The Serious Business of Concealed Carry

By Corey Graff, Executive Director

WGO Launches Two New Programs for Armed Citizens in Wisconsin

As a political lobbying organization, WGO works to defend and restore your right to keep and bear arms. And if you've been a supporter of WGO for any amount of time, you know there simply isn't a more committed gun rights organization in Wisconsin pushing for Constitutional Carry (no permit carry).

Even so, there will be many Wisconsinites rushing out to get a permit to carry a gun this fall. According to a recent news report, over 270,000 people have been licensed to carry a handgun in Michigan since that state passed its CCW license system nearly a decade ago. I expect the number of Wisconsinites to meet or exceed that number over time.

However, just because you have a permit to carry a gun, doesn't mean you're necessarily prepared to do so. That's because carrying a loaded handgun carries with it inherent liabilities. It isn't just about what's the best handgun, or the most effective ammo, holster or other gear, though those are indeed important considerations.

I'm talking about taking the time and spending some of your money on educational resources to get the training needed to win a gunfight. Ironically, if you were to use a gun in self-defense, there's a good chance you'll find yourself facing an additional threat: The anti-gun District Attorney, who is now out to skewer you alive with a manslaughter or murder charge.

Can You Articulate?

I've spent the last several years studying everything I can get my hands on about the judicious use of self-defense and I am still struck by the fact that Defensive Gun Uses (DGUs) rarely happen as they are depicted by Hollywood.

Even in the best of circumstances (in which you survive the gunfight), the prospect of being railroaded by a prosecutor hell-bent on portraying you as a radical gun nut with a trigger finger — and the dead attacker as a poor victim and nice kid — is very real.

Are you able to articulate to a jury and other triers of fact that you were a reluctant participant? Can you communicate a reasonable and immediate fear of death or bodily harm? Did options other than deadly force exist? Did you try but were unable to retreat? What should you say to the police?

Concealed Carry Program

To help you answer these questions, we've launched the WGO Concealed Carry Program. Simply put, it's a way for you to get your hands on the best educational resources — from authors like Massad Ayoob, books published by Gun Digest and DVDs like the excellent Thunder Ranch series with Clint Smith.

By supporting this win-win program, you give WGO the resources to lobby for your rights and teach more people about the responsible use of defensive handguns. And you get a package of stuff that will help you be prepared — for the thug on the street or the prosecutor in the courtroom. Be on the lookout for more details coming soon.

Don't Buy List

The other initiative we're launching is the Don't Buy List. If the experience of other states is any indication, once Nov. 1 rolls around you'll see businesses posting "No Guns Allowed" signs. Business owners are within their rights to post these offensive displays of ignorance, but it's our right to take our business elsewhere — and let them know about it. In fact, with the economy being what it is, *no business in Wisconsin can afford to lose any customers, let alone to alienate gun owners.* Our Don't Buy List will send a polite but strong message to anti-gun businesses: Serve gun owners or lose our business.

Of course, I welcome your ideas for improving this program. E-mail me at executivedirector@wisconsingunowners.org and I promise I'll respond.

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The Wisconsin Gun owner

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Mission

To restore and defend the right to keep and bear arms through on-target strategy, and to hold accountable all those who surrender that right through compromise.

"If you carry a gun, people will call you paranoid. That's ridiculous. If I have a gun, what in the hell do I have to be paranoid about?"

— Clint Smith, Director, Thunder Ranch

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Concealed Carry Passes!

Madison, Wis. — On Friday, July 8, 2011, Governor Scott Walker signed Act 35 into law, making Wisconsin the newest "Shall Issue" concealed carry state in the country. Passage of the legislation marked an important milestone as Badger State gun owners prepare to remove even more restrictions in the fight for Constitutional Carry.

Even so, when the new law takes effect on November 1, gun owners will face a myriad of considerations about where and how to carry in the state.

