

**Západočeská univerzita v Plzni**  
**Fakulta filozofická**

**Bakalářská práce**

**2015**

**Kateřina Kejlová**

**Západočeská univerzita v Plzni**

**Fakulta filozofická**

**Bakalářská práce**

**The translation of an English legal text with a  
commentary and glossary**

**Kateřina Kejlová**

Plzeň 2015

**Západočeská univerzita v Plzni**

**Fakulta filozofická**

Katedra anglického jazyka a literatury

**Studijní program Filologie**

**Studijní obor Cizí jazyky pro komerční praxi**

**Kombinace angličtina – němčina**

**Bakalářská práce**

**The translation of an English legal text with a  
commentary and glossary**

**Kateřina Kejlová**

*Vedoucí práce:*

PhDr. Eva Raisová

Katedra anglického jazyka a literatury

Fakulta filozofická Západočeské univerzity v Plzni

Plzeň 2015

Prohlašuji, že jsem práci zpracoval(a) samostatně a použil(a) jen uvedených pramenů a literatury.

*Plzeň, duben 2015* .....

*Ráda bych touto cestou poděkovala vedoucí práce PhDr. Evě Raisové za cenné rady, připomínky a čas, který mi věnovala.*

# TABLE OF CONTENTS

<b>1. INTRODUCTION</b> .....	<b>1</b>
<b>2. THEORETICAL PART</b> .....	<b>2</b>
2.1 Theory of translation .....	2
2.1.1 Types of translation .....	2
2.1.2 Translation techniques .....	3
2.1.3 Translator .....	4
2.2 Legal English and its translation .....	7
2.3 Introduction to the Legal and Judiciary System of the United States of America .....	10
2.3.1 The system of courts .....	11
2.3.2 Classification of law .....	12
2.4 The state Iowa and its system of courts .....	13
2.5 Facts about carrying weapon in the United States of America and in the state of Iowa .....	15
2.5.1 Facts about weapons in the United States of America .....	15
2.5.2 Facts about weapons in the state of Iowa .....	16
<b>3. PRACTICAL PART – TRANSLATION</b> .....	<b>17</b>
<b>4. COMMENTARY</b> .....	<b>32</b>
4.1 Analysis of the source text (Macroanalysis) .....	32
4.1.2 Syntactic level.....	33
4.1.3 Lexical level.....	36
4.2 Microanalysis .....	37
<b>5. GLOSSARY</b> .....	<b>41</b>
5.1 Glossary Nr. 1 .....	41
5.2 Glossary Nr. 2 .....	43
<b>6. CONCLUSION</b> .....	<b>45</b>
<b>7. ENDNOTES</b> .....	<b>46</b>

<b>8. ABSTRACT .....</b>	<b>50</b>
<b>9. RESUME.....</b>	<b>51</b>
<b>10. BIBLIOGRAPHY .....</b>	<b>52</b>
10.1 Print sources.....	52
10.2 Internet sources.....	53
<b>11. APPENDICES.....</b>	<b>56</b>
11.1 Appendix I.....	57
11.2 Appendix II.....	71

# 1. INTRODUCTION

The objective of this thesis is to create a translation of a selected English legal text which is followed by a commentary and two glossaries.

I have chosen for the translation a chapter from the Criminal Law and Procedure of the Code Iowa, specifically the chapter which deals with the issue of weapons in the state of Iowa. This chapter can be found on the website American Gun Owners Alliance from which the source text also stem. [1]

The selection of the source text was mainly influenced by topic concerning the carrying weapons in different U.S. states. Another impulse for the final decision of the selection of this topic was the document called Bowling for Columbine, directed by Michael Moore, who researched the causes that lead American citizens to hold a large number of weapons in households.

The thesis is divided into six parts. The first part begins theoretically and contains the general theory of translation mainly according to Dagmar Knittlová, types of translations, translation techniques and competences of the translator. Moreover I deal with legal English, its translation and typical features with certain examples.

The second part deals with the legal and judiciary system of the United States of America and the state of Iowa, including the particular branches of governments, the system of courts and the classification of law.

The third part contains the facts about carrying weapons in the U.S., classification of requirements to carry weapons and certain information and numbers regarding the weapons.

The fourth part is the translation itself followed by the commentary and two glossaries of terminology relating to the weapons and legal expressions, which include the Czech translation and English meanings.



## **2. THEORETICAL PART**

### **2.1 Theory of translation**

Before the second half of the 20<sup>th</sup> century the translations, especially the translations of fiction, was taken into consideration rather aesthetically, later linguistic was added into consideration. A large number of theories of translation have been written throughout the history (A.V. Fjodorov, Vinay, Catford, Yebra). Some of them ask whether translation in itself is possible at all and if so, to what extent. General term for the theory of translation is the translation studies. The translation studies are the area of the applied linguistic.

The translation process also deals with sciences such as psychology, linguistic, psycholinguistic, phonology, philosophy and sociology. [2]

Translation is generally understood as a process, in which written communication or a text from the source language is transferred into the target language. During the translation process is the information transferred on the basis of decoding symbols of the source language and their translation into the target language. An integral part is the analysis of the source text and its subsequent restructuring. Translation is also determined as a result of this process. [3]

#### **2.1.1 Types of translation**

The three forms of translation, which Roman Jakobson distinguished in his essay "On Linguistic Aspects of Translation", brought the contribution in translation activities:

- Intralingual translation (rewording): Translation within one language. Translation involves explaining in words of the same language. This may be a simplification or edit of the text to make it more understandable.

- Interlingual translation (translation proper): Translation from one language into another or reinterpretation of the message in another

linguistic code. The classic written conversion of the text from the source language to the target language.

- Intersemiotic translation (transmutation): Translation from one linguistic system to another which means the transference of meaning from a verbal to a non-verbal system (from one group of signs to another). [4]

## 2.1.2 Translation techniques

The translation process uses various methods, ways and techniques, which ultimately all lead to solving the same problem. The translation theorists, as they were Fjodorov, Levý and Catford, do not use the specific distinctive terms but in most cases they named the process simply as *the changes* or *the methods*. The techniques of our Czech linguists Poldauf and Bareš are particularly based on comparison of English and French stylistics, developed by the Canadian linguists Vinay and Darbelnet. Their work includes these seven basic approaches they used:

### 1. Transcription and Transliteration

The transcription is the conversion of one language that uses one set of characters into another language, which uses a completely different set of characters, in accordance with the pronunciation of the target language. It is frequently used for instance in transcription of the pronunciation of foreign words and names in dictionaries or in linguistic texts. "Transliteration is the faithful transcription of words from one font to another." [5]

In the transliteration is the pronunciation not such important as in the transcription. [6]

### 2. Calque

Calque is a literal translation. The word or phrase is formed through the process of loan translation. Example: *sky-scraper* – *mrakodrap*.<sup>1</sup>

---

<sup>1</sup> Authors own example.

### 3. Substitution

One expression is replaced by another, the equivalent one, in the same grammatical slot. The noun can be replaced by pronouns for example. [7]

### 4. Transposition

The necessarily changes in word category or structure, relocating to the secondary part of speech while preserving the character. [8]

### 5. Modulation

The modulation represents the change in semantics, it reverse the point of view of the message. Example: *“it isn’t expensive / it’s cheap”*

### 6. Equivalence

In the equivalence is the same meaning expressed by a different term, which is frequently applied to proverbs and idioms.

### 7. Adaptation

The adaptation means, that a text has to be modified to make it suitable for a different target reader, region or country, when a certain expression does not have the equivalent formulation. [9]

## 2.1.3 Translator

According to T. Svoboda, before the start of translating is the need for the translation to get acquainted with the text as a whole and perform the shorter form of translation analysis, in which can be found out for example the recipient. The translator deals with various possibilities for solving the conversion of meaning from the source text to the target one.

### Translator competences

The linguistic competence of the translator must be supplemented, according to the translated text, by knowledge from other disciplines. The mutual relationships between individual disciplines are essential for

translation; the current situation and culture contribute significantly to the context of the text.

Equivalency – It is necessary and often difficult to convert entire information of the text and the source language into the target language even in a situation where the grammatical systems of the two languages are distinguished. [10]

The following text is prepared according to Z. Fišer who indicates overall seven competencies that are important for translators:

1. Language competence – It is a precondition, that the translator will perfectly manage the source language and the target language while the target language is usually the mother tongue. To all this is a certain expertise also expected. When translating a scientific text, the translator should be able to understand in such a manner that an adequate translation will be created.

2. Text-forming competence – The translator is able to create a text using appropriate linguistic expressions by which the text can be determined without difficulties.

3. Literary competence – If the translator is a writer or a poet, in this context has an indisputable advantage because by literary works it is expected, that if the translator creates a translation of the literary work, is able to find adequate words to make aesthetically impressive interpretation in the target language.

4. Socio-organizational competence – Working conditions play an important role for translators. Translator should be able to arrange a suitable working environment and prepare equipment for translating, such as vocabularies or science books. Another important aspect is a consultation with experts from various areas or consultation with the native speakers.

5. Research competence – This competence refers to the ability of the translator to work with the proper sources of information, e.g.: dictionaries, websites, encyclopedias or consultations.

6. Cultural competence – This competence include knowledge of the culture and history of the source and the target language. The translator should constantly educate in the field of facts and utilize this knowledge in the translation process.

7. Strategic competence - Unification of all abilities and qualities of the translator. The translator approaches to the text as an individual and can practically apply the techniques and strategies of the translation.

## 2.2 Legal English and its translation

Legal English is based with its formal language on the Standard English and is a type of a technical language. Legal English as a mean of the so-called legal speech between lawyers, arbiters and all those involved in drafting laws, whereas the author and addressee of the text is usually an expert, or an expert discussing a legal problematic with a client and use therein an adapted language and simpler terms. "The legal speech means any spoken or written language which can convey the legal information. In addition to the standard language, there are also legal colloquial languages such as different spoken languages (judiciary) and also a legal slang (student)."<sup>2</sup> [11] For legal language is typical that has its own idioms, terminology, collocation and stable grammatical structure. Nevertheless, there is the exception that proves the rule, that the certain rules of grammar can be exceeded, for example the omission of the determiner. Regarding the parts of speech, there is a use of all parts except the interjections. The legal language is able, thanks to the grammatical and lexical structures, to capture all kinds of legal operations. The style of the legal language is also characterized by semantic accuracy, intelligibility, stability and non-expressiveness. [12], [13]

Each country has its own specific legal and social system, from which is derived the further selection of terms in the target language. Their importance also have lexical and semantic factors and then may a situation occur, when in the target language will be grammar of the source language modified, but in such a way, that the meaning and significance of the whole idea will be completely preserved. The translator should also learn the legal system of the target and source language, to avoid inaccuracies. The translator may also encounter with other terminology in his professional experience, for example, in the legal text will be discussed an economic or a medical topic and the translator must deal with this and study the issue. We must al-

---

<sup>2</sup> Translated by author of the thesis

so take into account the fact that the expression in the source language may not always have an equivalent term in the target language, or it may also happen that the term exists in both languages, but each of them expresses something entirely different. It is also necessary to find suitable words or their synonyms in the target language, it is not always appropriate to use the translation of common English in the legal text.

Borrowings, internationalisms and loan words occur frequently in the documents of the legal specialization. Most of the words are also the Latin or French origin, while particularly using the English pronunciation. The English verb *shall* has a function of an auxiliary verb of the future tense in the British English and in the American English has an archaic index and in both cases has an order index i.e. the modal verb shall express obligations of somebody and prohibitions (shall/shall not). “The perfect infinitive represents events expected to be completed by a certain time in the future. “ [14] All (except the last one) examples and information mentioned below are from the book *Legal English and its Grammatical Structure* and are translated into Czech by author of the theses: [15]

Obligation: “*The notary who took the inventory... **shall** make duplicate copies of the procès verbal...*”

Translation: *Notář, který vede listinu... vytvoří duplikáty z ústního jednání.*

The present perfect after *shall*: “*The fund **shall have performed** all obligations required to be performed by it and Buyer shall have received a certificate on behalf of the Fund to such effect.*”

Translation: *Fond vykonává všechny požadované povinnosti a Kupující poté jménem Fondu obdrží potvrzení k tomuto účelu.*

The English legal texts contain frequently the long, complicated sentences and large number of coordinated and subordinated clauses which can result in

the initial incomprehensibility of the text and therefore it is recommended to find the infinitive verb first and further the objects related to this verb. Word order of the English clauses is fixed, however, there is a possibility to change the order e.g. by using the passive voice.

