

Milwaukee's Gun Violence

Statistical Figures Collected From
2013/2014 Data Report
Homicide Review Commission photos and other
reporting gathered from various sources

Gun violence is an epidemic in Milwaukee, robbing the community of its youth and its economic vitality.

- Wisconsin is **8th** in the **nation for black homicide victims**
- African-Americans who made up 6.5% of the state's population, accounted for 66% of firearm homicide victims in 2014.
- According to the 2014 Kelly Report on Gun Violence in America, each homicide is estimated to reduce a city's population by 70 residents
- A 10-year study of the city of Chicago found that each gun homicide equates to **\$2,500 in lost annual income** for Chicago families
- The Children's Safety Network estimates that each gun homicide costs **\$5 million** in direct and indirect losses
- Community violence deters business investment where it occurs, particularly the creation, growth, or relocation of service-related establishments that would be a valuable source of employment to lower-skilled workers
- A study by the Center for American Progress found that just a **10% reduction in homicides would increase Metro Milwaukee home values by \$800 million**, while each additional homicide reduces local property values by 1%. An \$800 million increase in property values would significantly increase local revenues and allow for community revitalization investments and/or property tax relief.

Milwaukee 2012 - 2013 Victim Totals

2012	2013
• 599 Overall Victims	• 635 Overall victims
• 91 Homicides	• 105 Homicides
• 508 Non-Fatal shootings	• 530 Non-Fatal Shootings
• 1693 GUNS RECOVERED	• 1663 GUNS RECOVERED

2014 had 669 Shooting Victims MPD recovered 1914 GUNS

Non-Fatal Shootings

- **583 Overall victims**
- **12** – Under the age of 13
- **76** - total victims under 17 years of age

Homicides

- **86 Overall victims**
- **5** – Under the age of 13
- 3 child deaths were a result of handguns; 2 bodily injury

Non-Fatal Shooting 2014

583 VICTIMS

- **506 African Americans**
- **1 American Indian**
- **1 Asian**
- **1 Black Hispanic**
- **1 Other**
- **33 White Hispanic**
- **40 White Non- Hispanic**

156 SUSPECTS cleared cases only

- **132 African Americans**
- **1 Asian**
- **1 Black Hispanic**
- **17 White Hispanics**
- **5 White Non- Hispanic**

Homicides 2014

86 VICTIMS

- **66** African Americans
- **3** Asian
- **10** White Hispanic
- **7** White Non- Hispanic

67 SUSPECTS cleared cases only

- **58** African American
- **3** Asian
- **4** White Hispanic
- **2** White Non- Hispanic

2015 Shooting Victims 4/20/15

- 191 Total Victims
- 145 Non- Fatal Victims
- 46 Homicide Victims

- As of **April 13, 2015** Milwaukee confiscated **638 GUNS. A 19% increase from April 2014.**

2015 Non-Fatal Shooting 04/20/15

145 VICTIMS

- **123** African American
- **1** American Indian
- **1** Black Hispanic
- **11** White Hispanic
- **9** White Non-Hispanic

39 SUSPECTS cleared cases only

- **34** African American
- **5** White Hispanic

Homicides rates 2015

- **46 Homicides** as of 4/20/15 equals a **170%** increase from this time last year.

2015 Homicides 4/20/15

46 Homicides

- **36** African American
- **4** White Hispanic
- **6** White Non- Hispanic

35 Suspects cleared cases only

- **30** African American
- **4** White Hispanic
- **1** White Non-Hispanic

Typical Homicide Victim/Suspect Profile

Victim Profile

- **Male**
- **African American**
- **Between Ages of 18 and 29 years old**
- **Has between 1 and 10 prior arrest on arrest history**
- **Was arrested for the first time by age 16**
- **Was previously or is currently on probation/parole**
- **Has prior violent, drug and /or weapon arrest on arrest history**

Homicide Suspect

- **Male**
- **African American**
- **Between Ages of 18 and 29 years old**
- **Has between 1 and 10 prior arrest on arrest history**
- **Was arrested for the first time by age 16**
- **Was previously or is currently on probation/parole**
- **Has prior violent, drug and /or weapon arrest on arrest history**

