



VILLAGE OF DEERFIELD

November 18, 2021
For Immediate Release

Illinois Supreme Court Allows Deerfield's Assault Weapon Ban to Stand

On November 18, 2021, the Illinois Supreme Court affirmed the Second District Illinois Appellate Court decision upholding Deerfield's 2018 ordinance banning assault weapons. The Village's assault weapons ban has been in effect since December 7, 2020, when the Illinois Appellate Court reversed the ruling of the Lake County Circuit Court. The plaintiffs in this case challenged Deerfield's authority to adopt the ordinance under State home rule authority. The plaintiffs did not challenge the validity or constitutionality of the Deerfield ordinance under the Second Amendment to the US Constitution.

The Supreme Court's 3-3 tie with one judge recusing himself effectively affirms the Appellate Court, and allows the Appellate Court's ruling to stand. That ruling accepted the arguments advanced by Deerfield's legal team concerning home rule authority and statutory interpretation.

"We have been confident all along that the Deerfield ordinance would be upheld by the Courts. The Second District Appellate Court decision entered last December provided a strong affirmation of our ordinance. We are pleased that the Second District opinion will stand, and that our ordinance has been validated," said Village Attorney Steven Elrod.

"We are pleased the Supreme Court validated our right to regulate this important public safety measure. I continue to believe that these weapons have no place in our community," said Mayor Daniel C. Shapiro. "I thank former Mayor Harriet Rosenthal, who listened to residents, especially our high school students, and called for action following the shooting at Marjory Stone Douglas High School." The Village is also thankful for the pro bono services provided by the Brady Center to Prevent Gun Violence and Mr. Christopher Wilson, partner of the Chicago office of Perkins Coie.

The Village will continue to enforce this ordinance in a manner consistent with other local ordinances. It will initially be enforced primarily through education and voluntary compliance. A police officer may issue a citation for a violation of this ordinance in the manner provided by law. Any other enforcement of this ordinance, including search or seizure to affect this ordinance, must comply with the requirements of State and Federal law. The Village does not intend to have members of the Police Department go "door to door" to ensure compliance.

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Released by the Village Manager's Office
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