

2013 SENATE JUDICIARY

SB 2239

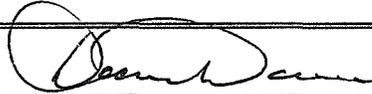
2013 SENATE STANDING COMMITTEE MINUTES

Senate Judiciary Committee
Fort Lincoln Room, State Capitol

SB2239
1/30/2013
Job #17971

Conference Committee

Committee Clerk Signature



Minutes:

Hearing

Relating to dangerous weapons

Senator David Hogue - Chairman

Senator Ron Carlisle - Introduces the bill and explains its intent

Tanya Long - Concealed weapons instructor - Damsel in Defense Representative
She explains the need for personal protection and explains the Damsel in Defense home parties. She says she will not carry a gun but will carry a stun gun. She goes on to explain a lot of women won't carry the stun gun because of having to get a concealed weapons permit either because of cost and time.

Senator Hogue - Asks her about the terminology for Taser or stun gun and if they can be life threatening.

Long - Explains how the stun gun works and designed to be non-lethal.

Senator Berry - Asks if it can go through clothing.

Long - Replies that the million volt one will not typically go through clothing, the ones that are 3.5 million to 7.5 million volts will go through winter jackets.

Senator Armstrong - Asks how much time is spent on the concealed weapons test regarding stun guns.

Long - Says there is almost nothing on the test itself that has to do with stun guns.

Senator Sitte - Asks if it is medically sound and gives an example of someone who died.

Long - Replies she can't speak to the medical side because she doesn't know the medical situation but it is supposed to be non-lethal.

Opposition - none

Neutral - none

Close the hearing

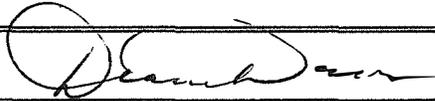
2013 SENATE STANDING COMMITTEE MINUTES

Senate Judiciary Committee
Fort Lincoln Room, State Capitol

SB2239
1/30/2013
Job #17970

Conference Committee

Committee Clerk Signature



Minutes:

Vote

Senator David Hogue - Chairman

Committee work

The committee discusses the effects of a stun gun. Senator Berry worries that it may be used against the owner of the weapon. Senator Hogue describes the attached lanyard that renders the stun gun useless.

Senator Sitte moves a do pass

Senator Grabinger seconded

Vote - 7 yes, 0 no

Motion passes

Senator Sitte will carry

Date: 1/30/13
 Roll Call Vote #: 1

**2013 SENATE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 2239**

Senate JUDICIARY Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By S. Sitte Seconded By S. Grabinger

Senators	Yes	No	Senator	Yes	No
Chairman David Hogue	X		Senator Carolyn Nelson	X	
Vice Chairman Margaret Sitte	X		Senator John Grabinger	X	
Senator Stanley Lyson	X				
Senator Spencer Berry	X				
Senator Kelly Armstrong	X				

Total (Yes) 7 No 0

Absent 0

Floor Assignment S. Sitte

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2239: Judiciary Committee (Sen. Hogue, Chairman) recommends **DO PASS**
(7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2239 was placed on the
Eleventh order on the calendar.

2013 HOUSE JUDICIARY

SB 2239

2013 HOUSE STANDING COMMITTEE MINUTES

House Judiciary Committee
Prairie Room, State Capitol

SB 2239
March 27, 2013
JOB # 20559

Conference Committee

Committee Clerk Signature

Carmen Hiddle

Explanation or reason for introduction of bill/resolution:

Relating to dangerous weapons.

Minutes:

Testimony and handout 1,2

Chairman Kim Koppelman: Opens SB 2239.

Senator Carlisle: Introduced the bill.

Rep. Lois Delmore: What's the policy in surrounding states on classifying this as a concealed weapon and being allowed by state statute?

Senator Carlisle: I am not sure. A perpetrator usually attacks a woman from the back not the front and the stun gun can disable the perpetrator.

Chairman Kim Koppelman: The main purpose of the bill is that these devices are currently under the description of dangerous weapon and you would need to have a permit to carry them?

