



**SENATOR JANET BEWLEY**  
WISCONSIN STATE SENATE

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**Senate Committee on Judiciary and Public Safety**  
**Public Hearing on Senate Bill 197**  
**January 7, 2016**

Good morning Senator Wanggaard and committee members. I want to start off by thanking you for this opportunity to testify in support of Senate Bill 197. At the request of a local Sheriff and District Attorney I introduced this legislation to close a loophole in current law that makes it difficult to charge a person who makes a threat to use a firearm to injure or kill people in a school zone.

Prosecutors face a conundrum as to what criminal statute should be charged when conduct of an individual is not specifically outlined in statutes. Chapter 947, Crimes Against Public Peace, Order and Other Interests, explicitly deals with bomb scares and threats to release chemical, biological or radioactive substances, but does not address the situation when a person makes a threat to bring a gun to school and shoot unnamed people. Without a specific threat to hurt a named individual, it becomes difficult to charge anything more than a misdemeanor. As a result, a defendant can avoid the threat of a meaningful penalty, thereby stripping both law enforcement and school officials of the tools they need to address the situation.

Wisconsin has in place laws regarding bomb scares, which we used as a model. This bill would make it a make it a Class I felony to knowingly make a false threat to use a firearm to injure or kill another person in a school zone. The law regarding bomb scares has been effective as both a deterrent and a way to convince offenders to recognize and address the seriousness of the behavior. With me today are Chief Byron Miller and Officer Nathan Emmons of the Barron Police Department who will describe the circumstances that led to the drafting of this bill. After they speak, I would be happy to answer any questions you have. Thank you for your time and consideration.



**25th Senate District**

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**Testimony at Senate Public Hearing**  
**Committee on Judiciary and Public Safety**  
**Thursday, January 7, 2016**  
**Senate Bill 197**

Good morning Chairman Wanggaard and Committee Members. I appreciate the opportunity to speak with you today regarding Senate Bill 197. I want to thank Senator Janet Bewley for drafting the bill, *and those who have sponsored it*

My name is Nathan Emmons and I work for the City of Barron Police Department in Barron, Wisconsin. I am our departments Investigator and K9 Officer. Today I'm joined by my Chief, Byron Miller. *Prior to my career in Law Enforcement I was a pastor for over 30 years.*

Senate Bill 197 has its roots in an incident that occurred on October 22, 2014 at the Barron High School. At approximately 4:00 PM that afternoon I received a phone call from the High School Principle Kirk Haugestuen. Principle Haugestuen stated that a threat had been found written in a men's bathroom at the High School. Upon arrival at the High School Principle Haugestuen showed me the threat. The threat read, "I'm Going to bring a gun to school and kill you all."

The threat was written by a 17 year old male student who was mad because the principle had gotten after him for goofing around and not doing his school work. Just prior to writing the threat that student did a google search on his school issued computer on "how to kill people you like."

Just recently the Menominee, Eau Claire, and Oconomowoc schools have had gun threats.

These threats cost the tax payers of Wisconsin thousands of dollars. Our high school population is about 390 students and the one day school canceled on account of the threat cost our school district an estimated \$25,000. Our department had over 120 hours involved with this one case. Each threat must be taken seriously and dealt with immediately to ensure the safety of our students no matter how much it may cost.

But the real cost of these threats can not be measured monetarily. The real cost is the since that school is no longer a safe place to be. Our young people become fearful of going to school. Parents are afraid and keep their children home from school. For our high school to be closed for one day means our students lose approximately 1,950 hours of instruction based on 5 hours of classroom time and 390 students.

When I took our case to the Barron County District Attorney's Office I was told that the only thing we could charge the student with was Disorderly Conduct. *which is basically a small fine* Wisconsin State Statute 947.015 only deals with Bomb Threats and Wisconsin State Statute 947.017 only deals with the Threat to release chemical, biological, or radioactive substances.

Thus began my journey to where I am today, speaking to you on behalf of Senate Bill 197. I have called Senators and Representatives. I have written many letters. I have called or emailed Senator Bewley's office several times so that this bill doesn't die along the way. I am passionate about protecting the young people of Wisconsin and ask that you join me in that passion by supporting this bill.

I realize that passing this bill will not end all the threats. But I believe it will discourage many as people think about the consequences they could face by making such threats. I believe threats to bring a gun to school and

harm people are more likely to happen over bomb threats and as such needs at least the same consequences as bomb threats. <sup>Many</sup> Today's young people believe there is little to no negative consequences to their actions.

Today, I ask that you send a strong message to the young people of Wisconsin that we take threats of any kind to their safety seriously and that we will do all that we can to protect them and make our schools a safe zone by seeing that this bill is passed. Thank you for your time this morning. I would be happy to answer any questions you may have.