AND SECTION 53-202d, AS AMENDED BY THIS ACT, OF ANY PERSON.

Sec. 19. (NEW) (a) The Commissioner of Public Safety, in fulfilling his obligations under sections 29-28 to 29-38a, inclusive, of the general statutes, as amended by this act, and section 53-202d of the general statutes, as amended by this act, shall verify that any person who, on or after October 1, 1998, applies for or seeks renewal of a permit to sell at retail a pistol or revolver, a permit to carry a pistol or revolver, an eligibility certificate for a pistol or revolver or a certificate of possession for an assault weapon has not been confined in a hospital for persons with psychiatric disabilities, as defined in section 17a-495 of the general statutes, within the preceding twelve months by order of a probate court, by making an inquiry to the Department of Mental Health and Addiction Services in such a manner so as to only receive a report on the commitment status of the person with respect to whom the inquiry is made including identifying information in accordance with the provisions of subsection (b) of section 17a-500 of the general statutes, as amended by this act.

(b) If the Commissioner of Public Safety determines pursuant to subsection (a) of this section that a person has been confined in a hospital for persons with psychiatric disabilities, as defined in section 17a-495 of the general statutes, within the preceding twelve months by order of a probate court, said commissioner shall report the status of such person's application for or renewal of a permit to sell at retail a pistol or revolver, a permit to carry a pistol or revolver, an eligibility certificate for a pistol or revolver or a

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certificate of possession for an assault weapon to the Commissioner of Mental Health and Addiction Services for the purpose of fulfilling his responsibilities under subsection (c) of section 17a-500 of the general statutes, as amended by this act.

Sec. 20. (NEW) (a) No person shall carry a pistol, revolver, machine gun, shotgun, rifle or other firearm, which is loaded and from which a shot may be discharged, upon his person (1) while under the influence of intoxicating liquor or any drug or both or (2) while the ratio of alcohol in the blood of such person is ten-hundredths of one per cent or more of alcohol, by weight.

(b) Any person who violates any provision of this section shall be guilty of a class B misdemeanor.

Sec. 21. Section 53-206a of the general statutes is repealed.

Approved May 27, 1998

TOP

12 STATES TOTAL HAVE LICENSING SYSTEMS: CN, HI, IL, IA, MA, MI, MN, MO, NE, NJ, NY and NC.

LICENSING SYSTEMS THAT HAVE A TRAINING REQUIREMENT:

All have registration
****MA** -- Closest to the Administration proposal. Permit required to purchase any firearm (we only have handguns); 4-year renewal period. **Handgun Control says that MA permit only applies to handguns and assault weapons -- not all firearms -- need to check!!!!**

CN -- Permit needed to purchase handguns, but this one is not a good example because their license can also be used for concealed carry; 14-day waiting period to acquire the permit.

HI -- Permit to purchase any firearm (ours is handguns only); 15-day wait to acquire the permit.

STATES THAT REQUIRE TRAINING, BUT NO LICENSE: CA and RI. (In CA, all sales through an FFL, must show safety training certificate.)

STATES THAT REQUIRE A LICENSE (OR "PERMIT") TO PURCHASE A HANDGUN:

registration plus safety test
CN -- Up to 14-day wait to acquire permit to purchase a handgun. *(safety)*

IA -- Up to a 3-day wait to acquire permit to purchase a handgun.

MI -- Up to 30-day waiting period to acquire the permit to purchase a handgun, but law *(safety)* enforcement is not limited because language says they must provide with "due speed and diligence."

MN -- Up to 7-day wait to acquire a permit to purchase a handgun.

MO -- Up to 7 day wait to acquire a permit to purchase a handgun.

NE -- Up to 2-day wait to acquire a permit to purchase a handgun.

NY -- Up to 6-month wait to acquire a permit to purchase a handgun.

NC -- Up to a 30-day wait to acquire a permit to purchase a handgun.

**** Need to find out if need permit for EACH handgun purchase or if for a few years?

STATES THAT REQUIRE PERMIT TO PURCHASE FOR HANDGUNS & LONGGUNS:

Interv. debate in council
HI -- Up to 15-day wait to acquire permit to purchase any firearm.

IL -- Up to 30 day wait to acquire a permit to purchase any firearm; in addition, 3-day wait for handguns and 1-day wait for long guns.

MA -- Up to 30-day wait to acquire a permit to purchase any firearm (or handguns and assault weapons only?).

NJ -- Up to 30-day wait to acquire a permit to purchase any firearm.

