WISCONSIN STATE ASSEMBLY

28TH ASSEMBLY DISTRICT

ANN HRAYCHUCK

STATE REPRESENTATIVE

December 10, 2009

Testimony of Rep. Ann Hraychuck Before the Assembly Committee on Criminal Justice Regarding Assembly Bills AB 473 and 474

Good morning, Chairman Turner and committee members.

The recent execution of four uniformed police officers in Washington State is but one example of what could happen and what did happen when an unstable individual seeks retribution against police officers.

Law enforcement officers by very nature of their job have enemies that mean to harm them. On a personal note, I know of an individual that was convicted of felony child abuse on a case that I investigated and he said he was going to kill to me when he gets out of prison. Well, he is now out of prison and I can no longer legally carry a concealed firearm to protect myself from him.

Assembly Bill 474 that is before you today would codify the federal law H.R. 218 – also known as the Law Enforcement Officers Safety Act of 2004 - into Wisconsin State Statutes. This would allow retired law enforcement officers to carry a concealed firearm for their own protection as well as for the protection of the general public.

Also before you is Assembly Bill 473, which establishes a funding mechanism for this new law. This bill creates an appropriation account that the Department of Justice can deposit any fees charged to those retired law enforcement officials seeking certification to carry a concealed weapon.

Public safety is really at the heart of AB 473 and 474 and that is why the Law Enforcement Officers Safety Act of 2004 was passed at the federal level five years ago. Law enforcement officers have received the necessary training to appropriately use firearms in the performance of their jobs. It is a crying shame that we are not utilizing the skills of the many retired law enforcement officers in our communities and across the state to help keep our families safe.

When I was first elected to the State Assembly I introduced myself to one of the Capitol Police officers and thanked him for his public service. He said, "I know you are a retired sheriff. We always know who the former cops are so we know who we can count on if we need help." I cannot think of a better testament to the value of AB 474.

Thank you to Rep. Friske who brought these bills before you last session and they passed out of this committee. I appreciate your consideration of these important pieces of legislation for public safety. The life that could be saved by a retired officer could be yours!

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Remarks for Assembly Committee on Criminal Justice
Regarding AB 473& AB 474 – HR 218
By Representative Donald Friske
December 10, 2009

Thank you Chairman Turner and Committee members. I appreciate your hearing this legislation for your consideration.

In 2004, Congress passed House Resolution 218 providing an exemption for qualified law enforcement officers from any State prohibition of carrying concealed weapons.

In late 2004, then-Attorney General Peg Lautenschlager issued a memo declaring statewide training & qualification standards necessary for implementation of HR 218 in Wisconsin. Early the next year, legislative council issued an opinion contradicting AG Lautenschlager.

A chilling effect, however, was created by a letter to local law enforcement agencies stating each agency could be assuming liability for any harm that could result from a qualified retiree misusing their ID card or concealed weapon. While a select few local law enforcement agencies, including the Lincoln County Sheriffs Department, have begun issuing already, most are waiting for this legislation to confirm the elimination of liability to their agencies through specific statutory language.

In an effort to iron out the discrepancy from the two opposing legal memos and eliminate potential liability, Attorney General Van Hollen, Rep. Hraychuck and I crafted AB 473 and AB 474.

AB 473 creates a chapter 20 mechanism for fees paid by retired-Wisconsin-DOJ-officers and retired-federal-officers to be used by DOJ to cover the costs of qualification tests and the IDs. A statutory funding mechanism is not necessary for local agencies to collect fees from their retirees.

AB 474 codifies federal law HR 218 into Wisconsin statutes and provides immunity-from-liability to State and local agencies issuing IDs to qualified retirees as authorized by the federal government.

