

Timothy Casey (Secretary to the Board)

From: Marcus Hargrett <marcushargrett@yahoo.com>
Sent: Monday, November 01, 2021 11:51 AM
To: CookCounty Board (Secretary to the Board)
Cc: Timothy Casey (Secretary to the Board); Retirees CCDOC; Esq. Aaron M. Page
Subject: Retired Officer Concealed Carry Permits
Attachments: iroccapp 2021.pdf; 12-8-2015 Letter to ILETSB from Sheriff Dart.pdf

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Honorable Commissioners,

The Law Enforcement Officers Safety Act authorizes current and retired law enforcement officers, as defined by 18 USC § 926B or C, to carry a concealed weapon for their protection nationwide.

Currently employed officers of the Cook County Sheriff's Police, Court Services and Corrections all are law enforcement officers under 18 USC § 926B as supported by the Cook County Sheriff's Office's (CCSO) own policies:

"108.10 CARRYING FIREARMS OUT OF STATE

Qualified, active, full-time sworn members of the Sheriff's Office who are authorized to carry firearms by the Sheriff's Office are further authorized to carry a concealed firearm in all other states... (18 USC § 926B)"

The Illinois Retired Officer Concealed Carry Program (IROCC), a subordinate office of the Illinois Law Enforcement Training and Standards Board (ILETSB), is responsible for vetting and credentialing Illinois' retired law enforcement officers, as defined by 18 USC § 926C. This definition states:

(c) As used in this section, the term "qualified retired law enforcement officer" means an individual who-

(1) separated from service in good standing from service with a public agency as a law enforcement officer;

(2) before such separation, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest...

The application process requires that the agency from which the retiree retired affirm that retiree's retired law enforcement officer status as defined by 18 USC § 926C using the form provided by IROCC (please refer to form 3 of the attached IROCC application).

The Cook County Sheriff completes this form for retired officers of the Sheriff's Police but, refuses to do so for the retired officers of Court Services and Corrections even though we all are retired law enforcement officers as defined by 18 USC § 926C.

To date the Sheriff of Cook County, and the Cook County Board as a joint employer, has refused to address and resolve this **arbitrary and capricious denial of equal protection under the law** even though in 2015 the Sheriff, a County Board Commissioner, and several state legislators sent a letter to the ILETSB supporting issuance of IROCC cards to retired corrections officers and court services deputies (please refer to the attached *12-8-2015 Letter to ILETSB from Sheriff Dart*).

It is sadly ironic that the Sheriff of Cook County purports to serve and protect yet, he does a disservice to certain retirees of his department by preventing these trained and experienced retired officers from protecting themselves should the need arise.

On behalf of thousands of retired Court and Corrections officers, I am asking you to intervene and compel the Sheriff of Cook County to affirm the retired law enforcement officer status of these officers as we all satisfy the same retired law enforcement officer definition which he freely affirms for retired Sheriff's Police.

Respectfully,

Sgt (ret) Marcus T. Hargrett
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Chicago, Illinois 60643
773-330-7519
marcushargrett@yahoo.com



Illinois Retired Officer Concealed Carry

840 S. Spring, Suite B
Springfield, IL 62704
www.irocc.org

Phone: (217) 726-9537
Fax: (217) 726-9539
Email: irocc@letac.org

Dear Applicant:

Under the “Law Enforcement Officers Safety Act” and improvements, qualified active duty and retired law enforcement officers are exempt from certain state and local laws prohibiting the carry of concealed firearms.

In accordance with the Federal Act, Illinois passed Public Act 94-103 (2005), 50 ILCS 705/710 that provides for an annual firearm qualification mandated by the Federal Act, LEOSA.

Please read all materials carefully prior to completing your application. All required supporting documents and fees must accompany the completed application, or it will be returned for corrections.

Written notification of approval or denial of an application shall be sent within 60 working days after receipt of a completed application by ILETSB, unless additional information is needed.

Once the application has been pre-approved, you will be notified in writing and allowed to enroll in a firearm qualification at one of our range sites. Upon successful completion, you will receive a IROCC firearm qualification card verifying you have met the IROCC requirements as mandated by federal and state statutes.

