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Details:

(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...  
PUBLIC HEARING - COMMITTEE RECORDS**

**2007-08**

(session year)

**Senate**

(Assembly, Senate or Joint)

**Committee on ... Labor, Elections and Urban  
Affairs (SC-LEUA)**

**COMMITTEE NOTICES ...**

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

**INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL**

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)  
(**ab** = Assembly Bill)                      (**ar** = Assembly Resolution)                      (**ajr** = Assembly Joint Resolution)  
(**sb** = Senate Bill)                              (**sr** = Senate Resolution)                              (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

**Sen. Spencer Coggs – Talking Points**  
**Responsible Gun Ownership Bill – 2007 SB 104**  
**Public Hearing – Sen. Cmte on Urban Affairs**  
**Tuesday, May 29<sup>th</sup>, Milwaukee, WI**

2007?

- Milwaukee has become a shooting gallery.
- It's "High Noon" anytime of day on Milwaukee's streets.
- According to information from the Federal Bureau of Alcohol, Tobacco, and Firearms, 85% of guns traced to a crime in Milwaukee County have been transferred at least once after initial ownership of the gun.
  - It's against the law for felons to purchase or possess guns in our state, but what's stopping them?
  - This points to the need for the Responsible Gun Ownership Bill.
    - The bill would "weed out" felons by requiring background checks on all those who receive or buy a used handgun in Wisconsin.
      - This is the same process now used for the sale of guns through dealers.
      - However, a loophole in the law has allowed this "gray market" of guns to operate unchecked.

- Do background checks work?
  - Last year, the Wisconsin Dept. of Justice processed nearly 39,000 background checks.
    - Of those, more than 600 purchases of firearms were denied.
    - This year to date, nearly 15,000 background checks have been made, 215 of those have been denied.
  
- Nationally, the federal “Brady Law” has required licensed gun dealers to conduct criminal background checks since 1994.
  - Because of that law, nearly 700,000 felons have been prevented from buying guns.
  
- Consider if you want to drive and own a car:
  - First, you must take a written test to know the rules of the road
  - Then you must take a road test to see if you’re capable of operating a vehicle
  - Then, you must obtain a title, registration and identification, or license plates, for your vehicle.

- Now consider, what is required for someone to acquire a handgun through the “secondary,” or “gray market,” that market that does not involve gun dealers: The answer is that **nothing is required. Not even a simple background check, which is what the Responsible Gun Ownership Act proposes.**
- It’s hard to imagine, but getting a handgun in Wisconsin without involving a gun dealer is easier than buying a pack of chewing gum. The loophole lets anybody of any age to acquire a “gray market” handgun, no questions asked.

Consider that:

- Identification isn’t required.
- There’s no checking if the person is at least 21.
- There’s no checking for a criminal history.
- There’s no checking the sex offender registry.
- There’s no checking if the person is on probation or parole.
- There’s no checking to see if the person is a juvenile delinquent.
- And, there’s no FBI National Instant Background Check.

- These are the elements of a background check under current, which because of the loophole doesn't apply to handguns purchased on the gray, or secondary market.
- We have what amounts to an “honor system” for criminals.
- According to authorities and experts on gun violence, the lack of checks and balances actually *promote* the illegal gun trade to criminals and other prohibited purchasers.
  
- The Responsible Gun Ownership Act is one step – a significant step – to plug the flood of handguns coming into our communities.
  - And it is no more stringent than the law currently on the books for purchases of guns through dealers.
- This legislation is a simple, reasonable, constitutional approach to close a gaping loophole in the law.
  - Simply put, if someone wants to buy a used handgun, he or she must undergo a background check.
- That's the law now for purchases through gun dealers. Why shouldn't apply to all others in the secondary market, or “gray market,” as it is called.
- Under the bill, the Responsible Gun Ownership Act requires a background check on the sale or transfer of a handgun that does not involve a firearms dealer. This means that:

- The person who is to receive or buy the handgun must submit a request to a firearms dealer for a background check.
  - That request for a background check is made through a firearms dealer.
- The firearms dealer then asks the state Department of Justice to perform a background check.
- Once complete, the firearms dealer notifies the person selling or transferring the handgun that the background check came back “clean” or that a denial has been issued.
- If the background check indicates that the person wishing to buy or receive the handgun is not permitted to do so, the state Attorney General may notify the police or other law enforcement.
- The bill sets a fee totaling \$13.
  - That fee breaks down like this:
    - \$8 as currently charged..
    - And an additional \$5 to compensate firearms dealers for the additional workload.
    - So the total fee would be \$13.
  - (Note: The Governor has proposed increasing the background check base fee to \$30, up from the

current \$8 fee. Subsequently, the background check could cost up to \$35).