A qualified retiree under HR 218 meets the following conditions:

- The officer retired in good standing for reasons *other than* mental instability;
- The retired officer served an aggregate of 15 years (this is tied to federal code requirement, if the code changes, Wisconsin's rule would do so automatically);
- The officer has a non-forfeitable retirement benefit from the agency retired from;
- Federal law does not prohibit the retiree from possessing a firearm (i.e. felon or domestic abuse prohibition)

A qualified retiree will only be allowed to carry a firearm they qualified with the issuing law enforcement agency. Further, a qualified retiree will not be allowed to carry concealed if:

- He/she is not carrying his/her certification card; or
- The firearm is prohibited; or
- A firearm silencer is attached to the firearm; or
- He/she is under the influence (defined in SS 939022 (42) of an intoxicant; or
- He/she is prohibited under federal law from possessing a firearm.

Thank you for your consideration of this legislation. I am happy to take any questions you may have.

STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

J.B. VAN HOLLEN
ATTORNEY GENERAL

Raymond P. Taffora
Deputy Attorney General

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Prepared Remarks of Wisconsin Attorney General J.B. Van Hollen In Support of Legislation Enhancing Retired Law Enforcement Officers' Ability to Carry Firearms

Assembly Criminal Justice Committee
Thursday, December 10, 2009

Chairman Turner, members of the Committee on Criminal Justice, thank you for the opportunity to testify today on Assembly Bill 473 and Assembly Bill 474.

This bill has a number of sponsors in the Assembly and the Senate, which is gratifying to see. I particularly want to thank Representatives Hraychuck and Friske for their work on the legislation.

I have had the opportunity to co-host law enforcement roundtables for each of Wisconsin's 72 counties. Many of you have actively participated in those roundtables. One of the issues that was raised repeatedly was the wisdom of allowing retired law enforcement officers to carry weapons and the fact that many local police agencies have not implemented what is commonly referred to as HR 218, or the Federal Law Enforcement Officers Safety Act of 2004.

This federal law establishes guidelines by which an experienced retired law enforcement officer, who maintains proper training, can obtain certification allowing them to carry concealed firearms of the type the officer used while active. HR 218 permits local agencies to apply their local standards to issue the certifications to retired officers; however, the federal law does not command that all local agencies comply. So while the federal law creates clear standards for issuing a certificate and permits their issuance, the federal law must be executed at the state or local level.

What AB 474 would do, in large degree, is codify the federal law in state law and provide clear direction as to how these certificates can be issued.

Early in my tenure as Attorney General, there was a debate about whether state and local law enforcement agencies may issue certifications. I believe that the meaning of HR 218 is clear—law enforcement *can* issue certifications without state implementing legislation. Many local law enforcement agencies like the Dane County Sherriff's Office, City of Madison Police Department, City of Racine Police Department and City of Middleton Police Department have issued certifications to their retirees. In June 2008, my agency, the Department of Justice, became the

first state law enforcement agency to issue certifications, and we've lawfully issued 18 certifications to retired special agents to date.

I want to repeat that – agencies *can* and *have* issued certification cards – and they have done so legally.

So why is this legislation before you today?

I believe legislation is needed to give a greater effect to HR 218 in Wisconsin in three ways. First, by codifying the language set forth in HR 218 in our statutes, any ambiguity as to the authority to issue certifications is removed. If enacted, those who currently believe – and I believe they do so wrongly – that HR 218 does not authorize them to issue certifications will need to look no further than the state statutes for direction. Those who need a roadmap for how to issue certificates will have one, in state law.

Second, the bill provides immunity to issuing agencies to take away any liability concerns that may currently exist. Some agencies, likely under the advice of risk averse corporation counsels or risk management officials, have declined to implement HR 218 because they fear liability could flow from the issuance of a certificate pursuant to federal law. By limiting liability, this excuse is removed. Those who properly apply the law will not have to worry about lawsuits.

Finally, the bill provides a mechanism to ensure that federal officers who served in the state have the ability to have credentials issued.

In sum, if this legislation is passed, I expect much greater implementation of HR 218 leading to a safer Wisconsin.

Members, I wholeheartedly support these two bills and I urge you all to do so as well.