HANDGUN CONTROL

ONE MILLION STRONG . . . working to
keep handguns out of the wrong hands.

TO: Deanne Benos
FR: Joe Sudbay *JS*
RE: Synopsis of State Licensing Laws

Deanne, this is just a first cut at this. It is a work in progress.

~~X~~ Connecticut

- Permit required for handgun purchase
- 14 day wait for permit, no wait for purchase
- Safety training required
- Full face photo and fingerprints required
- Permit required for private sales
- Minimum age 21
- Permit issued by Department of Public Safety

~~X~~ Hawaii

- Permit required for all firearms
- No sooner than 10 days for permit, no longer than 20 day wait for permit
- Safety training required
- Fingerprints and photos required
- Minimum age 21
- Issued by Chief of Police
- Need new permit for each Handgun
- Long gun permit is good for one year

Illinois

- Firearms Owner Identification Card required for all firearms
- Up to 30 day wait for permit
- 3 day wait for handgun purchase
- 1 day wait for long gun purchase
- No safety training required
- Issued by State Police

Iowa

- Annual Permit to Acquire required for handgun purchase
- 3 day wait for handgun purchase
- No safety training required

Issued by County Sheriff

Massachusetts

Safety training required

Up to 30 day wait to process license

Permit is valid for 4 years

Issued by "licensing authority" meaning chief of police

✱ **Michigan**

✱ Permit required for handgun purchase

Permit is valid for 10 days

Requires a safety test

Issued by Chief of Police

Minnesota

Permit required for handgun or assault weapon purchase

7 day waiting period for permit, no wait for purchase

No safety training

Issued by chief of police or county sheriff

Missouri

Permit required for handgun purchase (concealable firearm)

7 day wait for permit, no wait for purchase

Issued by county sheriff

Nebraska

Permit required for handgun purchase

2 day wait for permit

No safety training

Issued by sheriff or chief of police

New Jersey

Permit required for all firearm purchases

Up to 30 day wait for permit, no wait for purchase

Permit required for each purchase

No safety training required

Issued by chief of police or Superintendent of State Police

Fingerprints required

New York

Permit required for all handgun purchases

Up to 60 day wait for permit, no wait for purchase

No safety training required

Issued by "licensing officer" of the city or county where applicant resides

New York City and several counties have stricter requirements

Fingerprints required

North Carolina

Up to 30 day wait for permit

No wait for purchase

Issued by County Sheriff who conducts background check

Permit is valid for 5 years

STATE BACKGROUND CHECKS FOR FIREARM PURCHASES

BACKGROUND

The Brady Handgun Violence Prevention Act, or Brady Law, which took seven years to pass in Congress, was finally signed into law on November 30, 1993, and went into effect on February 28, 1994. Thirty-two states were affected by the law when it was first implemented because they conducted no background checks prior to the purchase of firearms. Since that time, several of these states passed laws requiring background checks on handgun purchasers which exempted them from the Brady Law.

On November 30, 1998, the five-day waiting period for handgun purchasers required by the Brady Law expired. It was replaced by a mandatory, computerized National Instant Check System (NICS), which provides the information for criminal background checks on all firearm purchasers, not just those buying handguns. Most background checks and firearm sales conducted under this system are completed within minutes, without a waiting period. **The impact of this change in the federal law varied from state to state.**

26 STATES USE THE FEDERAL NICS SYSTEM FOR ALL BACKGROUND CHECKS CONDUCTED AT THE TIME OF PURCHASE:

These states switched to NICS when the Brady waiting period expired: Alabama, Alaska, Arkansas, Colorado, Delaware, Idaho, Kansas, Kentucky, Louisiana, Maine, Massachusetts, Minnesota, Mississippi, Missouri, Montana, New Hampshire, New Mexico, New York, North Dakota, Ohio, Oklahoma, Rhode Island, South Dakota, Texas, West Virginia and Wyoming. However, states which require permits to purchase continue to use their state-based system for the permit background check (see section on Permits).

14 STATES PERFORM ALL BACKGROUND CHECKS AT THE STATE LEVEL: These states do all checks through a state-based system: Arizona, California, Connecticut, Florida, Georgia, Hawaii, Illinois, Nevada, New Jersey, South Carolina, Tennessee, Utah, Vermont and Virginia.

