Welcome to Long Shot Training!

Course Title: Basic Concealed Carry

Instructor Information

- Dan Grant – Owner / Chief Instructor, Long Shot Training (LST)
- Relevant certifications:
  - NRA Certified Instructor – Personal Protection Outside the Home, Personal Protection In the Home, Basic Pistol
  - NRA Certified Range Safety Officer
  - MN Permit to Carry & UT Concealed Firearm permit holder since 2008
  - Handling and shooting firearms since I was 5 years old and I carry all day every day
- For more information, visit → https://www.longshottraining.com/instructor/dan-grant

Classroom Rules

- Exits & emergency procedures
- Restrooms – location(s) & planned breaks
- Eating & drinking
- No smoking - “vaping” is OK so long as your classmates do not object
- Turn off (or set to vibrate) your cell phone
- Be respectful of both your fellow students and your instructor

Can I Carry in the Classroom?

- If you are currently able to legally carry in this state – YES
- This class has been designed to ensure no actual firearms are handled in the classroom. If you are carrying, your gun must remain in its holster at all times!

Notes & Disclaimers

- You are encouraged to ask as many questions as you’d like to ensure you fully understand the topics covered. I’ll answer each of them to the best of my ability.
- Prepare for “worst case scenarios”. Doing so should make it easier to deal with any situation we may encounter.
- Information presented today is designed to clearly explain the law in Minnesota and, whenever possible, give you tips & tricks to remember both what the law says as well as how it has been interpreted by law enforcement and the judicial system (prosecutors, judges & juries) in the past.
- This class is a summary of the best advice I have received on the topics covered, and is the information upon which I base all of my own actions regarding the legal use of force and the safe & legal carrying of a handgun in MN and elsewhere.
- I am neither an attorney nor a POST certified law enforcement officer. Nothing I say should be deemed the rendering of legal advice. Each student is individually responsible for verifying any information or advice given in this class with their own legal counsel.
About Long Shot Training

LST strongly believes anyone who chooses to possess, carry or use a firearm for any legal purpose (self-defense, hunting, target shooting, etc.) should seek out and receive basic training in the safe use of firearms, and we offer a number of beginner, basic and intermediate level courses designed to meet that goal. Topics covered include:

- Carry permit training
- Armed self-defense, both in and outside the home, using a handgun, shotgun or rifle
- Gun handling & marksmanship skills for handguns, shotguns and rifles
- Non-shooting classes like the NRA Home Firearm Safety and Refuse to be a Victim
- Custom & private classes on any of the above topics

In short, we're happy to work with anyone – so long as they can legally possess a firearm – regardless of physical limitations, disability or handicap, who wants to learn about guns of any type, gun safety, the basics of handgun, shotgun & rifle shooting & care, etc.

Goals of this course

The state of MN requires that any person applying for a Permit to Carry must first obtain what they call “basic training in the safe use of a pistol”, defined in the statute as follows:

1. instruction in the fundamentals of pistol use;
2. successful completion of an actual shooting qualification exercise; and
3. instruction in the fundamental legal aspects of pistol possession, carry, and use, including self-defense and the restrictions on the use of deadly force.

We’ve designed our shooting qualification to handle the first two points together – if you can complete this exercise (described in a separate handout), then you clearly understand the “fundamentals of pistol use.” If you cannot, or if you have never fired a handgun before, you will be asked to complete our “Introduction to Defensive Handguns” course before receiving your “Certificate of Completion”. (Information on this class will be provided upon request or as needed)

The rest of our time will be spent discussing:

- the legal aspects of transport, possession, purchase, storage & carry of a handgun in MN, including how to deal with routine police encounters (e.g. a traffic stop)
- the restrictions on the use of force in MN, including lethal force
- what to expect in the immediate aftermath of a use of force encounter – specifically lethal force – including the possible (often likely) psychological and physiological effects of a high-stress situation; what to do once the physical encounter is over; how to interact with law enforcement when they arrive; and a basic overview of what you can expect in the coming hours, days, weeks and beyond

Additional Resources

Everything discussed here today is available on our website, often in greater detail than gets covered in class.