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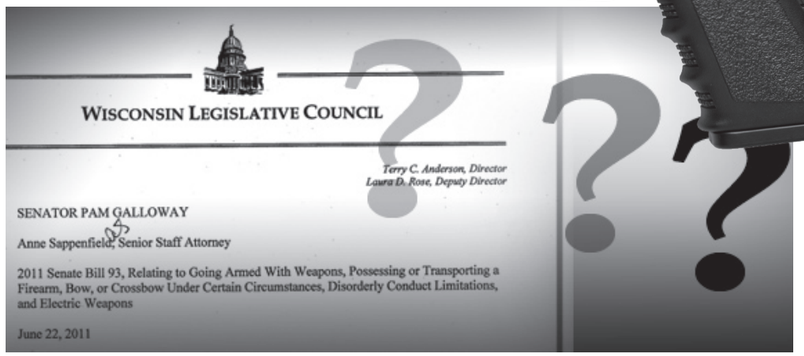
Wisconsin businesses will begin posting anti-gun signs like this in November. But WGO's Don't Buy List will help them reconsider. Read more page 3.

Wisconsin Carry: What Do I Need to Know?



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2011 Senate Bill 93, Relating to Going Armed With Weapons, Possessing or Transporting a Firearm, Bow, or Crossbow Under Certain Circumstances, Disorderly Conduct Limitations, and Electric Weapons

June 22, 2011

The Wisconsin Department of Justice has drafted a Q&A explaining the major provisions of ACT 35, the permit-to-carry bill which recently passed both houses of the Wisconsin legislature. Details page 4

Concealed Carry Passes

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As of press time, the Wisconsin Department of Justice (DOJ) had not finalized the license application process. According to the DOJ's website, "Applications for concealed carry licenses will be accepted beginning November 1, 2011 — the day the law becomes effective. No applications will be available before that date."

Information Black-Out

In the weeks leading up to the vote — including two public hearings on SB 90, SB 93 and AB 126 — WGO members were inundated with correspondence from headquarters via mail and e-mail on details of the carry bill's metamorphosis.

In what some said was a veiled attempt to divide and conquer Constitutional Carry supporters and Shall-Issue Permit-to-Carry activists, state legislators engineered two public hearings occurring simultaneously in different parts of the state.

The Wausau hearing heard Senate Bills 90 and 93 — the Shall Issue and Constitutional Carry bills respectively — while the Madison hearing heard only AB 126, the assembly permit bill.

WGO activists shook off the confusion and mobilized in both locations with a strong show of support for concealed carry in general and Constitutional Carry in particular, which state politicians could not ignore.

Photo by WGO Staff

State Senator Pam Galloway (R-29) listens to testimony from pro-gun rights supporters at a public hearing in Wausau. Galloway vowed to continue the fight for Constitutional Carry in the wake of passage of a licensing bill.

"While we were both disappointed that Constitutional Carry did not have the necessary support in the legislature to pass this year, we know that SB 93 represents one of the most freedom-oriented licensing laws in the entire country and it's a tremendous first step toward our ultimate goal of adopting Constitutional Carry in the Badger State," said State Senator Pam Galloway (R-29), who authored the bills.

CCW Training Requirements

WGO strongly opposed mandatory training, but in the end the legislature capitulated with an open-ended training requirement that was left up to Department of Justice interpretation.

According to DOJ, sufficient training will include completion of Wisconsin's Hunter Education Program or "Documentation of completion of small arms training while serving in the U.S. armed forces as demonstrated by an honorable discharge or general discharge under honorable conditions or a certificate of completion of basic training with a service record of successful completion of small arms training and certification."

However, the DOJ cautioned they are "currently in the rule-making process," and are "evaluating what information will be required on the certificate to substantiate proof of training. We will not have specifics until the rule-making process is complete," they said.

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Concealed Carry FAQ

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2. A statement that the information provided in the application and any document submitted with the application is true and complete to the best of the applicant's knowledge. Wis. Stat. § 175.60(7)(b).
3. A license fee in an amount to be determined by DOJ, but not to exceed $37. Wis. Stat. § 175.60(7)(c).
4. A fee for a background check. Currently, that fee is $13. Wis. Stat. § 175.60(7)(d)
5. Proof of training. Wis. Stat. § 175.60(7)(e).

Are applicants subject to a background check?

Yes. A background check will be conducted to determine whether the applicant is prohibited from possessing a firearm. Wis. Stat. § 175.60(9g).

How much does it cost to apply?

A maximum of $50: up to $37 is to cover the application process and $13 is for a criminal background check fee. Wis. Stat. § 175.60(7)(c) and (d).

