

IMMEDIATE ADOPTION

..Number

231169

..Version

ORIGINAL

..Reference

..Sponsor

ALD. DIMITRIJEVIC

..Title

Resolution amending the City of Milwaukee's legislative package to seek introduction and passage of State of Wisconsin legislation that would prohibit an individual convicted of disorderly conduct as a result of domestic violence from possessing firearms.

..Analysis

This resolution amends the City of Milwaukee's legislative package to seek introduction and passage of State legislation which would prohibit those convicted of disorderly conduct as a result of domestic violence from possessing firearms.

..Body

Whereas, According to End Domestic Violence Wisconsin, deaths as a result of domestic abuse have risen sharply since 2018; and

Whereas, In 2022, 68 people were domestic violence homicide victims in Wisconsin, and an additional 22 domestic violence homicide perpetrators subsequently died by suicide; and

Whereas, The vast majority of domestic abuse homicides in Wisconsin, over 80%, involve a firearm; and

Whereas, Under federal law, a person is prohibited from possessing a firearm if he or she has been convicted of a misdemeanor crime of domestic violence; and

Whereas, Under Wisconsin state law, a person who is prohibited from possessing a firearm under federal or state law also may not purchase a firearm or be issued a license to carry a concealed weapon; and

Whereas, State law requires the Wisconsin Department of Justice (DOJ), before approving a handgun purchase or issuing a license, to conduct a background check to determine if the person is prohibited from possessing a firearm; and

Whereas, To determine if the person is prohibited under federal law, DOJ must review court records of all of the person's criminal convictions to identify if any conviction is for a misdemeanor crime of domestic violence; and

Whereas, DOJ must determine if the relationship between the offender and the victim qualifies as a domestic relationship and if the offender engaged in violent conduct when committing the crime; and

Whereas, Currently, state statutes do not make a distinction between violent and non-violent disorderly conduct; and

Whereas, Currently, Wisconsin's definition of domestic abuse encompasses relationship categories that are not part of the federal definition; and

Whereas, The current wording of the disorderly conduct and domestic violence statutes makes it difficult for DOJ to make a quick determination relating to possession of firearms in domestic abuse cases; and

Whereas, Reorganization and rewording of statutory language relating to the crime of disorderly conduct and the definition of domestic abuse would enable the DOJ to more easily determine if a conviction qualifies as a misdemeanor crime of domestic violence; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that Common Council Resolution File Number 220724 is amended by inserting the following item in the document attached to the file and identified as "Amended State Legislative Package":

| | | |
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| Public Safety and Public Health | Common Council | Seek introduction and passage of State legislation to prohibit an individual convicted of disorderly conduct as a result of domestic violence from possessing firearms. |
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; and, be it

Further Resolved, That the City Clerk shall forward copies of this resolution to members of the City of Milwaukee's delegation to the Wisconsin Legislature.

..Requestor
..Drafter
LRB 179567
Christopher Hillard
11/20/2023