



Written by [James Heiser](#) on March 8, 2011

Illinois Legislature Debates Gun Ownership Privacy

Approximately 1.3 million residents of Illinois hold state-issued Firearm Owner Identification (FOID) cards, and if the current plan of Attorney General Lisa Madigan comes to pass, their names will become part of the public record. Madigan's decision comes in response to a public records request by the Associated Press; the AP claims "that the list of FOID cardholders is public record and must be disclosed. The permit holders' addresses and telephone numbers would remain private." But such an attempt to dismiss privacy concerns is easily negated by the ease with which a host of Internet search engines — and an artifact of 20th century technology called the "phone book" — could easily allow criminals to reconnect those permit holders' names to their addresses and phone numbers.



Under current Illinois law, the FOID card is an unavoidable aspect of gun ownership. [As Warner Huston wrote recently for ChicagoNow.com](#):

In Illinois anyone that wants to buy a firearm or wants to purchase ammunition and related supplies must register and obtain a Firearm Owner's ID card (or a FOID). The card is also necessary for hunters that use firearms. Citizens do not have to get one of these cards in order to be allowed to have a gun, but they need one to legally purchase and buy supplies for them in the state. It is this registry that the press wanted released.

Therefore, the list of FOID holders is a "who's who" of every individual in the state who either owns or uses a gun. If a criminal wants to steal a firearm, matching a list of the names of FOID holders over against local residents would be a great place to start.

The threat which release of the records could pose for gun owners is real; therefore the plan to release FOID card information is opposed by the Illinois Sheriffs' Association. As WJBD radio reported on March 4: "President of the ISA, Sheriff Robert Hertz, said in a press release today that making the cardholders' names public would be 'providing a virtual menu of opportunities for would-be burglars, home invaders or others looking to take advantage of citizens.' ISA Executive Director Greg Sullivan claims the release of the information is of no value to the government or citizens of Illinois and would only benefit criminals or commercial enterprises."

Some members of the state legislature are endeavoring to block Madigan's planned release of FOID information. A bill ([HB 7](#)) by Rep. Ron Stephens (R-Greenville) came before the House Civil Law Committee, where — according to the AP — it received a divided response:

Members of the House Judiciary Committee on civil law voted 5-5 to halt a bill from advancing that would prohibit state police from making public the names of the 1.3 million holders of



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Firearm Owners identification cards. The measure's sponsor, Republican Rep. Ron Stephens of Greenville, says he will keep trying to get the ban approved.

At present, 39 members of the house have joined Stephens as cosponsors of HB 7; the bill is scheduled for another hearing before the Civil Law Committee on the morning of March 9.

A story for the *PPJ Gazette*, "[Illinois FOID Card Owners Still Struggle For Privacy](#)," has the observation that on March 10 the annual Illinois Gun Owners Lobby Day ([IGOLD](#)) will take place in Springfield, making the observation that "over 6,000 people rallied last year — be interesting to see if 13,000 could this year."

The entire FOID controversy highlights the problems attendant with such restrictions on second amendment liberties. The obligation imposed on the citizens of the State of Illinois requiring them to apply for a state-issued permit so that they may exercise the right of self-defense guaranteed under the federal Constitution was the unconstitutional action which set the chain of events in motion which now may further victimize citizens. Under the Constitution of the United States, the American people do not need government permission to own a firearm any more than they need such permission to exercise their freedom of expression. When either right is abused in the commission of a crime, then the responsibility of the government is to punish the crime. Madigan's decision to release the names of FOID holders — and the resultant debate over HB 7 — highlights the unnecessary dangers that confront citizens once government begins to meddle with their fundamental rights.

Photo: The Illinois state capitol, Springfield



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