



JOEL KLEEFISCH

STATE REPRESENTATIVE • 38TH ASSEMBLY DISTRICT

October 10, 2013: Assembly Committee on Criminal Justice

Assembly Bill 9: Relating to; Law enforcement officers who are on duty, off-duty law enforcement officers, and former law enforcement officers and going armed with firearms

Under current law, a law enforcement officer or a former law enforcement officer may carry a concealed weapon if he or she has a license issued by the Department of Justice or by the law enforcement agency that employs, or employed them.

While federal law explicitly preempts any state law prohibiting a qualified law enforcement officer or former law enforcement officer from carrying a concealed firearm; federal law does allow a state to permit private persons to prohibit the possession of concealed firearms on their property.

Federal law also allows a state to prohibit firearms on any state or local government property.

Under current law, a conceal carry permit holder is prohibited from carrying a firearm on or within 1,000 feet of school grounds and on posted private properties.

This legislation exempts from these prohibitions off duty law enforcement officers, out of state off duty law enforcement officers and retired law enforcement officers

This legislation will resolve unnecessary conflicts posed by current law with regard to law enforcement officials who live within 1,000 feet of school grounds or drive within 1,000 feet of a school while traveling to and from work.

Additionally, this legislation will enable certain individuals who are already highly trained in handling firearms to carry their firearms near school zones while they are either off duty, traveling through the state, or who have retired from a career in law enforcement.



WISCONSIN SHERIFFS & DEPUTY SHERIFFS ASSOCIATION

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Memorandum

To: Members, Assembly Committee on Criminal Justice
From: Sheriff David Graves, on behalf of the Wisconsin Sheriffs and Deputy Sheriffs Association
Date: October 10, 2013
Re: **Wisconsin Sheriffs and Deputy Sheriffs Association Supports Assembly Bill 9, Law Enforcement Officers and Former Law Enforcement Officers Going with Firearms**

The Wisconsin Sheriffs and Deputy Sheriffs Association (WS&DSA) is a statewide organization that was created in 1945 and works to facilitate law enforcement, prevent crime, apprehend criminals and protect life and property of the citizens of Wisconsin. **For the reasons explained below, WS&DSA supports Assembly Bill 9.**

Assembly Bill 9 is very important to all law enforcement agencies throughout the state. Law enforcement officers can already be armed on school grounds while on duty. This bill will allow law enforcement to be armed in the school while off duty. By allowing both on duty and off duty officers to be armed on school grounds, it would create a "force multiplier" for law enforcement and create greater school safety at no extra cost.

Current law allows a law enforcement agency to reach agreements and establish policy that allows for "off duty" carry by law enforcement. School districts are receptive to the idea (once policy and procedure are developed) and do allow armed off duty law enforcement. However, this procedure is cumbersome in a county that has more than one school district. For example, the sheriff's office and municipal departments must establish their agreements separately, which takes extra time and resources. Assembly Bill 9 would eliminate the need for this process.

In the unfortunate event there be an active shooter situation in a school, a well-trained off duty armed law enforcement officer could arrive at the scene and easily and quickly identify themselves as law enforcement. This in turn would greatly assist the on duty responding police and sheriff's agencies. An armed off duty police officer or deputy sheriff is trained to identify and move toward the threat in order to protect innocent lives and bring a swift end to a volatile situation.

Conclusion

On behalf of the Wisconsin Sheriffs and Deputy Sheriffs Association, we would like to thank Rep. Kleefisch for introducing this important piece of legislation and fully support its passage.



State Senator
Rick Gudex

District 18

October 10, 2013

To: The Assembly Committee on Criminal Justice
From: Sen. Rick Gudex
Re: **Assembly Bill 9**

Mr. Chair and members of the committee, thank you for holding this hearing today. Unfortunately, due to scheduling conflicts, I am unable to be with you today.

Assembly Bill 9, Is a commonsense bill that would remove the prohibition that Off Duty and retired Law Enforcement Officers are allowed to carry a firearm on school grounds or certain other private posted properties.

Current state law prohibits concealed carry licensees from carrying a firearm on school grounds and on certain posted private properties.

This bill would exempt these prohibitions **only** for law enforcement officers who are acting in their official capacity; qualified law enforcement officers, without regard to whether they are on duty; and qualified former law enforcement officers.

This bill is very straightforward and provides further protection for our children while in the school setting. Our law enforcement professionals are trained to protect and serve, why would we prohibit these trained professional from doing the same on school grounds on or off duty?

This bill is supported by Wisconsin Professional Police Association, Wisconsin Sheriffs and Deputy Sheriffs Association, and The Wisconsin Troopers Association.

Thank you again for giving me this opportunity to provide testimony on behalf of this commonsense bill. I urge your support.