- https://www.longshottraining.com
Handguns and Carry in Minnesota

One note before we begin

MN statute 624.7181 (Rifles and Shotguns in Public Places) – While this statute clearly states that it is legal for anyone with a valid permit to carry a loaded long gun, the actual carry statute (MN 624.714) refers only to “pistols”, i.e., handguns. To our knowledge, this apparent conflict has not yet been tested in the Minnesota courts and there is no way of knowing how a judge will rule when a test case is eventually brought. Our recommendation is to carry only a handgun, and to transport a long gun unless (1) you are willing to be a test case and can handle the potential costs and consequences that entails, or (2) you are hunting and following the rules set out in the then-current DNR regulations.

For the purposes of this class, “carry” is considered to be different than “transport”

Requirements for legally transporting a firearm in MN

From MN statute 97B.045 – “A person may not transport a firearm in a motor vehicle unless the firearm is (1) unloaded and in a gun case expressly made to contain a firearm, and the case fully encloses the firearm by being zipped, snapped, buckled, tied, or otherwise fastened, and without any portion of the firearm exposed or (2) unloaded and in the closed trunk of a motor vehicle.”

Definition of a “loaded” firearm
• In MN, a firearm is “loaded” if it (1) has a round in the chamber (semi-auto), (2) if there are one or more rounds in the cylinder of a revolver, or (3) if there are rounds in a detachable magazine or clip & that magazine or clip is attached to the firearm.

Remember: different states have different laws, and you must follow the laws of whatever state you are in!

Requirements for interstate transportation of a firearm

From U.S. Code 18 § 926A – “...any person who is not otherwise prohibited … from transporting, shipping, or receiving a firearm shall be entitled to transport a firearm for any lawful purpose from any place where he may lawfully possess … such firearm to any other place where he may lawfully possess … such firearm if, during such transportation the firearm in unloaded, and neither the firearm nor any ammunition being transported is readily accessible or is directly accessible from the passenger compartment of such transporting vehicle: provided, that in the case of a vehicle without a compartment separate from the driver’s compartment the firearm or ammunition shall be contained in a locked container other than the glove compartment or console.” (source → https://www.law.cornell.edu/uscode/text/18/926A)

In other words
• So long as you can legally possess the gun(s) &/or ammo at both your origin & destination, and
• the gun(s) are unloaded, and
• the gun(s) &/or ammo are in separate, locked containers (or in the trunk of a car),
• then can legally transport your guns and ammo from state to state

Long Shot Training recommendation regarding transporting firearms and / or ammunition

In Minnesota → keep guns unloaded & cased at all times, with both your guns and ammo as far back in the vehicle as possible to avoid potential hassles

Interstate → same advice as for MN, but be sure to lock any cases or containers with guns or ammo in them
• a cable lock is adequate – a cased designed to be locked is ideal
• do your best to avoid known trouble areas – Chicago, Washington DC, New York city, etc.
Minimum age to possess a handgun in MN

Simple answer – 18

- see MN 624.713, Subdivision 1(1) for when those under 18 may possess a handgun

Minimum age to purchase a handgun in MN

Anyone 18 or older may legally purchase a handgun in MN … but federal law prevents licensed dealers from selling handguns to anyone under 21, so the only way for those at least 18 but under 21 to do so is through a private sale.

