

How LE Agencies in Illinois Use Your FOID Transaction History to Determine what Firearms You Own

By – John Krupa III (Updated – December 3, 2023)

This is the follow-up article to my previous article; Mandatory ISP Compliance for Suspended and Revoked FOID Cards.

Regarding my last article on this topic, the most common question I get is; “If my FOID gets suspended or revoked, how does the ISP determine what firearms I own when a firearm disposition investigation begins?”

Should you become the subject of a suspended or revoked FOID card investigation; as outlined in my previous article, you basically have 48 hours to surrender your FOID card and report disposition of the firearms you own to your local LE agency from the time you are served with the revocation letter from the ISP.

Keep in mind that the ISP provides a copy of your FOID revocation letter to your local LE agency and tasks that agency with recovering your FOID card and verifying firearm disposition compliance.

If you do not surrender your FOID card or declare disposition of your firearms within 48 hours, the FOID law authorizes law enforcement agencies to contact you directly for compliance.

I’ve been involved with various cases where LE contact (after the 48 hour compliance time has elapsed) was done by letter, phone call, knocking on the door and even search warrants, all of which are authorized by the FOID law.

When an LE agency initiates an investigation regarding your revoked FOID card, the first thing they do is contact the ISP to obtain a copy of your Firearm Transfer Inquiry Program (FTIP) history to start the BATFE records request process to determine how many firearms have actually been transferred to you.

Every time you transfer a firearm through a federally licensed firearms dealer in Illinois, that dealer completes a background check on you via the Illinois State Police – Firearm Transfer Inquiry Program (FTIP). Each FTIP transaction generates a transaction number that is archived under your FOID card history and is a permanent record that is archived with the ISP.

The investigating law enforcement agency then contacts the BATFE and requests copies of each 4473 form assigned to each FTIP transaction number archived under your FOID history as part of their investigation.

The BATFE then identifies and contacts the licensed FFL dealers involved in each of these transactions and requests copies of the 4473 forms you completed, which are then turned over to the investigating LE agency. This records request process typically takes 24 – 72 hours.

Once the investigating LE agency has copies of your 4473 forms, they then know the make, model and serial numbers of the firearms that were transferred to you on those forms and they can then contact you and order you (under the current FOID law) to produce the disposition on the firearms you still own and which firearms you have transferred out of your name.

The FOID law requires you to show proof of disposition for all transfers of firearms you no longer own by keeping a record of such transactions for a period of 10 years.

I have attached a sample copy of what a BATFE FTIP records request looks like from an expired FOID case I worked on a few years back. Sensitive information has been redacted.

In this case, the firearm owner's FOID card expired and the investigating LE agency initiated a firearm disposition inquiry at the owner's home that resulted in the confiscation of (22) of his legally owned firearms!

The subject of this case eventually renewed his FOID card but it took us about 2 years of legal action to get all of his firearms back from the agency that confiscated them.

As you can see in the sample form I've attached, this person's FOID card history spanned over a (3) card history. The investigating LE agency obtained the 4473 forms to all of the FTIP transaction numbers listed, and when they knocked on his door, systematically asked for disposition of each firearm by make, model and serial number!

This situation can happen to any one of us here in Illinois, should your FOID get suspended or revoked. I recommend that you read and understand the FOID law and have an attorney on call, should this happen to you. Stay safe. – Krup

Bio – John is a police officer with over 32 years of experience in law enforcement. He has worked dozens of criminal and civil cases as an expert consultant and expert witness and holds the rating of distinguished weapons expert with the Department of Homeland Security. He is a certified Master Firearms Instructor (ILETSB) and Certified Firearms Specialist with the IFSA. John is also a nationally recognized firearms training expert and has presented as a guest instructor at various LE training conferences across the country, including; ASLET, IALEFI and ILEETA.

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ISP Violent Crime Intelligence Task Force

(20 ILCS 2605/2605-605)

Sec. 2605-605. Violent Crime Intelligence Task Force. The Director of the Illinois State Police shall establish a statewide multi-jurisdictional Violent Crime Intelligence Task Force led by the Illinois State Police dedicated to combating gun violence, gun-trafficking, and other violent crime with the primary mission of preservation of life and reducing the occurrence and the fear of crime. The objectives of the Task Force shall include, but not be limited to, reducing and preventing illegal possession and use of firearms, firearm-related homicides, and other violent crimes, and solving firearm-related crimes.

(1) The Task Force may develop and acquire information, training, tools, and resources necessary to implement a data-driven approach to policing, with an emphasis on intelligence development.

(2) The Task Force may utilize information sharing, partnerships, crime analysis, and evidence-based practices to assist in the reduction of firearm-related shootings, homicides, and gun-trafficking, including, but not limited to, ballistic data, eTrace data, DNA evidence, latent fingerprints, firearm training data, and National Integrated Ballistic Information Network (NIBIN) data. The Task Force may design a model crime gun intelligence strategy which may include, but is not limited to, comprehensive collection and documentation of all ballistic evidence, timely transfer of NIBIN and eTrace leads to an intelligence center, which may include the Division of Criminal Investigation of the Illinois State Police, timely dissemination of intelligence to investigators, investigative follow-up, and coordinated prosecution.

