

Chairman Wiggam, Vice Chairman John, Ranking Member Kelly, and members of the House State and Local Government Committee, my name is Linda Elder and I thank you for this opportunity to testify in favor of HB89.

I am a wife, mother and resident of Wayne County. My husband and I were among the first 50 people in our county to receive licenses to carry concealed handguns in 2004. Because I had small children then, I believed the safest way for me to carry my firearm was in a purse that was purpose-built with a holster and lockable zipper. The small key for the zipper was kept on my keychain.

In March of 2010, my family and I were on the way home from church late in the evening. We were on a busy, curvy two-lane state highway. I was carrying my firearm in my purse and notified as soon as the officer came to my window. This seemed to make him nervous. I told him that my purse was locked with the firearm inside and was located under my seat. He said that he would take my purse with him while he went to his car to do the paperwork for the stop. I said that he had no reason to take my whole purse. He insisted that he hold my firearm for duration of the stop. I again assured him that it was locked; I showed him the key. I was never asked my name, nor was I asked to show my concealed handgun license or driver's license.

He asked me to step out of the van with the purse so he could take the firearm. Although he admitted to me that he had never seen a purse with a lockable zipper and holster before, he took my keychain and attempted to put the tiny key in the zipper lock. In the semi-dark of the evening, he could not see how the key fit. I thought he would break the key so I told him to give it to me so that I could unlock the zipper lock for him. He unzipped the compartment with the firearm, took the firearm out of its holster and went to his car with it.

When he came back about five minutes later, he said that the stop was because there was a license plate light out on our van. He returned the unholstered firearm. My husband asked if taking firearms was written department standard operating procedure. The officer stated it was for officer safety. My husband told him that the firearm was safe where it was, locked in the purse, and by handling an unfamiliar firearm, he put everyone in the van and himself at risk for an accidental discharge. The officer again stated that it was for his safety.

My husband called the police chief the next day to discuss this situation. The chief stated that he already knew what had happened and that was not how he wanted similar situations handled.

If the notification law would not have been in effect that night, the contents of my purse would not have been an issue. I would not have been out of my car on the side of a busy state highway at night. My family would not have been subjected to a visibly nervous police officer handling an unfamiliar, unholstered firearm. The officer would have been able to conduct himself in a rational manner instead of being so flustered that he never even determined who I was or that I was indeed carrying legally.

The notification requirement turned a five-minute's long routine traffic stop into a dangerous situation for no good purpose. I urge you to support HB 89 to revise notification requirements for concealed handgun licensees.