Note: Anyone who transfers (i.e. sells, lends or gives) a firearm to someone else without first going through a background check is guilty of a gross misdemeanor if

- the gun is used “in furtherance of a felony crime of violence” within one year of the transfer,
- the transferee was prohibited from possessing the firearm at the time of the transfer, or
- it was reasonably foreseeable at the time of the transfer that the transferee was likely to use or possess the firearm “in furtherance of a felony crime of violence
  - MN statute 609.66, Subd 1f

Storage requirements for firearms in MN

From MN 609.666 (Negligent storage of firearms):

- Access to firearms – A person is guilty of a gross misdemeanor who negligently stores or leaves a loaded firearm in a location where the person knows, or reasonably should know, that a child is likely to gain access, unless reasonable action is taken to secure the firearm against access by the child
- Limitations – this does not apply if access is obtained as a result of unlawful entry (i.e., if the kid breaks in to wherever the firearms are stored)

Definitions:

- A “child” is anyone under 18
- In MN, a “loaded” firearm is one with ammunition in the chamber, cylinder or magazine (if it is attached to the firearm), unless the firearm is incapable of being fired by a child who is likely to gain access to the firearm
The MN Personal Protection Act (MNPPA), MN statute 624.714

The basics

No permit is required to carry (openly or concealed) in your home, your place of business or on your own property

Is this a “Multi-State” class?
- **YES … and so is every other MN Permit to Carry class!** The MN Permit to Carry is recognized in roughly half the country (see [www.handgunlaw.us](http://www.handgunlaw.us) for the current map)
- **In addition →** While the information presented in this class is designed to meet the requirements set by the state of MN for the MN Permit to Carry, and is specific to MN, the Proof of Training certificate you’ll receive at the end of class may be used to apply for carry permits in the following states as well:
  - Arizona, Florida, Wisconsin (residents only), and more...

MN is a “shall issue” state, meaning you can assume you’ll receive your permit so long as you
- are at least 21 at the time of application,
- submit copies of your proof of training & ID with your completed application,
- are *not* prohibited from owning or possessing firearms under MN or federal law,
- are *not* listed in the MN criminal gang investigative data system,
- the sheriff does *not* believe there exists a “substantial likelihood” you will be a danger to yourself or the public if authorized to carry,
- pass a background check,
- pay the fee required by the sheriff to whom you apply
  - MN residents *must* go to their county sheriff – nonresidents can go to *any* sheriff
  - $100 max for new permits – $75 max for renewals

Sheriff has 30 calendar days to either issue your permit or deny your application

If your application is denied
- It must be in writing, giving “the specific factual basis justifying the denial … including the source”
- You’ll have 20 business days to submit additional documentation that might change their mind
- The sheriff will have 15 business days to review what you submit and either issue or deny again
  - If still denied, you can appeal in court

**Note:** From the statute - “Failure of the sheriff to notify the applicant of the denial of the application within 30 days after the date of receipt of the application packet constitutes issuance of the permit to carry…”
- This means exactly what it says – if you do not hear from the sheriff within 30 days, you are legally able to carry, *even though you haven’t yet received your permit!*
- LST **strongly** recommends you do **NOT** carry until you have your permit in hand

Open carry is legal once you have the permit
- LST does not recommend open carry, but if you choose to do so…
  - The MN Supreme Court has ruled that law enforcement may consider simply seeing someone carrying a handgun, *absent evidence of any wrongdoing*, to be probable cause for a stop
  - If stopped by law enforcement, you *must* present both your photo ID and permit upon request
  - You should *expect* to be hassled by people who see you carrying and be prepared to deal with this in a calm, rational manner
Permits expire 5 years after they are issued (at 12:01am)
- Renewal requires taking another class like this one and submitting another application
- You can submit your renewal no sooner than 90 days before your current permit expires
  - Up to 30 days past is still considered a renewal, plus a $10 late fee
  - More than 30 days past is treated as a new application

Change of address
- You must notify the issuing sheriff within 30 days – *that is all that is required*
- You are **NOT** required to get a replacement card
- LST recommends:
  - if it is convenient to do so, go to the issuing sheriff, notify them in person, get a replacement card
    - sheriffs are allowed to charge up to $10 for any replacement card
  - if it is not convenient, send your written notification by guaranteed mail