**Sierra Guyton Age 10
Shot May 21, 2014 Died July 13, 2014**

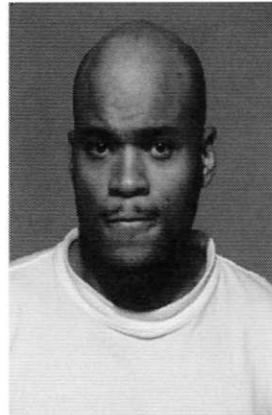
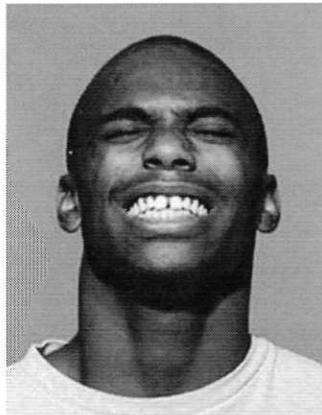


Gunshot Wound To The Head

**Fired 16 gun shots on a playground
with 50 children - killing Sierra**

**Sylvester Akeem Lewis Age 18
Sentenced to 44 years in prison**

**Jamey Lamont Jackson Age 29
Sentenced to 5 years in prison**



Killer Sylvester Akeem Lewis 18

- Sylvester Lewis robbed a man of his legal handgun and later used that weapon to fire a total **8 shots** on a crowded playground of up to **50 children**. One of those bullets hit Sierra Guyton in the head. Eight additional shots were fired back at Lewis by Jamey Lamont Jackson a convicted felon on parole for first degree intentional homicide after serving a 10 year prison sentence.
- **Lewis was arrested 15 times by age of 18.**
- December 12, 2015 Sylvester was sentenced to 44 years in prison with 17 years extended supervision

Rival Jamey Lamont Jackson 28

- In 2003, Jamey Jackson, shot and killed James Gibbs over an illegal handgun he paid \$25 to borrow from Gibbs but refused to return. **Jackson was charged with first degree intentional homicide was sentenced to 10 years in prison & 8 years extended supervision.**
- He was **released** from **Green Bay Correctional Institution** on **May 7, 2013**. **May 21, 2014** he **fired 8 shots** at Sylvester Lewis on **Clarke Street playground with 50 children present** over stolen children's clothing.
- **Jackson was charged as a felon in possession of a fire arm. On February 4, 2015 received a 5 year jail term with credit for 220 days served & 5 years extended supervision.**

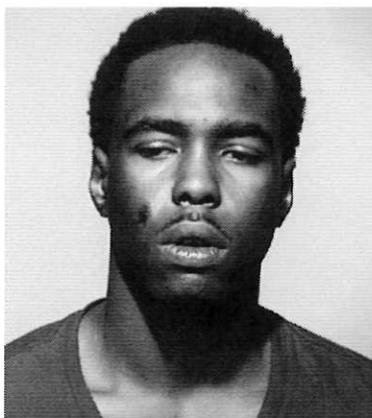
Bill Thao 13 months Gunshot Wound To Right Abdomen



On December 27, 2014 an incident at 6427 N. 73rd Street resulted in eleven (11) 9mm casings seven (7) .380 caliber casings, and (23) .40 caliber casings being recovered at the scene which resulted in the death of 13 month old Bill Thao from a **gunshot wound to his right abdomen.**

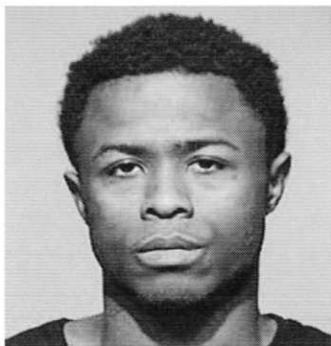
At least 3 different people were responsible for firing **41 rounds** into the home that resulted in the death of little Bill Thao. The accused killer Darmequaye D. Cohill, 21 was currently out on bail for a drug charge when he fired the fatal bullet that killed little Bill.