Testimony and Statement for the Members of the Assembly Committee on Criminal Justice.

Public Hearing on December 10, 2009 covering AB 473 and 474
(Concealed Carry for Off Duty and Retired Law Enforcement Officers)

Good Morning Chairman Turner and Members of the Committee:

My name is Mike Clemens; I have been a law enforcement officer for 25 years, serving at both the local and federal levels. I am a federal agent who lives and works in Wisconsin. I am also a federal firearms and use-of-force instructor.

I am here today to testify on behalf of the Federal Law Enforcement Officers Association (FLEOA). We are a non-partisan, fraternal organization that represents hundreds of active and retired federal officers and agents from all agencies who live and work, or have retired in Wisconsin. Nationally, FLEOA represents over 26,000 agents and officers.

On July 22, 2004, President George W. Bush signed H.R. 218, the "Law Enforcement Officers' Safety Act," into law. The Act, now Public Law 108-277, went into effect immediately.

Active and retired federal agents and I have been waiting over five years for action on legislation here in Wisconsin which would put us in compliance with the federal HR 218 law. We thank you for taking up this important matter today. We are one of the few states which has yet to implement the processes necessary for off-duty and retired Wisconsin law enforcement officers and agents to carry a concealed firearm.

These retired police officers, deputies, troopers, wardens, and agents are a responsible and forgotten resource that could be empowered to act in the event of a serious crime or "active shooter" event. These are people who have served many years in a dedicated and professional manner making Wisconsin a better and safer place to live.

You may recall that on February 13, 2007 in Salt Lake City, an off-duty police officer having an early Valentine's Day dinner with his wife was credited with helping stop a shooting rampage in a crowded shopping mall. Ken Hammond, an off-duty officer from Ogden, jumped up from his seat at a restaurant after hearing gunfire and cornered the gunman, exchanging fire with him until other officers arrived. The 18-year-old gunman killed five people

before he was stopped. Without the immediate response and quick thinking of this off-duty officer, that tragedy could have been so much more deadly.

*On March 7th, 2005 an off-duty Milwaukee Police officer shot and killed a 25-year-old man after the man tried to run over the officer with a car. The incident happened at about 12:20 a.m. on the city's south side after the 34-year-old officer noticed that a car was tailing him on his way home from work.

*On January 16th, 2007 an off-duty Milwaukee Police officer was shot point-blank in the chest during a carjacking on the city's northwest side. The officer, who was on his way home from work, was shot once by a 17-year-old suspect with a semiautomatic handgun. The officer was 36 years-old and a five-year veteran.

At 1:20 a.m. the officer, who had finished his shift at midnight, stopped on the way home at a gas station. He was wearing a civilian coat over his uniform and his gun. Two 17-year-olds rushed up to him and pointed guns to his chest and neck. The officer offered his vehicle to the gunmen, but they ordered him inside and told him to drive. One sat behind him and one was in the passenger seat. The gunmen didn't know their victim was a police officer.

The officer drove as ordered to an alley. A minivan, which police believed was stolen by the gunmen the previous day, followed with an 18-year-old man at the wheel.

In the alley, the two 17-year-olds and the officer got out and one of the gunmen told the other to "search him." The officer then began struggling with the gunman.

During the struggle, the officer was shot in the chest, and then pulled out his police weapon and fired several times, hitting one gunman in the hand and the other in the shoulder. The two shooters ran from the scene. The officer then called for back-up.

The three suspects were either on probation or had warrants for their arrest.

The shooting is reminiscent of the killing of state drug agent Jay Balchunas on October 29th, 2004. Balchunas was also at a gas station late at night when he was held up. When the gunmen searched Balchunas and found out he was an officer, they shot and killed him.