Permit lost or destroyed
- You must notify the issuing sheriff within 30 days
- You’ll need to provide a notarized statement saying what happened in order to replace your card

No limits on the number or types of handguns or the amount of ammunition you may carry

*A handgun is considered “carried” if it is not being transported and is within your “possession”*
- “Possession” is sometimes phrased as “on or about your person”, meaning
  - in some way attached to your body, typically in a holster of some type
  - in a bag, purse or brief case (or anything similar)
  - in the center console or glove box of a vehicle, i.e. “within your reach”
- **Note** – never leave a carried handgun in a car with a passenger who does *not* have a carry permit! Doing so will cause the passenger to be committing a gross misdemeanor...
  - ...unless the passenger is a minor, in which case you will be committing a **felony**

When carrying
- you must have both your permit card and driver's license or state ID card in your possession
- when asked, you must inform law enforcement whether or not you are currently carrying and display both your permit and ID upon request
  - more detailed information on how to interact with law enforcement in upcoming sections

A permit will be suspended or revoked if you lose your right to possess or own firearms
- If revoked, you’ll have 5 business days to return the card to the issuing sheriff
- Suspensions and revocations may both be appealed

Emergency permits
- “A sheriff may immediately issue an emergency permit to a person if the sheriff determines that the person is in an emergency situation that may constitute an immediate risk to the safety of the person or someone residing in the person's household. A person seeking an emergency permit must complete an application form and must sign an affidavit describing the emergency situation.”
- The sheriff waives the background check or completes it after issuing the emergency permit
- Good for no more than 30 days, may not be renewed and may be revoked at any time without a hearing
- No training requirement
- No cost
- **Emergency permits are no different than a “regular” permit and can be used to purchase a handgun!**
Drinking and carrying
- In MN (as in most states, but not all), it is legal to carry in places where alcohol is served or available
- In MN, it is also legal to consume alcohol while carrying!
  - If your blood alcohol content is at or above 0.04, and you are caught, your permit will be suspended immediately for 6 months
  - If your blood alcohol content is at or above 0.10, and you are caught, your permit will be revoked immediately
    - You will be eligible to reapply for a permit to carry after 1 year

Places / Entities that CANNOT bar permit holders from carrying
- Parking lots (MN 609.66, Subd 1d(f)(3)) (MN 624.714, Subds 17(c) & 18(c))
  - Exceptions – state correctional facilities, state hospitals & some federal facilities
  - OK so long as you remain in your vehicle, or are going “directly to place a firearm in, or retrieve it from, the trunk or rear area of your vehicle”
- State, county & city parks, buildings and land (MN 624.714, Subd 23)
  - Exceptions – town halls, libraries, etc.
  - Please note: Just because these facilities cannot post does not mean some don’t!
- National parks & refuges, if they state they are in allows it (PL 111-24, Sec 512)
  - Exceptions of “buildings” – posted federal buildings (visitor centers, ranger stations, etc.)
- Landlords (MN 624.714, Subd 17(e))
  - “A landlord may not restrict the lawful carry or possession of firearms by tenants or their guests.”
    - This includes both residential and commercial property, such as office buildings and malls

Places permit holders CANNOT carry
- The buildings & grounds of any correctional facility or state hospital (MN 243.55)
  - Exceptions – none
- County and city jails (MN 641.165)
  - Exceptions - none
- Any courthouse complex (MN 609.66, Subd 1g)
  - Exceptions – OK if the sheriff with jurisdiction of the courthouse has been notified in writing
- School property (MN 609.66, Subd 1d)
  - any public or private school building & its grounds (pre-k, elementary, middle & secondary schools)
  - any child care center when children are present & during program hours
  - any school bus while children are on board, going to or from school-related activities
  - any portion of a building or facility under temporary, exclusive control of a public or private school, school district or association, where conspicuous signs are prominently posted that give notice of school-related use
  - Exceptions – OK if you’ve received explicit, written permission from “the principal or other person having general control and supervision of the school or the director of a child care center” (MN 609.66, Subd 1d (f)(8))
- Federal facilities, including courts (U.S. Code 18 § 930)
  - Definition of “federal facility” → “… a building or any part thereof owned or leased by the Federal Government where Federal employees are regularly present for the purpose of performing their official duties
  - Examples – Post offices, the “secured” areas of airports, the VA, etc.

