

ILLINOIS SENATE
ILLINOIS HOUSE OF REPRESENTATIVES

REP. BARBARA HERNANDEZ-50th
REP. MAURA HIRSCHAUER-49th



REP. ANNA MOELLER-43rd
REP. SUZANNE NESS-66th

103RD GENERAL ASSEMBLY

January 17, 2023

To the People of Kane County:

We are four Illinois State Representatives that represent many of you and your families in Kane County. Like you and so many others who have contacted us in recent days, we are disappointed by the recent statement from the Kane County Sheriff that misrepresents the Protect Illinois Communities Act. We are additionally alarmed by statements from sheriffs across the state that call into question the constitutionality of the law. Sheriff offices have no authority to determine the constitutionality of a law—that is up to the courts. Nor can they pick and choose which laws to enforce; they must enforce them all.

This bipartisan law is the product of hundreds of hours of negotiations and advocacy from across our shared community, including with the Illinois State Police, the Illinois Association of Police Chiefs, and the Illinois Association of Sheriffs. Law enforcement was given a seat at the negotiating table and several of their changes were incorporated into the final bill.

Many of us have been working on gun violence prevention policy for years, and we recognize that gun violence is a complex and multifaceted public health crisis and each piece of the puzzle deserves attention. We agree with the Kane Sheriff that expanding funding and access to mental health services is an important component of gun violence prevention. That is why we have invested over \$500 million in community based violence interruption programs, including diversion programs and youth employment opportunities. We have expanded tele-health for mental health providers, and designated that 20% of the revenue from cannabis sales go directly toward statewide mental health funding.

We also agree with Sheriff Hain that another key factor in preventing gun violence is assuring that law enforcement has the tools and technology they need to solve crimes - which is why we supported over \$200 million in new funding for law enforcement. In fact, this Act provides further protection to our law enforcement as assault rifles, extended magazines, and rapid-fire modifications put law enforcement at particular risk. A statewide ban of assault weapons, high capacity magazines, and switches protects and supports our police.

We are concerned that the sheriff's statement will create confusion as we work to implement the law over the coming months. Despite what the sheriff would like you to believe this Act puts forth negotiated provisions to protect law-abiding gun owners: it is not a gun grab. The law does not require the seizure of assault weapons and large capacity magazines. Nor does it dictate that the sheriff's department go door to door checking FOID cards and gun cabinets. Instead, the Act gives law-abiding gun owners over 300 days to apply for an endorsement on their FOID cards that will ensure that they lawfully keep any assault-style weapons that were lawfully purchased and possessed prior to January 11, 2023.

Illinoisans have experienced too much gun violence, with impacts that go beyond the devastating loss of life or physical injury. Lingering trauma destroys us from within and to force our constituents to endure these effects is negligent and reprehensible. By banning the sale and distribution of assault weapons, high-capacity ammunition magazines, and switches in Illinois, the Protect Illinois Communities Act makes our schools, parades, grocery stores, places of worship, and workplaces safer from the gun violence that is a threat to our wellbeing everywhere.

We intend to work collaboratively with the Illinois State Police, the Governor's Office, the Attorney General, the Kane County Sheriff, and local law enforcement to ensure that this life-saving law is successfully implemented. We invite Sheriff Hain to contact us directly with his concerns and questions as we move forward cooperatively, in the interest of community safety.

Sincerely,

Rep. Barbara Hernandez, 50th District

Rep. Maura Hirschauer, 49th District

Rep. Anna Moeller, 43rd District

Rep. Suzanne Ness, 66th District