- Again, The Responsible Gun Ownership Act would apply the same rules for purchases of handguns made either through a firearms dealer or between two individuals.
  - Whether you buy a gun from a dealer or not shouldn't make a difference.
  - The law should apply equally to everyone. No loopholes.
  - Background checks should be required for handguns wherever the handguns come from, not just through gun dealers.
- Current law and the Responsible Gun Ownership Act have these key provisions in common:
  - All persons younger than 21 would be prohibited from possessing a gun.
  - All records of background checks for approved sales would be destroyed within 30 days.
  - If the state Dept. of Justice fails to conduct a background check within 48 hours, the sale would be completed.
  - Fines and penalties would be the same.

- Under current law, and under the bill both the person selling or transferring the gun, and/or the person buying or receiving the handgun could be fined between \$500 and \$10,000, and imprisoned for up to nine months if they violated the law.
- We are in the midst of an epidemic of violence.
  - Since 1991, more than 2,000 people have died as the result of gun violence in Milwaukee County alone.
    - The latest is a 4-year-old girl.
- We have more regulations for cigarettes than we do for guns.
- Yet, we have what amounts to a public health emergency.
  - A “death by gun” public health emergency.
- We must act now to close this loophole that is tearing apart our families, neighborhoods and communities.
- Thank you.





May 29, 2007

Michael R. Brice

Mailing address: 320 N. Forest St.  
Dalton, WI 53926

Actual location: 320 N. Forest St.  
Kingston, WI 53939

The United States Postal Service from Dalton WI delivers mail to the rural route curbside mailbox outside of our home. Most of the other residents of Kingston must walk to the Kingston Post Office to pick up their mail, as Kingston does not deliver mail. Mail delivery is a Government provided service that is greatly appreciated. However, UPS & Fed EX continue to look for our home in the Town of Dalton. This confusing situation was created when a Government Agency (Postal Service) initiated a policy without coordinating with private industry (UPS & FedEx).

Prior to attending this meeting in Milwaukee, I drove 35 miles to the Sporting goods store closest to Kingston (Holiday-Ripon). I asked the owner for his opinion on this proposed legislation to have all private gun sales processed by a licensed firearms dealer. The owner was not aware of this pending legislation. Is this another example of a Government Agency trying to initiate policy without coordinating with private industry?


Licensed gun dealers should be made aware of their liability when processing the private sale of a firearm. If the firearm blows up in the buyers face, I can guarantee you an Attorney will add the gun dealer to the list of people and businesses being sued!

In today's Milwaukee Journal / Sentinel, it is reported that Milwaukee Alderman Michael McGee aka Michael Jackson had been issued a Wisconsin drivers license under both names. Is this a good example of a Government agency doing a background check or is this a good example of a non-law abiding citizen? Only law abiding citizens provide complete, accurate, honest information when required. Does anyone think for one minute that a local street gang member is going to comply with a law governing the private sale of firearms?

If this proposed legislation is enacted, it will be honored only by the law abiding citizens. The "bad guys" don't care about the law. Firearms will not be taken away from the "bad guys"!

If Milwaukee city/county were to erect a billboard on I-94 stating: "EVERYONE WITH AN ILLEGAL FIREARM REPORT TO THE POLICE TODAY", it would be as effective as this proposed legislation. People with illegal firearms will not comply with this legislation!

Thank you,



Retired Wisconsin Correctional Officer



Wi Senate – Committee on Labor Elections & Urban Affairs – May 29, 2007

SB 104 - Mayor Tom Barrett

Good Afternoon. My name is Tom Barrett. I am the Mayor of Milwaukee.

I want to thank my friend, Senator Spencer Coggs and the entire committee for holding today's hearing on this important issue.

Some may say that the purpose of bills like this is to advance an agenda to take guns away from hunters and sportsman. Nothing could be further from the truth. I support the rights of legal gun owners. I am not interested in their guns. But I am interested in the lives and futures of young people and their families. And I am interested in taking the guns from felons, from teens, from those with mental health commitments, and from batterers. And I'll be back before you, before the Congress, at neighborhood meetings, in houses of worship, and in schools until we make responsible policy that helps to prevent guns – handguns in particular - from falling into the hands of the wrong people.

It's a matter of life and death.

Every one of us shares great responsibility for the safety of residents in their communities, yet our ability to ensure safe neighborhoods has been compromised by the guns that flow into our cities and into the hands of those who cannot legally possess them.

In Milwaukee, we have strengthened our public safety efforts by funding 50 additional officers and a community service officer program that will put more police back out on the street fighting crime.