Employers, Public colleges & universities
- “An employer, whether public or private (including public colleges & universities – LST), may
establish policies that restrict the carry or possession of firearms by its employees while acting in the course and scope of employment. Employment related civil sanctions may be invoked for a violation.” (MN 624.714, Subd 18(a))

- “A public postsecondary institution … may establish policies that restrict the carry or possession of firearms by its students while on the institution's property. Academic sanctions may be invoked for a violation.” (MN 624.714, Subd 18(b))

- *What this means* – “visitors”, i.e. anyone who is *neither* an employee nor a student, *cannot* be prohibited from carrying in or on the buildings and grounds of any public college or university
  - *Please note:* The University of Minnesota claims the right to prohibit visitors who are permit holders from carrying anywhere on their campuses. This appears to violate state law, but has not yet (to our knowledge) been challenged in court.
  - *Recommendation:* Be sure to keep your legally carried handgun concealed when visiting any UofM campus

**Private establishments**

Restaurants, retail stores, private colleges & universities, etc. must complete two steps to prohibit permit holders from carrying in their establishments (MN 624.714, Subd 17)

- Inform the permit holder of their policy banning the carry of firearms
  - This may be done using a “No Guns...” sign *or* verbally
- Ask the permit holder to leave

*Please note:* You have not committed any crime until you have been informed of the establishment’s policy, been asked to leave, and refuse to do so.

*Our recommendation* – Honor the property owner’s rights by either not entering establishments you know prohibit permit holders from carrying or, if you choose to do so regardless of the property owner’s wishes, leave immediately and without complaint if asked to do so, whether or not a sign was posted.

**Churches**

Minnesota courts have ruled that a church may prohibit firearms from its property, *including parking facilities and parking areas owned or operated by the church*, and may notify its employees and the public in any manner it chooses. (Edina Cmty. Lutheran Church v. State of Minnesota, (A07-0131), 745 N.W.2d 194 (Minn. App. 2008))


**Private residences**

“The lawful possessor of a private residence may prohibit firearms, and provide notice thereof, in any lawful manner.” (MN 624.714, Subd 17(d))

**“Routine” police encounters**

*Note:* We use the term “routine” to mean things like a traffic stop or anything similar, and we’ll be using a traffic stop as our example for discussion. Any situation where law enforcement suspects you of some type of violent act or having committed a felony, including self-defense, will be discussed in an upcoming section.

As noted earlier, permit holders have a duty to inform law enforcement whether or not they are currently carrying when asked. What does this mean in practice?

- You are *not* required to inform law enforcement you are carrying *unless* or *until asked.*
- Whether or not you do so before being asked is entirely your choice
• Our recommendation – do whichever makes you feel most comfortable in the moment

Why might you choose to wait to be asked before informing an officer whether or not you are carrying?

• If the officer wants to know whether or not you are carrying, the officer can and will ask
  ◦ Based on my conversations with hundreds of permit holders, there are a surprising number of times where the officer involved did not ask if the person was carrying!
    ▪ Don’t take this as a sign the officer doesn’t care whether or not you’re carrying, but rather that they are prepared to deal with any threat to themselves, don’t know you at all, and have no reason to trust you’d answer the question honestly if asked.
• Any defense attorney will tell you that, when interacting with law enforcement, it is best practice to only give direct answers to direct questions and to never volunteer irrelevant information
  ◦ You wouldn’t tell the officer about the food crumbs under your front seat or what you had for breakfast last Monday – that would be “volunteering irrelevant information”.
  ◦ Since you know you are not going to use the handgun you are legally carrying at any point during this encounter, that you happen to have it in this moment is, in fact, just as irrelevant to the encounter as the food crumbs or last Monday’s breakfast.

