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April 4, 2013

The Honorable Floyd Prozanski, Chairman  
Members of the Committee  
Senate Committee on Judiciary  
Oregon State Capitol  
900 Court Street NE, Room 331  
Salem, OR 97301

Dear Chairman and Members of the Committee:

I am writing in regards to the proposed legislation SB 347, SB 699, SB 700 and SB 796. I understand the heightened sensitivity we all have felt given recent events that lead to the creation of these proposals, however I cannot in good conscience support these proposals. The proposals address issues that are not present days concerns and present a hardship on law abiding citizens of this State.

SB 347 infringes on the rights of law abiding citizens on an issue that was not an area of concern to begin with. Someone having been properly vetted by the local sheriff's office and having demonstrated that they had already attended the mandatory training should be allowed to carry his or her handgun for self-defense. This proposal fails to address an immediate concern as there has been no rise in criminal activity from people currently in possession of concealed carry licenses. It would however serve those with criminal intent to know where they could strike with the least amount of threat to themselves.

SB 699 is a reactionary bill that again addresses something that is not an issue. During a rally some members of the pro-gun rights group exercised their rights legally and in accordance with the law by carrying guns into the State House. All of them did so legally and in exercise of their rights to assemble and protest. However because some people felt uncomfortable this legislation has been proposed. This legislation is reactionary. This country was founded on the ability of the citizens to speak up on the issues that matter to them. We have encouraged for century's, participation of the citizens in the legislative process through protesting peacefully and vocally. People have done so through carrying all many of physical representations of their cause, from signs to firearms to pictures of fetuses and many other things. Recently the Supreme Court of the United States upheld the right of a religious organization to protest funerals of fallen service members, even though those protest used inflammatory and derogatory language and even actions. I have witnessed one of these protests and was very uncomfortable. I have witnessed pro-life protests of a Planned Parenthood center in North Portland was very uncomfortable with the graphic pictures of aborted fetuses. However, in spite of my discomfort or difference of opinion I respected the rights of the people to voice themselves in peaceful protest.

I encourage you to vote down this proposal as it is just an infringement on the rights of the people to express their views. Regardless of the difference of opinion on the topic of the protest we must adhere to the Constitution and protect the rights of protestors, even when it makes us uncomfortable.

SB 700 which requires background checks prior to the transfer of a firearm fails to reach the needed objective of reducing availability of guns to criminals. It does however present a hardship on law abiding owners of firearms. Criminals will still get guns through theft or other craft. Criminals do not submit to background checks generally meaning this legislation simply places one more burden on the law abiding citizens of this State. Furthermore with the information gaps in the NICS system such checks would be mediocre at best and fail to bring about a significant increase in public safety. What we should focus on is better cooperation with Federal prosecutors to ensure those who lie and commit straw purchases are actually prosecuted. If the straw buyers are prosecuted and convicted they fail to be a useful avenue for criminals to get guns. Lastly we should ensure the accuracy and completeness of records reported to the NICS system to ensure that when checks are done, currently all gun shows and sales through FFL dealers, that the results will be the best possible.

SB 796 is a bill that once again addresses an issue that is not a current concern or prevalent problem in the State of Oregon. Such a requirement would make the process of getting a license to carry a gun more costly and possibly prohibitive for those that need a gun for personal protection. The requirement of "10 shots fired two at a time" could violate some range rules which prohibit rapid fire and what is called "double tapping". Lastly because of the limited number of ranges, the variance in range rules, and qualified instructors available to administer the test would make the process of getting a concealed carry permit needlessly prohibitive.

Chairman and members of the Committee, I have lived at the address above for more than two years. It is an area with a growing and ever present danger of criminal activity. There have been a number of shooting incidents, domestic violence, assaults, and growing gang activity. I have called the police to report incidents and notified apartment management of issues. Yet nothing changes. The other day after leaving work I had walked past a drug deal and a group of gang members. The solution to violence isn't through more legislation that criminals will ignore and hinders the law abiding from protecting themselves and their families, but rather through better intervention in those communities where crime is most prevalent. We need better more meaningful sentencing in the courts, better more meaningful interventions for at risk youth to keep them from joining the criminal element on the streets in the first place. We need better more meaningful treatment options for those suffering serious mental illness. The work is not easy but must be done. I encourage this committee to pass on these legislative proposals as they fail to increase the safety and security of the law abiding citizens of this State.

Sincerely

  
Kelly S. Thornton