

# Greene County Sheriff Will Not Enforce New Illinois Gun Ban

by Dalton Brown, News Reporter  
January 12 2023 11:24 AM



CARROLLTON - Greene County Sheriff Rob McMillen said in a letter to Greene County residents that his department will not enforce the newly-passed Illinois law banning certain firearms and magazines, also known as HB 5471.

“I, among many others, believe that HB 5471 is in clear violation of the 2nd Amendment to the U.S. Constitution,” McMillen said in the letter. “Therefore, as the custodian of the jail and as your chief law enforcement official of Greene County, neither myself, my deputies, nor my office will be conducting or participating in any

investigations or arrests, or assisting any outside agency or agencies in any investigations or arrests, concerning lawful gun owners failing to register their weapons with the State; or any other of the unconstitutional provisions contained in HB 5471.

“Furthermore, the Greene County Jail will not house any law-abiding individuals that have been arrested solely with non-compliance of the regulations found in HB 5471.”

McMillen said he expects a lawsuit to be filed soon against the state of Illinois challenging the constitutionality of the new law, so his department won’t be enforcing the law until its constitutionality has been determined.

“Until that happens, and the constitutionality issue is decided, I am going to follow my morals, beliefs, and obligations concerning protecting the rights of Greene County's citizens,” he said.

While he acknowledged the “precarious” situation of law enforcement agencies deciding which laws they will enforce, he said his priority is to protect Greene County citizens’ constitutional rights above all else - including state law.

“These types of laws put law enforcement officers and prosecutors in a very precarious box, with us having to decide to not enforce laws that were passed by government bodies,” he said. “But, as your Greene County Sheriff, I cannot sit back and let laws that strip Greene County citizens of their constitutional rights, and not take a stance supporting the citizens against a government that wants to trample on their rights.”

McMillen said he believes many other local Sheriffs and their departments feel similarly about the new law, and he thanked both Representative C.D. Davidsmeyer and Senator Steve McClure for voting against HB 5471.