Senator Carlisle: Yes, my understanding to take it out. A Taser is a several hundred dollars and you can have problems with the wire. But a stun gun is easy to use.

Chairman Kim Koppelman: People can put this in a pocket or purse and not have to get a concealed weapons permit.

Senator Carlisle: That's correct and you only need to hit a person on any part of their body to do what it is supposed to do for disabling the perpetrator.

Tanya Long: Time on tape 5:17 to 7:19. Handout #1, see attached. I have been interested in getting stun guns off the dangerous weapons list for the fact that is it a cost. She encouraged to have a concealed weapons permit, although there is nothing on the test that has to do with stun guns. She asked to have the exact wording of HB 1327 because that wording is added to other pages. It has been referred to Appropriations and it might not pass it in the Senate. This is just for stun guns.

Rep. Lois Delmore: Is there any training required to carry a stun gun, I understand why they are needed? I have never carried one, I don't know how to handle it, how does it work and should there be something for people who carry?

Tanya Long: At this point anybody can go and buy a gun with no training. Anybody can go buy a stun gun and have no training. Basically all it is you turn it on and touch somebody and the current will go into their body for three to five seconds, it will completely incapacitate them. There really wouldn't be any training involved except for doing that.

Rep. Lois Delmore: Except of course you turned it.

Tanya Long: There are stun guns for sale that have a release pin on it with a cord so that if they pulled away from you without getting that pin in they cannot turn it around and use it on you.

Rep. Lois Delmore: Is there any danger that there might be permanent damage to someone who attempts to assault someone?

Tanya Long: Typically with stun guns no and the reason is because it's on them long enough. With Tasers they are designed to shoot the prongs and they continue to deliver that electricity for 30 seconds or longer. Reality is anyone would panic and you want them to get off and get out of there so the long time that it is hitting someone or that the electrically current, that's where you get into the problems with people that have heart problems. If it's attacking me and they have a heart condition it's me or them, I would choose me.

Rep. Lois Delmore: As we look at these do the stun guns vary in how much voltage and there is not one size fits everybody can you tell us about the range they might have?

Tanya Long: There is a difference between amperage and voltage, the stun guns have the lower amperage, and the voltage is the higher power. The voltage will go from 950,000 volts up to 7.5 million volts. The ones that are higher will take less time to actually take someone down. A stun gun takes all of the sugars in a person's body and turn it to lactic acid which will render them incapable of moving. So it allows the person to get away without having to worry about having them take your life.

Rep. Gary Paur: I would imagine taking this off the dangerous weapons list would open up the ability to bring it here or to schools you wouldn't be taking it in and out of your pocket or purse. Is it related as a dangerous weapon by the federal ATF?

Tanya Long: I'm sure about that, I would say it probably would be because I know we can't carry them into the Federal Building the Post Office and you can't take it through security when you are going into court.

Rep. Kathy Hogan: Do you know how other states regulate stun guns?

Tanya Long: The majority of states don't have regulations on stun guns. There are certain states, five or six, that don't allow stun guns at all. But they also don't allow guns at all.

Rep. Bill Kretschmar: What does one of these like and how large are they?

Tanya Long: They can be held in your hand up to stun baton size. They are usually hand size.

Rep. Bill Kretschmar: Are they in the shape of a pistol or a gun?

Tanya Long: No, they are rectangular shape, one of them looks like a shaver, and one looks like a cell phone so you clip it on your pocket. Les Witkowski provided a picture of one that was distributed.

Rep. Lois Delmore: Do you have to turn it on to arm it? Does it need time to charge? Can you tell us about the operation in that way?

Tanya Long: If you are going to carry this especially if it's dark and you are walking somewhere I have it in my hand and it's ready to go. Basically you turn it on and use it. They are rechargeable but usually three months might drain them down.

Chairman Kim Koppelman: So the difference between a Taser and stun gun is a stun gun is a contact weapon so the prongs have to make contact? The Taser has a projectile that shoots out and is the effect on the body pretty much the same?

