



Appeal Process for Reinstatement Of a FOID Card Revoked Due to Clear and Present Danger Status

Statute:

- 430 ILCS 65/10 (a)
Whenever an application for a Firearm Owner's Identification Card is denied, whenever the Department fails to act on an application within 30 days of its receipt, or whenever such a Card is revoked or seized as provided for in Section 8 of this Act, the aggrieved party may appeal to the Director of the Department of State Police for a hearing upon such denial, revocation or seizure, unless the denial, revocation, or seizure was based upon a forcible felony, stalking, aggravated stalking, domestic battery, any violation of the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, or the Cannabis Control Act that is classified as a Class 2 or greater felony, any felony violation of Article 24 of the Criminal Code of 1961, or any adjudication as a delinquent minor for the commission of an offense that if committed by an adult would be a felony, in which case the aggrieved party may petition the circuit court in writing in the county of his or her residence for a hearing upon such denial, revocation, or seizure.

ISP requests the following documentation to evaluate an appeal

1. Letter from either a licensed Psychiatrist or licensed Clinical Psychologist attesting in their professional opinion that the person would not be a danger to themselves or others if they possessed a firearm.
2. If controlled substance abuse or addiction is indicated a letter from a licensed substance abuse counselor verifying such abuse has not occurred for a period of one year.
3. If the Clear and Present Danger request was initiated by Law Enforcement ISP will contact the requesting agency for an opinion and any additional information relating to the safety of the individual or the community.