

HF 601 Mandatory Lost and Stolen Reporting

To: Rep, Kaohly Vang Her

CC: ellen.mcdaniel@house.mn.gov, contact@gunowners.mn

From: Andrew Nieuwsma, Burnsville

Dear Members of the House,

I am writing to express my opposition to the proposed legislation, HF 601, which mandates the reporting of lost and stolen firearms within a specified timeframe. While I fully recognize and support the need for measures that enhance public safety and responsible firearm ownership, I believe that this bill, as it is currently proposed, may not effectively achieve these objectives and could inadvertently penalize law-abiding citizens who are victims of crime themselves.

Constitutional Concerns:

The Second Amendment of the United States Constitution protects the right of the people to keep and bear arms. This bill's imposition of penalties on individuals who fail to report lost or stolen firearms within a narrow window could be viewed as an undue burden on this constitutional right. In *District of Columbia v. Heller* (2008), the Supreme Court affirmed the importance of not infringing on the lawful exercise of Second Amendment rights. While regulation is permissible, it must not encroach upon the fundamental rights of citizens in a manner that is excessive or unjust.

Victim Penalization:

The bill's approach to penalizing individuals who have been victimized by theft or loss of their property raises significant ethical concerns. Victims of crimes should be encouraged and supported in coming forward, not threatened with penalties if they fail to navigate the complexities of legal reporting within a strict timeframe. This could lead to underreporting and a reluctance to engage with law enforcement, counteracting the bill's intended purpose of enhancing public safety.

Practical Implications:

The requirement to report within 48 hours, while intended to ensure timely information, may not account for the realities faced by victims of theft or loss. Individuals may not immediately realize their firearm is missing, or they may be dealing with circumstances that prevent prompt reporting, such as personal trauma, travel, or hospitalization. The bill's penalties for late reporting seem to lack consideration for such practicalities, which could lead to unjust outcomes.

Alternative Solutions:

Instead of imposing penalties on victims, I advocate for alternative approaches

that focus on education, support, and incentives for voluntary reporting. Programs that emphasize the importance of secure storage, along with resources for individuals who have experienced loss or theft, could foster a more cooperative relationship between firearm owners and law enforcement. Additionally, offering immunity or protection from prosecution for those who report lost or stolen firearms, as the bill partly does, is a positive step, but it should be coupled with broader measures that do not penalize victims.

In conclusion, HF 601 will have unintended negative consequences. I respectfully urge you to consider these points and the potential impact on law-abiding citizens. Public safety is of paramount importance, but legislation should be carefully crafted to support, not penalize, the very individuals we aim to protect.

Thank you for considering my perspective on this matter. I am available for further discussion or to provide additional information as needed.

Sincerely,

Mr. Andrew Nieuwsma
Burnsville, MN