

“A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.” These familiar words of the 2nd Amendment to the U.S. Constitution serve as the cornerstone of firearm ownership rights for U.S. citizens. This 2nd Amendment right is one many Minnesotans exercise regularly. A 2017 Pew Research study estimated that almost 37% of Minnesotans own at least one firearm. All constitutional rights are accompanied by civic responsibilities and our rights under the 2nd Amendment are no exception. For firearm owners, these responsibilities include the proper storage, transportation, and use of their firearms.

Minnesota law requires that owners store their firearms in a way that prevents children from accessing a loaded firearm. Storing or leaving a loaded firearm in a location where the person knows, or reasonably should know, that a child is likely to gain access to the firearm is a crime punishable by up to a year in jail. Best practice recommendations include storing all firearms unloaded, separate from ammunition, and in a manner that prevents any unauthorized access. Firearm owners have many options when it comes to secure firearm storage and owners are encouraged to find the solution that is right for them. Part of that solution may include devices that lock triggers or firearm actions. The Benton County Sheriff’s Office has partnered with Project Child Safe, a safety initiative developed by the National Shooting Sports Foundation, to offer free gun locks to the community. These are available in the lobby of the Benton County Sheriff’s Office during normal business hours.

Firearm owners have basic responsibilities when transporting firearms in vehicles. Foremost of those is the requirement that the firearm be unloaded. Transporting a loaded firearm in a vehicle in Minnesota is a misdemeanor crime punishable by up to 90 days in jail. Besides the potential legal consequences, there are also safety concerns in transporting loaded firearms in the enclosed cabin of a vehicle where there is little room for error should an accidental discharge occur. In addition, Minnesota law generally requires firearms to be either contained within a case or transported in the trunk of a vehicle. The surest way to legally and safely transport firearms is with the firearm unloaded and in a case. There are some exceptions to the requirement that a firearm be transported within a case, but those exceptions get complicated quickly. A person may transport an unloaded firearm in a vehicle without a case while at a shooting range with permission, while lawfully hunting on private or public property, or while travelling to or from a site the person intends to hunt or trap or has lawfully hunted that day. Now for the exceptions to the exceptions. Firearms must be transported within a case in the counties of Anoka, Hennepin, or Ramsey; within the boundaries of any city with a population of 2,500 or more people; on school grounds; or as otherwise restricted by laws related to game refuges, shining, the use of thermal imaging equipment, or the use of night vision equipment. The simplest and safest solution to firearms transportation is always unloaded and always within a case. One last exception, the above restrictions do not apply to individuals carrying a pistol under the authority of a valid permit to carry.

Finally, firearm owners have a responsibility to use their firearms in a safe and legal fashion. This concept harkens back to the basic rules many of us learned as kids in firearms safety classes or from mentors. Know your target and what is beyond that target is a rule repeated over and over in safety instruction. It is good advice that bears repeating. Each year, property is damaged and people are injured by individuals who disregard this rule. When hunting, game can appear quickly and in unexpected places. It can be very tempting to fire at a target without fully appreciating what would

happen if you miss. Responsible firearm use requires us to take a moment to pause and consider the important question of what is beyond the target. The files of the Benton County Sheriff's Office contain many examples of the damage and injury that can result from times individuals failed to heed this advice. Where individuals choose to hunt and shoot is an equally important consideration in the use of firearms. Minnesota law requires hunters on private property to be more than 500 feet away from a home, a building containing livestock, or a corral containing livestock before using a firearm (unless that person has written permission from the owner). Likewise, when shooting recreationally, firearm users must ensure they have a safe area and a proper backstop to keep rounds from exiting the shooting area and causing damage or injury. Depending upon the circumstances, a person could be financially and/or criminally liable for any damages or injuries cause by negligent use of a firearm.

Firearms ownership is an important right with equally important responsibilities. Be smart and safe about your storage, transportation, and use of your firearms. For more crime prevention and safety information visit the Benton County Sheriff's Office website at:

<https://www.co.benton.mn.us/211/Crime-Prevention>. You can also like and follow us on Facebook and Twitter at @BentonMNSheriff for regular updates and crime prevention messages.