This will provide the Milwaukee Police Department with the largest strength of force since 2000.

We are cracking down on curfew violations and cruising. I sought and received more corrections officers from the state to keep tabs on repeat violent offenders. We are in the midst of a pilot program to put cameras in high-crime areas. And we are very close to kicking off an intensive anti-crime collaboration with police, community groups, and faith leaders in two local police districts.

And although additional police officers and innovative crime prevention programs have a major impact on crime, we must still stem the steady supply of firearms, especially handguns, to those who use them to create havoc in neighborhoods; to intimidate; to disable and to kill - sometimes innocent children who just happen into reckless crossfire.

In 2006, the Milwaukee Police Department seized over 2,400 guns, the majority of which were used in crimes or were in possession of someone who wasn't allowed to have a gun like a teenager or a felon.

As of May 9<sup>th</sup> of this year, MPD confiscated over 1,000 firearms, up 29% from last year at this time. Like the year before, most of those guns are considered crime guns. And there are thousands more out there.

You can see by the numbers, we do a good job of catching the bad guys. We are getting the guns. We are breaking up the gangs and the prostitution rings. But we need to take a step further. Where are these guns coming from? How are they ending up in the hands of people who should not have them, including felons, teenagers and ex-cons?

In Milwaukee, like in other cities in the state and the country, very few persons who possess guns illegally purchase those guns directly from a licensed gun dealer. The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) reported that 84% per cent of crime guns recovered in Milwaukee had been transferred to someone other than the original buyer at least one time after the

original purchase. We can trace a crime gun back to the original retail outlet. But in the ensuing years, that gun may have been sold and resold legally on the secondary market, without a background check, without any kind of record, making it nearly impossible to police to track the history of crime guns – and impedes their ability to trace firearms used in violent crimes.

Nationally, about 40% of guns sales are conducted without a background check.

In Wisconsin, young persons between the ages of 18 and 20 years of age may legally buy a handgun or multiple handguns on the secondary market – from unlicensed dealers – at gun shows, flea markets, classified ads, or neighborhood rummage sales. But those same young people are prohibited by federal law from purchasing a handgun – not even one - from a federally licensed dealer. Why the double standard?

Last year, about one-third of suspects arrested in gun homicides were under the age of 21. 12 of the suspects were under the age of 16. We have to find out where these guns are coming from. We need more tools to prevent the sale and distribution of handguns to teens; those who are more at risk to use a gun in a crime or suicide.

And we need more tools, like background checks on secondary market sales, to weed out those who cannot legally possess a handgun and who may wish to make that purchase away from the scrutiny of a licensed dealer.

And we will to our part to insist that persons who commit crimes with guns are vigorously prosecuted; that straw purchases are not tolerated; that guns are safety stored and locked away in the home.

But we need your help. We ask you to consider sensible firearm safety proposals, like SB 104 and its amendments. According to polls conducted this year show that 92% of Americans, including 91% of gun owners support criminal

background checks for gun purchases which is what this proposal would accomplish.

It cannot be any clearer. We have an opportunity to save lives and prevent injuries by making laws that work for us, not against us. Law abiding residents have nothing to fear from responsible gun legislation and everything to fear from guns in the hands of people who never should have had them in the first place.

Thank you.





5/29

2007  
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SC:

RE: Senate Rules Re: Germaneness

Russ Sklansky, Leg. Council, says the germaneness of the Substitute Amendment to SB 104 could be argued either way.

Under Senate Rule 50, (6) (b) 4 (see attached), a sub amendment is not germane if it “substantially expands the scope of the proposal.”

Sklansky says that:

- 1. On one hand, the change from only Milwaukee County to statewide, could be viewed as expanding the scope of the proposal.**
- 2. However, he said the proposal is confined to the same topic, so it could be argued that there is no expansion of the proposal.**

**Important note: The issue of germaneness can be argued in a standing committee, and if an objection is upheld, the proposal may not be reported out of committee. Senate Rule 50 (1m)**

Senate Rule 50

**Senate Rule 50. Substitute amendments and amendments must be germane.**

Senate Rule 50 (1)

**(1)** Every substitute amendment and amendment to a proposal must be germane to that proposal.

Senate Rule 50 (1m)

**(1m)** A standing committee may not report any substitute amendment or amendment to a proposal originating in either house, and the senate may not consider any substitute amendment or amendment to a proposal, that is not germane to that proposal.

Senate Rule 50 (2)

**(2)** A substitute amendment or amendment to a proposal may not be considered if the presiding officer rules that the substitute amendment or amendment is not germane to that proposal.