How long will it take to get a CCW license after I submit an application?

For completed applications received between November 1 and December 1, 2011, DOJ shall issue or deny as soon as practicable and no longer than 45 days after receiving an application. Wis. Act 35, § 100(2).

After December 1, 2011, DOJ must either issue a license or deny the license application within 21 days of receiving the completed application. Wis. Stat. § 175.60(9)(b).

How long is a license good for?

Five (5) years from the date on which it was issued, unless the license is suspended or revoked. Wis. Stat. § 175.60(15)(a).

C. Training requirement
What kind of training is required to get a license?

In an application for a license, an individual must include proof of having received firearm training. The proof of training requirement may be met by any of the following:

A copy of a document, or an affidavit from an instructor or organization that conducted the course or program, that indicates that the individual completed any of the following (but see note below):

- The hunter education program established by the Department of Natural Resources (DNR) or a substantially similar program that is established by another state, country, or province and that is recognized by DNR.
- A firearms safety or training course that is conducted by a national or state organization that certifies firearms instructors.
- A firearms safety or training course that is available to the public and is offered by a law enforcement agency
- A firearms safety or training course that is taught by an instructor who is certified by a national or state organization that certifies firearms instructors or by an instructor certified by DOJ, and that is available to the public and offered by any of the following: a technical college, a college or university, a private or public institution or organization, or a firearms training school.
- A firearms safety or training course that is offered to law enforcement officers or to owners and employees of licensed private detective and security agencies.
- A firearms safety or training course that is conducted by a firearms instructor who is certified by a national or state organization that certifies firearms instructors or who is certified by DOJ.

Is your WGO Membership current? Renew or join online at wisconsingunowners.org!

Concealed Carry Signed Into Law

By State Senator Pam Galloway

Governor Walker signed Senate Bill 93 (SB 93), the Personal Protection Act, into law as Wisconsin Act 35. After nearly a decade of debate and failed veto overrides, Wisconsin will finally join 48 other states that allow law-abiding citizens to carry concealed weapons for self-defense.

Wisconsin will become the 38th state in the nation that has a "shall issue" law, which requires that carry permits be issued to applicants who meet the standards established by the Legislature.

"Wisconsin will become the 38th state in the nation that has a "shall issue" law, which requires that carry permits be issued to applicants who meet the standards established by the Legislature."

In November of 1998, Wisconsin voters took to the polls and ratified an amendment to the Wisconsin Constitution which states: "The people have the right to keep and bear arms for security, defense, hunting, recreation, or any other lawful purpose." From 1983 to 1997, sixteen similar amendments were introduced to add this provision to our state constitution.

I decided to introduce concealed carry legislation because I believe strongly in our Second Amendment rights that are conferred to us by the United States Constitution. I know that law-abiding Wisconsin citizens are trustworthy and responsible enough to exercise their right to protect themselves and their loved ones from harm. It's more than time for violent criminals in this state to think twice before they assault their next victim.

Prior attempts to pass concealed carry legislation enjoyed bipartisan support, but were vetoed and narrowly fell short of the votes needed to override those vetoes. With each attempt to pass concealed carry legislation, one thing became very clear: concealed carry was not a Republican or a Democrat issue. The issue became about personal safety and the overwhelming, bipartisan support in both houses confirms this. SB 93 passed the Senate on a vote of 25-8 and passed the Assembly on a vote of 68-27.

This new law is a victory for our Constitutional rights that have been denied for far too long in this state. However, the work is far from done.

"I know that law-abiding Wisconsin citizens are trustworthy and responsible enough to exercise their right to protect themselves and their loved ones from harm."

I will continue to fight to expand our Second Amendment freedoms. While advocates of constitutional carry saw the issue moved further than ever before, there is more work to be done to educate elected officials on the merits of this proposal. In the interim, I would like to thank those who worked hard for the passage of personal protection. I am confident that the law-abiding citizens of Wisconsin, with these restored freedoms, will act as responsibly as those of the 48 other states that allow their residents to carry concealed.

State Senator Pam Galloway represents Wisconsin's 29th Senate District, Wausau. She authored SB93, Constitutional Carry legislation, despite immense pressure from within her party. Article reprinted with permission.