Accused Killer – Darmequaye D. Cohill age 21



- Cohill was charged on Jan. 5 with the **attempted armed robbery of his uncle in September and the death of little Bill Thao.** Cohill and 3 other men tried to rob Cohill's uncle in front of his grandfather's home but fled when they realized the robbery was being recorded.
- Cohill was out on bond at the time of the shooting for a drug case **on Nov. 12** where he was **charged with possession of heroin with intent to deliver.** He was **free on \$1,500 bond.**

Rival Kwensen Sanders 19



- **Kwensen Sanders is a rival drug dealer** that swiped the cell phone number of Darmequaye Cohill off Facebook in an attempt to steal Cohill's customers. Cohill fired numerous shots at Sanders in front of his home but no one was hit. When Cohill returned the next day Sanders witnessed 3 men exit a vehicle with Cohill and saw them open fire on a neighbors house. The house looked almost identical to Sander's home. Unfortunately, 41 rounds were fired into the home one bullet fatally wounding 13 month old Bill Thao. He died as a result of his injuries.



Ja'Nyela Marsh-Highshaw Age 4 Bullet to the head Nov 5, 2014

Ja’Nyela is still missing part of her skull, and wears a helmet. Doctors are going to be reconstructing part of her skull that’s missing

Hospital photo



Six months later



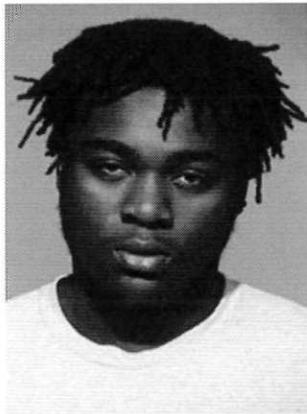
Derrick Smith



CHARGES

- **Three counts of felony possession of a firearm,**
- **Possession of body armor**
- **Two counts of felony using an oleoresin device (pepper spray/mace).**

Grover C. Ferguson 17



Armed Carjacking Suspect

On April 22, 2015; 17 year old Grover Ferguson grew tired of walking so he attempted to carjack 53 year old Samone Spencer. Ferguson shot Spencer 3 times in the face and stole her 2007 Chrysler Pacifica. Five hours later the car was spotted by police parked on N. 40th st. Ferguson returned to the car taking police on a chase that ended when he lost control of the car & fled. Ferguson was arrested in 2010 for staging an armed robbery at his parents house while they slept. One of the assailants had a gun, and for Ferguson's role he wanted half and a new pair of tennis shoes.

