

WisDems: ICYMI: Despite supporting the Second Amendment, Wisconsin Republicans question whether Alex Pretti should have been carrying his gun

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MADISON, Wis. — Yesterday, [new reporting exposed](#) Wisconsin Republicans flip-flopping on the Second Amendment following the murder of Alex Pretti. Reps Derrick Van Orden, Tony Wied, and Scott Fitzgerald, all blamed Pretti for his own death simply because he was legally carrying a firearm, which was removed before federal agents shot him.

Spectrum News: [Despite supporting the Second Amendment, Wisconsin Republicans question whether Alex Pretti should have been carrying his gun](#)

By: Charlotte Scott | 2/5/26

Wisconsin Republican lawmakers unequivocally support the Second Amendment. In an interview with Spectrum News Wednesday, Congressman Derrick Van Orden, R-Prairie du Chien, even recited it from memory.

But in their responses to the shooting death of Alex Pretti by federal agents in Minneapolis, some Republican lawmakers have suggested that it wasn't smart for the ICU nurse to have a gun while protesting.

"They should be able to. It's not a good idea, especially if you're going into a situation like we've seen," said Rep. Scott Fitzgerald, R-Juneau. "So, obviously, if somebody has a concealed carry permit, they're allowed

to certainly carry that firearm. But it's not a wise decision, probably."

"You have the right - as long as you have a concealed carry or whatever the permit that's required where you live - you have the right to bear arms, but I also think there's a responsibility that, if you have a weapon, to not impede law enforcement or put yourself in a situation where you're escalating the situation," said Rep. Tony Wied, R-Green Bay.

"He was breaking the law, and he was carrying a concealed weapon, which means that that was also against the law," said Van Orden.

When reading Van Orden's quote, Milwaukee-based lawyer Michael F. Hart said "that makes no sense." Hart added that confrontations are something we all should strive to avoid, and you're either for the Second Amendment, or you're not.

"In public, with a license, as a non-prohibited person, [Pretti] certainly was not breaking the law, and just because Representative Van Orden doesn't like why he was there, that doesn't make him or his possession of the firearm unlawful, or give law enforcement - based upon the video evidence that I've seen - any reason to disarm," Hart said. "If you believe that the Second Amendment allows those to carry guns freely, then there shouldn't be any reason why you couldn't go to a protest and conduct yourself as a law-abiding citizen."

President Donald Trump has shared sentiments similar to Wisconsin Republicans.

"Certainly shouldn't have been carrying a gun," the president said in late January. "I don't like that he had a gun. I don't like that he had two fully loaded magazines. That's a lot of bad stuff."

Videos of the incident appear to show Pretti never brandished the gun, which he was licensed to conceal and carry, and that a federal officer removed Pretti's gun from his waistband before he was shot several times.

"I think it's rich that the administration is claiming that somehow he should not have had a firearm while at a protest. They just make that up as far as I know," Hart said. "And there's no prohibition as long as you're

licensed. And Pretti appeared to have been licensed, he was a non-felon, and he was there expressing his First Amendment rights. And in the process, he was killed. So somebody's got some explaining to do that I've not heard a satisfactory response to."

When asked what legal ground the federal agents who shot Pretti have to stand on, if any, based on the video evidence available, Hart said, "I don't see a defense to that."

Congressman Mark Pocan, D-Madison, said, "the hypocrisy is thick on this issue."

"For the president or any Republican to now suddenly say, 'Oh, they shouldn't have guns,' I would refer them to January 6, [2021] where plenty of the protesters had guns, and now all have been pardoned," Pocan said.

When asked whether the officers were justified in shooting Pretti, Van Orden said he's going to leave that to the investigations.

"I'm not a ready, fire, aim guy," Van Orden said.

The FBI is investigating Pretti's death, and the Justice Department also opened a federal civil rights investigation.