



David A. Clarke Jr.  
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## ***NEWS RELEASE***

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### **Sheriff Calls for Longer Mandatory Prison Terms in Any CCW Legislation Carrying Concealed Weapon (CCW) Legislation**

**Milwaukee, WI – Milwaukee County Sheriff David A. Clarke Jr. plans to testify at a public hearing in Madison on a bill being drafted that would allow private citizens the exercise of their Second Amendment protection.**

“I concur wholeheartedly with the position articulated by Chief Edward Flynn at last week’s Milwaukee County Law Enforcement Memorial service, where he asked that any proposed CCW changes make it a felony for people to illegally possess a firearm,” said Sheriff Clarke. “But I want to take that further by pushing for tougher sentencing for those convicted of possessing a firearm without a permit, being a felon in possession of a firearm, and the illegal transfer (straw purchase) of a firearm.

Milwaukee County Circuit Court judges have not shown themselves to be trusted to sentence ALL persons illegally in possession of a gun to substantial prison terms. There is a pattern of light sentencing that demonstrates a tendency to stay on the shallow end of the pool. Their heavy reliance on what is erroneously referred to as “second chance” programs, and a soft-on-crime therapeutic model that sees violent criminal behavior as something that can be cured by a program, turns many repeat felons back into high crime neighborhoods only to obtain another firearm after a short stay in the county jail.

This broken model has no deterrent effect on changing behavior, or sending a message to illegal gun toters, as to what will certainly happen to them if they violate our gun laws. Those who have been arrested for felony violations, five, six, seven or more times, are well beyond a second chance. They need to be punished, or need to have severe consequences applied to their antisocial behavior. Straw purchasers usually have no serious criminal history, and it is why they are often the front person to purchase a gun for a felon.

The tendency is not to come down hard on them because of their somewhat clean criminal history. The straw purchaser is oftentimes a girlfriend who, once caught, feigns ignorance. There is a reluctance in the criminal justice system in Milwaukee County to send them to serve any incarceration time. I’m calling for an end to that approach. These individuals know who they are buying a gun for, and the judiciary needs to stop buying the lame excuse that they didn’t know.

Just last week, Circuit Court Judge Rebecca Dallet sentenced a repeat criminal offender (criminal history attached) who was convicted of being a felon in possession of a firearm to an 8-month “bed and breakfast” stay at the County Correctional Facility-South (former House of Correction in Franklin). The current maximum sentence for a felon being in possession of a firearm is TEN YEARS in prison. Only Judge Dallet can explain why she handed down an 8-month sentence to a career criminal.

Unfortunately, this is not an anomaly but a frequent occurrence. A “stayed sentence,” whereby a significant prison sentence is set aside for a slap on the wrist, is used much too often with gun-toting criminals. This is the charade that plays itself out in too many gun cases and I am calling for the legislature to end it before another police officer's name is added to our memorial wall,” Clarke said.

“Too many Milwaukee County Circuit Court judges drink the Kool-Aid being pedaled by criminal advocates and academic elites who have hijacked our criminal justice system and have turned it into a social engineering lab. This wrongheaded notion that a soft-on-crime model works to change behavior is putting police officers, minority communities and all law-abiding citizens at risk. It is no surprise when an officer is assaulted or killed by a gun-toting criminal who is no stranger to the justice system. Once an officer or innocent citizen is shot and killed, it’s too late.

I’m calling for ANY change in the state’s gun laws to include a penalty section that makes carrying a firearm in violation of any CCW permit law, punishable by a mandatory three-year prison sentence that cannot be modified by a judge. The sentence must be served in a state prison facility, and these criminals cannot be eligible for a Department of Corrections modified sentence. Additionally, any gun sentence must be served consecutive, not concurrent, to any other sentence.

I am requesting that the legislature amend the penalty section for conviction of being a felon in possession of a firearm to a mandatory 5-10 years without early release, and eliminate the practice of “staying” a sentence and handing out a shorter one that frustrates or circumvents the will of the public or the intent of the legislature. I am calling for the straw purchase of a firearm to be a felony with the same mandatory 5-10 year prison sentence with no opportunity for a judge to “stay” the sentence in lieu of a modified shorter sentence, or to dismiss a gun violation charge as part of a plea agreement, or to simply read the charge in as part of another charge with no penalty attached. Let’s do this right the first time,” Clarke said.

**Recent CCW case (Class G Felony carries a maximum 10 years in prison) and the lenient sentence imposed:**

**Catrell Lamont Cloyd (DOB 12/28/77) – Facing a 10-year Class G felony charge, Cloyd was sentenced this week to only 8 months at CCF-S for Felon in Possession of a Firearm. Cloyd had an extensive record with 3 juvenile arrests and 6 adult arrests. His adult criminal record is listed below.**

**Criminal History for Catrell Lamont Cloyd**

**Three juvenile arrests going back to 1993**

**1997 - Possession THC**

**2000 - Loitering/criminal trespass/Possession THC 2nd (felony) - No Prosecution, OAR, Misd. Poss THC - (6 months HOC)**

**2001 - Loiter/prowling/trespass (ordinance), CCW - CONVICTED (6 months with Huber), Prohibited Possession of firearm (No Prosecution), Possession THC 2nd, Felony (No Prosecution),**

**2004 - Fleeing (no prosecution), Resist/obstruct (convict - 5 months HOC), Manufacture deliver Cocaine (Convicted - 14 months prison), Possession w/intent cocaine (no prosecution)**

**2004 - Failure to appear, possess cocaine (Felony Conviction - 6 months & THC Conviction 9 Months), Felony Bail Jumping (9 months)**

**2 years 6 months in prison - actually served 5 months Dodge - for all 2004 cases**

**2005 - Possession THC, Possess w/intent amphetamines - (Convict 18 months prison)**

**2011 - Possession of Firearm, habitual criminality**