NOTICE



**AS OF NOVEMBER 1, 2006 IF YOU POSSESS
AN ILLEGAL LOADED GUN YOU WILL
SPEND AT LEAST 3 ½ YEARS IN PRISON.**

**DON'T CARRY A GUN.
MAKE THE EASY CHOICE
OR YOU WILL DO HARD TIME.**



**JANET DIFIORE
DISTRICT ATTORNEY
WESTCHESTER COUNTY**

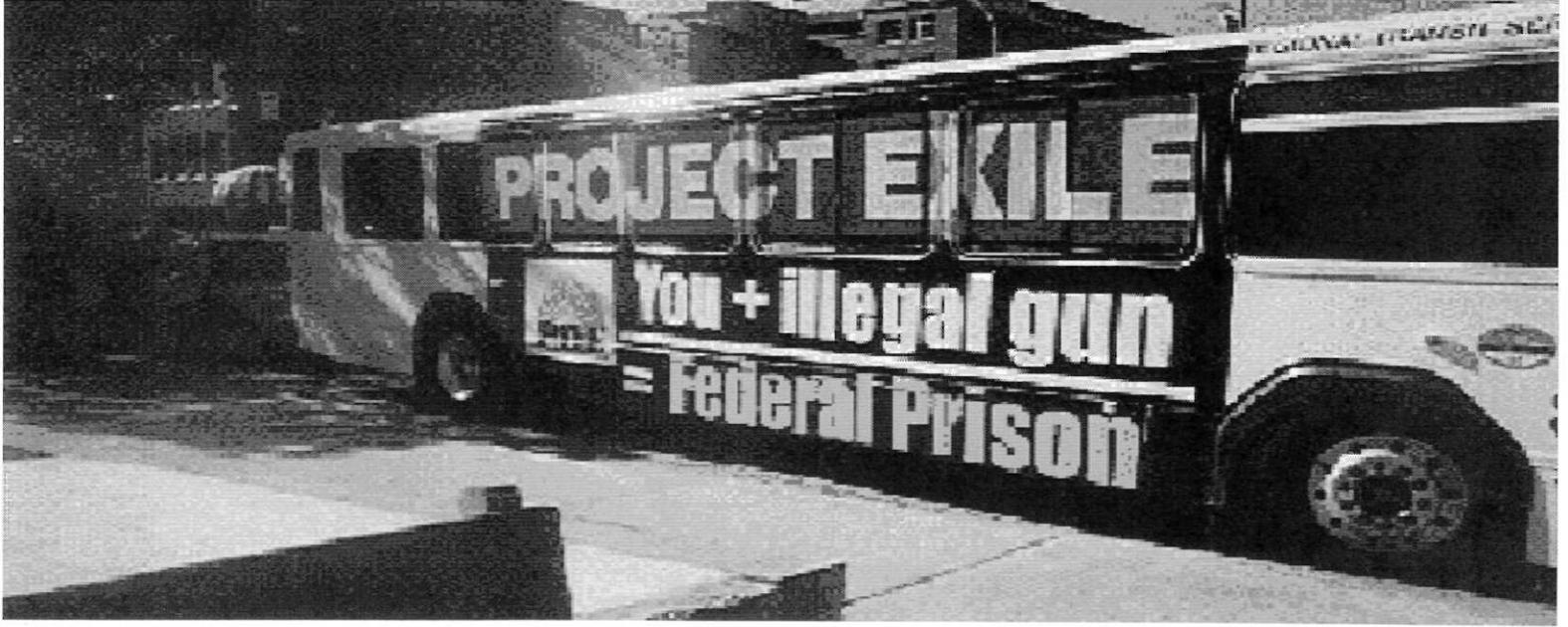


**CRIMINAL POSSESSION OF A WEAPON 2° - PL§265.03
STATE PRISON; MINIMUM 3 ½ YEARS - MAXIMUM 15 YEARS**

JAIL



GET CAUGHT CARRYING AN ILLEGAL GUN
GET 2+ YEARS IN PRISON **GUNS = PRISON**
CITIZENS CRIME COMMISSION OF NEW YORK CITY



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May 29, 2015

Wisconsin State Assembly Committee on Corrections

Dear Representatives,

Thank you for the opportunity to testify in opposition to AB 220 last Tuesday. I now write in response to Rep. Pope's request that I file written remarks.

As now proposed, AB 220 would mandate minimum bifurcated prison sentences for people convicted of possessing a firearm after conviction for a violent felony offense. The minimum mandatory sentence is invoked by the prosecution, and the judge would have no discretion to impose a lesser sentence. This mandatory transfer of the essentially judicial function of sentencing from the neutral circuit judge to an adversary prosecutor is one major concern about AB 220, but the fact is that minimum mandatory sentences are simply unnecessary to address the universally recognized problem of gun crime in Wisconsin.

Minimum mandatory sentences are unnecessary because circuit judges can and do already consider the possession or use of a gun as well as the offender's criminal history. Those facts inform their sentencing decisions. This is because a judge can consider any facts relevant to sentencing, including charges not resulting in convictions, or even facts not resulting in charges. As a result, violent gun offenders can and do already go to prison for terms exceeding the minimums set out in AB 220.

Much of the testimony on Tuesday concerned tragic child shooting deaths and the need for certainty in sentencing in those cases. However, it is hard to conceive of a set of facts where a child gun homicide offender would *not* be sentenced to a prison term far in excess of the highest mandatory minimum proposed in AB 220. So these proposed minimums will have but slight, if any, effect in any case in which a child dies. They will only make a difference in cases where there are circumstances that call into question whether a prison term is appropriate. As such, the minimums are unnecessary.

There are other good reasons why Wisconsin and other states have moved away from minimum mandatory sentences in the 21st Century.

The legitimacy of our adversary system of criminal justice largely depends on both sides advancing arguments supporting their position to a neutral judicial officer, who

referees the fight, ensures fairness and then makes the ultimate decision. AB 220 would give to one side the opportunity to restrict judicial sentencing discretion at the point of charging, before a judge is even involved. The idea of a prosecutor unilaterally restricting a judge's sentencing discretion makes no more sense than the idea of allowing the defense to restrict the maximum sentence without input from the other side.