*“If the motion to set aside or the exception to the indictment in cases of felony be sustained, **the defendant shall not therefor be discharged, ...**”*

Translation: *V případě zrušení obžaloby nebo udělení výjimky v obžalobě v případech závažného trestného činu, obžalovaný nesmí být z těchto důvodů propuštěn, ...*

The other aspect of the English legal texts are conditional clauses, which appear in large quantities and are using e.g. to express the terms and conditions or the given options, which one should follow. The conditional clauses may occur anywhere in the sentence, but most frequently occur at the beginning of the sentence and in most cases are expressed by the conjunction *if* or by using certain complex conjunctions e.g. *in case*. Another conjunction which is used in the conditional sentences is the conjunction *where*. When translating, it is necessary to be beware of the using of this conjunction, because there is an option of referring to as a place so referring to a condition.

Condition: *“**Where** this Code permits the establishment of a company by a single person, ...”*

Translation: *Kde tento zákon povoluje založení společnosti pouze jedinou osobou, ...*

Place: *“All permits so issued shall be for a period of five years and shall be valid throughout the state except **where** the possession or carrying of a firearm is prohibited by state or federal law.”*

Translation: *Všechna povolení vydaná tímto způsobem jsou na dobu pěti let a jsou platná na celém území státu, s výjimkou případů, kde je držení nebo nošení střelné zbraně státem či federálními zákony zakázáno.<sup>3</sup>*

---

<sup>3</sup> This translation and original English text is taken from the translated source text in this thesis.



## 2.3 Introduction to the Legal and Judiciary System of the United States of America

The United States consists of fifty states and federal districts and operates under a federalist system. Each of the fifty sovereign states of the United States has its own governments and state constitutions, whereas the governments draw laws, also unique for each state in their own way; however, these laws cannot contravene the Constitution. The national government and states governments are divided into executive, legislative, and judicial subdivisions.

**Executive branch:** The executive branch is a part of the government and includes the followings: the head of a state – the President, who serves a four-year term, can veto the legislation and has the power to nominate all federal judges and officers of the United States, and other officers, such as the Vice President, the Cabinet and federal departments.

**Legislative branch:** This subdivision includes the Congress of the United States, which is made up of two chambers: the Senate and the House of Representative, which have all the federal legislative power. The law will be enforced only if both houses approve it. Afterwards the law must be signed by the President.

**Judicial branch:** State systems are constituted of a Supreme Court, an intermediate court, trial courts and specialized courts. The highest court in the United States is the United States Supreme Court that was established in accordance with the Constitution. It consists of nine members: a Chief Justice and eight Associate Justices. The Supreme Court's decision is the final decision over all federal courts and over state court cases involving issues of federal law. Below the Supreme Court are The Circuit Courts of Appeals. On these courts are resolved appeals from the District courts. The Congress has also established several courts that address special types of cases. Cases from these courts are appealed to the U.S. Court of Appeals for the Federal Circuit. Federal judges hold their office for life. The exercise of judicial power is concerned not with the general community but with specific parties and controversies. The federal courts have the authority to naturalize persons as U.S. citizens and to settle certain legal disputes. [16]

### **2.3.1 The system of courts**

The United States has two court systems – the federal and the state.

#### **State courts**

Each state has its own judiciary. However, the court system is hierarchically organized in general courts along with special courts. At the lowest level are the trial courts, where the trials take place, contrary to the appellate courts, which are at the highest level. Most of the legal cases are decided in states courts.

Another type of the general courts is the Appellate Court. The both, state and federal appellate court investigate, whether the lower court resolved the right decision according to the law. In most U.S. states is allowed only one appeal. “Cases that originate in state courts can be appealed to a federal court if a federal issue is involved and usually only after all avenues of appeal in the state courts have been tried. “ [17], [18]

The third part of the state courts is then the State Supreme Court which is a judicial tribunal of a certain state which holds no trial but hears the appeals and is distinct from the U.S. Supreme Court. The court is made up of a panel of judges. The interpretation of the state Supreme Court is final and shall be accepted in federal courts. However, the appeals from the State Supreme Court can be heard at the U.S. Supreme Court only in case of the question of law under the United States Constitution. In practice, only certain state court cases are justified in reviewing by the U.S. Supreme Court. [19]

#### **Federal courts**

Like the state court system, the federal judiciary is also divided into three general levels. At the lowest level there are the federal district courts. District courts are made up of 94 courts therewith each state has at least one court in the district and act as both trial courts and appellate courts. The district courts have some special courts as well, which deal with cases like bankruptcy cases, federal tax claims, claims against the United States and claims involving cus-

toms and international trade. “The district courts also serve as the first level of appeal for state court cases involving a constitutional issue.” [20]

The second level of the federal court system contains 13 circuit courts of appeal, where come the cases solved by federal district courts. Each of the courts of appeal has three judges sitting together as a panel. Afterwards, the decisions are made by the majority vote of this panel.

The third and highest level is the Supreme Court of the United States which is the final arbiter of federal constitutional issues. I was already mentioned the U.S. Supreme court on the page 7 of my work. [21]

### **2.3.2 Classification of law**

Substantive law and procedural law are the two main categories within the law.

#### **Substantive law**

The part of the law that creates defines and regulates legal rights limitations and obligations. The substantive law includes the law of contracts, tort law and criminal law and thus is connected to all categories of public and private law. [22]

#### **Procedural law**

The procedural law is the part of law that determines the rules and formal steps that are used in enforcing the substantive law. These rules should ensure a fair trial and due the process of law of all cases that come before a court. The procedural law contains criminal procedure and civil procedure. [23]

## **2.4 The state Iowa and its system of courts**

Iowa is a state in the United States of America, located in the Midwest and its territories runs the Mississippi River. Iowa has six neighbor states which are Wisconsin and Illinois in the east, South Dakota in the West, Minnesota in the north and Missouri in the south. Iowa became a 29. state of U.S. in 1846 and its capital and largest city is currently Des Moines, where the Iowa State Capitol is situated, in which sit the members of The Iowa General Assembly. [24]

The Iowa General Assembly belongs to the legislative branch and consists of the upper house Iowa Senate with fifty members and of Iowa House of Representatives with hundred members. Iowa is represented in the Congress of United States by two senators and four representatives. The governor of Iowa is the chief executive, the head of the executive branch of Iowa's state government and is elected for a term of four years. The governor enforces state laws and also can approve or veto bills. [25], [26]

State Iowa is holding the general system of courts of the United States. This system is made up of the District courts, the Iowa Court of Appeals, the Iowa Supreme Court as the highest court in the Iowa state court system, but also other courts like the Juvenile court, specialty courts and small claims courts. The state Iowa has 8 districts and each of them has its own court. To the Iowa Court of Appeals are passed on by the Supreme Court the appeals from the district courts. Unless is further review required, the case does not proceed to the Supreme Court and the decision is therefore final. Certain judgments of courts become precedents for the following cases. "As an appellate court, the Iowa Court of Appeals, including the Iowa Supreme Court, does not preside over trials. The court of appeals proceedings do not involve witnesses, juries, new evidence, or court reporters. Instead, the court reviews the written record of the trial court to determine whether any significant legal errors occurred. " [27] The Iowa Supreme Court has 7 members, who are responsible for recognition of the practice of attorneys and prescribing rules relating to these attorneys. These members have also control over the entire judicial branch of this state and over their employees as well. Iowa's specialty courts include a Family Drug

Court Initiative and the Iowa Business Specialty Court Pilot Project whereas the Family Drug Court has e.g. a task to enhance the safety of children and protect them from abuse. The supporting team seeks to solve the problems in families, where parents are using the addictive substances. The aim of this court is to get parents from this addiction so they can remain self-sufficient and be the care-takers for their children. [28]

## **2.5 Facts about carrying weapon in the United States of America and in the state of Iowa**

In the practical part of my thesis I deal with the translation of selected parts of the Weapon Act in the U.S. state Iowa. In this chapter, I briefly describe through the several statistics and researches the issues concerning the carrying of weapons, both in the United States and in the state of Iowa.

### **2.5.1 Facts about weapons in the United States of America**

Each country has its own laws about weapons which are independent of federal firearms laws. The firearms are classified into three types: handguns, rifles and shotguns.

The laws about carrying weapons permit persons who meet certain principles and minimum federal requirements for the possession and carrying concealed firearms. Each state falls into one of these categories:

1. Shall-issue states – requires the permit to carry concealed weapons and applicants must meet the specific principles and then are the permits issued to all the applicants. To this category belong forty states, including the state Iowa and other such as e.g.: Alaska, Arizona, Louisiana and Wisconsin.
2. May-issue states – Local authorities require from the applicants the announcement of the reasons for carrying weapons and then decide whether the applicant may receive a permit. To this category belong nine states including California, Connecticut, New York and New Jersey.
3. No-issue state – this state do not allow the citizen to carry the concealed weapon. To this category belongs the state Illinois. [29]

Focused on the numbers, the U.S. has still on its number of population the largest gun possession ratio per capita (88 firearms per 100 people). According to the FBI statistics, the number of murders by firearm increased in 2012. Most these murders in the United States are committed with handguns. The state California has the highest number of murders by firearms; the lowest number

has the state Alabama and the territory Guam in the Pacific Ocean (see table 1 in appendix). [30]

## **2.5.2 Facts about weapons in the state of Iowa**

The Weapon Act of Iowa determines the rules of the sale, possession and use of firearms. In the state Iowa is permitted to carry weapons the persons who are older than 18 years and who possess an official permit. Iowa requires mentally ill individuals who are prohibited from possessing firearms to be registered. In Iowa are also still allowed the possession of semi-automatic assault weapons and their transfer. “However, the state Iowa does not require the firearms dealers to obtain a state license, registration of firearms and limit of the number of firearms. “ [31]

The americanprogress.org refers to numbers, which show according to statistics that every forty hours is killed one person in the state of Iowa. Although Iowa has in nationwide scale the lower numbers of gun violence, the gun violence are still common here. The polls, which have been carried out in Iowa, shows that more than ninety percent of Iowans support the background checks for all gun sales. [32]

Regarding to recent development concerning the issue about weapons in Iowa, in March 2015, the House of Representatives passed a bill, which e.g. “allow the persons to purchase gun suppressor, which limit the noise created by firing weapon, allow children younger than 14 to possess handguns with adult supervision and allow handgun safety training courses to be completed online.” [33]

### 3. PRACTICAL PART – TRANSLATION

#### KAPITOLA 724 – Zbraně

##### §724.1 - (2014) Útočné zbraně

1. Útočná zbraň je jakékoliv zařízení nebo nástroj následujících typů:
  - a. Kulomet. Kulomet je střelná zbraň, která střílí nebo je navržena tak, aby střílela více jak jednu ránu bez manuálního přebíjení jediným působením na spoušť.
  - b. Puška s krátkou hlavní nebo brokovnice s krátkou hlavní. Puška s krátkou hlavní nebo brokovnice s krátkou hlavní je puška s hlavní nebo hlavněmi o délce méně než šestnáct palců (406,4 mm) nebo brokovnice s hlavní nebo hlavněmi o délce méně než osmnáct palců (457,2 mm), měřeno od povrchu uzavřené kliky závěru nebo závěru hlavně pušky v klidné poloze až k ústí hlavně, nebo jakákoliv puška nebo brokovnice o celkové délce menší než dvacet šest palců (660,4 mm).
  - c. Jakákoliv jiná zbraň než brokovnice nebo puška nabíjející z hlavně, dělo, pistole, revolver nebo mušketa, která vystřelí nebo může být vyrobena k vystřelení projektilu zažehnutím výbušné náplně, zbraň, která má hlaveň nebo tubus s vrtáním více než šest desetin palce (15,24 mm) v průměru, nebo taková munice či projektil, avšak vyjma starožitných zbraní držení na vystavení nebo k zákonem povolené střelbě.
  - d. Bomba, granát, nebo mina, ať výbušnina, zápalná bomba, či jedovatý plyn; jakákoliv raketa s více než 113 gramy výbušné náplně; jakákoliv raketová střela, která má více jak 7 gramů výbušné náplně; nebo jakékoliv zařízení podobné některým z těchto.



- e. Balistický nůž. Balistický nůž je nůž s odnímatelnou čepelí, který je poháněn pružinovým mechanismem, pružným materiálem, nebo stlačeným plynem.
- f. Jakýkoliv díl nebo kombinace dílů, která jsou navržena nebo určena k použití k přestavbě jakéhokoliv zařízení na útočnou zbraň, jak je popsáno v odstavcích „a“ až „e“, nebo sestavení do takové útočné zbraně, vyjma zásobníků nebo jiných dílů, munice, nebo muničních komponentů použitých společně se zákonem povolenými sportovními střelnými zbraněmi včetně jejich částí, ale bez omezení na hlavně, které jsou vhodné k seřízení sportovních střelných zbraní.
- g. Jakýkoliv náboj nebo projektil obsahující jakoukoliv výbušnou směs nebo chemickou sloučeninu, která je schopna vybuchnutí nebo odpálení před nebo při nárazu, či nábojnice z brokovnice nebo patrona obsahující exotermické samozápalné smíšené kovy jako projektil, který je navržen k házení nebo k vrhání plamenu či ohnivé koule k simulaci plamenometu.
- h. Jakékoliv mechanické zařízení speciálně konstruované a navržené tak, aby při připojení ke střelné zbraně tišilo, tlumilo, nebo potlačovalo zvuk při výstřelu. Avšak tento odstavec se nevztahuje na mechanické zařízení, které vlastní a užívá osoba výhradně za účelem střelby na vysokou zvěř v souladu se schváleným programem městské speciální kontroly populace vysoké zvěře, pokud osoba vlastní platné federální povolení k držení a užívání mechanického zařízení.

