

[FPC] FIREARMS POLICY COALITION

Wednesday, June 10, 2015

The Honorable Scott Walker
Governor, State of Wisconsin
115 East Capitol
Madison, WI 53702

Regarding: Wisconsin Senate Bill 35 (2015)
Position: Support

Dear Governor Walker,

Firearms Policy Coalition is a non-profit, grassroots organization whose mission is to protect and advance the People's rights enshrined in the United States Constitution, especially the fundamental, individual right to keep and bear arms protected under the Second Amendment, through legal efforts, advocacy, education, outreach, and technology.

Wisconsin Senate Bill 35 ("SB 35") would (1) eliminate the State's mandatory 48-hour handgun transfer waiting period and (2) allow a licensed firearms dealer to transfer a handgun to the purchaser immediately after receiving notice from DOJ that the background check indicates that the purchaser is not prohibited from possessing a firearm. The policies advanced in SB 35 are both commonsense and constitutionally appropriate changes to existing law.

After a 3-day bench trial, United States District Court Judge Anthony Ishii issued a decision on August 25, 2014, finding that California's 10-day waiting period laws violate the Second Amendment rights of gun owners and carry licensees who pass a background check prior to the expiration of the 10-day period.

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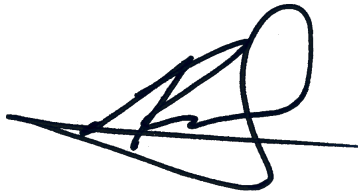
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(*Silvester, et al., v. California Attorney General Kamala Harris*, 41 F.Supp.3d 927 (E.D. Cal. 2014).)¹ On December 17, Judge Ishii awarded the plaintiffs over \$194,000 in attorneys' fees and costs.² (In the interests of disclosure, I am a named individual plaintiff in the *Silvester* action.)

By signing SB 35 into law, you would help bring Wisconsin's background check and waiting period regulations into conformance with the Second Amendment's constitutional standards and avoid the risk that Wisconsin taxpayers would need to bear the heavy financial burden of expensive civil rights litigation on the existing laws.

Accordingly, I respectfully urge you to sign Senate Bill 35. Thank you very much for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brandon Combs', written over a horizontal line.

Brandon Combs
President
Firearms Policy Coalition

¹ The Court's "Findings of Fact and Conclusions of Law" can be viewed or downloaded at <https://www.calgunsfoundation.org/wp-content/uploads/2015/05/silvester-findings-fact-conclusions-law-2014-8-25.pdf>.

² See "Order on Plaintiffs' Motion for Attorneys' Fees" at <https://www.calgunsfoundation.org/wp-content/uploads/2015/05/silvester-order-atty-fees-2014-12-17.pdf>.