The circuit judge is directly accountable to the electorate, either elected to the bench or, if appointed, will face the electorate at the polls. The sentencing decisions can not be delegated by the judge to someone else. In contrast, while the district attorney is also an elected position, often the actual day-to-day charging decisions are delegated to deputy or assistant district attorneys, who do not stand for election. This is a matter of necessity in all but the smallest counties, due to the volume of caseload and prosecutorial staffing and administrative requirements.

We depend on the wisdom of judges, who themselves are often former prosecutors, and even require them to meet minimum experience requirements—one must have 5 years experience as a licensed attorney before becoming a circuit judge. In contrast, an assistant district attorney need only be admitted to practice in Wisconsin before being hired and allowed to make charging decisions. ¹

Circuit judges' sentencing discretion is only very rarely second-guessed by the appellate courts, but there is at least some mechanism for appellate review. The district attorney's discretion in charging, on the other hand, is all but beyond review by trial level or appellate courts. This lack of check-and-balance at any level is the case whether the charging prosecutor is an experienced elected official or a 25-year old unelected newbie, eager to make an impression in his/her first job.

Mandatory minimum sentences can also result in unintended consequences. Charging decisions must very often be made quickly, because a person is arrested and has to be taken to Court within a relatively short time. By later stages of the case, more facts are known about the seriousness of the offense, the character of the offender and the level of need to protect the public. In cases when the prosecution and defense come to agree based on information learned after the charging decision was made that the specific facts of a given case should not result in a prison sentence, 2 alternatives exist. The first alternative is to plea bargain the firearm charge away. In such cases, the offender's record going forward would not show a conviction for the firearms charge at all.

The second alternative is to not plead guilty at all, and take the case to trial, resulting in further expense and inconvenience to the courts, the prosecution and defense, as well as police overtime and most concerning of all, the victims who would have to testify.

¹ On this point, I speak from experience—my first job fresh out of law school in January 1979 was as an assistant district attorney in Green County. I was 25. In fact, my boss had been appointed to be the district attorney right out of law school as well, the previous year, at about the same age. While I did my best, does it make sense to transfer such a large degree of sentencing discretion from an experienced office-holder directly accountable to the electorate, to a prosecutor of no set minimum experience, who may or may not have any direct electoral accountability?

Thus, the minimum mandatory sentences proposed in AB 220 contribute to a false comfort at significant societal expense. The cases where society needs the protection of a prison sentence already result in sentences exceeding the mandatory minimums proposed in AB 220—the ones who need to go to prison for a long time will go in any case. This bill will most directly fall on people who, upon full consideration of the relevant facts, do not need to go to prison. Unnecessarily harsh minimum sentences will contribute nothing to public safety while needlessly disrupting families in situations in which an individually-tailored sentence might not have.

The expenses to society are significant in cases where a prison sentence may not be necessary. In addition to the broken homes and expanded need for public aid by families who lose their breadwinner, the taxpayers are left to pay for these unnecessary sentences. A sentence to an adult prison costs the taxpayers in excess of \$33,000 per year; sentences to juvenile correctional facilities exceed \$108,000 per year. While people convicted of this charge certainly merit such an expensive, harsh penalty in cases where public safety is at risk, there are also those who do not do not put the public at any discernible risk and so do not merit the expense. In those cases the circuit judge should have discretion to fashion a sentence that is appropriately firm and fair, whether it be jail, probation, a combination of the two, or even a prison sentence shorter than the proposed mandatory minimums of AB 220.

For these reasons, minimum mandatory sentences are not only unnecessary, but often a counterproductive restriction of a circuit judge's duty to do justice in the case then before the Court. SB 220 should not be enacted as written.

At the least, the bill should be amended to provide for a presumptive minimum sentence, which a circuit judge could go under if he/she made specific findings on the record about why the sentence is consistent with the public good. This safety valve would not restrict the prosecution at all from pursuing lengthy sentences and will inform the judges, prosecutors and electorate of the gravity with which the Legislature regards this offense. While not unnecessarily tying the judges' hands, requiring the judge to give reasons why a given case should not be subject to the presumptive minimums will make the judge think twice about going under the presumptive penalty. That will more than adequately protect the public's varied interests.

I thank you all again for the opportunity to make my concerns known. Please feel free to contact me at the email address or telephone below if you have questions.

Respectfully Submitted,
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CC: Members of the Assembly Committee on Corrections