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**PRESS RELEASE**

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**BERLIN MAN SENTENCED TO 30 MONTHS IN FEDERAL PRISON FOR  
TRANSFERRING MACHINE GUN**

United States Attorney Steven M. Biskupic and ATF Special Agent in Charge Bernard Zapor, announced that yesterday, David Olofson, Berlin, WI, was sentenced by the Honorable Charles N. Clevert, United States District Court Judge. Judge Clevert sentenced Olofson to 30 months in federal prison for knowingly transferring a machine gun. Olofson was also ordered to serve two years of supervised release upon release from prison and perform community service during that post-imprisonment supervision.

"Today's sentence is a victory for legal gun owners," said ATF Special Agent Zapor. "Multitudes of Americans legally possess and transfer machine guns. They have the concurrence of the chief law enforcement officer in their States and have met all other requirements that are part of the National Firearms Act that was created by Congress in 1933 and has changed little since. A blatant disregard of our Nation's firearms laws by someone claiming to be a 'sovereign' and not subject to federal gun laws is offensive to responsible gun owners," said ATF SA Zapor.

The case stemmed from citizen reports of machine gun fire at a Conservation Club in Berlin, WI in July 2006. Local police found a firearms customer of Olofson's at the Club, and learned Olofson had lent the machine gun to the customer. According to trial testimony, Olofson had acknowledged to the customer that he (Olofson) had fired the gun automatically in the past. ATF was contacted, and they later interviewed Olofson, who acknowledged lending the gun to the customer. Olofson told agents that he regularly loaned guns to people, but did not keep records because it would "be dangerous."

Olofson acknowledged to agents that he knew how to convert semi-automatic rifles to machine guns, and agents later found conversion information and instructions on Olofson's computers. Agents also found e-mail exchanges with third parties on Olofson's computer wherein Olofson discussed machine guns and ways to avoid federal registration requirements for automatic weapons.

During the sentencing, the judge rejected the defense contention that the gun had merely malfunctioned and was not a machine gun, instead finding that Olofson knew the gun was a machine gun. The Court found that Olofson's military service and the other evidence in the case suggested he was "incredibly familiar" with firearms, and rejected Olofson's contention that he was unaware of the gun's capability to fire automatically. "Mr. Olofson has, in this court's view, shown he was ignoring the law and that he was doing so in part for financial gain."

The Court also relied, in imposing the 30-month prison sentence, on prior convictions Olofson sustained, including one involving the carrying a concealed, loaded firearm during trick

or treating with his children. “You don’t put kids at risk on Halloween, and then deserve the label of ‘good citizen’ who always follows the law,” Judge Clevert commented.

The case was investigated by the Berlin Police Department, and the Bureau of Alcohol, Tobacco, Firearms and Explosives, and was prosecuted by Assistant United States Attorney Gregory Haanstad.

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