## **2. Útočná zbraň nebo díl či kombinace dílů proto nezahrnuje následující:**

- a. Starožitné střelné zbraně. Starožitná střelná zbraň je jakákoliv střelná zbraň (včetně jakékoliv střelné zbraně s doutnákovým zámkem, křesadlovým zámkem, s bouchacími kapslemi, nebo podobným typem sys-

tému zapalování) vyrobená v nebo před rokem 1898 nebo jakákoliv střelná zbraň, která je replikou takovéto střelné zbraně, pokud taková replika není navržena nebo přetvořena pro použití obvyklého střeliva s okrajovým zápalem nebo střeliva se středovým zápalem, nebo která používá pouze pevné střelivo s okrajovým nebo středovým zápalem, která se již ve Spojených státech nevyrábí a které nejsou snadno dostupné v běžném komerčním obchodě.

- b. Sběratelský předmět. Sběratelský předmět je jakákoliv střelná zbraň jiná než kulomet, která z důvodu svého data výroby, hodnoty, konstrukce a dalších vlastností není vhodná k použití jako zbraň. Komisař veřejné bezpečnosti podle pravidla stanoví střelné zbraně, které určí za sběratelské kusy a seznam těchto střelných zbraní alespoň každý rok reviduje nebo aktualizuje.
- c. Jakékoliv zařízení, které není navrženo nebo přetvořeno pro použití jako zbraň; jakékoliv zařízení, které je navrženo výhradně pro použití jako signalizační, pyrotechnické, vrhací, bezpečnostní nebo podobné zařízení; nebo jakákoliv střelná zbraň, která je neschopná provozu z důvodu neschopnosti vystřelit prostřednictvím třaskaviny a nemůže být snadno zrestaurována do palebního stavu.

### **3. §724.2 - (2013) Právní moc k vlastnění útočných zbraní**

- 1. Každý z těchto následujících osob či subjektů je oprávněn vlastnit útočnou zbraň, když povinnosti nebo zákonné činnosti dané osoby nebo subjektu vyžadují nebo povolují takové vlastnictví:
  - a. Jakýkoliv strážce veřejného pořádku

- b. Jakýkoliv člen ozbrojených sil veřejného pořádku Spojených států nebo Národní gardy.
- c. Jakákoliv osoba ve službách Spojených států.
- d. Příslušník vězeňské služby sloužící v instituci pod vedením nápravného oddělení státu Iowa.
- e. Jakákoliv osoba, která podle právních předpisů tohoto státu a Spojených států je zapojená v obchodní činnosti zabývající se dodáváním těchto zařízení osobám oprávněným je vlastnit.
- f. Jakákoliv osoba, firma nebo společnost, která podle právních předpisů tohoto státu a Spojených států se v souladu se zákonem zabývá zdokonalováním, invencí nebo výrobou útočných zbraní.
- g. Jakékoliv muzeum nebo podobné místo, které vlastní, a to výhradně jako relikvie, útočné zbraně, které byly trvale znehodnoceny.
- h. Trvale bydlící obyvatel tohoto státu, který vlastní útočnou zbraň, jež je sběratelskou kuriozitou nebo pozůstatkem střelné zbraně podle federálního zákona o střelných zbraních 18 U.S.C.<sup>4</sup> kapitola 44, a to výhradně pro použití v oficiálních funkcích nově přijatého zákona o historické organizaci, které je daná osoba členem, jestliže byla útočná zbraň prokázána jako trvale znehodnocená pro střelbu ostrou municí. Útočná zbraň avšak může být uzpůsobena ke střelbě slepými náboji.
- i. Osoba nemající trvalý pobyt a která vlastní útočnou zbraň, která je sběratelskou kuriozitou nebo pozůstatkem střelné zbraně podle fede-

---

<sup>4</sup> U.S.C. – Abbreviation of the United States Code – Sbíрка zákonů Spojených států

rálního zákona o střelných zbraních 18 U.S.C. kapitola 44, a to výhradně pro použití v oficiálních funkcích v tomto státě nově přijatého zákona o historické organizaci, které je daná osoba členem, jestliže je útočná zbraň osobou ve státě svého bydliště legálně vlastněná, a pokud je útočná zbraň po celou dobu v tomto státě prokázána jako neschopná střelby ostré munice. Osoba nemající trvalý pobyt a která v tomto státě vlastní útočnou zbraň, podle tohoto odstavce nesmí mít v osobním vlastnictví ostrou municí. Útočná zbraň avšak může být uzpůsobena ke střelbě slepými náboji.

2. Nehledě na pododíl 1, osoba není oprávněna v tomto státě vlastnit nábojnici z brokovnice nebo patronu určenou k vrhání ohně nebo ohnivé koule podle typu popsaného v oddíle 724.1.

#### **§724.2A – Definice strážce veřejného pořádku**

Jak je použito v oddílech 724.6. a 724.11. ohledně získání nebo prodloužení povolení k nošení zbraní, „strážce veřejného pořádku“ zahrnuje náhradního strážce veřejného pořádku, jak je definováno v oddíle 80D.1A.

#### **§724.3 - Neoprávněné držení útočných zbraní**

Jakákoliv osoba, jiná než zde oprávněná, která vědomě vlastní útočnou zbraň se dopustí se závažného trestního činu třídy „D“.

#### **§724.4 – Nošení zbraní**

1. Není-li v tomto oddíle stanoveno jinak, osoba, která je ozbrojena nebezpečnou zbraní, skrytou ať už na sobě nebo u sebe, nebo osoba, která je v rámci nějakého města ozbrojena pistolí či revolverem nebo jakoukoliv jinou střel-

nou zbraní, ať už skrytou nebo ne, nebo která vědomě nese nebo přepravuje ve vozidle pistoli či revolver, se tak dopouští závažného přestupku.

2. Osoba, která je ozbrojena nožem skrytým ať už na sobě či u sebe a v případě, že tato osoba nůž použije k páčání zločinu, dopouští se tak závažného přestupku.
3. Osoba, která je ozbrojena nožem skrytým ať už na sobě či u sebe a pokud tato osoba nepoužije nůž při páčání zločinu:
  - a. V případě, že čepel nože přesahuje osm palců (203 mm) na délku, se dopouští závažného přestupku.
  - b. V případě, že čepel nože přesahuje 5 palců (127 mm), ale nepřesahuje 8 palců (203 mm) na délku, se dopouští závažného přestupku.
4. Pododdíly 1 až 3 se nevztahují na následující:
  - a. Osoba, která je ozbrojena nebezpečnou zbraní ve svém vlastním bytě či domu nebo v místě obchodní činnosti, nebo na pozemku, který tato osoba vlastní.
  - b. Strážce veřejného pořádku, pokud povinnosti strážce vyžadují, aby nosil takovéto zbraně.
  - c. Příslušník ozbrojených sil Spojených států nebo národní gardy nebo osoba ve službách Spojených států, pokud jsou zbraně nošené v souvislosti s povinnostmi této osoby jako takovými.
  - d. Příslušník vězeňské služby, pokud povinnosti příslušníka vyžadují, sloužit pod úřadem pro nápravu v lowě.
  - e. Osoba, která pro jakýkoliv zákonný účel nese nenabitou pistoli, revolver, nebo jinou nebezpečnou zbraň uvnitř uzavřeného a upevněného

obalu nebo v bezpečně zabaleném balení, které je příliš velké, aby je osoba na sobě dokázala skrýt.

- f. Osoba, která pro jakýkoliv zákonný účel nese nebo přepravuje ve vozidle nenabitou pistolí nebo revolver uvnitř uzavřeného a upevněného obalu nebo v bezpečně zabaleném balení, které je příliš velké, aby je osoba na sobě dokázala skrýt, nebo uvnitř nákladového či zavazadlového prostoru, kde pistole nebo revolver může být snadno přístupný jakékoliv osobě jedoucí ve vozidle nebo společnému dopravci.
- g. Osoba, zabývající se v souladu se zákonem střelbou do terče na dálku, navrženého pro tento účel, a která se ve skutečnosti zabývá zákonným lovením.
- h. Osoba, která nosí nůž na lov nebo na rybaření, přičemž se skutečně zabývá zákonným lovem nebo rybařením.
- i. Osoba, která má v osobním vlastnictví a která vystaví na vyžádání strážci veřejného pořádku povolení k nošení zbraní, které bylo této osobě vydané a jejíž počínání je v rozsahu tohoto povolení. Osoba nesmí být odsouzena za porušení tohoto oddílu, jestliže tato osoba předloží u soudu povolení k nošení zbraní, které bylo platné v době údajného trestného činu a která by přinesla počínání osoby do této výjimky, kdy bylo povolení v době údajného trestného činu již vydáno.
- j. Úředník výkonu práva, který je z jiného státu, přičemž povinnosti tohoto úředníka vyžadují, aby nosil zbraň a v tomto státě je z těchto následujících důvodů:
  - 1. Extradice či jiné zákonné přesunutí vězně z tohoto státu.
  - 2. Úsilí o získání podezřelého v souladu s kapitolou 806.
  - 3. Činnosti, v nichž vystupuje jako úředník výkonu práva s vědomím a souhlasem vedoucího policie města nebo nejvyšším správním úředníkem okresu, kde se činnosti vyskytly nebo s vědomím a souhlasem komisaře veřejné bezpečnosti.

- k. Osoba zaměstnaná v přepravě vězňů na základě smlouvy s nápravným oddělením státu Iowa nebo s nejvyšším správním úředníkem okresu, s podobnou agenturou z jiného státu, nebo federální vládou.

#### **§724.4A – Zóny beze zbraní – zvýšené pokuty**

1. Jak je použito v tomto oddíle „zónou beze zbraní“, se rozumí uvnitř nebo u oblasti, nebo do 1000 stop (304,8m) od nemovitosti, zahrnující veřejné nebo soukromé základní či střední školy, nebo uvnitř či u oblasti, která zahrnuje veřejný park. Zóny beze zbraní nesmí obsahovat tu část veřejného parku určenou jako loveckou oblast podle oddílu 461A.42.
2. Nehledě na oddíly 902.9 a 903.1, osobě, která se dopustí veřejného trestného činu zahrnující střelnou nebo útočnou zbraň, a to v rámci zóny beze zbraní, v rozporu s touto nebo jakoukoliv jinou kapitolou, bude vystavena pokuta ve výši dvojnásobku maximální částky, což by jinak mohlo být uvaleno jako veřejný trestný čin.

#### **§724.4B - (2013) Nošení zbraní na školních pozemcích – trest – výjimky**

1. Osoba, která chodí ozbrojená, nese nebo přepravuje střelné zbraně jakéhokoliv druhu, ať už skryté či nikoliv, na pozemcích školy, se dopouští závažného trestného činu třídy „D“. Pro účely tohoto oddílu, „školou“ se rozumí veřejná nebo soukromá škola, jak je definováno v oddíle 280.2.
2. Pododdíl 1 se nevztahuje na následující:
  - a. Osoba, uvedená v oddíle 724.4, pododdíl 4, odstavci „b“ až „f“ nebo „j“.
  - b. Osoba, která byla školou speciálně prověřená, aby mohla být vyzbrojena, nesla, nebo přepravovala zbraně na školních pozem-

cích, a to i pro účely vedení instruktážního programu, týkající se střelných zbraní.

#### **§724.4C – Držení nebo nošení střelných zbraní pod vlivem**

Povolení vydané podle této kapitoly je neplatné, pokud osoba, které je povolení vydáno, je pod vlivem alkoholu, jak je stanoveno v oddíle 321J.2, pododdíl 1.

#### **§724.5 – Povinnost nosit povolení k nošení zbraní**

Osoba vyzbrojena revolverem, pistolí nebo teleskopickým obuškem, na sobě skrytým, má ve svém bezprostředním vlastnictví povolení, stanovené v oddílu 724.4, pododdíl 4, odstavec „i“ a povolení předloží ke kontrole na žádost strážce veřejného pořádku. Pokud tak osoba neučiní a nepředloží toto povolení, jedná se o lehký přestupek.