If you choose to wait to be asked informing the officer, and are asked...

We recommend responding in the following way (or anything similar):

• “Officer, I have a permit to carry and I am carrying. What would you like me to do?”

This lets the officer know quickly and concisely that (1) you do have a permit, which means that (2) the fact you are currently carrying is legal, and (3) explicitly and immediately gives control back to them.

Also, you’ll notice we don’t recommend identifying what you are carrying. In MN, the only thing the Permit to Carry authorizes you to carry is a handgun. Saying that you are “carrying” means you are carrying a handgun.

• The point is to avoid using the word “gun” or anything similar. “Gun” is a trigger word used by officers to warn other officers they see a gun that may be, or is in fact a threat to them and/or others. You should do everything you can to avoid using it yourself to avoid any trained, but in this case inappropriate, escalation on the part of the officer you are dealing with.

Why might you choose to inform an officer before being asked whether or not you are carrying?

• Some people feel this might make an officer a little more at ease knowing they are dealing with someone who has gone through a background check and is, statistically, significantly less likely to commit any type of violent act than someone without a permit
  ◦ A note of caution – while it is indisputable that permit holders are, as a group, some of the most law-abiding and non-violent people in society, there is no way to guarantee how a given officer will react when told you are a permit holder, and we do not recommend you use this as your reasoning to inform an officer prior to being asked.
• Some people don’t want to worry about whether or not they’ll be asked, or what to say if they are asked, and decide to simply include their permit card along with their driver’s license and registration / insurance information they already intend to hand the officer.
  ◦ If you hand the officer your permit, they will likely ask if you are currently carrying and where it is, but the officer will already know you are legally carrying a handgun and you’ll be answering direct questions with direct answers, which is easier for many people to deal with then trying to verbally inform the officer you are both carrying and are doing so legally.
  ◦ Note: in some states, it is required that permit holders inform law enforcement immediately upon contact if they are carrying, and handing the officer your permit and ID right away will satisfy this requirement.
The Use of Force in Minnesota

#1: A P2C does NOT, in ANY WAY, change the rules for when force may be used!
#2: You should assume that every time you draw, point or fire your handgun in defense of yourself or others that you will be arrested, charged and tried for one or more crimes...

When is the use of force authorized in MN law?

See MN 609.06 for the full statute. For our purposes here, “reasonable force may be used upon or toward the person of another without the other's consent … when used by any person in resisting or aiding another to resist an offense against the person...”

What does this mean?

In general, MN law allows you to use “reasonable force” to “resist an offense” up to and until the point at which there is no longer a threat to you or another person. As soon as the threat against you or another person ends, your ability to lawfully use force against another ends as well.

“Reasonable force” defined...

You may use only as much force as is necessary to end the threat to you or another. Put another way, if it is possible to use less (or no!) force to end a threat, you must do so. Failure to do so may well be determined by a prosecutor &/or a jury to have been an unreasonable, or excessive use of force...

Standards to be met prior to being authorized to use force in MN...

#1: You must be a “reluctant participant”
#2: You must be reasonably in fear of immediate harm
#3: No lesser force will suffice
#4: No reasonable means of retreat

Note: You are NOT required to retreat if doing so would leave one or more others in harms way. Example – you are not required to leave your child / spouse / friend / etc. behind and in danger of attack...

So how does “lethal force” fit in?

“Lethal force” is simply the highest, or most extreme means of force available. Prior to being able to use lethal force to defend yourself or another, you must meet all of the above standards for the use of any force, in addition to being reasonably in immediate fear of death or great bodily harm.