***Lastly, On November 8th, 2008, at about 4:30 a.m., Milwaukee Police Officer Ted Puente, 39, a 15-year veteran, saw a man trying to break into a car in his driveway. Officer Puente called for backup and got his badge, pepper spray and gun and followed the man down the road. Officer Puente identified himself as a police officer and tried to arrest the man, who then resisted and Puente used his pepper spray. A witness heard the officer repeatedly tell the suspect to drop a weapon, but the man didn't comply, and stabbed Puente in the shoulder with a screwdriver. Officer Puente, left with no other option, then shot the man who stabbed him.**

As both active and retired law enforcement officers, we are trained, ready, and willing to meet any serious criminal act or other incident that threatens our well-being or that of the general public. Most retired officers have 25-30 years of specialized training and street experience that would greatly benefit the citizens of Wisconsin. These off-duty and retired law enforcement officers would only act in the most dire of circumstances, such as when an active shooter opens fire or a felony crime is "in progress".

We ask that you facilitate our compliance with HR 218. The costs to implement this legislation would essentially be paid for by the retired officers who would apply and qualify; these expenses would not fall on the state government. We believe this legislation is reasonable and necessary. Please support the hundreds of federal law enforcement officers and FLEOA members who live and work in Wisconsin by voting for the passage of AB 473 and AB 474.

Thank you for giving me the opportunity to testify before you here today.

I would welcome any questions or you can contact me through the information listed on my statement which should be part of your Committee file for today's hearings.

Thank you.

Special Agent Mike Clemens
President
Federal Law Enforcement Officers Association (FLEOA)
Wisconsin Chapter 57
U.S. Courthouse #400
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(414) 297-3002

Wisconsin Troopers' Association

Casey Perry – Executive Director Glen Jones – President
2099 Ironwood Drive, Green Bay, Wisconsin 54304-1972
Phone: (Toll Free: 1-800-232-1392) Fax: (Toll Free: 1-800-232-1392)
http://www.wi-troopers.org/

TO: Representative Bob Turner, Chair
Members, Assembly Committee on Criminal Justice

FR: C. F. "Bud" York, Wisconsin State Patrol Trooper (Retired);
Safety Education Instructor, Madison College; Retiree Representative,
Wisconsin Troopers' Association Board of Directors

DA: December 10, 2009

RE: Statement regarding 2009 Assembly Bill 474 (LE & RLE right to carry a concealed weapon)

Thank you for the opportunity to offer a statement regarding AB 474 and thank you to the legislative authors for their work.

My name is Clarence F. "Bud" York and I reside at 2834 Northridge Drive in Portage, WI. I'll quickly summarize for you who I am: I graduated from Portage High School and then served 4 years in the United States Navy (1959 – 1963). I spent the next 3 years as a police officer with the Middleton, Wi. Police Department (1963 – 1966). After graduating from the Wisconsin State Patrol Academy, I served as a Wisconsin State Patrol Trooper for 27 years and 10 months until my retirement in 1993.

While on the Patrol I obtained an Associate Degree in Police Science from Madison Area Technical College in 1976. Since 1994 I have been employed as a part time Safety Education instructor at Madison College teaching Group Dynamics (convicted intoxicated drivers) and Traffic Safety School (people needing point reduction or first time traffic violators in the 16 & 17 year age bracket) courses. For the last 10 years I have been elected to the Wisconsin Troopers' Association Board of Directors as the Retiree Representative.

I write to represent the position of the Wisconsin Troopers' Association on AB 474 and our position is that we support AB 474 with some concerns.

Our first concern is at line 13 on p. 6 of the proposed legislation. Sub. (2)

(a) is worded as follows: **"Upon the request of a retired officer, a law enforcement agency that employed the retired officer may, prior to his or her retirement, except as provided in par. (b), issue the retired officer a certification card as described in sub. (4) stating all of the following:" . . . . . .**

The word **MAY** is of concern in that it is permissive and not mandatory. This leaves the implementation of this proposed legislation up to the discretion of the law enforcement agency head and that could bar a significant number of retirees, as is currently happening, from the opportunity to carry a concealed weapon (CCW) if they so choose. If MAY is going to remain in the proposed language, then we would suggest that a provision be written into the statute that would allow for a retiree to make application to CCW with either the Wisconsin DOJ or the nearest sheriff's department or police department that is conducting the necessary training thus bypassing any police agency that refuses to become involved in training and certifying their retirees.