Senate Rule 50 (3)

**(3)** The presiding officer may rule only on the germaneness of a senate substitute amendment or amendment and only when the substitute amendment or amendment is before the senate.

Senate Rule 50 (4)

**(4)** An amendment to an amendment to a proposal must be germane to the amendment as well as to that proposal.

Senate Rule 50 (6)

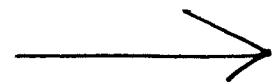
**(6)** The following substitute amendments or amendments are not germane:

Senate Rule 50 (6) (a)

**(a)** A substitute amendment or amendment that is identical in effect to one previously offered to the same proposal and disposed of.

Senate Rule 50 (6) (b)

**(b)** A substitute amendment or amendment to a proposal that is any of the following:



Senate Rule 50 (6) (b) 1.

1. Irrelevant to the subject matter of the proposal.

Senate Rule 50 (6) (b) 2.

2. Inappropriate to the subject matter of the proposal.

Senate Rule 50 (6) (b) 3.

3. Not in a natural and logical sequence to the subject matter of the proposal.

Senate Rule 50 (6) (b) 4.

4. Substantially expands the scope of the proposal.

Senate Rule 50 (6) (c)

**(c)** A substitute amendment or amendment that negates the original proposal entirely, or that substitutes another proposal pending before the senate.

Senate Rule 50 (8)

- (8)** The following substitute amendments and amendments are germane:

Senate Rule 50 (8) (a)

**(a)** A substitute amendment or amendment proposing a method of raising revenues for an appropriation bill or proposing an appropriation for a revenue bill.

Senate Rule 50 (8) (b)

**(b)** A substitute amendment or amendment adding an appropriation necessary to fulfill the original intent of a proposal.

[(1) am. 1995 S.Res. 2]

[(1) am. 1997 S.Res. 2]

[(1) to (3), (8) and (10) am. 2001 S.Res. 2]

[am. 2003 S.Res. 3]

[(6)(a) and (b) am. 2005 S.Res. 2]



**Plotkin, Adam**

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**From:** Kristof Haavik [kristofhaavik@yahoo.com]  
**Sent:** Wednesday, May 30, 2007 10:08 AM  
**To:** Sen.Coggs  
**Subject:** gun control bill

**Attachments:** 2024533737-Coggs.doc



Coggs.doc (30 KB)

Dear Sir,

As you invited me to do at the hearing yesterday, I am sending some comments on the bill currently under consideration and the broader subject of gun control in general. Since my email does not always work properly, and sometimes attachments I send can't be opened by the receiver, I would appreciate an acknowledgement of this message so I can know that you received this in readable form.

Thank you for your consideration.

Sincerely,

Kristof H. Haavik

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g for a deal? Find great prices on flights and hotels with Yahoo! FareChase.  
<http://farechase.yahoo.com/>

N79 W15704 Charles Court  
Menomonee Falls, WI 53051  
(262) 250-0513  
[kristofhaavik@yahoo.com](mailto:kristofhaavik@yahoo.com)

Senator Spencer Coggs  
P.O. Box 7882  
Madison, WI 53707-7882  
[Sen.coggs@legis.state.wi.us](mailto:Sen.coggs@legis.state.wi.us)

Dear Senator Coggs,

Thank you again for the opportunity to speak yesterday on the bill concerning background checks for private sales of firearms. I appreciate your leadership on this matter and your courage in standing up to a powerful interests group.

As you invited, I would like to submit some remarks on the general subject of gun control legislation and on the specific measure in question. I know you and your colleagues have a lot to do, so I will limit myself to a few points.

1. As was repeatedly stated throughout the hearing, both by you and by many citizens, *no one is trying to take guns away from law-abiding citizens*. The “slippery slope” argument made by Second Amendment zealots is nonsense: requiring driver’s licenses for anyone who drives a motor vehicle, limiting the weight and speed and emissions of vehicles is *not* a conspiracy to outlaw the internal combustion engine and make us all ride horses. The suggestion is so ridiculous no one can say it with a straight face, yet certain people continue to make the equally ridiculous argument that any and every piece of gun control legislation is the first step in a conspiracy to ban firearms. We don’t believe the one claim, and we shouldn’t fall for the other.

2. Gun control opponents also like to suggest, as some did at yesterday’s hearing, that other items can be used as weapons—baseball bats, knives, screwdrivers—so restricting access to firearms is useless: felons will just use one of those other weapons instead. As I pointed out yesterday, no one believes this argument, *not even the people who make it*. If they believed their own statement, they would be content to go hunting, or to protect their homes, with a baseball bat, or a knife, or a screwdriver. They aren’t, of course; they insist on having guns instead, because they know—we *all* know—that by their lethality and their ability to kill at a distance, guns are in an entirely different category from those other items; as the doctor pointed out at the hearing, firearms have a much higher ratio of mortality to use than any other weapon. Once again, the gun control opponents don’t believe their own argument, and we shouldn’t either.