10 STATES PERFORM HANDGUN BACKGROUND CHECKS AT THE STATE LEVEL AND LONG GUN BACKGROUND CHECKS THROUGH THE FEDERAL NICS SYSTEM: These states are Indiana, Iowa, Maryland, Michigan, Nebraska, North Carolina, Oregon, Pennsylvania, Washington and Wisconsin. Again, states which require permits to purchase continue to use their state-based system for the permit background check (see section on Permits).

STATE-BASED WAITING PERIODS

The following states have their own waiting periods to obtain a permit to purchase and/or for actual purchase. These waiting periods are still in effect:

Alabama:	2-day waiting period for handguns
California:	10-day waiting period for any firearm
Connecticut:	up to 14-day wait to acquire permit to purchase a handgun
Florida:	3-day waiting period for handguns
Hawaii:	up to 15-day wait to acquire permit to purchase any firearm
Illinois:	up to 30-day wait to acquire Firearms Owner Identification Card (FOID); 3-day waiting period to purchase a handgun, 1-day waiting period for a long gun
Iowa:	up to 3-day wait to acquire permit to purchase a handgun
Maryland:	7-day waiting period for handguns

Massachusetts:	up to 30-day wait to acquire Firearm Identification Card (FID) to purchase any firearm
Michigan:	permit required to purchase handgun -- local law enforcement is supposed to issue permit "with due speed and diligence" but no limit is placed on wait to acquire permit
Minnesota:	up to 7-day wait to acquire permit to purchase a handgun
Missouri:	up to 7-day wait to acquire permit to purchase a handgun
Nebraska:	up to 2-day wait to acquire permit to purchase a handgun
New Jersey:	up to 30-day wait to acquire permit to purchase any firearm
New York:	up to 6-month wait to acquire permit to purchase a handgun
North Carolina:	up to 30-day wait to acquire permit to purchase a handgun
Rhode Island:	7-day waiting period for handguns
Washington:	5-day waiting period for handguns
Wisconsin:	2-day waiting period for handguns

PERMITS

Twelve states require a permit to purchase a handgun: Connecticut, Hawaii, Illinois, Iowa, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York and North Carolina. Four of these states, Hawaii, Illinois, Massachusetts and New Jersey require a permit for long guns as well.

Before issuing permits to purchase firearms, states perform a state-based background check. This check is in addition to the state-based or NICS background check that occurs at the actual time of purchase. This means that in Massachusetts, Missouri and New York, where the NICS system is used at the point of purchase, a thorough state background check has already been performed.

THE ATTACHED TABLE SHOWS A STATE-BY-STATE BREAKDOWN OF BACKGROUND CHECKS, PERMITS TO PURCHASE AND WAITING PERIODS AFTER NOVEMBER 30, 1998.

Updated 1/00

#

Handgun Control, chaired by Sarah Brady, is the nation's largest citizens' gun control lobbying organization. Based in Washington, DC, HCI works to enact stronger federal, state and local gun control laws, but does not seek to ban handguns. Founded in 1974, HCI has more than 400,000 members nationwide and works with local groups around the country to enact and protect reasonable gun control laws. More information about HCI and its affiliated organization, the Center to Prevent Handgun Violence, can be found on our website at <http://www.handguncontrol.org>.

HANDGUNS

LONG GUNS

STATE	PERMIT	BACKGROUND CHECK (time of purchase)	WAITING PERIOD	PERMIT	BACKGROUND CHECK (time of purchase)	WAITING PERIOD
AL	none	Federal	2 days	none	Federal	none
AK	none	Federal	none	none	Federal	none
AZ	none	State	none	none	State	none
AR	none	Federal	none	none	Federal	none
CA	none	State	10 days	none	State	10 days
CO	none	Federal	none	none	Federal	none
CT	(yes)	State	14 days	none	State	none
DE	none	Federal	none	none	Federal	none
FL	none	State	3 day	none	State	none
GA	none	State	none	none	State	none
HI	(yes)	State	15 days	(yes)	State	15 days
ID	none	Federal	none	none	Federal	none
IL	(yes)	State	3 days	(yes)	State	1 day
IN	none	State	none	none	Federal	none
IA	(yes)	State	3 days	none	Federal	none
KS	none	Federal	none	none	Federal	none
KY	none	Federal	none	none	Federal	none
LA	none	Federal	none	none	Federal	none
ME	none	Federal	none	none	Federal	none
MD	none	State	7 days	none	Federal	none
MA	(yes)	Federal	30 days	(yes)	Federal	30 days
MI	(yes)	State	varies	none	Federal	none
MN	(yes)	Federal	7 days	none	Federal	none
MS	none	Federal	none	none	Federal	none
MO	(yes)	Federal	7 days	none	Federal	none
MT	none	Federal	none	none	Federal	none
NE	(yes)	State	2 days	none	Federal	none
NV	none	State	none	none	State	none
NH	none	Federal	none	none	Federal	none
NJ	(yes)	State	30 days	(yes)	State	30 days
NM	none	Federal	none	none	Federal	none
NY	(yes)	Federal	6 months	none	Federal	none
NC	(yes)	State	30 days	none	Federal	none
ND	none	Federal	none	none	Federal	none
OH	none	Federal	none	none	Federal	none
OK	none	Federal	none	none	Federal	none
OR	none	State	none	none	Federal	none
PA	none	State	none	none	Federal ⁶	none
RI	none	Federal	7 days	none	Federal	none
SC	none	State	none	none	State	none
SD	none	Federal	none	none	Federal	none
TN	none	State	none	none	State	none
TX	none	Federal	none	none	Federal	none
UT	none	State	none	none	State	none
VT	none	State	none	none	State	none
VA	none	State	none	none	State	none
WA	none	State	5 days	none	Federal	none
WV	none	Federal	none	none	Federal	none
WI	none	State	2 days	none	Federal	none
WY	none	Federal	none	none	Federal	none

