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Details:

(FORM UPDATED: 08/11/2010)

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

2009-10

(session year)

Assembly

(Assembly, Senate or Joint)

**Committee on ... Criminal Justice
(AC-CJ)**

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**

Assembly

Record of Committee Proceedings

Committee on Criminal Justice

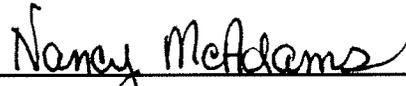
Assembly Bill 233

Relating to: use of a facsimile firearm and providing a penalty.

By Representatives Van Roy, Montgomery, Kerkman, A. Ott, Vos, LeMahieu, Berceau, Brooks, Nass, Townsend, Lothian, Spanbauer, Steinbrink and Ripp; cosponsored by Senators Hansen, Olsen, Schultz, Darling and Cowles.

April 28, 2009 Referred to Committee on Criminal Justice.

April 22, 2010 Failed to pass pursuant to Senate Joint Resolution 1.



Nancy McAdams
Committee Clerk





KARL VAN ROY

STATE REPRESENTATIVE

Packet

June 10, 2009

JUN 10 2009

Rep. Robert Turner
Chairman of Assembly Committee on Criminal Justice
223 North, State Capitol
Madison, WI

Dear Chairman Turner,

I am writing to request that you hold a public hearing on Assembly Bill 233 which was referred to your committee on April 28. This bill creates new penalties for the use of facsimile firearms in the commission of a crime.

This is a re-introduction of AB 605 from last session which passed the Assembly on a voice vote. Due to the bill being introduced late in the previous session, it ran out of time to make it through the Senate. We introduced AB 233 early in order to avoid a similar problem this session.

The use of facsimile firearms is increasingly becoming a problem that needs addressing. Law enforcement do not keep statistics on the use of fake guns in crimes, so most of the information they have is anecdotal. However, the Minneapolis Police Department started tracking this information due to rising concerns they had. From January 2006 through June 2007, their officers confiscated 423 fake guns. These guns were used in a variety of crimes including: 47 assaults or threats, 14 burglaries, 43 auto thefts, and 7 kidnappings, among other crimes.

This bill has overwhelming support from prosecutors, victim advocates, and law enforcement statewide. Please see the attachment for a list of known supporters. Furthermore, this bill has no known opposition. Therefore, there is no downside to moving this bill forward. At a public hearing, I can give further reasons why this bill is necessary.

I respectfully request that you hold a public hearing soon so it has enough time to pass through both houses this session. Thank you for your time and consideration of my request.

Sincerely,

Rep. Karl Van Roy
90th Assembly District

Statewide supporters of AB 233:

Association of State Prosecutors
Fraternal Order of Police – Lodge #2 Green Bay (largest lodge in Wisconsin)
Milwaukee Police Association
Milwaukee Deputy Sheriffs Association
Washington County Deputy Sheriff's Association
Wisconsin Coalition Against Domestic Violence
Wisconsin Chiefs of Police Association
Wisconsin County Police Association
Wisconsin District Attorney's Association
Wisconsin Sheriffs and Deputy Sheriffs Association
Wisconsin State Lodge Fraternal Order of Police
Wisconsin Troopers Association
Wisconsin Professional Police Association

Other Supporters of AB 233:

Golden House of Green Bay
Family Services of Northeast Wisconsin
Brown County Victim/Witness Assistance Program

2 shot during robbery had BB guns

DA will review incident Monday

By RYAN HAGGERTY
rhaggerty@journal sentinel.com

The two men who were shot by a security guard while trying to rob a Milwaukee check-cashing business last week were armed with realistic-looking BB guns, according to a Police Department spokeswoman.

Ronald X. Reed Jr., 24, was shot in the back and died at the scene, police said. His cousin, 22-year-old Vidal D. Mason, was shot in the abdomen.

The BB guns "looked very much like authentic weapons," police spokeswoman Anne E. Schwartz wrote in an e-mail.

The men also used BB guns while committing a string of armed robberies in 2005, court records show.

Reed and Mason were wearing masks when they entered Check Into Cash, 3906 N. 76th St., on Wednesday afternoon and ordered everyone to the floor, including the armed guard, police said at the time.