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Log onto wisconsingunowners.org and be sure to sign up for free gun rights alerts by e-mail.

Concealed Carry Passes

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School Zone Confusion

Under the new law, CCW licensees will be exempted from the 1,000 foot gun free school zone prohibition. "A person who is a CCW licensee or out-of-state CCW licensee may possess a firearm within 1,000 feet of the grounds of a school, but not in or on school grounds. Wis. Stat. § 948.605(2)(b)1r."

But licensees, unless they be law enforcement officers or others meeting strict exemption rules may not legally step foot on school property while armed.

For those who live within school zones, the situation becomes even more confusing. Private property within a school zone is exempted, but as many dismayed gun owners in this situation have already pointed out, they become criminals when they step onto their sidewalk or happen to go for a stroll.

Licensees to be Registered in DOJ Database

WGO petitions flooded the state legislature, alerting lawmakers that the bill would create a registration list of gun owners who apply for a permit to carry.

According to Act 35, "The department shall maintain a record of all completed application forms and a record of all approval or nonapproval numbers regarding background checks under this subsection.

"(a) The department shall maintain a computerized record listing the names and the information specified in sub. (2m) (b) of all individuals who have been issued a license under this section and all individuals issued a certification card under s. 175.49 (3)."

And according to the DOJ's own Concealed Carry FAQ (http://www.doj.state.wi.us/dles/cib/ConcealedCarry/ccw_frequently_asked_questions.pdf), "Will there be a list of persons who have CCW licenses?

"Yes. The law requires DOJ to maintain a computerized record listing the names of and specified information (including but not limited to dates of birth, sex and the identification number of the CCW license) concerning all individuals who have been issued a license and former federal law enforcement officers (but not former state law enforcement officers) who have been issued certification cards. Wis. Stat. § 175.60(12)(a)."

As some activists have pointed out, all of this underscores the obvious: Wouldn't freedom be more simple?

WISCONSIN CONCEALED CARRY PROGRAM — WISCONSIN GUN OWNERS

WGO's Concealed Carry Program provides members with educational resources — books, DVDs and training opportunities — to be better equipped for armed defense. At the same time, when members donate to the program, they support WGO's pro-gun lobbying campaigns — a win-win.

Concealed Carry Program & Don't Buy List

WGO recently launched its Concealed Carry Program — for people in Wisconsin who want to learn more about gun safety, gear, shooting and tactics. It's also a way to bring new gun owners into the fold as supporters of WGO's lobbying campaigns — our primary line of defense against gun control — as pro-gun activists.

"WGO is uniquely positioned to not only defend gun rights without compromise in Madison, but to also give our members outstanding deals on books, DVDs and other educational resources to help them be better prepared for concealed carry this fall," said Corey Graff, Executive Director of WGO. "We're partnering with the biggest names in the gun industry to provide this service to gun owners."

In addition, the WGO Don't Buy List will launch before concealed carry goes into effect on Nov. 1. This program, modeled after other states' programs where anti-gun businesses are required to post "No Guns Allowed" signs, will provide a way for members to politely notify business owners that their "criminal safe zone" policy is bad for business. In today's tough economy, there are simply too many gun owners in Wisconsin for businesses to take that risk.

Wisconsin's New Carrying Concealed Weapons Law Questions and Answers

Source: Wisconsin Department of Justice www.doj.state.wi.us

Editor's Note: This is an excerpt covering highlights from the DOJ's FAQ on Wisconsin CCW. To read the full document, visit wisconsingunowners.org or www.doj.state.wi.us

EFFECTIVE DATE

When does Wisconsin's carrying concealed law become effective?

Wisconsin Act 35 was signed into law on July 8, 2011, and published on July 22, 2011. However, the provisions regarding CCW licenses do not take effect until November 1, 2011.

Can I legally carry a concealed weapon before that date?

No.

When can I start carrying a concealed weapon?

Once you have received a CCW license. The application process begins November 1, 2011.

DOJ is required to establish, by rule, a list of states that issue CCW licenses or permits that either requires or designates that the holder of the license or permit chose to submit to a background check that is comparable to the check conducted under Wisconsin law. Wis. Stat. § 165.25(12). A person who possesses a CCW license or permit from one of the states designated by DOJ may carry concealed in Wisconsin. Wis. Stat. § 15.60((1)(f) and (2g)(a). Such a person may begin carrying concealed as soon as DOJ lists the state by rule but no earlier than the effective date of the law of November 1, 2011.