¹ Waiting period applies to acquire permit only.

² Up to 30 day waiting period for permit to purchase.

³ Waiting period applies to assault weapon purchases.

⁴ Waiting period and permit needed for assault weapon purchases.

⁵ NM state background check system may be used in the near future.

⁶ State background checks on long guns begins in Dec. 1999.

HANDGUN CONTROL

ONE MILLION STRONG . . . working to
keep handguns out of the wrong hands.

TO: Deanne Benos
FR: Joe Sudbay
RE: Registration and Record of Sale Laws

Deanne, these are the registration/record of sale laws for the states which require handgun licenses/permits to purchase:

Connecticut Dealer forwards records to Commissioner of Public Safety and Chief of Police

Hawaii Purchaser must register firearms

Illinois Dealer retains records

Iowa No specific statute

Massachusetts Once a week, dealer send a copy of the record of sales, rentals and lease made by him for the preceding seven days to the executive director of the criminal history systems board

Michigan Seller fills out license with description of pistol. Dealer retains one copy, forwards one copy to licensing authority (local police) and sends the other copy to the state police.

Minnesota Records forwarded to chief of police or sheriff

Missouri Permit, with disposition and description of firearm, is preserved by sheriff

Nebraska No specific statute

New Jersey Records forwarded to chief of police

New York Firearms recorded on license

No. Carolina Dealer retains records of sales (Sheriff maintains record of permits)

HANDGUN CONTROL

ONE MILLION STRONG . . . working to
keep handguns out of the wrong hands.

FAX

Date: _____

TO: _____

Deanne Benos

Fax No: _____

456-7028

FR: _____

Joe Sudbay

Pages: _____

2

(including cover)

Comments: _____

HANDGUN CONTROL

ONE MILLION STRONG . . . working to
keep handguns out of the wrong hands.

FAX

Date:

2 / 1 / 00

TO:

Deanne Benas

Fax No:

456 - 7028

FR:

Joe Sudbay

Pages:

4

(including cover)

Comments:

Cecile -
226-874 McCarty -
703/837-
9660
Pagan - 800 Sky-8888
An#
1249451
(462 - 0625)

Mary Ellen
576/993-3149

703/446-3567
McCarthy
- DM -
- 516/757-
9344

Hildagunn
Capitol Hill

988-1888
225-4542
234-3853

516/742-
4099
544-
7505
4-3786-
9498
773/293-4446
773/203-1265
888/357-1924

HANDGUN CONTROL

**ONE MILLION STRONG . . . working to
keep handguns out of the wrong hands.**

TO: Deanne Benos
FR: Joe Sudbay *JS*
RE: Synopsis of State Licensing Laws

Deanne, this is just a first cut at this. It is a work in progress.