Tanya Long: Typically the Taser will continue to shoot the electrical current into their body where the stun gun will continue to go into their body as long as you keep it on their body. As a woman I'm less likely to be attacked from the front like a man, women are grabbed and it is more of personal attack so that is the reason why I would rather not carry a gun in public. What good is that going to do if I'm grabbed? We always tell people to take a self-defense class as well. The point is to have something if a woman is grabbed.

Chairman Kim Koppelman: So a stun gun will shoot electricity once?

Tanya Long: No, as long you are holding it and holding the button.

Chairman Kim Koppelman: And the Taser will continue to shoot the electricity for how long?

Tanya Long: Thirty seconds, sixty seconds.

Chairman Kim Koppelman: So you can't control it like the stun gun it just stops at some point?

Tanya Long: Right.

Rep. Andy Maragos: The body must not conduct electricity eventually?

Tanya Long: It doesn't, if you are holding that on someone else even if they are touching you it's not going to transfer.

Rep. Diane Larson: She stated Les Witkowski had witnessed people stunned and Tasered and might be able to give more information to the committee.

Les Witkowski, Chief Deputy at Burleigh County Sheriff's Dept.: He stated in law enforcement in 1981 and they didn't these at that time.

Chairman Kim Koppelman: What are the effects any comments, I assume they are effective?

Les Witkowski: Yes they are.

Chairman Kim Koppelman: They don't cause permanent?

Les Witkowski: No I have not witnessed that. Obviously if somebody falls down and has incidental type injuries that could happen.

Rep. Kathy Hogan: How often have you seen them used? Is it commonly used in Burleigh?

Les Witkowski: In my present position as Chief Deputy I'm rarely in the field. I see it in training.

Rep. Kathy Hogan: How often is it reported in your organization? Are they used much?

Les Witkowski: I review our use of force reports and I would say on the average in a year we use it seven or eight times. That's just in our department. Other departments use them more frequently. In the police departments they have altercations at liquor establishments and things like that. At the Sheriff's Department in Burleigh County we have 16,050 square miles so our response times take a while.

Chairman Kim Koppelman: Have you observed a situation or report about a situation where somebody uses one of these in self-defense and then law enforcement arrives, is that common?

Les Witkowski: I have not.

Chairman Kim Koppelman: Closes the hearing.

There was discussion on the amendment.

Vice Chairman Larry Klemin: Made a motion to add "any stun gun or" on line 12 page 1.

Rep. Andy Maragos: Second the motion.

Voice vote carried.

Vice Chairman Larry Klemin: Made a do pass with amendment motion.

Rep. Randy Boehning: Second the motion.

Vote 14-0-0

Rep. Randy Boehning: Will carry the bill.

March 27, 2013

YK
3/27/13

PROPOSED AMENDMENTS TO SENATE BILL NO. 2239

Page 1, line 12, replace "a" with "any stun gun or"

Renumber accordingly

Date: 3-27-13
Roll Call Vote #: 1

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2239

House Judiciary Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Rep. Klemin Seconded By Rep. Maragos

Representatives	Yes	No	Representatives	Yes	No
Chairman Kim Koppelman			Rep. Lois Delmore		
Vice Chairman Lawrence Klemin			Rep. Ben Hanson		
Rep. Randy Boehning			Rep. Kathy Hogan		
Rep. Roger Brabandt					
Rep. Karen Karls					
Rep. William Kretschmar					
Rep. Diane Larson					
Rep. Andrew Maragos					
Rep. Gary Paur					
Rep. Vicky Steiner					
Rep. Nathan Toman					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

VOICE Vote Carried

Date: 3-27-13
Roll Call Vote #: 1

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2239

House Judiciary Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Rep. Klemin Seconded By Rep. Boehning

Representatives	Yes	No	Representatives	Yes	No
Chairman Kim Koppelman	/		Rep. Lois Delmore	/	
Vice Chairman Lawrence Klemin	/		Rep. Ben Hanson	/	
Rep. Randy Boehning	/		Rep. Kathy Hogan	/	
Rep. Roger Brabandt	/				
Rep. Karen Karls	/				
Rep. William Kretschmar	/				
Rep. Diane Larson	/				
Rep. Andrew Maragos	/				
Rep. Gary Paur	/				
Rep. Vicky Steiner	/				
Rep. Nathan Toman	/				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. Boehning

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2239: Judiciary Committee (Rep. K. Koppelman, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2239 was placed on the Sixth order on the calendar.