#### **§724.6 - Povolení k profesionálnímu nošení zbraní**

1. Osobě může být vydáno povolení k nošení zbraní, pokud je zaměstnáním osoby soukromé vyšetřování nebo soukromá bezpečnostní činnost koncesovaná podle kapitoly 80A, nebo je osoba zaměstnaná jako strážce veřejného pořádku, příslušník veřejné služby, pracovník bezpečnostní služby, bankovní kurýr nebo jiná osoba, která přepravuje majetek hodnoty vyžadující zabezpečení, nebo je zaměstnán v policejní službě, kde ozbrojená osoba má své rozumné opodstatnění. Povolení je na předepsaném formuláři uveřejněném komisařem veřejné bezpečnosti, identifikuje držitele a uvádí povahu zaměstnání vyžadující, aby držitel byl ozbrojen. Povolení, které je vydané jinak než strážci veřejného pořádku, opravňuje osobě, které je povolení vydané být ozbrojen kdekoliv ve státě, jen v době kdy je v zaměstnání a v době, kdy jde do místa zaměstnání nebo z něj odchází. Povolení vydané úředně ověřenému strážci veřejného pořádku opravňuje tohoto strážce veřejného pořádku být ozbrojen kdekoliv a kdykoliv v tomto státě. Povolení vyprší dvanáct měsíců po datu, kdy bylo vydáno, s výjimkou těch povolení, která byla vydána strážcům veřejného pořádku a příslušníkům veřejné služby, ta jsou platná po dobu jejich působení v zaměstnání, pokud nebudou zrušena jinak. Je-li pracovní poměr ukončen, musí držitel odevzdat povolení důstojníkovi, který mu jej vydal, pro zrušení jeho platnosti.



2. Nehledě na pododdíl 1, hasiči, tak jak jsou definováni v oddíle 411.1, pododdíl 10, letištní hasiči zahrnutí v oddíle 97B.49B a poskytovatelé pohotovostní lékařské péče, jak jsou definováni v oddíle 147A.1 nesmí, jakožto pod podmínkou zaměstnání, být vyžadováni opatřit si povolení podle tohoto oddílu. Avšak ustanovení tohoto pododdílu nesmí být použita na osobě, která je určena velitelem jednotek požární ochrany dalšího vládního dělení jako vyšetřovatel zháštví.

### **§724.7 - Povolení k neprofesionálnímu nošení zbraní**

1. Jakákoliv osoba, která není vyloučena v oddíle 724.8, splňuje požadavky na odbornou přípravu z oddílu 724.9, a která podá žádost v souladu s oddílem 724.10. Této osobě bude vydáno povolení k neprofesionálnímu nošení zbraní. Takováto povolení jsou na předepsaném formuláři vydanými komisařem veřejné bezpečnosti, jsou snadno rozeznatelná od profesionálních povolení a určují držitele tohoto povolení. Takováto povolení nesmí být vydána na konkrétní zbraň a nesmí obsahovat informace o konkrétní zbraně včetně značky, modelu nebo sériového čísla zbraně nebo jakékoliv munice používané v této zbraně. Všechna povolení vydaná tímto způsobem jsou na dobu pěti let a jsou platná na celém území státu, s výjimkou případů, kde je držení nebo nošení střelné zbraně státem či federálními zákony zakázáno.
2. Komisař veřejné bezpečnosti vytváří proces, který umožňuje členům nasazených ve vojenské službě, předložit prodloužení povolení k neprofesionálnímu nošení zbraní dříve a to poštou. Kromě toho, povolení vydané členu služby, který je nasazen do vojenské služby, jak je definováno v oddíle 29A.1, pododdíl 3, 8, či 12, jehož platnost by jinak skončila v době nasazení, zůstává v platnosti po dobu devadesáti dní po konci nasazení člena služby.

Pro přechodná ustanovení týkající se povolení vydaných podle této kapitoly před 1. lednem 2011, viz zákony 2010, kapitola 1178, § 18 pododdíl 2 novelizované

## **§724.8 - Osoby nezpůsobilé pro získání povolení k nošení zbraní**

Žádné povolení k profesionálnímu nebo neprofesionálnímu nošení zbraní nesmí být vydáno osobě, která je předmětem některého z následujících:

1. Je jí méně než osmnáct let pro profesionální povolení nebo méně než dvacet jedna let pro neprofesionální povolení.
2. Je závislá na požívání alkoholu.
3. Existují pravděpodobné důvody domnívat se, že použije zbraň nezákonně nebo jiným takovým způsobem, kterým by ohrozil sebe nebo jiné osoby, na základě konkrétních zdokumentovaných právních sporů osoby, kde přinejmenším jeden právní spor proběhl v průběhu předchozích dvou let, bezprostředně před datem žádosti o povolení.
4. Vztahují se na ní ustanovení z oddílu § 724.26.
5. Byla v průběhu předchozích tří let obviněna ze závažného přestupku definovaného v kapitole 708, který nezahrnuje použití střelné zbraně nebo výbušniny.
6. Z federálního zákona je osobě zakázáno střelné zbraně přepravovat lodní dopravou či jinak přepravovat, vlastnit nebo je přechovávat.

## **§724.9 – Výcvikový program pro střelné zbraně**

1. Žadatel prokáže znalost bezpečnosti vztahující se ke střelné zbraní následujícími způsoby:
  - a. Absolvování jakéhokoliv výcvikového kurzu Národní střelecké asociace pro bezpečnost u ručních střelných zbraní.
  - b. Absolvování jakéhokoliv výcvikového kurzu ručních střelných zbraní, který je dostupný široké veřejnosti a nabízen soudním orgánem, dvouletou státní vysokou školou, vysokou školou, soukromou nebo veřejnou institucí nebo organizací, výcvikovou školou pro střelné zbraně, využívajících instruktory s osvědčením od Národní střelecké asociace nebo oddělením veřejné bezpečnosti

či oddělením veřejné bezpečnosti v jiném státě, nebo od podobného certifikačního orgánu.

- c. Absolvování výcvikového kurzu pro ruční střelné zbraně pro pracovníky bezpečnostní služby, vyšetřovatele, zvláštní zástupce, nebo soudního či bezpečnostního orgánu, které jsou schválené oddělením veřejné bezpečnosti.
- d. Absolvování výcviku malorážových zbraní během služby s ozbrojenými silami Spojených států, jak je doloženo některým z následujících:

1. Zaměstnanci, kteří byli propuštěni nebo kteří odešli z aktivní služby do důchodu, zaměstnanci, kteří byli čestně i administrativně zproštěni služby za čestných podmínek.

2. Zaměstnanci v aktivní službě nebo sloužící v jedné z národních gard či jejich rezervních složek ozbrojených sil Spojených států, ti, kteří vlastní osvědčení o absolvování základního výcviku se servisními záznamy o úspěšném absolvování výcviku a způsobilosti z malorážových zbraní.

- e. Absolvování výcvikového kurzu pro střelné zbraně dle soudního orgánu, který opravňuje strážce veřejného pořádku nosit střelnou zbraň v rámci běžného výkonu povinností strážce veřejného pořádku.

- 2. Důkaz o způsobilosti podle tohoto oddílu může být doložen těmito následujícími způsoby:
  - a. Fotokopie osvědčení o absolvování nebo podobný dokument, který prokazuje absolvování jakéhokoliv kurzu nebo třídy uvedeného v pododdílu 1.
  - b. Místopřisežné prohlášení instruktora, školy, organizace, nebo skupiny, která vedla nebo vyučovala kurz či třídu, určenou v pododdíle 1, potvrzující absolvování kurzu či třídy uchazečem.

- c. Kopii dokumentu, který uvádí účast v jakékoliv soutěži ve střelbě střelnými zbraněmi.
- d. Vydávající úředník nesmí podmínit vydání povolení na odborné přípravy, které nejsou specifikovány nebo přesahují požadavky tohoto oddílu.

#### **§724.10 - (2013) Žádost o povolení k nošení zbraní – nutná kontrola osobních údajů**

1. Osobě nesmí být vydáno povolení k nošení zbraní, pokud osoba nevyplnila a nepodepsala žádost ve formě předepsané a vydané komisařem veřejné bezpečnosti. V žádosti je vyžadováno pouze celé jméno, řidičský průkaz nebo identifikační číslo průkazu neprovozovatele, bydliště, místo a datum narození žadatele a je zde uvedeno, zda žadatel splňuje kritéria uvedená v oddílech 724.8 a 724.9. Žadatel má možnost poskytnout své číslo sociálního zabezpečení, pokud se tak sám rozhodne. Žadatel také vyloží identifikační kartu, která nese rozlišovací číslo přidělené držiteli této karty, celé jméno, datum narození, pohlaví, adresu bydliště, stručný popis a barevnou fotografii držitele karty.
2. Vydávající úředník provede neprodleně po obdržení počáteční nebo prodloužené žádosti podle tohoto oddílu kontrolu osobních údajů, týkající se získání údajů z oddělení veřejné bezpečnosti o kriminální historii každého žadatele, který zahrnuje systém okamžitého vyšetřování kontroly osobních údajů vedeného federálním úřadem pro vyšetřování nebo případné nástupnické agentury.
3. Osoba, která činí nepravdivé prohlášení o hmotné skutečnosti na podané žádosti podle tohoto oddílu a je si tohoto jednání vědoma, nebo předloží to, o čem ví, že jsou to fyzicky padělané nebo podvržené doklady, se v této souvislosti dopouští trestného činu třídy „D“.

#### **§724.11 - Vydávání povolení k nošení zbraní**

1. Žádosti o povolení k nošení zbraní jsou podány nejvyššímu správnímu úředníkovi toho kraje, ve kterém má žadatel své bydliště. Žádosti o povolení k profesionálnímu nošení zbraní pro osoby, které nejsou obyvateli tohoto státu, nebo jejichž potřeba být ozbrojen vyplývá z pracovního poměru daného státu, budou podány komisaři veřejné bezpečnosti. V obou

případech, nejvyšší správní úředník či komisař před vydáním povolení rozhodne, zda byly podmínky z oddílů 724.6 až 724.10 splněny. Avšak pro prodloužení povolení se uplatňují požadavky výcvikového programu v oddíle 724.9, pododdíl 1, nebo pro prodloužení se žadatel může rozhodnout pro získání kvalifikace na střelnici pod dohledem instruktora, certifikovaného Národní střeleckou asociací nebo oddělením veřejné bezpečnosti nebo oddělením veřejné bezpečnosti v jiném státě, státní policií, nebo podobným certifikačním orgánem. K tomuto výcviku či kvalifikaci musí dojít do dvanácti měsíců před vypršením stávajícího povolení žadatele.

2. Ani nejvyšší správní úředník, ani komisař nesmí od žadatele povolení k nošení zbraní vyžadovat, aby poskytl informace identifikující konkrétní zbraň v této žádosti, včetně značky, modelu, nebo sériového čísla zbraně či jakékoliv munice používané v této zbrani.
3. Vydávající úředník vybírá pro každé vydané povolení poplatek ve výši padesáti dolarů, s výjimkou řádně jmenovaného strážce veřejného pořádku nebo příslušníka vězeňské služby. Prodloužené nebo duplicitní povolení bude vydáváno za poplatek ve výši dvaceti pěti dolarů, za předpokladu, že žádost o prodloužení povolení obdržel vydávající úředník nejméně třicet dní před vypršením stávajícího povolení žadatele. Vydávající úředník oznámí komisaři veřejného pořádku alespoň jednou za měsíc vydání každého povolení a přepoše komisaři částku ve výši deseti dolarů za každé vydané povolení a pět dolarů za vydané prodloužené nebo duplicitní povolení. Všechny tyto poplatky přijaté komisařem se vyplácí státnímu pokladníkovi a jsou vloženy na provozní účet oddělení veřejné bezpečnosti, aby tak uhradily náklady za spravování této kapitoly. Nehledě na oddíl 8.33, nevynaložený zůstatek k 30. červnu každého roku nesmí přejít zpět do státního všeobecného fondu.
4. Nejvyšší správní úředník či komisař veřejné bezpečnosti schvaluje nebo zamítá počáteční nebo prodlouženou žádost předloženou podle tohoto oddílu do 30 dnů od obdržení této žádosti. Osoba, jejíž žádost o povolení

byla podle této kapitoly zamítnuta, může požádat o přezkoumání tohoto zamítnutí podle oddílu 724.21A. Neschopnost úředníka či komisaře schválit či zamítnout počáteční či prodlouženou žádost do 30 dnů bude mít za následek rozhodnutí o schválení této žádosti.

## **4. COMMENTARY**

### **4.1 Analysis of the source text (Macroanalysis)**

The source text for the purposes of my translation was gained from the website American Gun Owners Alliance and specifically it is Chapter 724 - Weapons from the Title XVI – Criminal Law and Procedure of the Code of Iowa. For the translation was chosen only certain sections of this chapter (sections 724.1 – 724.11).