Attachments

New Applicant Permit Process Instructions
Application (Form 1)
Concealed Carry Affidavit (Form 2)
Employment Verification (Form 3)

Other Required Supporting Documents

F.O.I.D. Card (photocopy)
Department Photo Identification Card (photocopy)
Photograph to be used on your new retired officer firearm qualification card.
Application Fee

**A Program of the
Illinois Law Enforcement Training and Standards Board
and
Law Enforcement Training Advisory Commission**





Illinois Retired Officer Concealed Carry

New Applicant Permit Process Instructions

Step 1

Submit a completed application, which includes:

- Application (Form 1)
- Concealed Carry Affidavit (Form 2)
- Employment Verification (Form 3) or equivalent information verified on department letterhead.
- A photocopy of a valid Illinois Firearm Owners Identification (F.O.I.D.) card.
- A photocopy of the photo identification card issued by the law enforcement department/agency from which you retired/separated.
- A color photo for your permit may be mailed with your application, or a digital photo may be emailed to irocc@letac.org. (Black and white photos will not be accepted.)
- A non-refundable application fee of \$75/one firearm type or \$100/both Revolver and Semi-Automatic in the form of a check or money order, made payable to: Illinois Retired Officer Concealed Carry or IROCC.

Mail to: **Illinois Retired Officer Concealed Carry (IROCC)**
 840 S. Spring, Suite B
 Springfield, IL 62704

Step 2

When your application has been approved you will receive a pre-qualification letter with instructions on attending a firearm qualification shoot. Along with the letter, you will receive a range schedule with dates, locations and telephone numbers. You must register to secure the preferred date for your firearm qualification. Online registration is available on our website. You must report to the designated range 30 minutes prior to the scheduled qualification time, unless advised otherwise.

YOU MUST BRING THE FOLLOWING:

- **UNLOADED** and cased firearms
- Photo I.D. issued by your department/agency
- Valid F.O.I.D. card
- 60 rounds of factory ammunition
- Ear & eye protection
- Belt holster (No cross draw or shoulder holster)

In order to qualify, you must place 21 hits out of 30 rounds within the 8x14 target area (70% proficiency). You will be provided two opportunities to qualify; shooting a total of 30 rounds for each opportunity. If you are qualifying with two firearms, a revolver and a semi-automatic, you will be given one opportunity (30 rounds) for each weapon. The course of fire is 12 rounds from the five yard line, 12 rounds from the seven yard line and 6 rounds from the fifteen yard line.

Step 3

Once you have successfully completed the firearm qualification, the range master will report your score to our office. Approximately 10 working days after qualifying, your firearm qualification card will be issued and mailed to your designated address. This firearm qualification card will verify compliance with both Federal and State statutes. Your firearm qualification card has an expiration date and it is your responsibility to reapply if you wish to continue to carry a concealed firearm under this law. Two months prior to expiration you will receive notice of renewal instructions.

Please contact our office if you need additional information.

Illinois Retired Officer Concealed Carry (IROCC)
840 S. Spring, Suite B
Springfield, IL 62704

Phone: (217) 726-9537
Email: irocc@letac.org



Illinois Retired Officer Concealed Carry

NEW APPLICATION

1

LAST NAME		FIRST NAME		M.I.
LEGAL RESIDENCE				
CITY	STATE	ZIP	COUNTY	
EMAIL ADDRESS			HOME PHONE	
I INTEND TO QUALIFY WITH FIREARM TYPE:			CELL PHONE	
<input type="checkbox"/> REVOLVER		<input type="checkbox"/> SEMI-AUTOMATIC		
DATE OF BIRTH	LIST ALL AGENCIES YOU RETIRED/SEPARATED FROM AND YEARS WORKED			
	1.			
	2.			
	3.			

All items must be submitted or the application will be returned for corrections.

1. Application (Form 1)
2. Concealed Carry Affidavit (Form 2)
3. Employment Verification (Form 3) or equivalent information verified on department letterhead.
4. A photocopy of a valid Illinois Firearm Owners Identification (F.O.I.D.) card.
5. A photocopy of the photo identification card issued by the law enforcement department/agency from which you retired/separated.
6. A color photo for your permit may be mailed with your application, or a digital photo may be emailed to irocc@letac.org. (Black and white photos will not be accepted).
7. A non-refundable application fee of \$75/one firearm type or \$100/both Revolver and Semi-Automatic in the form of a check or money order, made payable to: Illinois Retired Officer Concealed Carry or IROCC.

Under the penalty of perjury, I affirm the information and documentation on or attached to this application is accurate.

APPLICANT'S SIGNATURE	DATE

Concealed Carry Affidavit

2

Before retirement/separation, I (choose one)

- ☐ was employed as a law enforcement officer for ten (10) or more years aggregate.
- ☐ separated from service as a law enforcement officer after completing applicable probationary period due to service connected disability as determined by the department/agency.

