

WISCONSIN DEPARTMENT OF JUSTICE

ATTORNEY GENERAL J.B. VAN HOLLEN RELEASES ADVICE TO DISTRICT ATTORNEYS REGARDING OPEN CARRY AND DISORDERLY CONDUCT

FOR IMMEDIATE RELEASE:
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MADISON - Attorney General J.B. Van Hollen released guidance in the form of an Advisory Memorandum to Wisconsin's District Attorneys today regarding Wisconsin's Constitutional Right to openly carry firearms and its relative application in matters of criminal Disorderly Conduct.

The Advisory Memorandum is summarized as follows:

Under Article I, § 25 of the Wisconsin Constitution, a person has the right to openly carry a firearm for any of the purposes enumerated in that Section, subject to reasonable regulation. The Wisconsin Department of Justice believes that the mere open carrying of a firearm by a person, absent additional facts and circumstances, should not result in a disorderly conduct charge from a prosecutor.

"It is not unlawful, barring other facts and circumstances, to openly carry a firearm in Wisconsin," Attorney General J.B. Van Hollen said. He went on, "This is offered as guidance to Wisconsin's prosecutors when making charging decisions. It will also assist Wisconsin law enforcement in the exercise of their duty to keep the peace, protect rights and enforce the law."

See the Advisory memorandum at:
<http://www.doj.state.wi.us/news/files/FinalOpenCarryMemo.pdf>.