



OFFICE OF THE STATE'S ATTORNEY  
MADISON COUNTY, ILLINOIS

157 North Main Street  
Suite 402  
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**Thomas D. Gibbons**  
State's Attorney

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To: All Citizens and Law Enforcement Officers of Madison County  
From: Tom Gibbons, Madison County State's Attorney  
Re: Right to Carry Concealed, Loaded Firearm on the Person or in a Vehicle  
Date: May 28, 2013

As Chief Law Enforcement Officer for Madison County, Illinois, it is my duty and honor to protect our community and to ensure that the law is applied in a way that protects all citizens. With this in mind, I am issuing this opinion regarding a citizen's right to lawfully carry a concealed, loaded firearm, both on their person and in a vehicle. These guidelines are intended to inform citizens and law enforcement officers of the rules to be followed and applied in Madison County, Illinois.

After a thorough review of all applicable laws and court decisions, including the United States Court of Appeals for the Seventh Circuit ruling in Shepard and Moore v. Madigan, 702 F.3d 933 (2012), **it is my opinion that it is lawful for a citizen to carry a concealed, loaded firearm under the circumstances and conditions listed below.** This policy applies **only** to conduct that was previously prohibited by 720 ILCS 5/24-1.6, sections (a)(1), (a)(3)(A) and (a)(3)(B) - Aggravated Unlawful Use of Weapons, and 720 ILCS 5/24-1 sections (a)(4) and (a)(10) - Unlawful Use of Weapons.

**CITIZENS MAY CARRY A CONCEALED, LOADED FIREARM ON THEIR PERSON OR IN A VEHICLE IF ALL OF THE FOLLOWING CONDITIONS ARE MET:**

1. MUST be issued and possess a valid F.O.I.D. card or, if not an Illinois resident, a valid concealed carry permit from a state that performs a background check prior to issuance of the permit; AND
2. MUST be carrying the firearm for self-defense; AND
3. MUST NOT be prohibited from possession of a firearm under another statute or court order; AND
4. MUST keep the firearm concealed on their person or in their vehicle, not visible to the public; AND
5. MUST NOT be engaged in any criminal conduct; AND
6. MUST be in compliance with all other federal, state and local laws and ordinances; AND
7. MUST, when asked, inform law enforcement officers of the firearm when in contact with an officer in the course of their duties.

I cannot overstate the importance of citizens exercising this important right in a **responsible** manner. It is essential that individuals cooperate with any police officer and inform them of the presence of the firearm **prior to** removing it from its concealed location. Displaying the firearm at a public location or without the request or knowledge of an officer could constitute a violation of the law.

It is my hope that informing citizens of this important right under Illinois law will ensure that law-abiding citizens can responsibly and safely exercise their Second Amendment rights to the fullest extent currently allowable under Illinois law. I will continue to fight to protect citizens by ensuring proper enforcement of existing laws and by helping to change laws that interfere with our rights enshrined in the Constitution.



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**RULES FOR RESPONSIBLE AND  
LAWFUL CARRYING OF CONCEALED FIREARMS**

Tom Gibbons, Madison County State's Attorney  
UPDATED AS OF: MAY 28, 2013

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