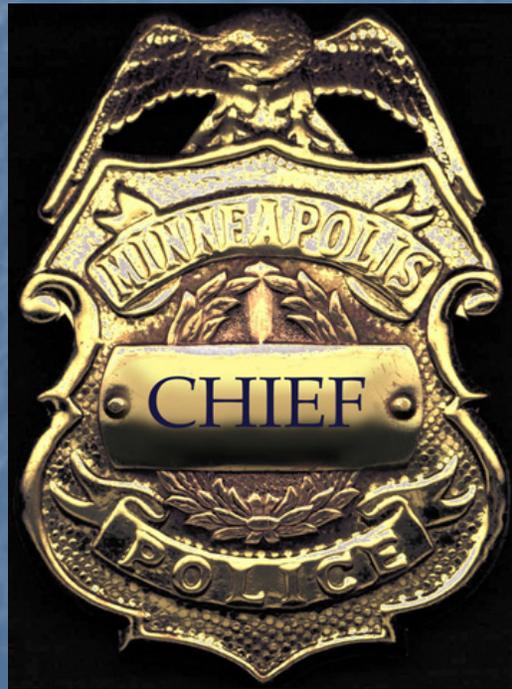


Non-Lethal Firearms in Minneapolis



Types of non-lethal or “fake” guns and current laws prohibiting their use:

■ **Replica/Air Soft –**

- *MN State Statute 609.66 Dangerous Weapons*

Felony to possess or store Replica or BB gun on school property.

■ **BB guns-**

- *MN State Statute 624.7181 subd.2 Carrying BB gun in Public*
Gross Misdemeanor except when on private property unless used in crime or discharged within city limits.

- *MN State Statute 609.713 Terroristic Threats*

Felony -Whoever displays, exhibits, brandishes, or otherwise employs a replica firearm or a BB gun in a threatening manner

Current Mpls Weapons Ordinance

393.10 to 393.150

- Generally prohibits the carrying of dangerous weapons.
- No provisions for carrying Replica, Air Soft, or BB guns.

What is a *replica* firearm?

- Considered toys. May fire blank rounds, or fire a plastic pellet projectile
- Companies are licensed by the manufacturers of the firearm to make exact replicas of actual guns, with the only difference being they fire a rubber pellet instead of a bullet.
- Replicas have the same measurements, weights, and strip down the same as the firearms they are modeled after.
- The guns are regulated to fire at less than 400 fps. and with the projectiles they use they are designed to not break the skin.
- Often have an orange tip which is easily removable by consumer.

What is an *Air Soft* gun?

- Considered toys.
- Use either a battery or compressed air to fire a soft plastic pellet.
- Licensed by gun manufacturers to operate, look and feel like the original firearms they are modeled after.

Real or Fake??



Real or Fake??



Answer:

All fake

**But currently legal to carry in
public in Minneapolis.**

Recent Cases in Mpls:

- April 20th, 2007 10:20pm, 1720 Glenwood Ave North. Mpls Police Officer working bicycle patrol encountered group of juvenile males causing problems at a store. One of the males pointed what appeared to be a .45 caliber handgun at the officer who attempted to fire his duty weapon which malfunctioned. Juveniles fled and Crossman BB gun recovered at the scene.
- June 19th, 2007 2:00am, 713 Emerson Ave North. Victim reported being carjacked at gun point by four males. Officers spotted the vehicle and three juveniles and one adult were taken into custody. A replica semi-automatic pistol was recovered that had been used in the robbery.

Recent Cases in Mpls:

- January 12th, 2005 9:45pm, 4805 Lyndale Ave North. Male suspects attempted to rob victim at gun point outside Hardware Hank. Victim who was armed and had a license to carry, fired at suspects striking one of them. It was determined that the suspect had been armed with a replica pistol and had removed the orange tip to make it appear even more realistic.
- May 30th, 2007 11:50am, 51st/Fremont Ave North. Officers spotted two males chasing each other on foot. Both appeared to be armed with handguns and were seen fleeing into residence. Officers surrounded a residence and two males were taken into custody. It was later learned that the males had each been armed with replica handguns and had been chasing and shooting them at each other.