Page 1, line 12, replace "a" with "any stun gun or"

Renumber accordingly

2013 TESTIMONY

SB 2239

3-27-13

Tanya Long 1

Chairman Koppelman and Members of the House Judiciary Committee,

I would like to ask you to consider amending SB 2239 to add the following language.

AMENDMENT. Subsection 1 of section 62.1-01-01 of the North Dakota Century Code is amended and reenacted as follows:

1. "Dangerous weapon" includes any switchblade or gravity knife, machete, scimitar, stiletto, sword, dagger, or knife with a blade of five inches [12.7 centimeters] or more; any throwing star, nunchaku, or other martial arts weapon; any billy, blackjack, sap, bludgeon, cudgel, metal knuckles, or sand club; any slungshot; any bow and arrow, crossbow, or spear; ~~any stun-gun~~; any weapon that will expel, or is readily capable of expelling, a projectile by the action of a spring, compressed air, or compressed gas, including any such weapon, loaded or unloaded, commonly referred to as a BB gun, air rifle, or CO2 gun; and any projector of a bomb or any object containing or capable of producing and emitting any noxious liquid, gas, or substance. "Dangerous weapon" does not include a spray or aerosol containing CS, also known as orthochlorobenzamalonitrile;CN, also known as alpha-chloroacetophenone; or other irritating agent intended for use in the defense of an individual, nor does the term include a device that uses direct contact to deliver voltage for the defense of an individual.

This is the exact wording that was added to HB 1327 to amend it back in January which was passed out of your committee and eventually passed by the House, but HB 1327 is still in the Senate Judiciary Committee with no recommendation at this time and because this was attached to a bill that had many other changes in the Century Code in it, there is no guarantee it will pass. I would like to ensure if HB 1327 should somehow fail in the Senate, we would still be able to get this part of the Century Code Amended to take the word "stun gun" completely out of the list of dangerous weapons. Thank you for your consideration.

**Sincerely,
Tanya Long**

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[Home](#) > How do Stun Guns work?

How do Stun Guns work?

A stun gun is an electrical self-defense device that uses high voltage to stop an attacker. Touching a person with the prongs on the stun gun quickly immobilizes the attacker. However, because the amperage is very low, no serious or permanent injury is inflicted.

The stun gun is designed to key into the nervous system. It dumps its energy into the muscles at a high pulse frequency that makes the muscles work very rapidly, but not efficiently.

This rapid work cycle depletes blood sugar by converting it to lactic acid all in just seconds.

The resulting energy loss makes it difficult to move and function. At the same time, the tiny neurological impulses that travel throughout the body to direct muscle movement are interrupted.

This causes disorientation and loss of balance and leaves the attacker in a passive and confused condition for several minutes.

Although there is no significant effect on the perpetrator's heart and other organs, you have the time you need to get away and get help.

Stun Guns have a common theme: They are a direct contact weapon - not to be confused with a TASER™ Device.



What is the difference between a stun gun and a taser?

As a general rule, a one-half second contact will repel and startle the attacker, giving some pain and muscle contraction. If he lets go, take off and get out of there.

One to two seconds can cause muscle spasms and a dazed mental state. Over three seconds can cause loss of balance and muscle control, mental confusion and disorientation. **Realize that 3 seconds is quite a long time when in a physical struggle.**

You will not be affected even if you are holding your attacker with another hand or he is holding you! The extreme shock does not pass between people.

You will not get shocked if your attacker is touching you. Even if you or the attacker are wet or standing in water, you will not get shocked. The effect is localized only to where contact is made.

If you have any other questions about these devices, please post it on the [discussion board](#), give us a call or send us an [email](#).

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