PLEASE ANSWER ALL QUESTIONS	YES	NO
I retired for reasons related to mental health.		
I affirm I met the State of Illinois' definition of "law enforcement officer," as defined in 20 Ill. Adm. Code 1720.220.		
I was authorized to engage in or supervise the prevention, detection, investigation, prosecution or incarceration of any person for, any violation of law, and I had statutory powers of arrest. <i>(Military Applicants: apprehension authority under section 807(b) of title 10, United States Code [article 7(b) of the Uniform of Military Justice]).</i>		
I affirm I will not carry a firearm while I am under the influence of alcohol or another intoxicating or hallucinatory drug or substance.		
I affirm that I am not prohibited by Federal or State law from receiving a firearm.		
I understand that the definition of "firearm" does not include any machine gun, firearms silencer, or destructive device, and understand this authorization applies only to the firearm type with which I qualified.		
I understand that I must meet the same State of Illinois' standards of requalification for active law enforcement officers to carry a firearm of the same type with which I qualified.		
I understand that my permit has an expiration date and it is my responsibility to reapply if I wish to continue to carry under this law.		
I understand that I must carry the State of Illinois' retired officer concealed carry firearm qualification card, along with the photographic identification issued by my agency and valid Illinois F.O.I.D. card when I carry a concealed firearm.		
I understand that a background investigation is required and do authorize one to be conducted to determine if I have been convicted of any criminal offenses or have any mental health issues that would disqualify me from possessing a concealed firearm.		
I understand that the State of Illinois' firearm qualification card does not give me any right whatsoever to exercise law enforcement authority or take police action under any circumstances.		
I affirm I have not been charged with or convicted of a felony or misdemeanor specified in the Police Training Act section on decertification of police officer 50 ILCS 705/6.1 or any similar offenses in any other state.		
I understand that I must complete any course of instruction required by the Illinois Law Enforcement Training and Standards Board.		
I understand that I may be refused entry to a qualification facility by a Rangemaster if he or she believes that my physical condition is a safety hazard to myself or others.		

Under the penalty of perjury, I affirm the information and documentation on or attached to this application is accurate.

APPLICANT'S SIGNATURE	DATE



EMPLOYMENT VERIFICATION FORM

THIS PORTION TO BE COMPLETED BY APPLICANT

LAST NAME	FIRST NAME	M.I.
MAILING ADDRESS		
CITY	STATE	ZIP
D.O.B.	EMPLOYEE #	STAR #
	<i>If Applicable</i>	<i>If Applicable</i>

THIS PORTION TO BE COMPLETED BY DEPARTMENT REPRESENTATIVE

Person named on this form is a qualified retired/separated law enforcement officer as defined by
H.R. 218 Law Enforcement Officers Safety Act, 18 USC 926C.
(Military Substitution for Employment Verification: DD214 Honorable Discharge / NGB Form 22)

AGENCY					
EMPLOYMENT TIME	START DATE	END DATE	JOB TITLE		
	STATUS	<input type="checkbox"/> RETIRED <input type="checkbox"/> SEPARATED	GOOD STANDING	<input type="checkbox"/> YES <input type="checkbox"/> NO	

Under the penalty of perjury, I affirm the information on this employment verification form is accurate.

DEPARTMENT REPRESENTATIVE INFORMATION

NAME (please print)	DEPARTMENT TITLE
SIGNATURE	DATE



PHONE (312) 603-6444

SHERIFF'S OFFICE OF COOK COUNTY, ILLINOIS

RICHARD J. DALEY CENTER
50 W. WASHINGTON - ROOM 704
CHICAGO, IL 60602

THOMAS J. DART
SHERIFF

December 8, 2015

Via US Mail and Facsimile/E-mail

Kevin McClain
Executive Director
Illinois Law Enforcement Training
& Standards Board
4500 South Sixth Street Road - Room 173
Springfield, IL 62703-6617
F: 217-726-9539
E: Kevin.T.McClain@Illinois.gov

John Keigher
General Counsel
Illinois Law Enforcement Training
& Standards Board
4500 South Sixth Street Road - Room 173
Springfield, IL 62703-6617
F: 217-726-9539
E: John.Keigher@Illinois.gov

Sheriff Pat Hartshorn
Vermilion County Sheriff's Office
2 East South Street
Danville, Illinois 61832
F: 217-431-3781
E: PHartshorn@vermilionsheriff.org

Mayor Timothy Nugent
Village of Manteno
98 East Third Street
Manteno, Illinois 60950
F: 815-468-8240
E: tnugent@
villageofmanteno.com

