

Rep. Sanfelippo: Tightened gun laws pass Wisconsin Assembly

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Tightened Gun Laws Pass Wisconsin Assembly

Keeping guns out of the hands of criminals by closing loopholes and increasing penalties

Madison, Wis. – The Wisconsin State Assembly passed [2017 Senate Bill 408](#) with broad support from the chamber. Introduced by Senator Alberta Darling and Representative Joe Sanfelippo in response to the escalation of gun crimes in areas like Milwaukee, SB 408 will keep guns out of the hands of habitual criminals by stiffening penalties and criminalizing common practices like “straw purchases” and “human holsters.”

“The challenge before us was that the law clearly stated who was prohibited from possessing firearms, and yet we were seeing all of these cases where criminals were still managing to obtain firearms legally by circumventing background checks. Shutting these loopholes and imposing criminal liability on those who willfully help circumvent gun laws is a huge step towards addressing our gun crime problem,” said Sanfelippo.

Despite Milwaukee serving as an economic and cultural hub for Wisconsin, there has been an alarming rise in gun crime in the city: 230 people have been killed with

guns in Milwaukee since the beginning of 2016. When Sen. Darling and Rep. Sanfelippo investigated the cause of this rise, they learned that Milwaukee has a growing problem of criminals with illegal access to firearms: **Milwaukee police recover firearms used in crimes at a rate of 246.6 per 100,000 people.** This is significantly higher than nearby Chicago and on par with New York City, both sprawling metropolises with notorious crime problems. SB 408 will reduce criminals' access to firearms by imposing a clear and strong deterrent to circumventing existing prohibitions on possession.

This law criminalizes two common schemes: "straw purchases" and "human holsters." A straw purchase occurs when an individual legally buys a firearm, but intending to transfer it to someone prohibited from possessing a firearm. Similarly, a human holster is a person allowed to possess a firearm, but who carries the weapon for a criminal to circumvent liability for possession. Both of these loopholes are closed and are now Class G felonies.

Sen. Darling and Rep. Sanfelippo, however, through extensive conversations with law enforcement and victims, learned that many times these straw purchasers or human holsters get involved due to long-standing domestic or child abuse by the criminal. Recognizing the devastating and coercive nature of abusive relationships, this law provides an affirmative defense to individuals who can document a prior pattern of abuse by the criminal.

Finally, this law targets habitual offenders by establishing a minimum sentence of four years for a conviction of illegally possessing a firearm if they've been convicted of 3 misdemeanors or 1 felony in the previous five years. "Criminals simply cannot be allowed to have guns. Our law attacks this problem from every angle, and I'm very confident that we've made our communities a lot safer today," remarked Sanfelippo.

Having passed both the Assembly and Senate, SB 408 now heads to the Governor for final approval.