Generally, the act itself is a binding legal regulation adopted by the body of legislation. Acts are provided to the general public as well as this chapter whereas with these technical texts are concerned primarily the experts from the legal and judicial branch.

This chapter of the Code of Iowa contains sections that progressively deal with term such as offensive weapons and their classification, it also deals with the persons who has the authority to possess and carry the offensive weapons, determines the areas, where is allow to carry these weapons, the so-called “weapons free zones”, and in contrast to this are specified here the areas where is carrying of these weapons prohibited such as school grounds and parks. There are also chapters about the duties to carry the permit to carry weapons, chapters about professional and nonprofessional permits to carry weapons and who are eligible or ineligible to obtain these permits. The last chapters deal with issues about firearm training program, application for permit to carry weapons and issuance of permit to carry weapons. Regarding the structure of the source text, it is divided to the one chapter, which includes the sections, subsections and the paragraphs as can be seen on the first page of the source text.

Before the beginning if the translation process, the translator should get acquainted with the source text (as it was mentioned in the theoretical part of this theses), its background and its stylistic and thematic aspect. Since it is a text from the legal sector, it is essential to procure the selected dictionaries fo-

cusing on the law and to study basic information about the legal system of the country, from which the source text originates.

#### 4.1.2 Syntactic level

The legal texts, especially the acts usually use very long sentences and this source text is no exception. In the source text can be found examples of the simple, compound, complex and complex-compound sentences whereas the most sentences have the complicated structure since the law shall describe all the conditions applying to the issue e.g. in one paragraph or subsection.

In the text are mainly used forms of the third person in singular, present simple tenses and the passive voice, which evokes the formality of this text and in some cases is accompanied by the modal verbs (e.g. *A person may be issued...*).

*A machine gun is a firearm which shoots or is designed to shoot more than one shot, without manual reloading, by a single function of the trigger.*

*Kulomet je střelná zbraň, která střílí nebo je navržena tak, aby střílela více jak jednu ránu bez manuálního přebíjení jediným působením na spoušť.*

Determiners:

The determiners are very common in legal English whereas the determiner pronoun *any* occurred most frequently in the source text. There are certain examples of determiners from the source text:

- The determiner pronoun *any* in the meaning of selectivity and all mentioned terms that belong to a certain category:

*No professional or nonprofessional permit to carry weapons shall be issued to a person who is subject to any of the following:*



*Žádné povolení k profesionálnímu nebo neprofesionálnímu nošení zbraní nesmí být vydáno osobě, která je předmětem některého z následujících:*

- “The phrase *any person who* is typically used in the individual provisions of the criminal code.” [34]

*Any person who is not disqualified under section 724.8,...*

*Jakákoliv osoba, která není vyloučena v oddíle 724.8,...*

- The determiner pronoun *such* is also found frequently:

*... is lawfully engaged in the business of supplying those authorized to possess such devices.*

- Negative determiner no:

*No professional or nonprofessional permit to carry weapons shall be issued to a person who is subject to any of the following:*

*Žádné povolení k profesionálnímu nebo neprofesionálnímu nošení zbraní nesmí být vydáno osobě, která je předmětem některého z následujících:*

Negations: In the text occur the following prefixes to express a negative aspect.

- Non- (nonresident), in- (incapable), un- (unauthorized), dis- (disqualified)

## Modal verbs

The legal texts are also characterized by the frequency of modal verbs. In the source text is consequently a great amount of the modal verbs and the most common are *shall* and *may* compared to the non-legal English, where are the most common e.g. *can* and *will*.

Shall – As I have already mentioned in the theoretical part, the modal verb *shall* usually express obligations a prohibitions. “*Shall* is dominant not only in British legal usage but also in American English, regardless of the fact that in non-legal American usage *shall* is almost non-existent.” [35] Here are given the certain examples of the source text, firstly the obligation with the form *shall*, which was mostly translated into Czech by the author of this thesis in the form of the present simple and secondly the prohibition with the form *shall not*, which was translated as “*nesměť*”.

*The permit shall be on a form prescribed and published by the commissioner of public safety, shall identify the holder, and shall state the nature of the employment requiring the holder to go armed.*

*Povolení je na předepsaném formuláři uveřejněném komisařem veřejné bezpečnosti, identifikuje držitele a uvádí povahu zaměstnání vyžadující, aby držitel byl ozbrojen.*

*Such permits shall not be issued for a particular weapon and shall not contain information about a particular weapon including the make, model, or serial number of the weapon or any ammunition used in that weapon.*

*Takováto povolení nesmí být vydána na konkrétní zbraň a nesmí obsahovat informace o konkrétní zbrani včetně značky, modelu nebo sériového čísla zbraně nebo jakékoliv munice používané v této zbrani.*

May – as the second most commonly encountered modal verb in the source text is used here in the meaning of permission.

*An applicant may provide the applicant's social security number if the applicant so chooses.*

*Žadatel má možnost poskytnout své číslo sociálního zabezpečení, pokud se tak sám rozhodne.*

### **4.1.3 Lexical level**

The style of the source text is legal and as I was mentioned before, falls into a technical text. These sorts of texts are very formal and do not include any emotional expressions or any opinions.

Discourse markers: In the text can be found, mostly at the beginning of the sentence or the clause, the discourse markers such as *however* - making a contrast between something; *in addition* - add a new information; *if* – make a condition.

As an archaism, which is also an aspect of the legal texts, are used the formal adverb *herein* in the meaning → in this document and the adverb *therefor* (which can be in most cases confused with the adverb *therefore*) in the meaning → for that or this.

In the text, among other things, occur also elements and certain words from the American English such as *authorize*, *license*, *offense*, *misdemeanor*, *elementary school*, *pocket billy*, *muffler* or *peace officer*.

Terms, which can be found in this legal text and connect sentences, paragraphs or ideas, are e.g.: *as provided in*, *under this chapter*, *notwithstanding* and other phrases, which refers to certain ideas such as *pursuant to*, *in accordance with*, and *as defined*. Example of an idiom is e.g. expression: *on demand*.

Loan words

Borrowings, which occur in the legal texts frequently, are also used herein, including:

- The Latin origin: designate (*designatus*), commissioner (*commissionarius*), relic (*reliquiae*), require (*requirere*), portion (*portio*), affidavit (*affidare*), prior (*prae*),
- The French origin: cartridge (*cartouche*), engage (*gage*), extradition (*extradition*), possess (*possesser*), felony (*felonie*)
- The German origin: misch metal (Mischmetall) [36]

Hyphen compounds

The hyphens are used in the source text between two words and mostly express period, measures or characterization, e.g.:

short-barreled, twenty-one, twelve-month, six-tenths, one-quarter, spring-operated, line-throwing

## 4.2 Microanalysis

In this part of commentary are described the methods of selected terms that either do not have the Czech equivalent, were translated literally or it was necessary to change the word order.

*... as measured from **the face of the closed bolt or standing breech to the muzzle...***

That was initially an uncertainty with the terminology, research of these terms must be performed to determine, from where and where to should be the mentioned barrel measured. After research and consultation with the person dealing with weapons was used this translation:

*... měřeno od **povrchu uzavřené kliky závěru nebo závěru hlavně pušky v klidné poloze až k ústí hlavně...***

*Twenty-six inches – dvacet šest palců (660,4 mm)*

For the purposes of this translation, the U.S. customary units were retained and the International System of Units used in Czech Republic was added in brackets.

*Propellant charge* – literally translated into Czech, it will be *hnací náplň*. However, the text deals with the weapons and the better translation would be *výbušná náplň* that is commonly used in this terminology.

*Spring-operated mechanism* – It was used the shortened form through the hyphen in the source text. The Czech translation *pružinový mechanismus* retained its shortened form and is also used in the Czech language.

*Exothermic pyrophoric misch metal - exotermické samozápalné smíšené kovy*

It was used the literal translation.

*Peace officer – strážce veřejného pořádku*

The translation of this term was applied according to the English-Czech Law Dictionary by Marta Chromá.

*Correctional officer – příslušník vězeňské služby*

The translation of this term was applied according to the internet dictionary [slovník.seznam.cz](http://slovník.seznam.cz)

*Iowa department of corrections - nápravné oddělení státu Iowa*

Regarding to the noun *department* which is written in the small letters, it was rather used the term *oddělení* than the Czech word *ministerstvo*.

*Class "D" felony - trestný čin třídy „D“*

The literally translation was used because there was found no accurate equivalent in Czech.

*Except as otherwise provided in this section... - Není-li v tomto oddíle stanoveno jinak...* → this expression refers to the possibility of an exception.

*Aggravated misdemeanor – závažný přešupek*

There is no accurate equivalent in Czech therefore was applied the very translation of the author of this thesis.

*A person who for any lawful purpose... - Osoba, která pro jakýkoliv zákonný účel...* → there was used the literal translation of this legal expression.

*A person while the person is lawfully engaged... - Osoba, zabývající se v souladu se zákonem...* → in the Czech translation is no need to repeat the noun *person*.

*Extradition – extradice*

It was retained the original form of these noun, which has French origin, since in the Czech formal documents can be this form also found.

*Sheriff of the county - nejvyšší správní úředník okresu*

The translation of this term was chosen according to the English-Czech Law Dictionary by Marta Chromá, where is the accurate translation of the noun sheriff from the American English.

***Failure to so produce a permit is a simple misdemeanor.***

There is probably the ellipsis of the verb do, in the Czech translation is the entire issue specifically described:

***Pokud tak osoba neučiní a nepředloží toto povolení, jedná se o lehký přešupek.***

*Probable cause exists to believe, based upon documented specific actions of the person, where at least one of the actions occurred within two years immediately preceding the date of the permit application, that the person is likely*

*to use a weapon unlawfully or in such other manner as would endanger the person's self or others.*

In the Czech translation was changed the order of the clauses so that the meaning and intelligibility of the information was retained.

*Existují pravděpodobné důvody domnívat se, na základě konkrétních zdokumentovaných právních sporů osoby, kde přinejmenším jeden právní spor proběhl v průběhu předchozích dvou let, bezprostředně před datem žádosti o povolení a tudíž je tak u osoby pravděpodobné, že použije zbraň nezákonně nebo jiným takovým způsobem, kterým by ohrozil sebe nebo jiné osoby.*

*Background check - kontrola osobních údajů*

This phrase was translated on the basis of later information from the text.

## 5. GLOSSARY

There are two glossaries, the first concerning the weapons and the second concerning the law and judicial terms. The terms were made up of the Macmillan English Dictionary, the Oxford Dictionary and the Collins Dictionary.

### 5.1 Glossary Nr. 1

ammunition	bullets that can be fired from a weapon	munice
ballistic knife	a weapon that fires a knife blade	balistický nůž
blade	the sharp part of a knife or other weapon	čepel
blank ammunition	the gun is fired, but contains no bullet	slepé náboje
bolt	a sliding bar that pushes the cartridge into place, closes the breech, and extracts the empty cartridge case after firing	klika závěru
bore	a unit for measuring the inside of a gun	vrtání
breech	the back end of the barrel of a gun	závěr hlavně
bullet	a small piece of metal that is shot from a gun	náboj
cannon	a large gun used in the past that shot the metal balls	dělo
cartridge	a small metal tube containing a bullet and a substance that will ex-	patrona



	plode	
firearm	small gun that is hold in one hand	střelná zbraň
flintlock	an old-fashioned gun that uses a flint to start shooting	zbraň s doutňákovým zámkem
grenade	a small bomb that someone throws	granát
machine gun	an automatic gun that fires bullets in rapid succession	kulomet
magazine	the part of a gun in which are put the bullets	zásobník
matchlock	an old type of gunlock	zbraň s křesadlovým zámkem
mine	a bomb hidden under the ground	mina
musket	a type of a long gun used by soldiers before the invention of the rifle	mušketa
muzzle	the end of a gun where the bullets come out	ústí hlavně
offensive weapon	an instrument designed to be used in attack	útočná zbraň
percussion cap	a small container holding a charge that explodes when struck	bouchací kapsle
poison gas	gas used for killing or harming people	jedovatý plyn
projectile	an object shot as a weapon	projektil
propellant charge	a substance used for making something move	výbušná náplň

	forwards	
rifle	a large gun with a long barrel	puška
shotgun	a gun that is used in hunting	brokovnice
small arms	firearms of small caliber	malorážové zbraně
trigger	the part of a gun that makes the gun fire	spoušť

## 5.2 Glossary Nr. 2

aggravated misdemeanor	the most serious class of misdemeanors	závažný přestupek
approval	the act of approving	schválení
authority	have the power to do something	pravomoc
commission of a crime	do something illegal	páchání zločinu
commissioner of public safety	officer in charge of a particular department	komisař veřejné bezpečnosti
correctional officer	an officer working in a prison	příslušník vězeňské služby
department	one of the sections in organizations	oddělení
extradition	the process of extraditing someone	extradice
federal	a federal country system	federální
felony	a serious crime	závažný trestný čin
investigator	someone whose job is to find out the facts about something	vyšetřovatel
notwithstanding	despite something	nehledě na
peace officer	an officer entrusted with maintaining law and or-	strážce veřejného pořádku

	der	
permit	an official document that give the permission to do something	povolení
purpose	the aim that someone wants to achieve	účel
pursuant to sth	in agreement with a particular rule of law	v souladu s
renewal	an agreement for something to continue	obnovení
resident	someone who lives in a particular place	trvale bydlící obyvatel
simple misdemeanor	the less serious class of misdemeanors	lehký přestupek
trial	the process of examining a case in a court of law	soud
to adapt	to change something to make it more suitable	přizpůsobit
to apply	regarding to something	vztahovat se
to engage in	to take part in a particular activity	zabývat se
to prohibit	to officially stop something from being done	zakázat
to provide	to give someone something that they want or need	poskytnout
violation	an action that is in opposition to a law	porušení

## 6. CONCLUSION

The main objective of this thesis was to create translation of the selected English legal text and make the appropriate commentary and glossary. For the translation were chosen the certain sections from the Chapter – Weapons from the Criminal Law and Procedure of the Code Iowa.

