



Deliberating about WI Gun Control Legislation

Subject and Grade Level: High School Social Studies
Time: 60 minutes

Guiding Question: Should Wisconsin enact legislation aimed at restricting access to gun purchases and increasing penalties for gun related crimes?

Overview

School shootings and other gun related crimes frequently bring up questions about what, if any, additional gun control measures should be enacted. States have some leeway to enact additional restrictions on gun purchase, possession, and penalties, beyond federal statutes but within the bounds of the 2nd Amendment to the United States Constitution. In 2017 a bipartisan proposal was introduced in the Wisconsin State legislature which aimed to make “straw buying” - the legal purchase of a gun with the intent to transfer to a person who is prohibited from owning it- a felony, and pose mandatory minimums for certain gun related crimes. This lesson asks students to consider whether or not they believe that this proposal would be a good move for the state of Wisconsin. The lesson draws on a recent incident in Hayward, Wisconsin, and data from the city of Milwaukee to demonstrate that this is a statewide issue. Students will use primary source testimony and debate from a committee hearing to better understand the issues at stake and develop an opinion on this issue. The primary aim of this lesson is to facilitate discussion of the controversial issue of gun control using a concrete and authentic example of legislation proposed in Wisconsin.

Objectives

Knowledge

- Students will identify statistics related to gun violence that inform the debate about gun control legislation.

Skills

- Students will articulate their opinions on gun control based on evidence and reasoning.
- Students will deliberate about gun legislation, looking for common ground among differing perspectives.

Dispositions

- Students will recognize the complexity of crafting bipartisan legislation.
- Students will consider understanding the need to find common ground in creating bipartisan policy.

Wisconsin Model Academic Standards

C.12.9 Identify and evaluate the means through which advocates influence public policy

C.12.8 Locate, organize, analyze, and use information from various sources to understand an issue of public concern, take a position, and communicate the position

Wisconsin Disciplinary Literacy Standards

Speaking and Listening Standard 2

- Integrate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, orally) in order to make informed decisions and solve problems, evaluating the credibility and accuracy of each source and noting any discrepancies among the data.

Materials

[WisconsinEye video of Committee Hearing on SB 408](#)

Handout #1: Background and Summary

Handout #2: Reflection and Deliberation

Article: "Two Locals Charged in Firearms Straw Purchase Conspiracy" (Page 7 of this document)

Plan of Instruction/Lesson Procedures

Divide class into groups of 3-4 students.

1. Provide each student with Handout #1, and ask each group to begin by completing the brainstorming activity. Make sure students know that they are not brainstorming about gun control legislation that they support, but rather making a list of any legislative proposals they have heard about. (This could include typical gun control measures like an assault weapons ban, or proposals to arm teachers, provide mental health funding etc.)
2. Provide students with the article "Two Locals Charged in Firearms Straw Purchase Conspiracy." Have each group read the article and discuss additional possible measures that could prevent straw purchasing.
3. Tell students that in Wisconsin there was a bill introduced in 2017 related to gun control legislation. Ask them to look at the data table about Milwaukee homicides, and read about the bill on their own, and then write a brief summary of the bill in their own words. Ask each group to check in and clarify their understanding of the legislation. (The key elements of the legislation are making "straw buying" a felony, and instituting mandatory minimum sentences for gun related crimes in certain situations.)
4. Watch the WisconsinEye video of the hearing on SB 408 in the Senate Committee on the Judiciary and Public Safety (October 19th, 2017, linked above and below). As students watch they should take notes on the specific evidence cited as justification for the legislation, and statements made by members of the committee in favor of or in opposition to specific elements of the bill.
 - a. Option 1: Listen to the [entire hearing](#). Testimony starts at 4:23:20 and lasts for 25 minutes.
 - b. Option 2: Listen to the testimony of [Captain Salazar](#) of the Milwaukee Police Department and the [exchange between Senator Taylor and Rep. Sanfelippo](#), the bill sponsor.
5. After watching, ask each group to review the positions on the bill, adding additional ideas and identifying the most compelling arguments for and against the bill.
6. Using Handout #2, ask students to reflect on their own position on this issue, then record how they would vote and why.
7. Deliberation: Provide each group with 10 minutes to discuss questions 2 and 3. Each group should choose one member to share the results of their deliberation.
8. Students answer question 4 on their own.
9. Provide time for each group to report the results of their deliberation, and facilitate a class discussion as time allows.

Assessment

Students complete the "Deliberation Report" (back side of Handout #2), summarizing the best arguments on both sides of the issue, and stating their own position.

Handout #1: Background and Summary

Brainstorm: There are a large variety of legislative proposals that have been discussed as a response to recent mass shootings. List as many as you can think of below.

