

SPEAK FOR SAFETY

ILLINOIS

## Illinois' Firearms Restraining Order

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FIDUCIARIES CAN SPEAK FOR SAFETY

"A client has become withdrawn and has shown signs of depression and paranoia. There are lots of guns on the property, and they are neither locked up nor properly secured. I'm concerned that he may injure himself or others. What can I do?"

"Family members of a client have become concerned that my client has grown delusional and violent towards them. As the conservator in charge of his estate, are there any tools I can recommend to the family?"

### A NEW LAW CAN HELP!

Illinois' Firearms Restraining Order (FRO) is a law that allows family members and law enforcement officers to obtain a court order that temporarily prohibits an at-risk person from accessing firearms or obtaining any new firearms. Family and household members\* and law enforcement officers can file a petition to obtain a FRO with the Circuit Court in which the respondent (person to be restrained) resides. If a client has risk factors such as an emotional crisis or dementia and is demonstrating signs of being dangerous such as suicidal ideation, aggression, public threats of violence, or is exhibiting other dangerous behaviors, you may consider contacting your local sheriff or police department, or advising a client's family member about the FRO. In cases of immediate danger, an emergency FRO can be issued and served on the same day.

**\*Includes spouse, parent, grandparent, child, or step-child of the respondent, or a person who shares a common dwelling with the respondent. See relationship code on FRO petition form for all eligible relationship statuses.**

### WHO CAN REQUEST A FRO AND HOW DO YOU GET ONE?

Family members\* and law enforcement officers can file a petition to obtain a FRO with the Circuit Court in which the person to be restrained resides. If you're a professional working with veterans, you cannot petition directly for a FRO. However, if a client has risk factors such as an emotional crisis or dementia and is demonstrating signs of being dangerous such as suicidal ideation, aggression, public threats of violence, or is exhibiting other dangerous behaviors, you may consider contacting your local sheriff or police department, or advising a client's family member about the FRO. Educating veterans and families about the FRO can help reduce the potential for danger when a gun is present in the home of someone who is at risk of harming themselves or others.

*\*Includes spouse, parent, grandparent, child, or step-child of the respondent, or a person who shares a common dwelling with the respondent (roommates). See relationship code on FRO petition form<sup>1</sup> for all eligible relationship statuses.*

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## A CIVIL ACTION

The FRO is a civil procedure, not a criminal one. The goal is to ensure safety and allow the subject of the FRO an opportunity to heal or stabilize. However, if the order is violated, the subject may be charged with a misdemeanor crime. Only when the order expires or is terminated may firearms and Firearm Owner Identification Card be returned to the restrained person.

### IMPORTANT FACTS ABOUT ILLINOIS' FRO

- If you think someone poses an immediate danger to themselves or others, you can file an emergency FRO, which can be served the same day.
- If a six-month order is obtained, before it expires, a family member or law enforcement officer may petition for the renewal of a FRO with the court if the subject of the FRO is still a risk to themselves or others.
- If someone is being threatened by a spouse, partner, or someone in their family or household, they may wish to obtain a Domestic Violence Order of Protection.

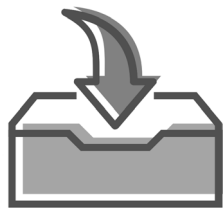
### DID YOU KNOW?

- In 2017, there were 577 firearm-related suicides in Illinois.<sup>2</sup>
- In a poll by Aging Life Care Association on the presence of firearms in elders' homes, over one-third of professionals surveyed said they either frequently or sometimes had guns in their clients' homes, and several respondents recounted stories of suicides by clients that took place while professional caregivers were in the home.
- A recent study examined the results of a similar law in Connecticut and estimated that for every 10 to 20 orders removing firearms issued, at least one suicide was prevented.

### HOW CAN I SPREAD THE WORD ABOUT THE FRO TO SPEAK FOR SAFETY?



Contact your local Circuit Court office and ask if they have heard of the FRO.



Download our resources [Illinois.SpeakForSafety.org](https://illinois.speakforsafety.org).



Work within your agency or organization to ensure that your colleague know about the FRO as a tool to prevent gun violence

<sup>2</sup> <https://wonder.cdc.gov/ucd-icd10.html>