

Evers calls for action on gun violence, Republicans accuse gov of wanting to seize firearms

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Gov. Tony Evers again urged GOP lawmakers to address gun violence as he joined Dem lawmakers in unveiling “red-flag” legislation.

The legislation would create a new process to ask a court to temporarily take away firearms from someone deemed a threat to others.

Evers has previously threatened to call a special election for the Legislature to take up universal background checks and a red-flag law if Republicans failed to act on their own.

He didn’t take that step Thursday, adding he would issue the order unless lawmakers took action “within weeks.”

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He also accused lawmakers who have failed to act on gun legislation of choosing “cowardice over common sense.”

“The buck stops in two offices in this Capitol,” Evers said, referencing Senate Majority Leader Scott Fitzgerald and Assembly Speaker Robin Vos.

Fitzgerald, R-Juneau, and Vos, R-Rochester, said in a joint statement that it’s “widely known” they believe the bill poses a threat “to due process and the 2nd Amendment rights of law-abiding citizens.”

They also sought to seize on Evers’ answer when asked if he would support a proposal similar to Dem presidential contender Beto O’Rourke’s call for buying back

certain assault weapons. Critics have likened the O'Rourke plan to confiscation.

Evers deflected the question, saying he was focused on the two bills discussed during the news conference, but he'd consider the legislation.

Fitzgerald and Vos said Evers' "partial answer" revealed Dems' real agenda of taking away lawfully owned firearms.

"Wisconsin laws already say if you're a felon, you lose your right to own a gun," they said. "With Governor Evers considering confiscating firearms from law-abiding citizens, it shows just how radical Democrats have become."

Under current law, anyone subject to a domestic abuse or child abuse injunction is prohibited from possessing a firearm and must surrender all guns. The firearms can't be returned until a court determines the injunction has been lifted or expires.

Backers said the bill announced Thursday would expand on that by creating a new process for law enforcement, a relative or a household member to seek a temporary restraining order prohibiting someone from possessing a firearm if the court finds reasonable grounds that person is likely to injure the respondent or someone else. The temporary restraining order would remain in effect until an injunction hearing, where the court could extend the ban for up to one year. The protection order could be renewed.

The subject of the extreme risk protection injunction would be able to petition the court to vacate the order.

Also, anyone making a false claim in seeking a protective order would face a felony charge.

Sen. Lena Taylor, who's co-sponsoring the bill with Rep. Melissa Sargent, D-Madison, said the bill won't take away anyone's 2nd or 4th amendment rights. She also said it won't prevent all gun violence.

"But it does have the ability to save lives, and that is worth it," the Milwaukee Dem said.

See the bill draft:

<https://www.wispolitics.com/wp-content/uploads/2019/09/190919Gun.pdf>

The GOP rhetoric largely focused on Evers' response to the question about the O'Rourke proposal with Republicans accusing the gov of wanting to take away guns from law-abiding citizens.

When he was asked about the O'Rourke proposal, Evers said, "What I'm focused on is two bills that the people of Wisconsin have already spoken on, and that's universal background checks and the extreme risk protection orders. We have to focus on what we know we can accomplish, and we can accomplish those two things."

Asked in a follow-up question if that meant he didn't support the measure, Evers said, "I'd consider it, but my focus is on these two bills and the two offices that would either prevent it from going to a hearing and to a vote and not. So it's two bills, two offices."

Assembly Majority Leader Jim Steineke, R-Kaukauna, said in a statement the "candid comments from Governor Evers only further illustrate that without a strong, Republican-lead legislature, the idea of involuntary seizure of firearms could easily become a reality in Wisconsin."

AG Josh Kaul countered that red-flag laws in Connecticut and Indiana have been challenged in court and were found to be legal. He added the legislation introduced Thursday was modeled on a 2014 domestic violence restraining order law that required a defendant to surrender their guns if a judge finds the defendant may use them to cause "physical harm to another or to endanger public safety."

That measure was signed into law by then-Gov. Scott Walker. Vos voted for it, and Fitzgerald did not block it in the Senate.

"I don't think anybody thinks that procedure is unconstitutional, or at least not the Republican members of the Legislature, nor would a red-flag law be," Kaul said.

Kaul said he doesn't expect to see gun buy-back legislation brought forward this session and declined to comment until he could see the specifics of such a proposal.

Instead, he called for the focus to remain on the so-called red-flag bill introduced Thursday and a universal background check proposal introduced last month.

"I think it's important that we focus on trying to make progress and I think focusing on these two issues is the best way to do that," he said.

See video of Evers' answer:

<https://twitter.com/victorjacobob/status/1174720154443366400>