



OFFICE OF CORPORATION COUNSEL

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To: Milwaukee County Board of Supervisors

From: Margaret C. Daun, Corporation Counsel
Paul D. Kuglitsch, Deputy Corporation Counsel

Date: November 6, 2020

Re: Referral of File No. 20-196 to the Office of Corporation Counsel

On November 5, 2020, the County Board voted to refer File No. 20-196 to the Office of Corporation Counsel (OCC), with a directive to consult with the Office of the Comptroller, to respond to a number of questions relevant to the file. Per Milwaukee County Ordinance 1.15, “[an] opinion [in response to a referral to OCC] shall be rendered to the county board at its next meeting held not less than forty-eight (48) hours after the referral.” Moreover, once referred to the OCC, the same file can be referred back to the OCC only if a majority of Board votes to do so. *Id.*

Unfortunately, the complexity, number of questions, and deadline for this referral to the OCC prohibit a fulsome response before the next County Board meeting scheduled for the morning of Monday, November 9, 2020 (necessitating that a response be provided by the close of business today, i.e., in just over 24 hours). However, this report provides some facts relevant to the referral and will assist the OCC in its work on this referral moving forward.

Summary of Questions

The OCC is happy to receive additional questions or corrections to the below via email from any individual Supervisor. We will attempt to address all questions from all Supervisors as soon as practicable.

1. What is the potential liability for Milwaukee County if a firearm purchased at show is used in a crime?
2. Can the County limit sellers be restricted to those that:
 - a. are federally licensed and
 - b. perform background checks?
3. Can we prohibit private sales?
4. Can we prohibit the actual possession of the purchased firearm for some holding period?

5. What are the direct and indirect costs of the show for Milwaukee County considering the potential need for Milwaukee County Sheriff's Office given current political and protest volatility?
6. Can we (and if so, have we) established mandatory COVID-19 safety standards and how are those enforced by the gun show during the gun show?
7. What are potential estimated economic costs for negative community wellness impacts from the gun show?
8. Please provide an overview of fed/state/local gun laws and other regulations.
9. How can the County assure/audit/enforce any of the foregoing during the course of the event?

Facts Provided by one of the Sponsoring Supervisors

- The gun show sponsors hire private security.
- No purchaser can acquire a firearm without a background check.
- A plastic "lanyard" is inserted through the barrel of every gun brought into the event, so that ammunition cannot be loaded into any firearm while in the event space.
- All gun vendors are "registered."

Notably, OCC has not and cannot verify these facts.