Wisconsin Context:

Read the article “Two Locals Charged in Firearms Straw Purchase Conspiracy.” What is straw purchasing? Discuss additional gun control measures that could specifically address the problem of straw purchasing and add them to your list above.

Most gun related deaths are homicides, not mass shootings, and in Wisconsin many of these occur in Milwaukee. Data about gun related crime is sometimes difficult to find, but the data below come from the *Milwaukee Journal Sentinel* Milwaukee Homicide Database.

Year	Total Homicides	Shootings
2017	124	105
2016	154	125
2015	153	125

Summary of Wisconsin Senate Bill 408

Adapted from Analysis by the Legislative Reference Bureau

This bill creates a crime for purchasing a firearm with the intent to transfer it to a person who is prohibited from possessing a firearm, which is also known as “straw purchasing.” The crime under the bill includes furnishing or possessing a firearm for a prohibited person, [which is also known as acting as a “human holster”].

Under current law, a federally licensed firearm dealer may not transfer a handgun to a person until the person has completed a form that the dealer must use to conduct a background check on the person. If a person provides false information on the form, the person must be fined not less than \$500 nor more than \$10,000 and may be imprisoned for not more than nine months. This offense is a misdemeanor.

This bill increases the penalty to a Class H felony if the false information regards whether the person is purchasing the firearm with the purpose or intent of transferring the firearm to a person who is prohibited from possessing a firearm.

Also under this bill, a person is subject to a mandatory minimum period of confinement in prison of four years if the person is convicted of illegally possessing a firearm or convicted of another crime involving a firearm and, within five years prior to that conviction, he or she had been convicted

of committing either three misdemeanors or one felony. This mandatory minimum sentence requirement expires on July 1, 2022.

Summarize the key elements of the proposed legislation in your own words:

Listen to the expert testimony and questions posed by legislators at the Committee on the Judiciary and Public Safety hearing for SB 408. (October 19th 2017)

Statistics and Evidence provided by Captain David Salazar

Statements in Favor of Legislation _____ Statements in Opposition to Legislation

Reviewing the Positions: As a group, review the statements in favor of the bill, and against it. Add any additional ideas to the list based on what you heard, and your own ideas. Then put a star by the three best arguments on each side of this issue.

Handout #2: Reflection and Deliberation

1. Reflect: If you were a Wisconsin Legislator, would you support this legislation? Why or why not? In your answer, provide specific reasons and evidence to support your position.

2. Deliberate: Within your group discuss this legislation. Are there elements of this legislation that you would all support, or that you would all oppose?

3. Deliberate: As a group, do you think that the current legislative proposal in Wisconsin, SB 408, goes far enough in creating common sense gun control? If not, are there other measures that your group members could all support?

4. Reflect: Identify one or more statements made by a member of your group that made an impact on your thinking about this issue.

Deliberation Report

Based on what you know about gun control and what you have learned about SB 408, write three paragraphs below summarizing the best arguments for and against the bill, and finally state your own position. Please be sure to include specific reasons and evidence.

Two locals charged in firearms straw purchasing conspiracy

Sawyer County Record
Hayward, WI
Mar 23, 2018

U.S. Attorney Gen. Gregory G. Brooker announced March 22 a federal indictment charging Michael Patrick Coupe, 27, and Jamie Fleming, 30, both of Hayward, in a firearms purchasing conspiracy.

Coupe is charged with one count of conspiracy and four counts of being a felon in possession of a firearm. Fleming is charged with one count of conspiracy. Both defendants made an initial appearance Thursday before Magistrate Judge Hildy Bowbeer in U.S. District Court in St. Paul.

According to the indictment, between Sept. 13, 2017, and Sept. 16, 2017, Fleming purchased five separate firearms, including a Mossberg Tactical 22 .22 caliber rifle, a SCCY model CPX-2, 9mm pistol, a Phoenix model HP22a .22 caliber pistol, a Taurus model PT111 9mm pistol and a Taurus model PT 140 .40 caliber pistol. When purchasing the firearms, Fleming falsely attested on the required ATF Forms 4473 that she was the actual purchaser of the guns, when in fact she was not. Fleming purchased the firearms under the direction of Coupe, who has two prior felony convictions in Sawyer County and is prohibited from possessing firearms.

According to the indictment, following the purchase of the firearms, Coupe and Fleming transferred some or all of the firearms to others, including an individual identified as G.T., who is a convicted felon. On multiple occasions between Sept. 14, 2017, and Nov. 27, 2017, Coupe and Fleming traveled from Hayward to Minneapolis, where they met with G.T. and transferred firearms to G.T.

This case is the result of an investigation conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives, the Minneapolis Police Department and the Sawyer County Sheriff's Office. Assistant U.S. Attorney Jeffrey S. Paulsen is prosecuting this case.