3. People opposed to this particular measure argue that it won’t prevent sales of guns to felons. Forgive me for being repetitious when I say again, *they don’t believe their own argument*. They say that criminals will still find someone who will sell guns to them without performing the background check. That’s true; it’s also irrelevant: as you and I know, that’s not what the bill is supposed to stop. What it *will* stop is sales by law-

abiding citizens to individuals whose criminal record is unknown to them. As *everyone* at the hearing stated, none of us would knowingly perform such a sale, but we may do it *without* knowing. The background check will prevent this, and prevent those sales. Will the felons simply find somewhere else to buy a gun? Some of them probably will, and some of them won't; some of them will be caught by the background check itself and prevented from getting another gun anywhere. Of course it won't stop *all* of them: no law prevents *all* violations, and that's not a reason to revoke all laws. No one said we could stop all criminals from obtaining firearms. What we *can* do is stop as many as possible, and make it harder for them. This bill will do exactly that.

4. The alleged inconvenience for law-abiding citizens is an absurd argument. As the deputy stated at the hearing, most of the opponents' claims of people being charged under the bill for using a family member's gun in self-defense or inheriting it when someone dies or transporting it to a repair shop are false: they're more empty scare stories like the one about confiscating all firearms. The only real inconvenience anyone will incur are the funding necessary for this measure and the 48 hour waiting period. Against this we have to balance the *lives* of the victims, of victims who have *already* died because of guns sold without background checks, and of more who will die if this bill is not passed. Telling the victims' family's that these minor inconveniences outweigh the deaths of their loved ones is worse than absurd, it is an outrage, an obscenity.

5. Finally, as I noted at the hearing, one of the speakers against the bill indulged in not very subtle threats against you and the other members of the committee, saying that gun control is the "third rail" of Wisconsin politics and could cost you your seats. Allow me to repeat my reply: despite the organization and funding of the National Rifle Association and related groups, those of us who support sensible gun control measures outnumber them ten to one; *even the majority of NRA members* support such reasonable laws. We, too, will be watching how you and your colleagues vote on this matter. You won't lose your seat if you support this bill: you'll lose your seat if you don't. The choice should be easy: you can do what's politically expedient and what's right at the same time; you can save your seat and save lives all by one vote. I hope all of you will make the right choice.

Sincerely,

Kristof H. Haavik





OCT 10 2007

October 8, 2007

Senator Spencer Coggs, Chair  
Committee on Labor, Elections and Urban Affairs  
Room 123 South  
State Capitol  
PO Box 7882  
Madison, WI 53707-7882

Senator Coggs,  
On behalf the National Association of Social Workers-Wisconsin Chapter (NASW-WI), I am writing to express our support of the Senate Substitute Amendment 1, to the 2007 Senate Bill 104 requiring a firearms restrictions record search for transfers of handguns that do not involve a firearms dealer.

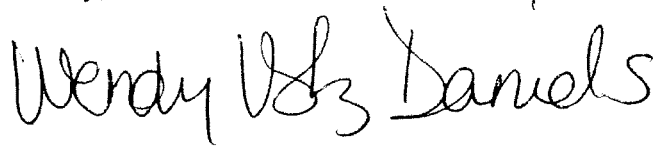
According to the Firearm Injury Center at the Medical College of Wisconsin, a recent analysis of firearm homicides in southeast Wisconsin found that handguns were used in 94% of the homicides where the type of firearm was identified (as opposed to shotguns or rifles).

In addition, the Federal Bureau of Alcohol, Tobacco and Firearms (ATF) has found that 85% of guns traced to crimes in Milwaukee have been transferred at least once after the initial sale by a licensed gun dealer. Currently these transfers are not subject to record-keeping requirements.

Licensed firearm dealers are not permitted to sell handguns to persons under the age of 21 however, 38% of the handgun homicide suspects in the Firearm Injury Center's data were under the age of 21. Handguns used by youth under the age of 21 in homicides have been transferred at gun shows or by private parties in what has been referred to as the "gray" and "black" market. Because no firearms restrictions record search on a handgun purchaser is completed for these transactions, persons prohibited to possess handguns due to age, criminal history, mental health issues or other prohibitions are still able to obtain handguns. This proposed legislation will close this loophole.

