

Submitted by
Luis A. Martinez
resident of
Marion County

The Data below is supported by data compiled by Center for Health Statistics- Oregon Health Authority and can be found in volume 2 of its 2011 Annual Reports

Oregon causes of death 2011

Total 32,731

Unintentional Deaths

Falls	590
Poisoning	428
Motor vehicle	361
Injury at work	59
Drowning	56
Firearm	8 (.02% of 2011 Oregon deaths)

Homicide

Firearm	61 (.18% of 2011 Oregon deaths)
Cut [stabbing]	17

No m SB 347, 699, 700, 796

Oregon Constitution, Bill of Rights under Article I

Section 27. Right to bear arms; military subordinate to civil power. *The people* shall have the right to bear arms for the defence [sic] of themselves, and the State, but the Military shall be kept in strict subordination to the civil power[.]
(emphasis added in italics and underline)

“the people” – means us, the citizens of this state (see State v. Hirsch/ Friend 338 Or 622 (2005)).

“to bear” – means to carry

“defence [sic] of themselves” meaning is self explanatory.

OREGON STATE SHERIFFS' ASSOCIATION

TESTIMONY IN OPPOSITION TO SENATE BILL 347

In writing before the Senate Judiciary Committee / April 5, 2013

By: Darrell W. Fuller / 971-388-1786 / fuller_darrell@yahoo.com



Chair Prozanski and members of the Senate Judiciary Committee:

The Oregon State Sheriffs' Association is comprised of Oregon's 36 elected county sheriffs. Sheriffs take seriously their charge to be "conservators of the peace." Their role in public safety is broad, including routine patrol, investigating crime, search and rescue, marine patrol, jails, community corrections, court security, civil services and the issuance of concealed handgun licenses.

America is still reeling from the horrific murders at Sandy Hook Elementary School in Newtown, Connecticut. And, closer to home, the murders at Clackamas Town Center have everyone thinking about the Second Amendment, gun-owners' rights and the right of the public to be safe. As we engage in a public discussion on these issues, Oregon Sheriffs hope the Legislature will be slow and deliberate in considering changes to gun laws. In the parlance of law enforcement, we believe the punishment should fit the crime.

In the case of Senate Bill 347, Oregon Sheriffs oppose the bill and the amendments.

Had SB347 been on the books in Connecticut on December 14th of last year, the murders at Sandy Hook Elementary would not have been prevented. Had SB347 been the law in Oregon in May of 1998, the murders at Thurston High School in Springfield, Oregon would not have been prevented.

While I am willing to be corrected if I am in error, I do not believe a single school-related shooting has resulted from a person carrying a legally concealed, legally owned firearm in a public school. So, the question begging to be answered is, "what existing problem will be solved by Senate Bill 347?"

On the other hand, Oregon Sheriffs believe allowing a school district-by-school district patchwork quilt of permissions and prohibitions on legally carrying a concealed firearm will serve only to confuse law-abiding citizens while subjecting some to prosecution simply for safely and securely carrying a concealed firearm.

Consider the hypothetical mother of a high schooler who carries a concealed firearm in her purse for protection. She never misses one of her daughter's volleyball games. At home games, she knows she can carry her firearm. But when traveling to games played at other schools, mom will need to call ahead and check from week to week on policies about carrying concealed. And, if she forgets to leave her firearm at home, should she lock it in her vehicle where it is much more likely to be stolen than when on her person, or does she conceal carry anyway hoping no one will find out? In Oregon's larger communities, with multiple school districts, the district-based policies contemplated by SB347 will cause more new enforcement problems than it will eliminate current, perceived problems with the existing CHL statutes.

In sum, Oregon Sheriffs do not believe adopting SB347 will make schools safer, children safer, our communities safer or Oregon safer. Oregon Sheriffs urge the Judiciary Committee to keep the bill in committee until adjournment. Thank you for considering our input.

Oregon State Sheriffs' Association

PO Box 7468 Salem OR 97303 (503) 364-4204 info@oregonsheriffs.org www.oregonsheriffs.org

OREGON STATE SHERIFFS' ASSOCIATION

TESTIMONY IN OPPOSITION TO SENATE BILL 699

In writing before the Senate Judiciary Committee / April 5, 2013

By: Darrell W. Fuller / 971-388-1786 / fuller_darrell@yahoo.com



Chair Prozanski and members of the Senate Judiciary Committee:

The Oregon State Sheriffs' Association is comprised of Oregon's 36 elected county sheriffs. Sheriffs take seriously their charge to be "conservators of the peace." Their role in public safety is broad, including routine patrol, investigating crime, search and rescue, marine patrol, jails, community corrections, court security, civil services and the issuance of concealed handgun licenses.

