



Policy Option:
HB 2760: Reporting Firearm Loss or Theft

What does it mean?

Many guns used in crime can be sourced to illegal sales of firearms that were stolen from or lost by a lawful owner. Requiring an owner to report the loss or theft of a firearm promptly upon discovery allows law enforcement to focus efforts on disrupting this source of illegal guns. Reporting gives law enforcement the tools to identify individuals engaging in, furthering and profiting from such trade and distribution, while making gun trafficking more difficult for criminals.¹

What would it *really* do?

In Illinois, firearm owners are not required to report a theft or loss of a firearm to law enforcement. Requiring holders of a Firearm Owner's Identification (FOID) card to report the loss or theft of a firearm to the Department of State Police would help law enforcement interrupt this source of illegal guns.

What does the public think?

- Most voters, 86%, strongly support requiring gun owners to inform law enforcement if any of their guns are lost or stolen. This proposal showed strong support even among those engaging in firearms behavior, which includes voters who are gun owners, members of the NRA, hunters and/or FOID cardholders (79%). To read more polling results from the 2007 Voter Survey on Gun Regulations, go to www.icpgv.org/icpgv_polling.html.
- According to Greenberg Quinlan Rosner Research and The Tarrance Group on behalf of Mayors Against Illegal Guns survey in January 2007, 82% of Americans favor either tougher enforcement of existing gun laws or tough new laws.²

What are the facts?

- From 1993-2002, 1,695,482 firearms were reported stolen to police. Of these stolen firearms, 687,857 were recovered and 1,007,625 remain missing.³
- The Bureau of Alcohol, Tobacco, and Firearms reported that in 88% of the firearm traces for crimes committed in 2000, the person in possession of the gun at the time of the crime was not the original purchaser of the firearm from a licensed gun dealer.⁴
- Surveys of gun owners suggest that approximately 500,000 guns are stolen each year from private citizens.⁵
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- Firearms stolen from federally licensed dealers, residences, and common carriers were involved in 26% of the investigations regarding firearms trafficking undertaken by the Bureau of Alcohol, Tobacco, Firearms and Explosives between July 1996 and December 1998. Investigations involving firearms stolen from residences and licensed firearms dealers were associated with over 9,000 trafficked firearms.⁶

Have Other (Jurisdictions) Enacted Similar Legislation?

Several states currently require reporting of theft or loss of firearms, including Connecticut (theft of assault weapons), Massachusetts, New York, Ohio, and Rhode Island, as well as the District of Columbia. In Illinois, cities that require reporting of lost or stolen firearms include Calumet Park, Chicago, Cicero and Highland Park (handguns only).⁷

Final Thought

Stolen firearms are often used in subsequent crimes and are a major source of firearms recovered in illegal gun trafficking investigations. Requiring that a person report the loss or theft of a firearm will help law enforcement disrupt this channel of firearms entering the illegal market.

Pending Legislation

HB 2760 (Sponsored by Reps Michael Madigan, Barbara Currie and Robert Molaro)

This bill would require FOID card holders to report the loss or theft of a firearm within 72 hours after obtaining knowledge of the loss or theft.

¹ Johns Hopkins Center for Gun Policy and Research. *Fact Sheet: Stolen Guns*, Johns Hopkins Bloomberg School of Public Health, Baltimore, MD, February 2003, at http://www.jhsph.edu/gunpolicy/gun_theft_fs.pdf.

² Mayors Against Illegal Guns, *Strong Public Support for Tough Enforcement of Common Sense Gun Laws*, January 2007, page 7, at http://www.mayorsagainstilllegalguns.org/downloads/pdf/maig_slides.pdf.

³ Americans for Gun Safety Foundation (AGSF). *Stolen Firearms: Arming the Enemy*, December 2002, at <http://agsfoundation.com/media/AGS-fin.pdf>.

⁴ Bureau of Alcohol, Tobacco and Firearms. *Crime Gun Trace Reports (2000): National Report*, July 2002, at 29, at <http://www.atf.gov/firearms/ycgii/2000/>.

⁵ Philip J Cook and Jens Ludwig. *Guns in America: Results of a Comprehensive Survey of Gun Ownership and Use*. Washington, DC: Police Foundation, 1996, at page 30, at <http://www.policefoundation.org/pdf/GunsinAmerica.pdf>.

⁶ Bureau of Alcohol, Tobacco and Firearms, *Following the Gun: Enforcing Federal Laws Against Firearms Traffickers*, June 2000, at ix, at http://www.atf.treas.gov/pub/fire-explo_pub/pdf/followingthegun_internet.pdf.

⁷ Legal Community Against Violence, Illinois Local Ordinance Summary, Theft/Loss Reporting section, at <http://www.lcav.org/states/illocalord.asp#TheftLossReporting>.