Please let us know if we can assist you in passage of this important legislation.

Sincerely,

A handwritten signature in black ink that reads "Wendy Volz Daniels". The signature is written in a cursive, flowing style.

Wendy Volz Daniels, MSW, LCSW  
National Association of Social Workers-Wisconsin Chapter (NASW-WI)  
Legislative and Social Policy Committee Member

CC: Senator Robert Wirth, Committee on Labor, Elections and Urban Affairs Vice-  
Chair  
Senator John Lehman, Committee on Labor, Elections and Urban Affairs Member  
Senator Glenn Grothman, Committee on Labor, Elections and Urban Affairs  
Member  
Senator Alan Lasee, Committee on Labor, Elections and Urban Affairs Member



# Root causes

Date?

level

Good afternoon. My name is James Kocovsky. I am a retired teacher, having taught for 35 years in the Milwaukee Public Schools. In those 35 years I witnessed an increasing ~~incidence~~ of violence. I, personally, was involved in defending students against butcher <sup>knives</sup> and bowie knives, and on two separate occasions, handguns in the schools. One of my students, Bernard Evans, was killed in the stairwell at West Division High School, We then had to inform his sister, Monica, that her brother was dead, and tell another student that her brother had done it WITH A PEN KNIFE having a 1 1/2 inch blade! He was stabbed in the throat and the blade broke off, killing him <sup>inside of him</sup>. Bernard

The problem in Milwaukee is not guns. It is violence of all types and our own acceptance of the inevitability of it. Sadly, far too few of us have taken the time to do the research to understand the TRUE causes of violent crime.

Research has shown

Senator Coggs and I both worked on the superintendent's task force on lead poisoning. A direct, dose-dependent correlation has ~~been shown~~ between the exposure to lead and brain damage and violent behaviors in children. Dr. Herbert Needleman gave a speech on this topic in 1990 at the Medical College of Wisconsin. Later, I ~~then~~ personally approached then-mayor Norquist about this problem and also presented evidence directly to the members of the Milwaukee school board and also to members of the state legislature, including Peggy Rosensweig, Luther Olson, Alberta Darling and others. This was during the hearings for the threatened state takeover of MPS held at Wilbur Wright .

Between <sup>then</sup> and now, huge volumes of research have become available delineating the true <sup>causes</sup> of violence and sociopathic behaviors. I have brought numerous articles outlining the groundbreaking work of Dr. Adrian Raine, former professor at USC and now, as of July 1, 2007, newly appointed Fourth PIK professor at the University of Pennsylvania.

Modern, scientific research is bearing out the notion that the problem is NOT one of gun control, but tragically, the utter lack of self-control on the parts of damaged individuals. Factors such as low birth weight, maternal smoking, lack of adequate nutrition and nurturing are all further contributors to this devil's equation.

Additionally, the unforgivable <sup>is needed</sup> lack of funding for schools is further hamstringing efforts to salvage those students who are now falling through the cracks because of lack of resources. Without an adequate education, the hope for well-paying jobs is slim to none. Thus, the QEO must go!

When I retired, I had as many as 45 students in a single class. This is educational malpractice being foisted upon the children by the State of Wisconsin. Yet, since we won't fund the schools, we are being forced to fund the prisons!

Well intentioned people have proposed that somehow by controlling the availability of guns that we will magically get a handle on crime. <sup>Let's</sup> reflect upon this concept. It is now illegal to enter the country without a visa, 15 million undocumented aliens are now here in the US. The government is incapable of enforcing its own border policy.

Street drugs are also illegal but nonetheless, readily available on street corners. Most people do believe that street drugs should remain illegal and yet realistically speaking, we are unable to stop their flow. Our prisons are so full that in many states, nonviolent drug offenders are being given early release. How ironic is it then that we would seek to criminalize behaviors that the average Wisconsinite has been engaging in for years? Would we fine a father for giving a gun to his son? Would we send him to jail? If an inner-city mother provides a weapon to her daughter to protect herself, should we put her in jail instead of the dope dealers. Our prisons are already packed! We are unable to keep criminals from getting drugs. What sort of magic will suddenly enable the already over-stretched law enforcement officials to enforce a law that most Wisconsinites know won't work any better than alcohol prohibition worked and will more than likely roundly ignore.

Additionally, this attempt at gun control will more than likely cost our many democratic friends in the legislature their seats and lead to even worse school funding problems, etc. In Wisconsin, gun control is the third rail of politics. My good friends, please don't step on that third rail! Rather, let's put our efforts into protecting our children from the brain damage caused by lead, alcohol, cocaine, child abuse, maternal smoking, etc. We must put our money and effort into areas that will actually achieve some good.

