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Appellate Court Overturns Ruling on 2012 Brookfield Spa Shooting Case, Increases Accountability for Online Firearm Dealers that Facilitate Illegal Gun Sales

Madison — A state appeals court reinstated a lawsuit yesterday that The Brady Center to Prevent Gun Violence filed on behalf of Yasmeeen Daniel against *Armslist.com*, holding the company liable for the illegal gun sale that led to the murder of Daniel’s mother. Victim advocates around the state are applauding the decision as an important step towards increased accountability for companies that provide a platform for illegal gun sales online.

“Today’s ruling is yet another reminder that as long as the private sale loophole exists in our federal background check system, domestic abusers will continue to exploit it to terrorize and kill their partners,” said Patti Seger, Executive Director of End Domestic Abuse Wisconsin. “The fact is, family and intimate assaults with firearms are twelve times more likely to result in death than non-firearm assaults and abused women are more than five times more likely to be killed if their abuser owns a firearm. This decision shows that truly keeping victims safe requires closing the private sale and gun-show loopholes immediately and ensuring universal background checks on all gun sales, period.”

Zina Daniel-Haughton was murdered by her estranged husband, along with two of her co-workers at the Azana Spa and Salon in Brookfield in 2012. Although he was prohibited from buying a gun because of an active domestic abuse restraining order, Radcliffe Haughton easily obtained a firearm on *Armslist.com* through the private sale loophole in the federal background check system.

“Since 2000, End Domestic Abuse Wisconsin has reported on every instance of domestic violence homicide in Wisconsin,” said Seger. “Each year, guns are the most common weapon in domestic violence homicides—they account for more killings than all other weapons combined. Today’s ruling will send a message to online arms dealers that they need to do more to stop the illegal gun sales that all too often end in tragedies like the Brookfield Spa Shooting. Our thoughts are with the families of the three shooting victims that lost their lives that day, we hope this landmark decision will encourage companies like *Armslist.com* to take further action to keep guns out of abusers’ hands and prevent domestic violence from claiming more lives.”

The state appellate court found that Daniel’s lawsuit doesn’t treat *Armslist.com* as the publisher of information provided by someone else, which would exempt it from liability, but instead seeks to hold the company liable for managing the website in a way that allowed Haughton to intentionally avoid a background check that would have denied him access to a weapon. Victim advocates around the state report that the ruling sets an important precedent for future cases involving guns sold through loopholes in the current federal background check system.

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End Domestic Abuse Wisconsin: The Wisconsin Coalition Against Domestic Violence is the leading voice for victims of domestic abuse in Wisconsin. At End Domestic Abuse Wisconsin, we educate shelter and program volunteers and advocates, law enforcement, legislators, and community members to provide safety and support to survivors. We strive to shift Wisconsin from the attitudes and beliefs that cause domestic violence to values of mutual respect and equality, and we partner with communities in the effort to prevent and end domestic abuse.

We encourage reporters to include the National Domestic Violence Hotline number [1-800-799-SAFE(7233)] in their stories for victims who need help. A list of local Wisconsin domestic violence victim service providers can be found at <http://www.endabusewi.org>.