For the purposes of the translation it was necessary to obtain various materials both in Czech language and the English language and study the issues of translating the English legal texts. It was important to retain as much of the original information in all levels, stylistic, grammatical and lexical. In this aspect was the theoretical part helpful, I met the competences of the translators and the translator process. On the other hand, the translation itself was about persistence and comprehension of the source text.

Not for all expressions was found the suitable Czech equivalent and thus there must have been a different approach to translation, however, the meaning of the source text should be still retained, since this aspect is in the field of the legal texts very important. In addition, certain expressions require thorough research and in some cases it was necessary to change the order of the sentences in the target text. The greatest challenge was the work with the very long and complicated sentences, nevertheless the translator have to allow for this issue. Translating the legal texts brings its challenges, it is essential to familiarize with the legal expressions, technical terms and not only from the legal field but also from other fields that can be applied by this legal text.

The aspect of intelligibility is important, although it is a chapter from the Act, which has a very informal style without any emotional expressions, it still should be clear even to the layperson what is the text about. Translation of this legal text has enriched my vocabulary and brings the experience to the next translation activities.

## 7. ENDNOTES

1. American Gun Owners Alliance, Iowa Gun Laws  
<http://amgoa.org/iowa-Gun-Laws>
2. Knittlová, D. *K teorii i praxi překladu.*
3. Bassnett, S. *Translation studies.*
4. Bassnett, S. *Translation studies.*
5. Cyrilice.cz, Transliterace, cit.  
<http://cyrilice.cz/transliterace/>
6. Stefan Trost Media, Software Solutions, Info Center  
<http://www.sttmedia.com/transcription>
7. Knittlová, D. *K teorii i praxi překladu.*
8. Leccos, Transpozice  
<http://leccos.com/index.php/clanky/transpozice>
9. Translation Directory, Linguistic Approach to Translation Theory, cit.  
<http://www.translationdirectory.com/articles/article2019.php>
10. Knittlová, D. *K teorii i praxi překladu.*
11. Tomášek, M. *Překlad v právní praxi.* Cit. Page. 25
12. Tomášek, M. *Překlad v právní praxi.*
13. Bázlik, M. Ambrus, P. Legal English and its Grammatical Structure.

14. Bázlik, M. Ambrus, P. Legal English and its Grammatical Structure. Cit. Page 66.
15. Bázlik, M. Ambrus, P. op. Cit. Pages 65-66, 108, 124.
16. Introduction to the Legal System  
<http://www.cec.org/lawdatabase/us01.cfm?varlan=english>
17. U.S. Court System, cit.  
<http://www2.maxwell.syr.edu/plegal/scales/court.html#sca>
18. Wikipedia, The Free Encyclopedia, Appellate Court  
[http://en.wikipedia.org/wiki/Appellate\\_court#United\\_States](http://en.wikipedia.org/wiki/Appellate_court#United_States)
19. Wikipedia, The Free Encyclopedia, State Supreme Court  
[http://en.wikipedia.org/wiki/State\\_supreme\\_court#Influence\\_of\\_the\\_federal\\_Supreme\\_Court\\_on\\_the\\_state\\_supreme\\_courts](http://en.wikipedia.org/wiki/State_supreme_court#Influence_of_the_federal_Supreme_Court_on_the_state_supreme_courts)
20. The Federal Court System of the United States, cit.  
<http://study.com/academy/lesson/the-federal-court-system-of-the-united-states-definition-structure-levels.html>
21. The difference between Federal and State Courts  
<http://www.uscourts.gov/FederalCourts/UnderstandingtheFederalCourts/Jurisdiction/DifferencebetweenFederalAndStateCourts.aspx>
22. The Free Dictionary, Legal Dictionary, Substantive Law  
<http://legal-dictionary.thefreedictionary.com/Substantive+Law>
23. Wikipedia, The Free Encyklopedia, Procedural Law  
[http://en.wikipedia.org/wiki/Law\\_of\\_the\\_United\\_States#Procedural\\_law](http://en.wikipedia.org/wiki/Law_of_the_United_States#Procedural_law)
24. Wikipedia, The Free Encyclopedia, Iowa  
<http://en.wikipedia.org/wiki/Iowa>

25. Iowa, Government and Higher Education  
<http://www.infoplease.com/encyclopedia/us/iowa-state-united-states-government-higher-education.html>
26. Wikipedia, The Free Encyclopedia, Iowa General Assembly  
[http://en.wikipedia.org/wiki/Iowa\\_General\\_Assembly](http://en.wikipedia.org/wiki/Iowa_General_Assembly)
27. Iowa Judicial Branch, Iowa Court of Appeals, cit.  
[http://www.iowacourts.gov/About\\_the\\_Courts/Court\\_of\\_Appeals/](http://www.iowacourts.gov/About_the_Courts/Court_of_Appeals/)
28. Iowa Judicial Branch, A Family Drug Initiative  
[http://www.iowacourts.gov/About\\_the\\_Courts/Specialty\\_Courts/Family\\_Drug\\_Courts/index.asp](http://www.iowacourts.gov/About_the_Courts/Specialty_Courts/Family_Drug_Courts/index.asp)
29. Just Facts, Right-To-Carry Laws  
<https://www.justfacts.com/guncontrol.asp#right-to-carry>
30. The Guardian.com, Gun Crime Statistics by US State  
<http://www.theguardian.com/news/datablog/2013/sep/17/gun-crime-statistics-by-us-state>
31. Smartgunlaws.com, Background on Iowa State Law, cit.  
<http://smartgunlaws.org/iowa-state-law-summary/>
32. Americanprogress.org, Iowa Gun Violence  
[https://www.americanprogress.org/wpcontent/uploads/2013/03/IA\\_Fact\\_Sheet.pdf](https://www.americanprogress.org/wpcontent/uploads/2013/03/IA_Fact_Sheet.pdf)
33. The Des Moines Register, Iowa House Passes Sweeping Gun Legislation, cit.  
<http://www.desmoinesregister.com/story/news/politics/2015/03/10/iowa-gun-laws-legislation/24706887/>

34. Bázlik, M. Ambrus, P. op. Cit. Page 35.

35. Bázlik, M. Ambrus, P. op. Cit. Page 65.

36. Online Oxford Dictionary

<http://www.oxforddictionaries.com/>



## **8. ABSTRACT**

The bachelor thesis “The translation of an English legal text with a commentary and glossary” consists of two main parts - theoretical and practical part. The theoretical part contains the general characteristics of the translation process, particular competences of a translator and typical features of legal English and its translation. The theoretical part also includes the legal and judiciary system of the United States of America and the state of Iowa and facts about carrying weapons in the United States and certain numbers related to this issue. Finally, the practical part includes the translation itself followed by the commentary and two glossaries related to weapons terminology and legal terms.

## 9. RESUME

Bakalářská práce s názvem “Překlad anglického právního textu s komentářem a glosářem” se skládá ze dvou hlavní částí – teoretické a praktické části. Teoretická část obsahuje obecnou charakteristiku překladatelského procesu, jednotlivé kompetence překladatele a typické znaky právní angličtiny a způsob jejího překládání. V teoretické části je také zahrnut právní a soudní systém Spojených států amerických, státu Iowa a skutečnosti týkající se nošení zbraní ve Spojených státech a některá čísla vztahující se k této problematice. Závěrem, praktická část zahrnuje samotný překlad, po kterém následuje komentář a dva glosáře obsahující terminologii zbraní a právní termíny.

## 10. BIBLIOGRAPHY

### 10.1 Print sources

BASSNETT, Susan. *Translation studies*. 3rd ed. New York: Routledge, 2002, 176 p. New accents (Routledge (Firm)). ISBN 04-152-8014-1.

BÁZLIK, Miroslav a Patrik AMBRUS. *Legal English and its grammatical structure*. Vyd. 1. Praha: Wolters Kluwer ČR, 2009, 196 s. ISBN 978-807-3574-550.

CHROMÁ, Marta. *Anglicko-český právní slovník: English-Czech law dictionary*. 2., upr. vyd. Praha: Leda, 1995, 341 s. ISBN 80-859-2725-X.

FIŠER, Zbyněk. *Překlad jako kreativní proces: teorie a praxe funkcionalistického překládání*. Vyd. 1. Brno: Host, 2009, 320 s. Studium (Host), sv. 28. ISBN 978-807-2943-432.

KNITTLOVÁ, Dagmar. *K teorii i praxi překladau*. 2. vyd. Olomouc: Universita Palackého v Olomouci, c2000, 215 s. ISBN 80-244-0143-6.

*Macmillan English dictionary: for advanced learners*. Oxford: Macmillan Publishers, 2002, xiv, 1692, [38] s. ISBN 03-339-9093-5.

SVOBODA, Tomáš. *Kapitoly z překladatelské praxe: odborný překlad mezi němčinou a češtinou*. 1. vyd. Praha: Univerzita Karlova, Filozofická fakulta, 2012, 201 s. ISBN 978-80-7308-407-3. Available from: [http://utrl.ff.cuni.cz/UTRLFF-58-version1-kapitoly\\_z\\_preklatatelske\\_praxe.pdf](http://utrl.ff.cuni.cz/UTRLFF-58-version1-kapitoly_z_preklatatelske_praxe.pdf)

TOMÁŠEK, Michal. *Překlad v právní praxi*. 2. dopl. vyd. Praha: Linde, 2003, 143 s. ISBN 80-720-1427-7.

## 10.2 Internet sources

Amgoa.org, *Iowa Gun Laws: American Gun Owners Alliance*. [online] [Retrieved 29 October 2014]. Available at: <http://amgoa.org/Iowa-Gun-Laws>

Cdn.americanprogress.org, Iowa Gun Violence. [online]. [Retrieved 6 April 2015]. Available from: <https://cdn.americanprogress.org/>

Cec.org, Introduction to the Legal System. [online]. [Retrieved 3 April 2015]. Available from: <http://www.cec.org/lawdatabase/us01.cfm?varlan=english>

Chalabi, Mona, Gun crime statistics by US state. *The Guardian* [online]. [Retrieved 5 April 2015]. Available from: <http://www.theguardian.com>

Collinsdictionary.com, Collins Dictionaries | Always Free Online. [online]. [Retrieved 20 April 2015]. Available from: <http://www.collinsdictionary.com/>

Cyrilice.cz, *Definice transliterace a transkripce cyrilice do češtiny- Cyrilice.cz*. [online] Available at: <http://cyrilice.cz/transliterace/> [Retrieved 19 January 2015].

FBI, *Crime in the U.S. 2011*. [online] Available at: <http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2011/crime-in-the-u.s.-2011> [Retrieved 17 April 2015].

Hodges, Peter, Linguistic Approach to Translation Theory. *Translationdirectory.com* [online]. [Retrieved 19 January 2015]. Available from: <http://www.translationdirectory.com/articles/article2019.php>

Infoplease.com, Iowa: Government and Higher Education. [online]. [Retrieved 4 April 2015].