Thank you.



Date?

Gun Facts 4.1 by Gary Smith released in 2006 on [www.gunfacts.info](http://www.gunfacts.info) is a compilation of data from a variety of sources. I have personally validated some of his findings with FBI, DOJ and CDC data. Here are some excerpts as they pertain to SB104 and the general climate surrounding Article I, Section 25 of the Wisconsin Constitution and the continued disregard for Personal Protection Rights in our state:

Projected year when deaths from gunfire will surpass death from auto accidents:  
2001

(Source: CDC National Center for Injury Prevention and Control Fact Sheet, 1/25/96)

Guess what – they were wrong. Since 1996, nearly all states have added CCW laws, Stand Your Ground laws, and Castle Doctrine laws. Since 1996, gun deaths have decreased accordingly across the nation, except Illinois and Wisconsin of course. And the prediction from the CDC has gone exactly the opposite – the gap between automobile accidents and gun deaths has widened even more.

There are more guns in the U.S. than cars (228,000,000 guns according to the 1998 FBI statistics and 207,754,000 automobiles according to the 1998 Federal Highway Administration registrations). Yet, you are 31 times more likely to be accidentally killed by a car than a gun according to the National Safety Council...despite cars having been registered and licensed for more than 100 years.

90% of all violent crime in the U.S. does not involve any gun of any type.  
\* 1998 Bureau of Alcohol, Tobacco, and Firearms

Less than 1% of all guns will ever be used in the commission of any type of crime (much less violent crime).  
\*FBI Uniform Crime Statistics, 1994

92.7% of law enforcement officials believe that citizens should be able to purchase firearms for self-defense and sporting purposes.  
\*1999 Police Survey, National Assoc. of Chiefs of Police

Percentage of Americans who agree that "companies that manufacture guns with no hunting or sporting purpose should be held financially responsible when these guns injure or kill people": 45  
(Source: BJS Sourcebook of criminal justice statistics, pg. 190)

My thoughts: Would we even consider holding automobile manufacturers accountable for their vehicles that were not "socially acceptable"? i.e. SUVs being the large gas guzzlers designed for off-road rugged use being driven by soccer moms on public streets or sports cars specifically designed for racing

speeds being driven through residential areas? Shouldn't there be a special use requirements for SUVs, Porsches and Corvettes? Shouldn't those dealers that sell racy red sports cars to young men in High School be held accountable when we all know they are going to speed excessively and they cause so many wrecks? Isn't it the responsible thing to do to hold the car dealer accountable if the buyer uses it in the commission of homicide by reckless use of a motor vehicle? And for that matter, private sellers should also be held responsible for their buyers actions.

Percentage of L.A. High School students who say they could obtain a gun for less than \$50: 25

(Source: ACLU report: From Words to Weapons, 3/97)

My thoughts: This law is a waste – it is already illegal to sell to High School kids.

Percentage of arrestees who say it is easy to get a gun illegally: 55

(Source: Arrestees and Guns: Monitoring the Illegal Firearms Market, 5/96)

My thoughts: This law is a waste. It is already illegal to sell to criminals.

Not many BGs will follow the law. I would expect that the sources these High School kids and these criminals are citing would not follow the new law being proposed since they were not following the existing laws anyway.

There are enough laws already on the books that would prevent violent criminals from acquiring weapons that are not or cannot be enforced that adding one more is completely laughable.

This law has no apparent connection to prosecuting the perpetrator of a violent crime.

An interesting news story. Stolen Guns from Maryland story.

This deputy allowed a machine gun, a shotgun with a breaching barrel. I wonder how many weapons used in crime come from LEO, military and similar losses and thefts. Interesting that this LEO will not be held accountable for supplying criminals with weapons because he is the victim of a crime himself.

Homicide by intoxicated use of a motor vehicle does not track the source of the vehicle. Instead we target the offending drunk drivers. Why are we doing different for violent crimes committed with firearms? Why are we targeting the source of the firearms and not the violent criminals?

Road rage is a big topic these days and even though road rage rarely involves a gun, it is a common component of those who speak out against Personal



Protection Rights. Yet, Road Rage always involves a car. It rarely involves a minivan or a fullsize sedan. It typically involves a sports car or SUV. Why do we target firearms that aren't involved and begin tracking cars?

Miami Road Rage story. Interesting that Road Rage doesn't lead to shootouts that the anti-Personal Protection folks always worry about. Miami is one of the first and highest volume of CCW permits in the nation and with the highest Road Rage statistics, I find it interesting that guns aren't an issue there.