Connecticut

Permit required for handgun purchase
14 day wait for permit, no wait for purchase
Safety training required
Full face photo and fingerprints required
Permit required for private sales
Minimum age 21
Permit issued by Department of Public Safety

Hawaii

Permit required for all firearms
No sooner than 10 days for permit, no longer than 20 day wait for permit
Safety training required
Fingerprints and photos required
Minimum age 21
Issued by Chief of Police
Need new permit for each Handgun
Long gun permit is good for one year

Illinois

Firearms Owner Identification Card required for all firearms
Up to 30 day wait for permit
3 day wait for handgun purchase
1 day wait for long gun purchase
No safety training required
Issued by State Police

Iowa

Annual Permit to Acquire required for handgun purchase
3 day wait for handgun purchase
No safety training required

Issued by County Sheriff

Massachusetts

Safety training required

Up to 30 day wait to process license

Permit is valid for 4 years

Issued by "licensing authority" meaning chief of police

Michigan

Permit required for handgun purchase

Permit is valid for 10 days

Requires a safety test

Issued by Chief of Police

Minnesota

Permit required for handgun or assault weapon purchase

7 day waiting period for permit, no wait for purchase

No safety training

Issued by chief of police or county sheriff

Missouri

Permit required for handgun purchase (concealable firearm)

7 day wait for permit, no wait for purchase

Issued by county sheriff

Nebraska

Permit required for handgun purchase

2 day wait for permit

No safety training

Issued by sheriff or chief of police

New Jersey

Permit required for all firearm purchases

Up to 30 day wait for permit, no wait for purchase

Permit required for each purchase

No safety training required

Issued by chief of police or Superintendent of State Police

Fingerprints required

New York

Permit required for all handgun purchases

Up to 60 day wait for permit, no wait for purchase

No safety training required

Issued by "licensing officer" of the city or county where applicant resides

New York City and several counties have stricter requirements

Fingerprints required

North Carolina

Up to 30 day wait for permit

No wait for purchase

Issued by County Sheriff who conducts background check

Permit is valid for 5 years

① Ann Gann AP
776-9494

② Randy Mikel
898-8392

③ Mark Noler
CB8
457-4671

Licensing and Registration

States with Licensing Laws:

Connecticut, Hawaii, Illinois, Iowa, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Jersey, New York, North Carolina.

What does Licensing and Registration Entail?

Under the proposed handgun license system, any person would have to obtain a handgun license in order to purchase or receive any handgun or handgun ammunition. In many ways, it would be like a driver's license and would be issued by states. Licenses (or permits to purchase, as they are often called) would be issued by state governments for purposes of regulating the sale, transfer or possession of handguns.

Registration is necessary to trace the flow of guns. Every firearms already has a serial number, however, there is no easy way to trace guns to purchasers, especially when guns are bought and sold privately. Without registration, guns flow easily from legal sales into the illegal market. Americans register their cars, they can easily register their handguns.

Why does America need handgun licensing and registration?

In order to stem the flow of handgun violence, America needs a national system of handgun licensing. Under Handgun Control's 1993 proposal, handguns would be treated like cars: owners would be licensed and handguns would be registered. Congress would establish minimum standards for the licensing system which would be implemented by the states. Without a national system, gun traffickers will continue to make mass purchases of handguns in states with weak laws and sell them into the illegal market across the country. Minimum national standards will help to stop interstate gun trafficking and ensure that everyone who buys a handgun in this country is qualified to own one.

Without tough minimum national standards, including fingerprint identification, it will still be possible for criminals and other disqualified purchasers to obtain handguns.

Licensing and registration - on a nationwide basis - are needed to curb the trafficking in guns that is responsible for the easy availability of guns on the streets of our nation. Licensing will also provide law enforcement with the means to revoke licenses of individuals like Mark Barton and Buford Furrow who have been diagnosed as mentally disturbed and dangerous. State licensing and registration requirements are already valuable law enforcement tools and serve to reduce gun violence, but the effectiveness of existing laws is undermined by the lack of a national policy.

What would a state licensing system entail?

Applicants would apply for their licenses with a state authorized entity. Upon successful completion of the process, licensees would be issued a simple permit or a card, similar to a driver's license,

What are some of the proposed regulations?

Currently, licensing requirements vary between states. The proposed system for an applicant to receive a license would include:

- 1) **Minimum age of 21.** Currently, federal law prohibits federally licensed firearms dealers from selling handguns to persons under 21. However, a loophole in federal law allows the private sale of handguns to persons between the ages of 18 and 20. Only 10 states limit these sales and in most states no background check is required.
- 2) **Background check with fingerprint identification.** A name-based criminal history background check must be complemented with a fingerprint check. An FBI fingerprint background check provides the most reliable proof of identity and will ensure that felons and other prohibited persons are denied licenses.
- 3) **Proof of residency.** It is illegal to purchase a handgun outside the purchaser's state of residence. In addition to providing a driver's license, the applicant should be required to provide concrete proof of current residence such as a utility bill.
- 4) **Successful completion of a firearms safety test or course.** Currently only five states require any type of training before the purchase of a handgun. An untrained handgun owner is a danger to themselves, their family and the community, and should be required to demonstrate that he can load, fire and store a weapon safely.

which contains a picture ID and other identifying data, including address and date-of-birth. The license may be generally applicable to their specific weapon. Ideally, licenses would be issued for a limited period (e.g. 2 years) and require a background check upon renewal.

