

BOARDS, COMMISSIONS, AND COMMITTEE MEETING SUMMARY FORM

BOARD/COMMISSION/COMMITTEE: Public Safety Committee

DATE OF MEETING: February 11, 2019

NAMES OF MEMBERS, STAFF AND GUESTS PRESENT:

Members: Chair Joel Kurzman, Trustee Kathy Dodd, Trustee Senta Plunkett

Staff: Kyle Murphy, Police Chief; Jeff Stein, Corporation Counsel, Mike Braiman, Assistant Village Manager;

Agenda Item – Minutes of the 10/10/18 Meeting – Approved 3-0

Agenda Item – Discussion of Firearm Safe Storage Regulations and Disposal Program

Village Staff presented a PowerPoint that reviewed the following:

- The Village's existing gun safety programs
- Legal overview of safe storage laws
- Answers to common questions from the community

Existing Gun Safety Programs in Wilmette

Chief Murphy highlighted the following gun safety programs currently in place:

- Firearm and ammunition disposal program (130 residents have turned in unwanted firearms and/or ammunition from 2008 – 2018)
- Temporary safe storage of firearms (residents can voluntarily store firearms at the Police Department if household circumstances suggest the weapons should be removed)
- Project child safe (provide free gun safety locks to residents)
- Clear & present danger form (Police and school administrators can report individuals to the State who may pose a danger to the public and the reports are utilized in determining FOID card status)
- Concealed carry review (Police Department can object to the State granting a CCL license to a resident)
- Domestic bond screening process (Police Department completes a form for the State's Attorney which can result in an arrestee turning over all firearms)

BOARDS, COMMISSIONS, AND COMMITTEE MEETING SUMMARY FORM

- Firearm restraining order act (New State law permitting individuals to petition the courts to remove an individual's firearms for a period of six months)
- Public education presentations (Police Department conducts facility security surveys and emergency preparedness and partners with local schools to conduct child safety talks about what to do if they find a firearm)

Legal Review of Safe Storage Laws

Corporation Counsel Stein reviewed the Supreme Court decision in District of Columbia v. Heller which very likely prohibited safe storage regulations under the Second Amendment, though this has not been tested in the Seventh Circuit. Further, State of Illinois law passed in 2013 very clearly pre-empts local regulation of firearms, including storage, meaning that only the State of Illinois can regulate safe storage of weapons. The State law has a clear home-rule pre-emption as well.

Common Questions Pertaining to Gun Safety from the Community

Staff reviewed the following questions from the community:

- Recommended best practices for safe storage (store firearms unloaded and in a mounted gun safe)
- Cook County Assault Weapons Ban and the Village's role in enforcing the ban (the Village policy is to call Cook County is assault weapons are encountered; the Police Department has not encountered an assault weapon since 1995)
- Why the Village did not act in the 10-day window provided by the State of Illinois in 2013 (Cook County ban was in place and the Village did not intend to opt out of the ban, there was no identified assault weapon problem in the community, and the 10-day window provided by the State did not provide sufficient time for robust public notice and debate)
- Village of Deerfield regulations (Deerfield is currently being sued for banning assault weapons)
- Village of Northbrook regulations (Northbrook banned bump stocks as well as concealed carry in establishments licensed to sell liquor on premises)
- Other miscellaneous programs such as a gun registry (not permitted), requirement for gun safety classes (not permitted), and a gun buyback program (permitted, a disposal program which does not provide a financial incentive is already place)

The meeting was then opened for questions and comments from the public.

Agenda Item – Public Comment (items not on the agenda)- None

DATE & TIME OF NEXT MEETING: TBD

PERSON PREPARING SUMMARY: Michael Braiman, Assistant Village Manager

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