Tim Becker
Athens Police Dept.
210 Dottie Bednarko Dr.
PO Box 268
Athens, IL 62613
F: 217-636-7949
E: TimBecker@
AthensIl.org

John H. Schlaf
511 North Cherry Street
Galesburg, Illinois 61401
E: JSchlaf@knox.edu

Mayor Laurel Lunt Prussing
City of Urbana
400 South Vine Street
Urbana, Illinois 61801
E: llprussing@urbanailinois.us

Darryl Stroud
University Park Police
Dept.
698 Burnham Drive
University Park, IL 60484

Sheriff Brent Fischer
Adams County Sheriff's Office
521 Vermont
Quincy, Illinois 62301
F: 217-227-2214
E: sheriff@co.adams.il.us

Tim Gleason
City Manager
City of Decatur
One Gary K Anderson Plaza
Decatur, Illinois 62523-1196
E: tgleason@decaturil.gov

Sheriff Richard Watson
St. Clair Co. Sheriff's
Office
700 North 5th Street
Belleville, Illinois 62220
E: Richard.Watson@co.st-clair.il.us



Paul D. Williams
14719 Knob Hill Drive
Heyworth, Illinois 61745

Chief Jan W. Noble
Belvidere Police Department
615 North Main Street
Belvidere, Illinois 61008
E:noble@belviderepolice.com

Lisa Madigan
Attorney General
State of Illinois
100 W. Randolph
Chicago, Illinois 60601
E: CGroh@atg.state.il.us

John Escalante
Acting Superintendent
Chicago Police Department
3510 S. Michigan Avenue
Room 5112
Chicago, Illinois 60653
E: john.escalante@chicagopolice.org

Director
Illinois Dept. of Corrections
1301 Concordia Court,
Box 19277
Springfield, Illinois 62702
E: Michael.r.lane@doc.illinois.gov

Sean M. Cox
Special Agent-in-Charge
FBI, Springfield
900 E. Linton Avenue
Springfield, Illinois 62703
F: 217-757-3558
E: springfield@ic.fbi.gov

Dorothy Brown
Clerk of the Circuit Court Cook
County
Richard J Daley Center
50 West Washington Street
Chicago, Illinois 60602
E: lzethredge@cookcountycourt.com

Michael Schlosser
Director
Police Training Institute
1004 South Fourth Street
Champaign, Illinois 61820-6108
E: schlosser@illinois.edu

Director Leo Schmitz
Department of State Police
801 S. Seventh St.,
Ste. 1100S
Springfield, Illinois 62794-9461
E: John_C_Thompson@isp.state.il.us

RE: Illinois Retired Officers Concealed Carry Program ("IROCC Program")

Dir. McClain, General Counsel and Board Members,

We come together as legislators, law enforcement leaders, and sympathetic neighbors, to urge you to modify the Illinois Administrative Code as it relates to the Illinois Retired Officer Concealed Carry Program ("IROCC Program"). Under the current Illinois Administrative Code language, as drafted in 2005 and interpreted by the ILETSB, retired Cook County Sheriff's Office Court Services deputies and correctional officers do not qualify as "retired law enforcement officers" for purposes of the IROCC Program.¹ As the administering authority of the IROCC Program, we understand and accept that the ILETSB controls the determination of those who qualify for the program and the issuance of IROCC cards. However, excluding Cook County Sheriff's Office Court Services deputies and correctional officers from the scope of the IROCC Program demonstrates a failure to recognize both the important role they play in public safety, as well as the dangers they encounter every day on the job.

¹ 20 Ill. Admin. Code Part 1720, Subpart C.

While ensuring the safe operation of Cook County's judicial and correctional systems, Cook County Sheriff's Office Court Services deputies and correctional officers come into daily and repetitive contact with individuals arrested for, and often convicted of, criminal activity. These Court Services deputies and correctional officers often secure the same offenders day in and day out. Moreover, given the scope of the Cook County criminal justice system, Cook County Sheriff's Office Court Services deputies and correctional officers are reasonably likely to encounter individuals who have been detained at the Cook County Department of Corrections ("CCDOC") or came through their assigned court rooms in the community.