Many of the anti-Personal Protection Rights folks will say cars aren't designed for killing people but handguns are and thus need to be tracked more closely. But why? They are so rarely used in crimes as compared to knives, carpentry tools, etc and cars. Every drive-by shooting involves a car. Most other violent crimes do as well. Why are we wasting effort tracking guns when there are so many other weapons used that never get a second thought?

Michael DeBose story from Cleveland.

The situation in the UK

The two 1997 Firearms (Amendment) Acts resulted in the prohibition of the vast majority of handguns in Great Britain. As a result of the prohibition and the surrender exercise, more than 162,000 handguns were handed in to local police forces.

Handgun Surrender and Compensation. Report by the Comptroller and Auditor General NAO, 1999.

The official figures for gun crime in England and Wales in 2002/03 were announced in January 2004. There were a total of 24,070 firearm offences of which 57% (13,822) involved air weapons, the highest number of offences ever. The largest increase in offences was seen with imitation firearms for which there was an annual increase of 46% to 1815 offences.

The latest gun crime figures from Scotland show a total of 970 offences in which a firearm was alleged to have been used in 2003, a reduction of over 9% from 2002. A large proportion of the offences (43 percent) involved air weapons, and 37 percent were committed with unidentified weapons (the latter figure has increased significantly in recent years since Strathclyde (after 2001) and Lothian and Borders (after 2002) stopped making assumptions about what type of weapon was used even if it had not been identified - it was usually assumed that this was an air weapon for statistical returns and this is still likely to be the case). Handguns were involved in 29 offences, the lowest number since 1990. No handgun was used in any offence which caused injury or death.

Criminal statistics England and Wales 2002/2003. Supplementary Volume 1. Homicide and Gun Crime (edited by David Povey). National Statistics. January 2004

Recorded Crimes and Offences involving Firearms, Scotland, 2003. Scottish Executive National Statistical Bulletin. October 2004

During the month long firearms amnesty in April 2003, over 43,000 guns were surrendered in England and Wales and 3393 in Scotland.

How can there be 43,000 more guns when 262,000 were turned in during the 1997 Act? How many more are there today? How many more will there be in the future? The only folks who have them are CRIMINALS! The Law-Abiding CITIZENS are without!

Gun Control in England has completely failed. The criminals continue to find new ways. Refer to the attached.

The majority (as much as 47 to 85%, based on California statistics) of people actually involved in violent crime as victims and perpetrators are drug using criminals themselves. No law that currently exists or that can be proposed is going to affect these people. They are criminals and by definition don't obey laws. Don't get me wrong, they deserve our attention and our support wherever possible. Social programs and recovery clinics and such do make an impact and should be offered. But further restrictions on Personal Protection Rights will not help those folks.

I know for a fact that monitoring the tools used by violent criminals will not reduce violence. I feel for Debra Fifer and have sat with her to discuss the violence that has affected her life. I also am a victim of violence, not once but twice. I have spoken with Jeri Bonavia personally and attended her informational meeting. It is partly due to her efforts that I have become even more convinced that Personal Protection Rights are more important than the continuing the flawed Utopian idea that weapons technology causes violent behavior. Sticks, stones, knives, arrows, muskets, machine guns, fighter jets, nuclear missiles, etc are not the cause of violent crime. Women have been raped, homes have been ransacked, the strong have preyed upon the weak long before we had instant background checks and serial numbers on firearms.

Tracing legitimate firearms transactions will not stop violent criminals from acquiring the tools to commit their crimes. The only sure way to stop violent crime is to avoid it when possible and to respond in kind when absolutely necessary.



**SB104 GUN BILL – OPPOSITION CALLS**

Joe Walsh  
Watertown, WI  
262-894-1652

James Kubiszewski  
10025 S Washington St  
Oak Creek, WI 53154

Karen Qualman  
12725 W Portland Ave  
Butler, WI

John Cummings  
219 Lakeshore rd  
Grafton, WI

Jeff Totsky  
414-810-8799  
3028 W Grant St  
Milwaukee, WI  
(3<sup>rd</sup> Senate District)

Curtis Borchardt  
Oconomowoc, WI

Date?



Date?

I don't know what people  
in Milwaukee think of me  
but someday I'd love to sit down  
and work on real solutions to  
Milwaukee's problems - I would  
argue get back to principles the  
country was built on → not  
running away from them.

Did Barrett really say  
he wants cameras in the street?  
Crack down on transfers of guns -  
Cameras in the street  
NO NO NO

GG



Send SB 104

notice to

U.S. Rep. Carolyn  
McCarthy

shannon.carlin@  
mail.house.gov

Copy Shirley Ellis