(3) The Task Force may recognize and utilize best practices of community policing and may develop potential partnerships with faith-based and community organizations to achieve its goals.

(4) The Task Force may identify and utilize best practices in drug-diversion programs and other community-based services to redirect low-level offenders.

(5) The Task Force may assist in violence suppression strategies including, but not limited to, details in identified locations that have shown to be the most prone to gun violence and violent crime, focused deterrence against violent gangs and groups considered responsible for the violence in communities, and other intelligence driven methods deemed necessary to interrupt cycles of violence or prevent retaliation.

(6) In consultation with the Chief Procurement Officer, the Illinois State Police may obtain contracts for software, commodities, resources, and equipment to assist the Task Force with achieving this Act. Any contracts necessary to support the delivery of necessary software, commodities, resources, and equipment are not subject to the Illinois Procurement Code, except for Sections 20-60, 20-65, 20-70, and 20-160 and Article 50 of that Code, provided that the Chief Procurement Officer may, in writing with justification, waive any certification required under Article 50 of the Illinois Procurement Code.

(7) The Task Force shall conduct enforcement operations against persons whose Firearm Owner's Identification Cards have been revoked or suspended and persons who fail to comply with the requirements of Section 9.5 of the Firearm Owners Identification Card Act, prioritizing individuals presenting a clear and present danger to themselves or to others under paragraph (2) of subsection (d) of Section 8.1 of the Firearm Owners Identification Card Act.

(8) The Task Force shall collaborate with local law enforcement agencies to enforce provisions of the Firearm Owners Identification Card Act, the Firearm Concealed Carry Act, the Firearm Dealer License Certification Act, and Article 24 of the Criminal Code of 2012.

(9) To implement this Section, the Director of the Illinois State Police may establish intergovernmental agreements with law enforcement agencies in accordance with the Intergovernmental Cooperation Act.

(10) Law enforcement agencies that participate in activities described in paragraphs (7) through (9) may apply to the Illinois State Police for grants from the State Police Revocation Enforcement Fund.

(Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

430 ILCS 65/3(a-10) – "Any person who is not a federally licensed firearm dealer and who desires to transfer or sell a firearm or firearms to any person who is not a federally licensed firearm dealer shall, before selling or transferring the firearms, contact the Department of State Police with the transferee's or purchaser's Firearm Owner's Identification Card number to determine the validity of the transferee's or purchaser's Firearm Owner's Identification Card. This subsection shall not be effective until January 1, 2014. The Department of State Police may adopt rules concerning the implementation of this subsection. The Department of State Police shall provide the seller or transferor an approval number if the purchaser's Firearm Owner's Identification Card is valid. Approvals issued by the Department for the purchase of a firearm pursuant to this subsection are valid for 30 days from the date of issue."

**BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES
CHICAGO FIELD DIVISION
FIREARMS TRACE REQUEST**



[REDACTED]

Request for ATF Form 4473

Special Note: Include any and all 4473s (whether transaction took place or not) if they are requested below. If any forms are not provided, please explain. Thank you.

PURCHASER [REDACTED] **DOB** [REDACTED] **FOID** 043 [REDACTED] 71 [REDACTED] & 31 [REDACTED]

F-TIP INQUIRY DATE / APPROVAL NUMBER

<u>01/12/93</u> A17 [REDACTED]	<u>09/25/93</u> A28 [REDACTED]	<u>03/24/94</u> A42 [REDACTED]	<u>11/02/95</u> A7 [REDACTED]	<u>04/23/97</u> A0 [REDACTED]
<u>06/16/99</u> A3 [REDACTED]	<u>08/25/00</u> A5 [REDACTED]	<u>06/09/01</u> A6 [REDACTED]	<u>07/25/02</u> A8 [REDACTED]	<u>01/13/03</u> A9 [REDACTED]
<u>02/01/03</u> A9 [REDACTED]	<u>09/03/03</u> A0 [REDACTED]	<u>11/03/03</u> A03 [REDACTED]	<u>11/11/03</u> A03 [REDACTED]	<u>01/20/04</u> A07 [REDACTED]
<u>03/25/04</u> A10 [REDACTED]	<u>04/08/04</u> A10 [REDACTED]	<u>06/04/04</u> A12 [REDACTED]	<u>10/29/04</u> A18 [REDACTED]	<u>08/26/05</u> A31 [REDACTED]
<u>02/05/06</u> A39 [REDACTED]	<u>08/01/06</u> A46 [REDACTED]			

PLEASE MAIL THIS FORM and COPIES OF REQUESTED ATF FORM 4473(s) IN THE ENCLOSED ENVELOPE. IF A FAX MACHINE IS AVAILABLE, PLEASE FAX TO 312 8 [REDACTED]. IF YOU HAVE A FAX MACHINE THAT CAN BE USED FOR FUTURE REQUESTS FROM THIS OFFICE, PLEASE PROVIDE A NUMBER. THANK YOU.

IF YOU HAVE QUESTIONS, PLEASE CONTACT CHICAGO V (INTEL) AT 312 [REDACTED]

Date of Request: [REDACTED]