



JERRY PETROWSKI

WISCONSIN STATE SENATOR

Senate Bill 580/ Assembly Bill 727 – Firearm Prohibition for Individuals-at-Risk

February 20, 2014

Mr. Chairman, members, thank you for the opportunity to testify before you today on SB 580.

I believe this bill is essential to further protect Wisconsinites vulnerable to abuse. Under current law a person must surrender their firearms if a restraining order is placed against them. Once the injunction is expired or vacated, the court may order the return of the firearms, as long as they are not prohibited from possessing them.

Currently, it is unlawful for an individual who has been subject to an involuntary mental health commitment to possess and purchase firearms through a federally licensed dealer.

SB 580 would require a court to request information from the Department of Justice to establish an individual's eligibility to possess a firearm before the firearms are returned. This information from DOJ establishes whether the individual has been subject to an involuntary mental health commitment so that the court may make a fully informed decision in restoring an individual's right to possess a firearm. This bill goes a long way to ensure victims of abuse are not subject to gun violence by their abusers and it does not infringe on a person's right to possess a firearm.

Additionally, SB 580 allows law enforcement to access this information from the courts. The Department of Justice already gathers this information, and the sharing of this information will help law enforcement uphold current law. This bill will help law enforcement agencies in both hiring and evaluating law enforcement officer's fitness by determining whether candidates may legally possess a firearm.

Again, this bill does not affect current law with regard to who qualifies to legally possess a firearm. Rather, it builds on current law and available information to help the courts protect abuse victims and to help law enforcement agencies hire eligible candidates.

29TH SENATE DISTRICT

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There have been two amendments to this bill. Amendment 1 ensures that the bill does not contradict current law protecting access to juvenile court records. The amendment deletes two sections that of the bill that would dramatically undermine a consensus reached in 2011 Act 270, authored by Senator Darling and Representative Vos, relating to the disclosure of electronic juvenile court records. Act 270 provides necessary access to children/juvenile records while protecting confidentiality. Without the amendment, law enforcement would have unfettered access to juvenile records, undermining Act 270.

Amendment 2 ensures that the information can be shared both ways between the courts, law enforcement and DOJ.

Once again, thank you for your time and I hope you will join me in supporting AB727. I am happy to answer any questions you may have.

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