Referring to Sub. (2) (a) again, does this language provide for a police officer retiree to retire without applying for CCW credentials and then at some time later decide that he/she would like to have that ability to CCW? The concern is over the words **prior to his or her retirement**.

The "Law Enforcement Officers Safety Act of 2004", commonly referred to as H.R. 218, was created to provide for the safety of active and retired law enforcement officers. This law provides that qualified retired officers who meet the state's standards for training and qualification for active duty law enforcement officers to carry a firearms would be certified to "carry a concealed weapon" (CCW) for their personal protection. I believe this law was intended to give both active and retired law enforcement officers a measure of protection and was not intended to be applied in a piecemeal fashion with some retired officers being allowed the CCW benefit of H.R. 218 while others are not. As an example, had I remained with and retired from the Middleton Police Department, I would have been able to apply for and been issued CCW credentials by that department. But, since I left that department after 3 years to join the Wisconsin State Patrol (WSP), I am denied the CCW benefit of H.R. 218 because of the position currently held by the WSP Management on this issue.

09 December 2009

Rep. Bob Turner, Chair
Assembly Committee on Criminal Justice
Wisconsin State Assembly

Re: 2009 Assembly Bill 474 (LE & RLE right to carry a concealed weapon)

Dear Members of the Committee:

Thank you for this opportunity to submit my testimony to your committee on AB 474.

My name is Clarence F. "Bud" York and I reside at 2834 Northridge Drive in Portage, Wi. I'll quickly summarize for you who I am: I graduated from Portage High School and then served 4 years in the United States Navy (1959 – 1963). I spent the next 3 years as a police officer with the Middleton, Wi. Police Department (1963 – 1966). After graduating from the Wisconsin State Patrol Academy, I served as a Wisconsin State Patrol Trooper for 27 years and 10 months until my retirement in 1993.

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Our first concern is at line 13 on p. 6 of the proposed legislation. Sub. (2) is worded as follows: **"Upon the request of a retired officer, a law enforcement agency that employed the retired officer may, prior to his or her retirement, except as provided in par. (b), issue the retired officer a certification card as described in sub. (4) stating all of the following:..."**

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This leaves the implementation of this proposed legislation up to the discretion of the law enforcement agency head and that could bar a significant number of retirees, as is currently happening, from the opportunity to carry a concealed weapon (CCW) if they so choose. If MAY is going to remain in the proposed language, then we would suggest that a provision be written into the statute that would allow for a retiree to make application to CCW with either the Wisconsin DOJ or the nearest sheriff's department or police department that is conducting the necessary training thus bypassing any police agency that refuses to become involved in training and certifying their retirees.

Referring to Sub. (2) (a) again, does this language provide for a police officer retiree to retire without applying for CCW credentials and then at some time later decide that he/she would like to have that ability to CCW? The concern is over the words **prior to his or her retirement**.

The "Law Enforcement Officers Safety Act of 2004", commonly referred to as H.R. 218, was created to provide for the safety of active and retired law enforcement officers. This law provides that qualified retired officers who meet the state's standards for training and qualification for active duty law enforcement officers to carry a firearms would be certified to "carry a concealed weapon" (CCW) for their personal protection. I believe this law was intended to give both active and retired law enforcement officers a measure of protection and was not intended to be applied in a piecemeal fashion with some retired officers being allowed the CCW benefit of H.R. 218 while others are not. As an example, had I remained with and retired from the Middleton Police Department, I would have been able to apply for and been issued CCW credentials by that department. But, since I left that department after 3 years to join the Wisconsin State Patrol (WSP), I am denied the CCW benefit of H.R. 218 because of the position currently held by the WSP on this issue.

