

Chair Larson and Members of the Senate Judiciary Committee,

House Bill 1326 prevents recent felons and violent misdemeanants from using firearms in subsequent shootings. This is good sense policy.

The law currently restricts a narrow class of people from possessing firearms for a defined period of time.¹ This restriction reflects the risk that recent felons and violent misdemeanants may reoffend and use firearms to further criminal activity or escalate violence. It implicitly acknowledges that recent felons and violent misdemeanants have demonstrably disregarded the law and, therefore, should have their ability to possess firearms restricted for a period of time.

House Bill 1326 extends the prohibition on possessing firearms to a prohibition on using firearms. Under our current law and depending upon the facts, a recent felon or violent misdemeanant who uses a firearm to shoot and kill another in self-defense may only be sentenced up to a five-year term of imprisonment and/or a ten thousand dollar fine. Under House Bill 1326, such a person would be subject to prosecution for the killing. This appropriately reflects the danger such shooters pose to our community and further dissuades restricted persons from using firearms, especially while committing crimes.

I encourage a **DO PASS** recommendation on House Bill 1326.

Respectfully,

A handwritten signature in black ink, appearing to read 'N. Samuelson', with a stylized flourish at the end.

Nicholas S. Samuelson
Assistant Cass County State's Attorney

¹ See generally, N.D.C.C. § 62.1-02-01 (prohibiting violent felons from possessing a firearm or ammunition for 10 years; prohibiting all other felons and violent misdemeanants from possessing a firearm or ammunition for 5 years).