America is still reeling from the horrific murders at Sandy Hook Elementary School in Newtown, Connecticut. And, closer to home, the murders at Clackamas Town Center have everyone thinking about the Second Amendment, gun-owners' rights and the right of the public to be safe. As we engage in a public discussion on these issues, Oregon Sheriffs hope the Legislature will be slow and deliberate in considering changes to gun laws. In the parlance of law enforcement, we believe the punishment should fit the crime.

In the case of Senate Bill 699, Oregon Sheriffs oppose the bill and the -2 amendment.

Senate Bill 699 will prohibit law abiding gun owners with a license to carry concealed from carrying their firearm in "the people's building" without permission from a government employee.

While I am willing to be corrected if I am in error, I do not believe a single shooting has ever occurred in the State Capitol Building, let alone a shooting by a person carrying a legally concealed, legally owned firearm. To the best of my recollection, the most recent weapon-related event at the Capitol Building was in February of 2005 when a distraught 54-year old man wielding a 10 inch knife spent an hour in the Senate Chamber threatening to kill himself before surrendering to the Oregon State Police. This was an example of the breakdown in Oregon's mental health system, not a crime of violence. So, the question begging to be answered is, "what existing problem will be solved by Senate Bill 699?"

The -2 amendment to Senate Bill 699 would prohibit CHL holders from openly carrying legal firearms in public buildings. It requires firearms to be "completely concealed from view." While such a law might placate people who are unnerved by the sight of people legally and openly carrying a firearm, the amendment would create legal penalties for law abiding citizens whose legally possessed firearms might inadvertently be visible as they sit down, stand up, eat a meal, testify at a hearing or use "public facilities" in a public building.

In sum, Oregon Sheriffs do not believe adopting SB699 or the -2 amendments to SB699 will make our State Capitol Building safer, our communities safer or Oregon safer. Oregon Sheriffs urge the Judiciary Committee to keep the bill in committee until adjournment. Thank you for considering our input.

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OREGON STATE SHERIFFS' ASSOCIATION

TESTIMONY IN OPPOSITION TO SENATE BILL 700

In writing before the Senate Judiciary Committee / April 5, 2013

By: Darrell W. Fuller / 971-388-1786 / fuller_darrell@yahoo.com



Chair Prozanski and members of the Senate Judiciary Committee:

The Oregon State Sheriffs' Association is comprised of Oregon's 36 elected county sheriffs. Sheriffs take seriously their charge to be "conservators of the peace." Their role in public safety is broad, including routine patrol, investigating crime, search and rescue, marine patrol, jails, community corrections, court security, civil services and the issuance of concealed handgun licenses.

America is still reeling from the horrific murders at Sandy Hook Elementary School in Newtown, Connecticut. And, closer to home, the murders at Clackamas Town Center have everyone thinking about the Second Amendment, gun-owners' rights and the right of the public to be safe. As we engage in a public discussion on these issues, Oregon Sheriffs hope the Legislature will be slow and deliberate in considering changes to gun laws. In the parlance of law enforcement, we believe the punishment should fit the crime.

In the case of Senate Bill 700, Oregon Sheriffs oppose the bill and the -14 amendment.

I assume only the -14 amendment is under consideration and, as such, this testimony relates only to that amendment.

Oregon Sheriffs supported requiring background checks at gun stores. Oregon Sheriffs supported the ballot measure requiring background checks at gun shows. In fact, Oregon Sheriffs were listed in no less than two of the arguments in favor of the ballot measure in the Voters' Pamphlet published by the Secretary of State. Oregon Sheriffs have never been accused of being soft on crime or indifferent to ensuring that firearms stay out of the hands of people who should not legally possess them. In fact, Oregon Sheriffs had a policy of not issuing CHLs to applicants if the applicant could not legally possess a firearm under Federal law. Unfortunately and surprisingly, Oregon courts held that not being able to own a firearm was not sufficient grounds to deny a CHL to an applicant. This is a loophole that Oregon Sheriffs will try to fix later this session.

While the goal of universal background checks is certainly laudable, Oregon Sheriffs know from experience that Senate Bill 700 will substantially inconvenience law abiding citizens who will make efforts to follow the law -- some failing to do so resulting in harsh penalties -- while those who seek firearms for illegal purposes will find the weapon of their choice on the black market without any delay or red tape. Even if someone unable to legally obtain a firearm goes through and fails in an effort to obtain a firearm legally, Senate Bill 700 will not prevent that person from immediately purchasing another firearm from the black market. SB700 might briefly delay some people from obtaining a firearm, but it cannot and will not prevent criminals from getting firearms.

In sum, Oregon Sheriffs do not believe adopting SB700 or the -14 amendment to SB700 will make our communities safer or Oregon safer. Oregon Sheriffs urge the Judiciary Committee to keep the bill in committee until adjournment. Thank you for considering our input.

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