Out-of-state CCW licenses issued to Wisconsin residents are not valid in Wisconsin. All Wisconsin residents must obtain a Wisconsin CCW license in order to carry concealed in Wisconsin.

CARRYING CONCEALED WEAPON LICENSE PROCESS AND REQUIREMENTS

A. Eligibility for a CCW license

Who is eligible to apply for a CCW license?

In order to obtain a CCW license, the applicant must:

- Be 21 years of age or older.
- Not be prohibited from possessing a firearm under state or federal law.
- Not have been ordered as a condition of bail or release in a criminal case from possessing a dangerous weapon.
- Be a Wisconsin resident.
- Have provided proof of the firearms training required for a license.

Who cannot get a CCW license?

- A person under 21 years of age. Wis. Stat. § 175.60(3)(a).
- A person who is prohibited from possessing a firearm under state or federal law. Wis. Stat. § 175.60(3)(b) and (c).
- A person who has been ordered as a condition of bail or release in a criminal case from possessing a dangerous weapon. Wis. Stat. § 175.60(3)(d) and (e).
- A person who is not a Wisconsin resident. Wis. Stat. § 175.60(3)(f).
- A person who has not provided proof of the training required for the issuance of a license. Wis. Stat. § 175.60(3)(g).

Application and general requirements

When can I apply for a CCW license?

When the law becomes effective on November 1, 2011.

Where can I apply for a CCW license?

License applications will be available from and are to be submitted to the Wisconsin Department of Justice (DOJ). Wis. Stat. § 175.60(7). DOJ is currently developing license applications and intends to have those applications available on the DOJ Website on or about November 1, 2011. Additional details regarding the process will be provided on the DOJ website in the near future as rules are developed and published.

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Concealed Carry FAQ

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How do I apply for a CCW license?

An individual may apply for a license by submitting, by mail, a completed application form, a statement that the information submitted in or with the application is true and complete to the best of his or her knowledge, a license fee in an amount determined by DOJ but which may not exceed $37, and a $13 fee for a background check. Wis. Stat. § 175.60(7).

Where can I get a copy of the application form?

DOJ shall make the forms available on the Internet and, upon request, by mail. Wis. Stat. § 175.60(5)(b).

Can I send in my application today or anytime before November 1?

No. All applications must be made on the form that is provided by DOJ. This form is still being developed. Moreover, applicants will need to receive training that meets the statutory requirements as specified in rules that are currently being promulgated. Finally, DOJ may not process applications before November 1 because when it performs background checks, it must have access to up-to-date criminal history information.

What is required to apply for a license?

All of the following:

1. A completed application form. Wis. Stat. § 175.60(7)(a).

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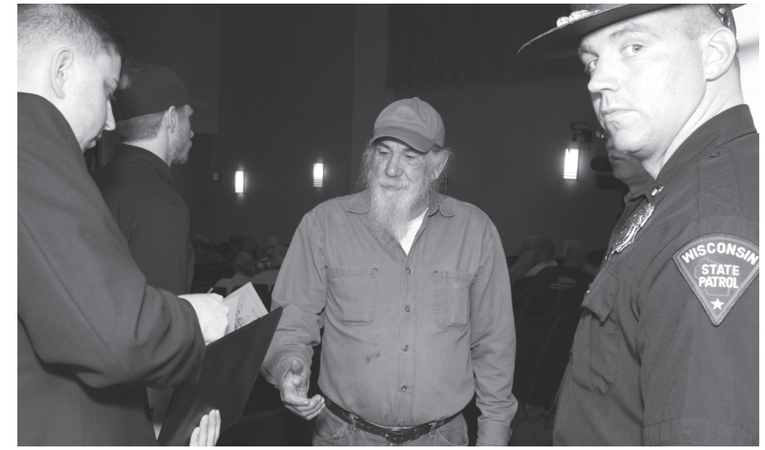

Photo by WGO Staff

As WGO Executive Director Corey Graff (left) hands out flyers, an ominous police presence overshadowed public hearings for concealed carry this summer. Ironically, the police were there "for our protection."

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