Available from: <http://www.infoplease.com/encyclopedia/us/iowa-state-united-states-government-higher-education.html>

Iowacourts.gov, Iowa Judicial Branch. [online]. [Retrieved 4 April 2015]. Available from: [http://www.iowacourts.gov/About\\_the\\_Courts/Specialty\\_Courts/Family\\_Drug\\_Courts/index.asp](http://www.iowacourts.gov/About_the_Courts/Specialty_Courts/Family_Drug_Courts/index.asp)

Justfacts.com, Gun Control - Just Facts. [online]. [Retrieved 5 April 2015]. Available from: <https://www.justfacts.com/guncontrol.asp#right-to-carry>

Law Center to Prevent Gun Violence, Iowa State Law Summary. [online]. [Retrieved 6 April 2015]. Available from: <http://smartgunlaws.org/iowa-state-law-summary/>

Leccos.com, Transpozice - Leczyklopædia. [online]. [Retrieved 19 January 2015]. Available from: <http://leccos.com/index.php/clanky/transpozice>

Oxforddictionaries.com, Oxford Dictionaries - Dictionary, Thesaurus, & Grammar. [online]. [Retrieved 17 April 2015]. Available from: <http://www.oxforddictionaries.com/>

Pfannenstiel, Brianne, Iowa House passes sweeping gun legislation. *The Des Moines Register* [online]. [Retrieved 6 April 2015]. Available from: <http://www.desmoinesregister.com/story/news/politics/2015/03/10/iowa-gun-laws-legislation/24706887/>

Slovník.seznam.cz, Seznam Slovník - on-line překlad z češtiny do angličtiny, francouzštiny, němčiny, španělštiny, italštiny, ruštiny, slovenštiny a naopak. [online]. [Retrieved 17 April 2015]. Available from: <http://slovník.seznam.cz/cz-en/>

Study.com, The Federal Court System of the United States: Definition, Structure & Levels - Video & Lesson Transcript | Study.com. [online]. [Retrieved 3 April 2015]. Available from: <http://study.com/academy/lesson/the-federal-court-system-of-the-united-states-definition-structure-levels.html>

TheFreeDictionary.com, Substantive Law. [online]. [Retrieved 4 April 2015]. Available from: <http://legal-dictionary.thefreedictionary.com/Substantive+Law>

Trost, Stefan, Transcription and Transliteration. *Sttmedia.com* [online]. [Retrieved 19 January 2015]. Available from: <http://www.sttmedia.com/transcription>

Uscourts.gov, The difference between Federal and State Courts. [online]. [Retrieved 3 April 2015]. Available from: <http://www.uscourts.gov/FederalCourts/UnderstandingtheFederalCourts/Jurisdiction/DifferencebetweenFederalAndStateCourts.aspx>

Wikipedia, Appellate court. [online]. [Retrieved 3 April 2015]. Available from: [http://en.wikipedia.org/wiki/Appellate\\_court#United\\_States](http://en.wikipedia.org/wiki/Appellate_court#United_States)

Wikipedia, State supreme court. [online]. [Retrieved 3 April 2015]. Available from:  
[http://en.wikipedia.org/wiki/State\\_supreme\\_court#Influence\\_of\\_the\\_federal\\_Supreme\\_Court\\_on\\_the\\_state\\_supreme\\_courts](http://en.wikipedia.org/wiki/State_supreme_court#Influence_of_the_federal_Supreme_Court_on_the_state_supreme_courts)

Wikipedia, Law of the United States. [online]. [Retrieved 4 April 2015]. Available from: [http://en.wikipedia.org/wiki/Law\\_of\\_the\\_United\\_States#Procedural\\_law](http://en.wikipedia.org/wiki/Law_of_the_United_States#Procedural_law)

Wikipedia, Iowa. [online]. [Retrieved 4 April 2015]. Available from: <http://en.wikipedia.org/wiki/Iowa>

Wikipedia, Iowa General Assembly. [online]. [Retrieved 4 April 2015]. Available from: [http://en.wikipedia.org/wiki/Iowa\\_General\\_Assembly](http://en.wikipedia.org/wiki/Iowa_General_Assembly)

Www2.maxwell.syr.edu, U.S. Court System. [online]. [Retrieved 2 April 2015]. Available from: <http://www2.maxwell.syr.edu/plegal/scales/court.html#sca>

## **11. APPENDICES**

Appendix I.: The Iowa Code: Chapter 724

Appendix II: U.S. Gun Crime Table

## 11.1 Appendix I.

### CHAPTER 724 - Weapons

#### §724.1 - (2014) Offensive weapons

1. An offensive weapon is any device or instrumentality of the following types:
  - a. A machine gun. A machine gun is a firearm which shoots or is designed to shoot more than one shot, without manual reloading, by a single function of the trigger.
  - b. A short-barreled rifle or short-barreled shotgun. A short-barreled rifle or short-barreled shotgun is a rifle with a barrel or barrels less than sixteen inches in length or a shotgun with a barrel or barrels less than eighteen inches in length, as measured from the face of the closed bolt or standing breech to the muzzle, or any rifle or shotgun with an overall length less than twenty-six inches.
  - c. Any weapon other than a shotgun or muzzle loading rifle, cannon, pistol, revolver or musket, which fires or can be made to fire a projectile by the explosion of a propellant charge, which has a barrel or tube with the bore of more than six-tenths of an inch in diameter, or the ammunition or projectile therefor, but not including antique weapons kept for display or lawful shooting.
  - d. A bomb, grenade, or mine, whether explosive, incendiary, or poison gas; any rocket having a propellant charge of more than four ounces; any missile having an explosive charge of more than one-quarter ounce; or any device similar to any of these.
  - e. A ballistic knife. A ballistic knife is a knife with a detachable blade which is propelled by a spring-operated mechanism, elastic material, or compressed gas.



- f. Any part or combination of parts either designed or intended to be used to convert any device into an offensive weapon as described in paragraphs "a" through "e", or to assemble into such an offensive weapon, except magazines or other parts, ammunition, or ammunition components used in common with lawful sporting firearms or parts including but not limited to barrels suitable for re-fitting to sporting firearms.
  
- g. Any bullet or projectile containing any explosive mixture or chemical compound capable of exploding or detonating prior to or upon impact, or any shotshell or cartridge containing exothermic pyrophoric misch metal as a projectile which is designed to throw or project a flame or fireball to simulate a flamethrower.
  
- h. Any mechanical device specifically constructed and designed so that when attached to a firearm silences, muffles, or suppresses the sound when fired. However, this paragraph does not apply to a mechanical device possessed and used by a person solely for the purpose of shooting a deer pursuant to an approved city special deer population control plan if the person has a valid federal permit to possess and use the mechanical device.

**2. An offensive weapon or part or combination of parts therefor shall not include the following:**

- a. An antique firearm. An antique firearm is any firearm (including any firearm with a matchlock, flintlock, percussion cap, or similar type of ignition system) manufactured in or before 1898 or any firearm which is a replica of such a firearm if such replica is not designed or redesigned for using conventional rimfire or centerfire ammunition or which uses only rimfire or centerfire fixed ammunition which is no longer manufactured in the United States and

which is not readily available in the ordinary channels of commercial trade.

- b. A collector's item. A collector's item is any firearm other than a machine gun that by reason of its date of manufacture, value, design, and other characteristics is not likely to be used as a weapon. The commissioner of public safety shall designate by rule firearms which the commissioner determines to be collector's items and shall revise or update the list of firearms at least annually.
- c. Any device which is not designed or redesigned for use as a weapon; any device which is designed solely for use as a signaling, pyrotechnic, line-throwing, safety, or similar device; or any firearm which is unserviceable by reason of being unable to discharge a shot by means of an explosive and is incapable of being readily restored to a firing condition.

**§724.2 - (2013) Authority to possess offensive weapons**

- 1. Any of the following persons or entities is authorized to possess an offensive weapon when the person's or entity's duties or lawful activities require or permit such possession:
  - a. Any peace officer.
  - b. Any member of the armed forces of the United States or of the National Guard.
  - c. Any person in the service of the United States.
  - d. A correctional officer, serving in an institution under the authority of the Iowa department of corrections.
  - e. Any person who under the laws of this state and the United States, is lawfully engaged in the business of supplying those authorized to possess such devices.

- f. Any person, firm or corporation who under the laws of this state and the United States is lawfully engaged in the improvement, invention or manufacture of firearms.
  - g. Any museum or similar place which possesses, solely as relics, offensive weapons which are rendered permanently unfit for use.
  - h. A resident of this state who possesses an offensive weapon which is a curio or relic firearm under the federal Firearms Act, 18 U.S.C. ch. 44, solely for use in the official functions of a historical reenactment organization of which the person is a member, if the offensive weapon has been permanently rendered unfit for the firing of live ammunition. The offensive weapon may, however, be adapted for the firing of blank ammunition.
  - i. A nonresident who possesses an offensive weapon which is a curio or relic firearm under the federal Firearms Act, 18 U.S.C. ch. 44, solely for use in official functions in this state of a historical reenactment organization of which the person is a member, if the offensive weapon is legally possessed by the person in the person's state of residence and the offensive weapon is at all times while in this state rendered incapable of firing live ammunition. A nonresident who possesses an offensive weapon under this paragraph while in this state shall not have in the person's possession live ammunition. The offensive weapon may, however, be adapted for the firing of blank ammunition.
2. Notwithstanding subsection 1, a person is not authorized to possess in this state a shotshell or cartridge intended to project a flame or fireball of the type described in section 724.1.

**§724.2A - Peace officer defined**

As used in sections 724.6 and 724.11 regarding obtaining or renewing a permit for the carrying of weapons, "peace officer" includes a reserve peace officer as defined in section 80D.1A.

**§724.3 - Unauthorized possession of offensive weapons**

Any person, other than a person authorized herein, who knowingly possesses an offensive weapon commits a class "D" felony.

**§724.4 - Carrying weapons**

1. Except as otherwise provided in this section, a person who goes armed with a dangerous weapon concealed on or about the person, or who, within the limits of any city, goes armed with a pistol or revolver, or any loaded firearm of any kind, whether concealed or not, or who knowingly carries or transports in a vehicle a pistol or revolver, commits an aggravated misdemeanor.
  
2. A person who goes armed with a knife concealed on or about the person, if the person uses the knife in the commission of a crime, commits an aggravated misdemeanor.
  
3. A person who goes armed with a knife concealed on or about the person, if the person does not use the knife in the commission of a crime:
  - a. If the knife has a blade exceeding eight inches in length, commits an aggravated misdemeanor.
  - b. If the knife has a blade exceeding five inches but not exceeding eight inches in length, commits a serious misdemeanor.
  
4. Subsections 1 through 3 do not apply to any of the following:
  - a. A person who goes armed with a dangerous weapon in the person's own dwelling or place of business, or on land owned or possessed by the person.

- b. A peace officer, when the officer's duties require the person to carry such weapons.
- c. A member of the armed forces of the United States or of the national guard or person in the service of the United States, when the weapons are carried in connection with the person's duties as such.
- d. A correctional officer, when the officer's duties require, serving under the authority of the Iowa department of corrections.
- e. A person who for any lawful purpose carries an unloaded pistol, revolver, or other dangerous weapon inside a closed and fastened container or securely wrapped package which is too large to be concealed on the person.
- f. A person who for any lawful purpose carries or transports an unloaded pistol or revolver in a vehicle inside a closed and fastened container or securely wrapped package which is too large to be concealed on the person or inside a cargo or luggage compartment where the pistol or revolver will not be readily accessible to any person riding in the vehicle or common carrier.
- g. A person while the person is lawfully engaged in target practice on a range designed for that purpose or while actually engaged in lawful hunting.
- h. A person who carries a knife used in hunting or fishing, while actually engaged in lawful hunting or fishing.
- i. A person who has in the person's possession and who displays to a peace officer on demand a valid permit to carry weapons which has been issued to the person, and whose conduct is within the limits of that permit. A person shall not be convicted of a violation of this section if the person produces at the person's trial a permit to carry weapons which was valid at the time of the alleged offense and which would have brought the person's conduct within this exception if the permit had been produced at the time of the alleged offense.

- j. A law enforcement officer from another state when the officer's duties require the officer to carry the weapon and the officer is in this state for any of the following reasons:
  - 1. The extradition or other lawful removal of a prisoner from this state.
  - 2. Pursuit of a suspect in compliance with chapter 806.
  - 3. Activities in the capacity of a law enforcement officer with the knowledge and consent of the chief of police of the city or the sheriff of the county in which the activities occur or of the commissioner of public safety.
- k. A person engaged in the business of transporting prisoners under a contract with the Iowa department of corrections or a county sheriff, a similar agency from another state, or the federal government.

**§724.4A - Weapons free zones - enhanced penalties**

- 1. As used in this section, "weapons free zone" means the area in or on, or within one thousand feet of, the real property comprising a public or private elementary or secondary school, or in or on the real property comprising a public park. A weapons free zone shall not include that portion of a public park designated as a hunting area under section 461A.42.
- 2. Notwithstanding sections 902.9 and 903.1, a person who commits a public offense involving a firearm or offensive weapon, within a weapons free zone, in violation of this or any other chapter shall be subject to a fine of twice the maximum amount which may otherwise be imposed for the public offense.