One cousin told the other to shoot the guard, who got up and fired shots at both men,

police said.

Reed ran from the store and collapsed in a nearby alley. Mason also ran and turned up at a hospital a short time later.

The preliminary investigation suggests the guard, who has not been identified, was properly licensed to carry a gun on the job, police said.

The guard is employed by Pratt Security and Investigations. The company's president, John Pratt, said the company and its employees have the proper licenses and permits. He declined to answer questions about the robbery and shooting.

The Milwaukee County district attorney's office will review the incident Monday, Schwartz said.

Reed and Mason also were armed with BB guns when they committed five armed robberies together over four days in 2005, targeting people returning home late at night on the city's west side, according to a criminal complaint filed against them.

Both were convicted in 2006 of two counts of armed robbery, according to online court records.

Reed was sentenced by Milwaukee County Circuit Judge

Elsa Lamelas to three years in state prison — with credit for 263 days for time served — and five years of extended supervision, the court records show.

He was released from prison on Aug. 26, according to the state Department of Corrections.

Lamelas sentenced Mason to two years in state prison — with credit for 236 days for time served — and five years of extended supervision, according to court records.

Mason was released from prison Aug. 21, 2007, according to the Department of Corrections.

Caregiver being honored for work

Aging consortium to present award

By MEG JONES

mjones@journal sentinel.com

Arlene Hernandez knows all too well what Alzheimer's disease can do to a person.



McAdams, Nancy

From: Jon Nejedlo [jnejedlo@gmail.com]
Sent: Monday, June 15, 2009 1:49 PM
To: Rep.Turner
Subject: Assembly Bill 233
Attachments: REINTRODUCTION_OF_FACSIMILE_WEAPON_BILL.doc

Representative Turner,

My name is Jon Nejedlo and I am a Police Officer for the City of Green Bay and have been in that capacity for the past 8 years. The reason that I am writing to you is to express my desire to see AB 233 be brought forth in front of your committee, the Committee on Criminal Justice, for discussion as soon as possible. AB 233 is a bill that increases the penalties for use of a facsimile firearm. The current penalty for using a facsimile firearm in a manner that threatens, intimidates, or terrifies a person is a Class C forfeiture not to exceed 500. I feel, as do many Officers, that this current penalty does adequately address the proper punishment and deterrence for those who use a facsimile firearm for illegal purposes. AB 233 is a reintroduction from last session of AB 603 which was met with no opposition. In addition, this bill has statewide support of not only law enforcement, but victim advocates, and prosecutors. I have had firsthand dealings with people who use facsimile firearms to threaten and intimidate people and those who use them in a commission a crime. I know all too well what effect it has on the victims who have no idea if the gun is real or not. I am urging you to please consider this bill for committee as soon as possible, as last year after it was passed unanimously in the Assembly, but ran out of time before it could get to the Senate. I have also attached a letter from the President of The Fraternal Order of Police, Lodge #2, the state's largest lodge. This letter also requests passage of this bill. Thank you very much for your time and consideration in this matter. I am wiling to come down to Madison and discuss this issue with you and/or your committee if you wish. Again, thank you and please contact me with any questions.

Very Respectfully,

Officer Jon Nejedlo

06/15/2009



SB169

SENATE BILL 169

An Act to amend 939.63 (1) (intro.), 940.225 (1) (b), 941.2965 (2), 943.32 (2) and 946.415 (2) (c) of the statutes; relating to: use of a facsimile firearm and providing a penalty.

2009

- 04-15-09. S. Introduced by Senators Hansen, Olsen, Schultz, Darling and Cowles; cosponsored by Representatives Van Roy, Montgomery, Kerkman, A. Ott, Vos, LeMahieu, Berceau, Brooks, Nass, Townsend, Lothian, Spanbauer, Steinbrink and Ripp.
- 04-15-09. S. Read first time and referred to committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing. **130**

Hansen 9/29
wants to
pass his
companion bill
SB 169

AB 233
Folder



11/19/09

Call Hansen's

facsimile

firearm bill

SB 169 - in

Sen. Taylor's comt.

No -

Sen Hanson Does not want
hearing on Van Roy bill.

AB 233
Folder