Again, you need to apply the “reasonable person” test here – or more accurately, what might a jury sitting in a safe, comfortable court room, far removed from the attack, believe was reasonable after hearing both your lawyer and the prosecutor present their versions of the events that happened...

You are not required to be psychic, and you are not required to have suffered any actual injury. All that matters is that you have an immediate, reasonable fear of great bodily harm or death...

Things to remember

According to MN Statute, both the use, as well as the threat of use, of lethal force is prohibited, unless it is justified
  • If it is not justified, the threat of lethal force will be considered some degree of assault
• If it is not justified, the use of lethal force will be considered some degree of (either attempted or actual) manslaughter or murder.

The definition of “lethal force” has everything to do with the actions you take, not the results of those actions...

**MN Statute 609.065 – Justifiable Taking of A Life**

The intentional taking of the life of another is not authorized ... except when necessary in resisting or preventing offense which the actor reasonably believes exposes the actor or another to great bodily harm or death – OR – to prevent the commission of a felony in the actor's place of abode.

**Subdivision 8 – Great Bodily Harm**

Great bodily harm means bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm.

**MN Statute 609.66 – Dangerous Weapons**

*Misdemeanor & gross misdemeanor crimes* – (a) Whoever does any of the following is guilty of a crime...: (1) recklessly handles or uses a gun or other dangerous weapon or explosive so as to endanger the safety of another; or (2) intentionally points a gun of any kind, capable of injuring or killing a human being and whether loaded or unloaded, at or toward another...

**MN Statute 609.224 – Assault in the Fifth Degree**

*Misdemeanor* – Whoever does any of the following commits an assault and is guilty of a misdemeanor: (1) commits an act with intent to cause fear in another of immediate bodily harm or death; or (2) intentionally inflicts or attempts to inflict bodily harm upon another.

**Safe storage of your handgun**

Short version:
• it is against MN law to leave a loaded firearm where a child (anyone under 18) can get at it...
  • an unloaded gun with easily accessible ammunition may be considered “a loaded firearm”...!

Long version:

**MN Statute 609.666 – Negligent Storage of Firearms**

*Sub 1. Definitions* – For the purposes of this section, the following words have the meanings given. (a) “Firearm” means a device designed to be used as a weapon, from which is expelled a projectile by the force of any explosion or combustion, (b) “Child” means a person under the age of 18 years, and (c) “Loaded” means the firearm has ammunition in the chamber or magazine, if the magazine is in the firearm, unless the firearm is incapable of being fired by a child who is likely to gain access to the firearm.

*Sub. 2. Access to firearms* – A person is guilty of a gross misdemeanor who negligently stores or leaves a loaded firearm in a location where the person knows, or reasonably should know, that a child is likely to gain access, unless reasonable action is taken to secure the firearm against access by the child.

*Sub. 3. Limitations* – Sub. 2 does not apply to a child’s access to firearms that was obtained as a result of an unlawful entry.

*Note:* The operative term in the statute is “access”. While physically locking up your firearms (via trigger lock, cable through the action, a lockable safe or cabinet, etc.) may be the best &/or easiest option, there is no requirement to do so in MN. It is up to you to ensure no kids ever access your firearm, loaded or unloaded, while unattended – you figure out the best way to make that happen for you, then do it!!!
Any questions...?
What to do after a “Defensive Gun Use”
Student 'cheat sheet'

I define a “defensive gun use” (DGU) is any time you have put your hand on your firearm and “displayed” it. In public, this means drawing your handgun from your holster – at home or on your property, it means any time you've confronted someone with a firearm at the “low ready” position...

I've had a DGU – now what?

#1: Are you 100% sure it is over / you are safe?

Be absolutely positive the threat has ended prior to taking any other actions...

#2: Is it safe to remain where you are?

If yes, do so – if not, then don't, but be sure to explain why you are leaving the scene of the crime when you...

#3: Call 911!!!