**§724.4B - (2013) Carrying weapons on school grounds - penalty – exceptions**

1. A person who goes armed with, carries, or transports a firearm of any kind, whether concealed or not, on the grounds of a school commits a class "D" felony. For the purposes of this section, "school" means a public or nonpublic school as defined in section 280.2.
2. Subsection 1 does not apply to the following:
  - a. A person listed under section 724.4, subsection 4, paragraphs "b" through "f" or "j".
  - b. A person who has been specifically authorized by the school to go armed with, carry, or transport a firearm on the school grounds, including for purposes of conducting an instructional program regarding firearms.

#### **§724.4C - Possession or carrying of firearms while under the influence**

A permit issued under this chapter is invalid if the person to whom the permit is issued is intoxicated as provided in section 321J.2, subsection 1.

#### **§724.5 - Duty to carry permit to carry weapons**

A person armed with a revolver, pistol, or pocket billy concealed upon the person shall have in the person's immediate possession the permit provided for in section 724.4, subsection 4, paragraph "i", and shall produce the permit for inspection at the request of a peace officer. Failure to so produce a permit is a simple misdemeanor.

#### **§724.6 - Professional permit to carry weapons**

1. A person may be issued a permit to carry weapons when the person's employment in a private investigation business or private security business licensed under chapter 80A, or a person's employment as a peace officer, correctional officer, security guard, bank messenger or other per-

son transporting property of a value requiring security, or in police work, reasonably justifies that person going armed. The permit shall be on a form prescribed and published by the commissioner of public safety, shall identify the holder, and shall state the nature of the employment requiring the holder to go armed. A permit so issued, other than to a peace officer, shall authorize the person to whom it is issued to go armed anywhere in the state, only while engaged in the employment, and while going to and from the place of the employment. A permit issued to a certified peace officer shall authorize that peace officer to go armed anywhere in the state at all times. Permits shall expire twelve months after the date when issued except that permits issued to peace officers and correctional officers are valid through the officer's period of employment unless otherwise canceled. When the employment is terminated, the holder of the permit shall surrender it to the issuing officer for cancellation.

2. Notwithstanding subsection 1, fire fighters, as defined in section 411.1, subsection 10, airport fire fighters included under section 97B.49B, and emergency medical care providers, as defined in section 147A.1, shall not, as a condition of employment, be required to obtain a permit under this section. However, the provisions of this subsection shall not apply to a person designated as an arson investigator by the chief fire officer of a political subdivision.

#### **§724.7 - Nonprofessional permit to carry weapons**

1. Any person who is not disqualified under section 724.8, who satisfies the training requirements of section 724.9, and who files an application in accordance with section 724.10 shall be issued a nonprofessional permit to carry weapons. Such permits shall be on a form prescribed and published by the commissioner of public safety, which shall be readily distinguishable from the professional permit, and shall identify the holder of the permit. Such permits shall not be issued for a particular weapon and



shall not contain information about a particular weapon including the make, model, or serial number of the weapon or any ammunition used in that weapon. All permits so issued shall be for a period of five years and shall be valid throughout the state except where the possession or carrying of a firearm is prohibited by state or federal law.

2. The commissioner of public safety shall develop a process to allow service members deployed for military service to submit a renewal of a non-professional permit to carry weapons early and by mail. In addition, a permit issued to a service member who is deployed for military service, as defined in section 29A.1, subsection 3, 8, or 12, that would otherwise expire during the period of deployment shall remain valid for ninety days after the end of the service member's deployment.

For transition provisions relating to permits issued under this chapter prior to January 1, 2011, see 2010 Acts, ch 1178, §18 Subsection 2 amended

#### **§724.8 - Persons ineligible for permit to carry weapons**

No professional or nonprofessional permit to carry weapons shall be issued to a person who is subject to any of the following:

1. Is less than eighteen years of age for a professional permit or less than twenty-one years of age for a nonprofessional permit.
2. Is addicted to the use of alcohol.
3. Probable cause exists to believe, based upon documented specific actions of the person, where at least one of the actions occurred within two years immediately preceding the date of the permit application, that the person is likely to use a weapon unlawfully or in such other manner as would endanger the person's self or others.
4. Is subject to the provisions of section 724.26.
5. Has, within the previous three years, been convicted of any serious or aggravated misdemeanor defined in chapter 708 not involving the use of a firearm or explosive.

6. Is prohibited by federal law from shipping, transporting, possessing, or receiving a firearm.

#### **§724.9 - Firearm training program**

1. An applicant shall demonstrate knowledge of firearm safety by any of the following means:
  - a. Completion of any national rifle association handgun safety training course.
  - b. Completion of any handgun safety training course available to the general public offered by a law enforcement agency, community college, college, private or public institution or organization, or firearms training school, utilizing instructors certified by the national rifle association or the department of public safety or another state's department of public safety, state police department, or similar certifying body.
  - c. Completion of any handgun safety training course offered for security guards, investigators, special deputies, or any division or subdivision of a law enforcement or security enforcement agency approved by the department of public safety.
  - d. Completion of small arms training while serving with the armed forces of the United States as evidenced by any of the following:
    1. For personnel released or retired from active duty, possession of an honorable discharge or general discharge under honorable conditions.
    2. For personnel on active duty or serving in one of the national guard or reserve components of the armed forces of the United States, possession of a certificate of completion of basic training with a service record of successful completion of small arms training and qualification.

- e. Completion of a law enforcement agency firearms training course that qualifies a peace officer to carry a firearm in the normal course of the peace officer's duties.
2. Evidence of qualification under this section may be documented by any of the following:
- a. A photocopy of a certificate of completion or any similar document indicating completion of any course or class identified in subsection 1.
  - b. An affidavit from the instructor, school, organization, or group that conducted or taught a course or class identified in subsection 1 attesting to the completion of the course or class by the applicant.
  - c. A copy of any document indicating participation in any firearms shooting competition.
  - d. An issuing officer shall not condition the issuance of a permit on training requirements that are not specified in or that exceed the requirements of this section.

**§724.10 - (2013) Application for permit to carry weapons - background check required**

1. A person shall not be issued a permit to carry weapons unless the person has completed and signed an application on a form to be prescribed and published by the commissioner of public safety. The application shall require only the full name, driver's license or nonoperator's identification card number, residence, place of birth, and date of birth of the applicant, and shall state whether the applicant meets the criteria specified in sections 724.8 and 724.9. An applicant may provide the applicant's social security number if the applicant so chooses. The applicant shall also display an identification card that bears a distinguishing number assigned to the cardholder, the full name, date of birth, sex, residence address, and a brief description and colored photograph of the cardholder.

2. The issuing officer, upon receipt of an initial or renewal application under this section, shall immediately conduct a background check concerning each applicant by obtaining criminal history data from the department of public safety which shall include an inquiry of the national instant criminal background check system maintained by the federal bureau of investigation or any successor agency.
3. A person who makes what the person knows to be a false statement of material fact on an application submitted under this section or who submits what the person knows to be any materially falsified or forged documentation in connection with such an application commits a class "D" felony.

#### **§724.11 - Issuance of permit to carry weapons**

1. Applications for permits to carry weapons shall be made to the sheriff of the county in which the applicant resides. Applications for professional permits to carry weapons for persons who are nonresidents of the state, or whose need to go armed arises out of employment by the state, shall be made to the commissioner of public safety. In either case, the sheriff or commissioner, before issuing the permit, shall determine that the requirements of sections 724.6 to 724.10 have been satisfied. However, for renewal of a permit the training program requirements in section 724.9, subsection 1, shall apply or the renewal applicant may choose to qualify on a firing range under the supervision of an instructor certified by the national rifle association or the department of public safety or another state's department of public safety, state police department, or similar certifying body. Such training or qualification must occur within the twelve-month period prior to the expiration of the applicant's current permit.
2. Neither the sheriff nor the commissioner shall require an applicant for a permit to carry weapons to provide information identifying a particular

weapon in the application including the make, model, or serial number of the weapon or any ammunition used in that particular weapon.

3. The issuing officer shall collect a fee of fifty dollars, except from a duly appointed peace officer or correctional officer, for each permit issued. Renewal permits or duplicate permits shall be issued for a fee of twenty-five dollars, provided the application for such renewal permit is received by the issuing officer at least thirty days prior to the expiration of the applicant's current permit. The issuing officer shall notify the commissioner of public safety of the issuance of any permit at least monthly and forward to the commissioner an amount equal to ten dollars for each permit issued and five dollars for each renewal or duplicate permit issued. All such fees received by the commissioner shall be paid to the treasurer of state and deposited in the operating account of the department of public safety to offset the cost of administering this chapter. Notwithstanding section 8.33, any unspent balance as of June 30 of each year shall not revert to the general fund of the state.
  
4. The sheriff or commissioner of public safety shall approve or deny an initial or renewal application submitted under this section within thirty days of receipt of the application. A person whose application for a permit under this chapter is denied may seek review of the denial under section 724.21A. The failure to approve or deny an initial or renewal application shall result in a decision of approval.

## 11.2 Appendix II.

**Table 20**

**Murder**  
by State, Types of  
Weapons, 2012

State	Total mur- ders <sup>1</sup>	Total fi- rearm s	Hand- guns	Rifl es	Shot- guns	Fi- rearm s (ty- pe unk- nown)	Knives or cut- ting instru- ments	Other wea- pons	Han ds, fists, feet, etc. 2
Alabama <sup>3</sup>	2	1	1	0	0	0	0	1	0
Alaska	29	11	1	0	0	10	9	7	2
Arizona	321	211	157	12	9	33	40	58	12
Arkansas	166	108	55	4	6	43	28	25	5
California	1 879	1 304	899	38	52	315	261	227	87
Colorado	160	92	61	3	5	23	29	22	17
Connecticut	146	112	50	27	1	34	17	14	3
Delaware	57	41	25	1	2	13	5	8	3
Georgia	541	390	344	10	12	24	57	85	9
Hawaii	13	3	3	0	0	0	2	4	4
Idaho	26	17	12	1	2	2	3	4	2
Illinois <sup>3</sup>	509	439	429	4	2	4	39	19	12
Indiana	275	205	128	9	7	61	20	37	13
Iowa	44	25	13	3	1	8	1	12	6
Kansas	84	50	36	1	1	12	12	13	9
Kentucky	192	122	101	4	8	9	28	29	13
Louisiana	455	370	341	9	8	12	35	27	23
Maine	25	14	6	1	0	7	7	1	3
Maryland	365	277	265	5	2	5	45	28	15
Massachu- setts	121	70	32	0	1	37	33	12	6
Michigan	682	536	309	36	19	172	48	61	37
Minnesota	89	41	37	2	2	0	21	16	11
Mississippi	174	132	99	7	5	21	13	21	8
Missouri	389	283	153	8	8	114	29	64	13
Montana	22	11	8	2	0	1	6	3	2
Nebraska	52	42	37	2	1	2	5	4	1
Nevada	116	70	41	1	2	26	17	23	6
New Hampshire	14	9	4	0	0	5	3	2	0

New Jersey	385	273	237	6	3	27	63	32	17
New Mexico	109	67	42	5	5	15	14	21	7
New York	682	407	358	11	6	32	126	126	23
North Carolina	470	309	208	12	30	59	43	77	41
North Dakota	16	4	1	0	1	2	2	8	2
Ohio	410	278	176	5	8	89	34	74	24
Oklahoma	212	149	121	10	10	8	24	18	21
Oregon	81	42	11	2	3	26	17	20	2
Pennsylvania	684	522	412	9	10	91	68	74	20
Rhode Island	34	19	7	0	0	12	5	6	4
South Carolina	324	237	134	9	13	81	31	45	11
South Dakota	14	4	2	1	1	0	1	4	5
Tennessee	387	254	183	7	6	58	37	73	23
Texas	1 141	745	493	28	41	183	173	122	101
Utah	49	29	22	2	1	4	10	6	4
Vermont	8	2	2	0	0	0	2	3	1
Virginia	314	220	103	9	2	106	37	38	19
Washington	194	106	71	4	3	28	43	33	12
West Virginia	66	47	26	5	2	14	7	7	5
Wisconsin	169	108	85	5	1	17	30	21	10
Wyoming	14	5	2	0	0	3	3	2	4
Guam	2	0	0	0	0	0	0	2	0
Virgin Islands	52	42	28	2	1	11	6	4	0

1 Total number of murders for which supplemental homicide data were received.

2 Pushed is included in hands, fists, feet, etc.

3 Limited supplemental homicide data were received.

Table 1: U.S. Gun Crime Table: Murder by State, Types of Weapons, 2012,  
Source: theguardian.com