Currently in Wisconsin, a 10 year old child accompanied by an adult mentor, can be in the field hunting while armed with a shotgun or high powered rifle while I and many other police officer retirees with a great amount of training and the necessary qualifications are being denied the benefit of H.R. 218.

A retired Columbia County District Attorney made the following comment to me recently: "I don't own a handgun, but I want as many armed retired police officers on the street to give the bad guys a reason to be worried." While I am not about causing anyone worry, I am concerned about protecting myself.

During my career with the WSP, I had threats to my safety directed at me. In one instance a WSP Trooper was assigned to sit near my house for the entire evening because of a threat made against me at a tavern in a neighboring county. This threat was made by a group of motorcyclists and was the result of my enforcement activities against such groups. As a result of that threat, I carried a second firearm under my uniform concealed in a shoulder holster for several years. This is just one of the threats that has been directed at me.

The recent execution of four uniformed police officers in Washington State is but one example of what could happen and what did happen when an obviously unstable individual seeks to extract retribution.

It is my understanding that the following sheriff's and police departments are currently certifying their retired law enforcement officers and issuing CCW credentials: Sheriff Departments in Dane, Racine, Waukesha, Walworth and Ozaukee Counties. Also issuing CCW credentials are the following Police Departments: Madison P.D., Middleton P.D., La Crosse P.D. and Racine P.D. The news media has also reported on the fact that CCW credentials have been issued to qualified retired special agents of the Wisconsin Department of Justice.

The Wisconsin Troopers' Association urges the passage of AB 474 with consideration for our concerns.

Thank you for allowing me this opportunity to communicate our position to your committee members.

C. F. "Bud" York
Wisconsin State Patrol Trooper (Retired)
Safety Education Instructor, Madison College
Retiree Representative, Wisconsin Troopers' Association Board of Directors
608-742-2930

December 7, 2009

Wisconsin Assembly
Criminal Justice Committee

Members of the Committee,

My name is John Helgeson. I am a retired federal law enforcement officer. I have also served in state and local law enforcement agencies in the State of Wisconsin and in the U.S. Air Force Reserve and U.S. Army Reserve as a law enforcement officer. I am one of the many persons covered by the provisions of H.R. Bill 218, which would permit me to carry a concealed firearm by a retired law enforcement officer after meeting certain qualifications. One of those qualifications is having the state in which a retired officer resides pass enabling legislation such as Assembly Bill 473 and Assembly Bill 474. I am also certified by the National Rifle Association as a Range Safety Officer and as a Basic Pistol Instructor.

I was a supporter of the passage of H.R. 218 and I support your passage of Assembly Bills 473 and 474. This legislation would allow those retirees who choose to participate to protect themselves and more importantly, to provide an increased level of protection for the communities in which they live and work.

Thank you for your consideration of this legislation.

Sincerely,

John D. Helgeson
634 10th Street North
Hudson, WI 54016

CC: Rep. Kitty Rhoades
Sen. Sheila Harsdorf

I am writing to urge you to support and take action on Assembly Bills 473 and 474. I am a retired Bureau of Alcohol, Tobacco and Firearms (ATF) Special Agent who for the past 5 plus years have been denied the right to carry a concealed firearm because the State of Wisconsin has failed to take legislative action to comply with the Law Enforcement Officers Safety Act of 2004 (H.R. 218).

The Law Enforcement Officers Safety Act of 2004 (HR-218) was signed into law on July 22, 2004. As early as November 17, 2004, then Attorney General of Wisconsin Peggy Lautenschlager sent a memorandum to Governor Doyle and the Majority and Minority Leaders of the State Senate and Assembly. Attorney General Lauetenschlager concluded that legislative action was needed to authorize the state to establish standard firearms qualification for which retired law enforcement officers could comply. On February 25, 2005 the Attorney General again sent a letter to the Governor and State Legislators urging them to take action on HR-218. On February 20, 2006 Attorney General Lautenschlager sent a third letter to the Governor and Legislators indicating that she had not received any response to her HR-218 correspondence and was not aware of any legislative proposals to solve the issues at that time.

