

Re: Sub HB 228

I would like to briefly address the provisions of this bill, and why I feel it is important to support its passage.

Shifting the burden of proof in self-defense cases to the state instead of the crime victim.

In no other case law are the suspects considered guilty until they prove themselves innocent. In effect, this requires the proof of a negative, which is impossible.

Removing the "duty to retreat" from things a crime victim must do before defending their life from a deadly attack.

Retreating from an attacker places one in the position of weakness, which may prove to embolden the perpetrator. Further, if the attack occurs in the victim's vehicle or residence, it requires the victim to abandon the property which is legally and rightfully theirs to protect.

Adding language to punish people who illegally buy a gun for a prohibited person (straw purchase).

Straw purchases are illegal, and by definition contribute to the presence of firearms in the hands of prohibited persons. Since the purchase was made to provide a firearm to someone who could not otherwise purchase one, the likelihood of that prohibited person committing a crime with said firearm is significant. A prohibitively onerous punishment must be in place to deter those purchases.

Reducing the penalty for "failure to notify" police during an official stop.

Being stopped by law enforcement is, in and of itself, a nerve wracking experience. Therefore, as concealed carriers are some of the most law abiding citizens, the occasion becomes even more worrisome due to the unfamiliarity of the situation. It may therefore slip his/her mind as they try to comply with the officer's requests. During a traffic stop in particular, the law enforcement officer already knows the driver is licensed to carry concealed. The notification is therefore somewhat relegated to the status of a courtesy.

Eliminating the requirement to post "no guns" signs in locations that allow firearms.

Pretty much self-explanatory. If firearms are permitted, why post the "No guns allowed" signs.

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