Why is licensing important?

Handgun licenses are necessary to stem the flow of guns into the wrong hands. No person who is precluded by law from purchasing or owning a firearm should have one. Licensing offers advantages over a simple waiting period/background check requirement and, most important, it should be required for any sale or transfer of a handgun. The process would keep handguns out of the wrong hands in the first place.

The various elements of the licensing system are all designed to prevent unauthorized and illegal access to handguns. For example, a more thorough background check, including fingerprint identification would stop felons from acquiring guns through use of a false identification; residency verification would preclude buyers and gunrunners from going interstate to take advantage of weaker gun laws in other states; successful completion of a safety training course would lead to a better understanding by owners of the risks and dangers posed by possession of handguns.

Licenses should be issued by the local law enforcement authority, such as the police chief or sheriff, and the process must provide an adequate length of time to conduct a thorough examination of the applicant's background.

Before taking possession of a handgun, a person should have to display their license and the dealer should ascertain its validity by conducting a check with the state or local police. A three-day waiting period should be required before the actual transfer takes place.

What is the difference between

Registration **FACTS**

States with registration laws...

Two states (Hawaii and Louisiana) and the District of Columbia provide for the registration of handguns or firearms.

Twenty-one states have record of sales laws: Alabama; Alaska; California; Colorado; Connecticut; Delaware; Illinois; Indiana; Maryland; Massachusetts; Michigan; Minnesota; New Hampshire; New Jersey; New York; North Carolina; Pennsylvania; Rhode Island; Vermont; Washington; and Wyoming.

(Note: These laws vary dramatically. Several like Maryland, Massachusetts and Minnesota require the information to be forwarded to a governmental authority. Others merely require the dealers to retain the information, usually for a limited period of time.)

Why is it important to register both primary and secondary transfers?

Required registration of both primary and secondary transfers puts "straw purchasers" and illegal gun dealers at risk of criminal prosecution. Gun owners who knowingly sell their guns to criminals or other disqualified buyers - and fail to register the sale or transfer - can be held criminally liable if the gun is later used in the commission of a crime.

If national minimum standards are established for licensing and registration, will states be permitted to adopt even tougher standards?

Yes. Minimum standards do not stop states from maintaining or establishing stricter standards or requirements.

Gun Trafficking: The One-Handgun-A-Month

licensing and registration?

Handgun licenses are issued to individuals and entitle the holder to purchase, receive or possess a handgun or firearm. Registration is a record of the transfer or ownership of a specific handgun.

How do registration laws work?

Registration and record of sales laws apply to a specific handgun or firearm. Registration in its strictest form places the burden on the owners of firearms to register their weapons, usually by serial number and description, with a governmental authority, either local or state police.

Record of sales laws put a duty on a licensed firearms dealer to record information about the purchaser and firearm. The record can either be retained by the dealer or forwarded to an appropriate governmental authority. This system is usually limited to the registering of handgun or firearm transfers. Under this more limited approach, handguns or firearms are registered only when they are sold or otherwise transferred. Information on the sale or transfer, including the name and address of the purchaser, is sent to local or state police by the dealer, not the owner.

What's the purpose of registration?

Registration allows for speedier and more reliable tracing of guns used in crime. Without registration, local or state officials must go to the Bureau of Alcohol, Tobacco and Firearms (BATF) for assistance in tracing guns. BATF, in turn, contacts the manufacturer of the gun, who in turn identifies the Federal Firearms Licensee (FFL) to whom the gun was sold. BATF must then seek the cooperation of the FFL in determining who bought the gun from the FFL. If subsequent, or secondary, transfers are not recorded, the investigation can quickly lead to a dead end. An untold number of criminals escape conviction because there is no papertrail or evidence linking them to the crime guns they used.

Registration is designed to reduce illegal gun trafficking by providing for more

The One-Handgun-A-Month Solution

gun trafficking by providing for more efficient tracing of guns used in crimes and tougher prosecution of those who sell guns to illegal purchasers. State-based registration of handgun transfers can achieve that objective.