The first person to “tell their story” has an advantage in the legal aftermath of a DGU. In addition, if you have fired your gun and injured your attacker (or anyone else!), you have an obligation to call for medical assistance for that person / those people. Failure to do so will hurt you with the police, prosecutor & judge / jury...

Keep your conversation with the 911 operator short. ID yourself, ask for police (& and ambulance, if necessary), give your location (or the location of the scene if you have left it), and a description of yourself if you are still there, so the responding police will be able to ID who called.

#4: When the police arrive...

Comply with all requests, slowly, but immediately. Do not make any sudden movements, and do whatever it takes to get the gun out of your hand before the first responding officer gets out of their vehicle!

#5: What to say to the police

- “He / She / They attacked me.” - period!
- “I will sign a complaint.”
- “There is the evidence.”
- “There are the witnesses.” - if any
- “I need to speak with my lawyer, and I do not consent to any search or seizure of my person or property.”

If you forget everything else, remember the last point. Remember, the job of the police is not to help you, but to gather evidence to turn over to the prosecutor. You are under no obligation to say anything to them at all, and to say anything other than the 4 points above will not help you.

#6: Determine whether or not you are under arrest

Question to the police - “Am I free to leave now?”

If the answer is “yes”, then do so – you are not under arrest (for now...)
If the answer is “no”, then consider yourself under arrest, whether or not that's been stated, and whether or not you've been read your Miranda Rights.

If no answer, get up, state clearly “I am going to leave now”, and attempt to leave. If they let you go (unlikely), then leave – if they don't, then consider yourself under arrest...

#7: Once you are under arrest...

- Stop talking, other than to repeat “I want my lawyer...”
- Wait for your lawyer
- When your lawyer arrives, insist to him/her that you be treated the same way the police are when they've been involved in a shooting
  - Use the “Officer Involved Shooting Guidelines” suggested by the International Association of Chiefs of Police...

**Final note:** If you have time to do so, contact the person most likely to answer the door if (when!) the police go to your home to continue their investigation immediately after calling 911. Even if you just leave a message, this person will hear you, in your voice, say that you’re OK. Be sure they know they should **not** speak to the police without your attorney present, and that they are **not** to consent to any search or seizure of any of your property (home, garage, car, etc...)

If you carry a gun, you should carry the card of an attorney you can call if you ever need to use that gun. Also, your family should already know not to speak to the police without an attorney present, and to refuse consent to any search or seizure. Calling after a DGU simply gives them a “heads up” as to what is going on and all that will likely follow....
Additional items for discussion

Selecting a handgun to carry
  • Semi-Auto vs Revolver
  • Single Action (SA) vs Double Action (DA) vs SA/DA...
  • Size & Caliber options

OK – I've got a handgun, now how do I carry it?
  • Always use a holster / something designed to carry a handgun!!!
  • On-body
    • hip (clock positions, IWB, OWB) vs. “other” (ankle, shoulder, “smart carry”, pocket, etc...)
  • Off-body - options, pros & cons...

Ammunition selection
  • “Ball” vs hollow point vs 'other'...

Defensive shooting techniques
  • “Isosceles” vs other stances – Aiming vs “point shooting” – One handed vs two handed

Handgun retention techniques
  • Hold the gun close to your body when not shooting – use your body to block access to your gun

The “four rules”:
  (1) Treat every gun as if it were loaded
  (2) Always keep the muzzle pointed in a safe direction
  (3) Keep your finger off the trigger until you are on target & ready to fire
  (4) Know your target and what is beyond it

“Every Day Carry” list:
  • Required (by law)
    • Your P2C card
    • Government-issued picture ID
  • Recommended
    • Cell phone – fully charged!
    • Spare magazine(s) or speed loader(s)
    • “Tactical” flashlight
    • Phone number of attorney
    • Medical insurance card
  • Other...
    • List of emergency contact information
    • Spare cash, outside of wallet
    • Utility knife