

MINUTES OF MEETING OF JUDICIARY & LAW ENFORCEMENT COMMITTEE
November 26,2003
KCAB 2ND FLOOR AUDITOR'S ROOM

Members Present: Jim Huff, Brenda Carey-Mielke, Anita Faraone, Joe Montemurro

Others Present: Mark Modory, David Beth, Charles Smith

Meeting Called to Order: By Chairman Jim Huff.

Citizen Comments: None

Supervisor Comments: None

Chairman Comments: None

Resolution from the Kenosha County Sheriff's Department:

1) CCW – Senate Bill 214

Motion by: Faraone ***Seconded by:*** Carey-Mielke ***Approved:*** unanimously

In the event legislation is passed allowing people to carry concealed weapons this resolution is for Kenosha County to opt-out of the licensing procedure. Sheriff Beth asserted that this is not a political statement, only a financial and liability concern. To implement the licensing procedure \$32,000 in equipment would be needed as well as an estimated two full-time positions. A projected 1 to 2% (1,500 to 4,500) of the total population will apply. Additionally, people would be able to come here from other counties that have opted-out. There is also a potential liability concern if someone from another county obtained a permit from Kenosha and then committed a crime with the weapon in another county. Chief Deputy Smith added that Kenosha would be responsible to make sure the applicant has a clean criminal history, no mental problems, etc. If something was missed the liability could be great. Currently, the Governor has vetoed legislation to allow concealed weapons, however, this may be over-ridden by the Senate and Assembly. The Sheriff's Department is not saying whether or not people should be able to carry a concealed weapon, only that they do not want to be able to issue permits. Sheriff commented that an evaluation of drug/alcohol abuse and a mental evaluation would minimally be very difficult. Supr. Carey-Mielke asked for confirmation that this bill allows each County the option to opt-out of permit issuance and also imposes mandates that the State has no intention to fund. Sheriff responded yes, \$32,000 plus necessary personnel. Supr. Faraone commented that she does not expect a significant number of people to apply and asked how many states allow concealed weapons. She is unaware of increases in crime/injuries in other states as a result of passing such legislation. Sheriff believes there are 44 states that allow concealed weapons. Faraone reiterated comments made at a previous meeting, that we should take a hard stand on other mandated programs and whether we can opt out of those programs. She would like to see resolutions come before committees that we do not want other programs for financial, manpower, etc. reasons. She inquired as to where the 1 to 2% estimate came from. Sheriff said he believes the percent came from the representative that is trying to get the law passed. Supr. Modory interjected that the opt-out provision is unique to this bill, other mandates have not allowed this. Supr. Faraone said that we should be soliciting our legislators to express concerns of programs and their financial impacts. Supr. Huff added that the legislature did

not put enough thought into this, they did not ask any Sheriff's Associations, Sheriffs, or Chiefs of Police. He believes that because they presented the legislation hastily they allowed the opt-out clause. Supr. Montemurro commented about the impact of most counties opting-out, that Kenosha County cannot afford this, and the liability of initiating an application process that would be fair yet prevent oversights. Chief Deputy added that the 1-2% estimate is based on information from Madison and the legislators promoting the bill trying to convince counties that there would be minimum impact. This number, however, would significantly increase if most other counties opt-out and those applicants would come here. The \$32,000 is an estimate that includes digital identification equipment, software, putting equipment together, and assignment of personnel. Modory commented that a detective that does background checks is retiring in 2004 and is not being replaced. Carey-Mielke asked out of 72 counties how many have opted-out so far. Sheriff said he did not have the exact number, however, some have sent notices that they have already opted out and most of the other counties are in the resolution process currently. He expects 90-95% of the counties to opt-out. Supr. Huff commented that currently carrying a concealed weapon is a misdemeanor, punishable by a \$250 fine, however, carrying a can of mace is a felony punishable by a year and loss of rights such as voting. This gives him the impression that the State is not taking this seriously.

Any Other Business Allowed by Law: None

Meeting Adjourned: On Motion by Faraone, seconded by Carey-Mielke

Respectfully submitted,

Donna L. DeBree