Recent Cases in Mpls:

- May 31st, 2007 1:00am, 26th/Bloomington Ave South. Two males were arrested after being seen shooting handguns from a vehicle. Suspects had been armed with replica handguns which shoot blanks. A videotape was recovered which showed multiple occasions where the suspects had been firing their guns from the vehicle in a very realistic drive-by fashion.
- October 24th, 2004 12:10am, 3027 Knox Ave North. Officers were responding to a shots fired call. MPD officer encountered male who fled from him on foot. While being pursued, the male pointed what appeared to be a silver semi-automatic handgun at the officer, who fired and subsequently killed the 15 year old male. The weapon which was recovered at the scene, was a silver semi-automatic Marksman air pistol. The officer was cleared of any wrong doing in this tragic case.

Cases in Minneapolis

- In 2006 there were 47 replica guns that were recovered that had been used in crimes. In 2007 YTD, there have been 29 recovered which had been used in crimes.
- In 2006 there were 6 arrests for robbery made in which the suspect was armed with a replica firearm. In 2007 YTD there have been 17 such arrests. July 2007

Cases in Minneapolis

Replica / Air Soft / BB Guns / Air Pistols

- In 2006 there were 294 such guns recovered by MPD Officers.
- In 2007 through mid June, there have been 129 such guns recovered by MPD Officers.

How these fake guns were recovered:

January 2006 through mid June 2007

- Assaults/Threats= 47 cases
- Burglaries= 14 cases
- Stolen Autos/Fleeing= 43 cases
- Curfew= 12 cases
- Narcotics= 44 cases
- Possession of BB gun in public= 139 cases
- Property Damage= 12 cases
- Kidnapping= 7 cases

St. Paul Non-Lethal Firearm Ordinance:

Section 225.01-Definitons

- *Non-lethal firearm* shall mean any object which substantially duplicates an actual firearm and which is capable of firing or ejecting a shot measuring eighteen one-hundredths (0.18) inch or greater in diameter.

St. Paul Non-Lethal Firearm Ordinance

Section 225.02-Possession of weapons and non-lethal firearms prohibited:

- (a) No person shall keep, carry or have in his possession on any public street or being a trespasser upon the premises of another or in a public place in the city any military-type weapon, or any assault weapon, or any stolen weapon, or any knife, except military personnel or peace officers engaged in the course of their duties, unless he holds a permit to possess the same as collector's item or for use in officially recognized competition.
- (b) No person shall keep, carry or have in his possession on any public street or being a trespasser upon the premises of another or in a public place in the city any non-lethal firearm.

St. Paul Non-Lethal Firearm Ordinance

Section 225.03- Transportation of non-lethal firearms; assault weapons or knives:

- (a) It shall be a misdemeanor to transport non-lethal firearms, assault weapons, or knives in any manner unless the non-lethal firearm is:
 - Unloaded and in a gun case expressly made to contain a firearm, and the case fully encloses the non-lethal firearm by being zipped, snapped, buckled, tied, or otherwise fastened, and without any portion of the non-lethal firearm exposed, or
 - Unloaded and in the closed trunk of a motor vehicle.

Gaps in existing laws:

- No provisions in current Mpls weapons ordinance for Replica, Airsoft, or BB guns (Non-lethal firearms).
- No provisions in state law for Replica, Airsoft or other non-lethal firearms

Proposed Mpls Ordinance:

- Non-Lethal Firearms defined in ordinance as, "*Facsimile*" firearms.
 - Any object which substantially duplicates and actual firearm, or which could reasonably be perceived to be an actual firearm, unless:
 - The entire surface is colored white, or other bright colors or the object is transparent and:
 - Such object has a permanently affixed blaze orange extension which extends from the muzzle, and:
 - Such object does not have a laser pointer attached.

Proposed Mpls Ordinance:

- Would add Facsimile Firearm to Chapter 393 of Mpls Weapons Ordinance.
- Would prohibit the carrying of a Facsimile Firearm in public except:
 - When being transported in a secured container and in the trunk of a vehicle.
- Would prohibit possession of Facsimile Firearm in public place or room that contains controlled substances.

Proposed Mpls Ordinance:

- Misdemeanor for violation.
- Would address gaps in current state and local laws.