It is also apparent that our present Attorney General J. B Van Hollen has done as much as he can to implement The Law Enforcement Officers Safety Act of 2004 (HR-218). In an attempt to compensate for the lack of action by the State Legislature, the Wisconsin Attorney General has certified retired law enforcement officers from his own Department of Justice. In addition, he has published a further clarification of HR-218 assuring Sheriffs and Chiefs of Police that they have the authority to issue concealed carry permits to retired members of their agencies.

The retired Federal Agents, Officers and Deputies eligible under HR-218 have devoted entire careers to public service, protecting the safety and security of Wisconsin residents. I, myself have grown up on a Wisconsin farm with strong pride and loyalties for Wisconsin. I have graduated from the University of Wisconsin-Platteville with a Criminal Justice degree, and began my law enforcement career as a City of Burlington Police Officer. I have spent a total of 29 years as a law enforcement professional. The vast portion of that career (27 years) has been served as a Special Agent with the Bureau of Alcohol, Tobacco and Firearms (ATF) and the U.S. Secret Service. I have been assigned to U.S. Secret Service protective details for Presidents Reagan, Ford, Carter and George Bush Sr. While assigned to the Milwaukee ATF Office, I spent 7 years as the ATF representative to an Organized Crime Drug Enforcement Task Force (OCDETF), with nationwide jurisdiction, targeting organized crime and major drug traffickers. Immediately after September 11th, I volunteered for a 6 month special assignment to FAA (now TSA) where I flew as an Air Marshall giving the FAA time to get new Marshall's trained and in the air. I would like to remind our State Legislators that hundreds of other Agents, Deputies and Officers possess similar experience, knowledge, and proven trust and integrity. This trust and integrity is of the utmost importance to professional law enforcement officers. The fact that the Wisconsin Legislature has not implemented HR-218 in over 5 years is a huge insult to all retired law enforcement officers.

In closing I would like to point out the huge hypocrisy that exits in this state regarding law enforcement professionals carrying concealed firearms. As a state that enjoys a high degree of tourism, I can assure you that every day there are countless retired armed law enforcement officers in this state. Unfortunately, these officers are from other states. States that trust, appreciate and respect the career service of their law enforcement professionals.

Bradford Hays Retired Special Agent ATF
11964 W. Sarah Ct.
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(414) 541-4406

STATEMENT IN CONNECTION WITH AB 473 AND AB 474

Waukesha County, WI
December 3, 2009

John P. Isely, Jr. states as follows:

1. I am a retired federal law enforcement officer and a resident of the State of Wisconsin.

2. In the three years since I retired, I have had one occasion upon which I would definitely have carried a concealed weapon if legally authorized to do so. I strongly support AB 473 and AB 474 for two main reasons.

3. First, PL 108-277 (HR 218) was signed into federal law on July 22, 2004 and I think it is embarrassing that Wisconsin has yet to implement, over five years later, the provision regarding the simple issue of state qualification cards to retired law enforcement officers.

4. Second, retired law enforcement officers from other states are authorized (by federal law) to carry concealed weapons in Wisconsin while those who are residents of Wisconsin may not. In effect, we are penalized for being Wisconsinites.

5. I understand that there are those who oppose the carrying of concealed weapons by anyone, including retired law enforcement officers, but I think the argument is pretty much moot since retired law enforcement officers already may carry concealed weapons in Wisconsin—as long as they are not residents of Wisconsin. I also understand that some oppose the carrying of concealed weapons by retired law enforcement officers because other citizens do not have an opportunity to obtain concealed carry permits in Wisconsin, but these are separate issues and should not be joined together. Implementing existing federal law regarding retirees has no effect one way or the other on the issue of concealed carry permits.

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