The federal government anticipated the risk to these officers' personal safety when it defined "law enforcement officer" under the Law Enforcement Officers Safety Act ("LEOSA")² to include those authorized to "engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law..."³ Clearly, under LEOSA, the job duties of Cook County Sheriff's Office Court Services deputies and correctional officers fall within the definition of "law enforcement officer." Yet, the Illinois Administrative Code's language overly narrows LEOSA's application in Illinois, unnecessarily excluding Cook County Sheriff's Office Court Services deputies and correctional officers. The resulting inconsistency between the Illinois Administrative Code and LEOSA is both confusing and unfair. The eligibility requirements for the IROCC Program must be clear, consistent, and fulfill the purposeful intent of the federal law, LEOSA.

The Cook County Sheriff's Office Court Services deputies and correctional officers place their own safety at risk, even after retirement, through their daily work securing the county's courthouses and the CCDOC. Considering that, in 2014, gun related deaths of U.S. law enforcement increased by fifty-six percent (56%) compared to 2013 and approximately one third of these officers were killed in ambush-style attacks, this is an issue we cannot ignore.

Cook County's law enforcement needs are distinct from any other county in Illinois. Thus, the Cook County Sheriff's Office is unique among Illinois sheriff's offices in that all Court Services deputies and CCDOC correctional officers are deputized and have the statutory power of arrest. Additionally, in Cook County, Court Services deputies and CCDOC correctional officers complete the same statutorily mandated firearms training as police officers.⁴ Given Cook County's exceptionality in Illinois, our request is only to expand the scope to include Cook County Sheriff's Office Court Services deputies and correctional officers in Cook County. We have enclosed proposed language that would remedy this problem and allow Cook County Sheriff's Office Court Services deputies and correctional officers to be eligible for IROCC.

In sum, we respectfully urge both the ILETSB and JCAR to support an amendment to the Illinois Administrative Code that mirrors the definition of "qualified retired law enforcement officer" contained in the federal LEOSA, and thereby clarifying the IROCC Program's eligibility requirements to include Cook County Sheriff's Office corrections and court services sworn staff.

² 18 USC §926C.

³ 18 USC §926C(c)(2)

⁴ Peace Officer and Probation Officer Firearm Training Act, 50 ILCS 710/1, et seq.

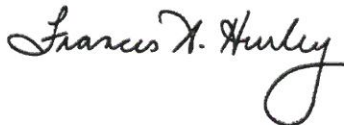
Sincerely,



Thomas J. Dart
Sheriff of Cook County



Rep. John Anthony
Illinois House – 75th District



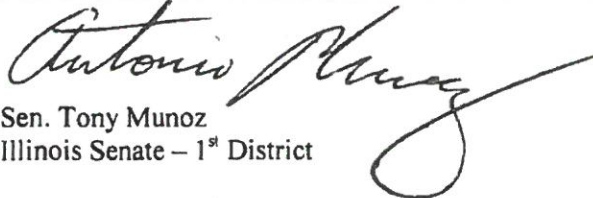
Rep. Frances Hurley
Illinois House – 35th District



Sen. Thomas Cullerton
Illinois Senate – 23rd District



Rep. Robert Rita
Illinois House – 28th District



Sen. Tony Munoz
Illinois Senate – 1st District



Sen. Steven Landek
Illinois Senate – 12th District



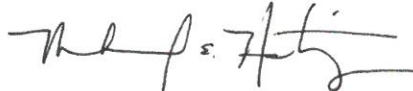
Rep. John Cabello
Illinois House – 68th District



Comm. John Daley
Cook County Commissioner



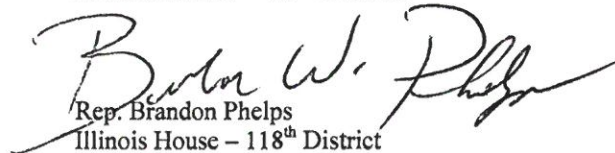
Sen. Bill Cunningham
Illinois Senate – 18th District



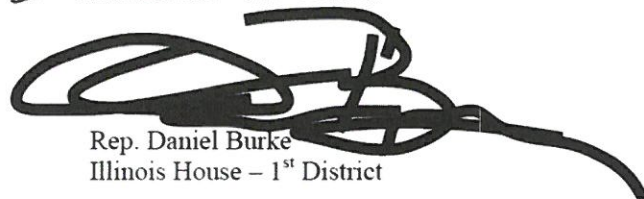
Sen. Michael Hastings
Illinois Senate – 19th District



Rep. Michael Zalewski
Illinois House – 23rd District



Rep. Brandon Phelps
Illinois House – 118th District



Rep. Daniel Burke
Illinois House – 1st District



Rep. Dan Beiser
Illinois House – 111th District



Rep. Larry Walsh, Jr.
Illinois House – 86th District



Rep. Jay Hoffman
Illinois House – 113th District