

Members of the committee,

I am opposed to SB 1551 fundamentally because it fails to appreciably achieve the objective given to the public as justification for its passage. A scientist and software developer by training, I apply the principles of both fields to guide my actions.

As a scientist, I must base my decisions on observable, measurable data and testing against something called the null hypothesis. What that means is that for anything I think will have an effect, I must first assume that it does not and then prove through experimentation that my assumption is wrong. To apply this to gun control, I must assume that gun control will NOT reduce violent crime—or even violent crime involving firearms—and then find out if it does or not. That would seem to suggest that we should pass gun control bills and find out if they work or not—but the truth of the matter is that nothing in SB 1551 is really new. It's all been tried before.

What does the data show? In Australia, fundamentally a very large island nation, they had registration and then confiscation. Violent crime went up. At first, the violent crime involved more guns. Then fewer. Then more again. That last point is telling, because you should expect to see the rate of gun crime continue to fall as more criminals are caught and the supply of guns to them dries up. After all, it's an island. A big island, but an island nonetheless. Clearly the guns are coming from somewhere.

The United Kingdom, also an island, though not as far removed from the mainland of Europe (where guns are also significantly restricted) had similar results after registration and confiscation. Indeed, I would challenge any member of the committee to find a single instance where any effort ostensibly aimed at keeping guns out of the hands of criminals has ever been effective at doing so a decade later. Inevitably, gun control proponents respond to this with the notion that not enough has been done. Gun control will only be effective when there are no guns.

And therein lies the problem, because there will always be guns in someone's hands. Even if we restrict those guns to "good" hands, they will inevitably find their way into others' hands. Ask the FBI how they recently had a sting operation to track the illegal trafficking in guns result in bad guys stealing a few fully automatic military rifles from the agents. They don't want to talk about it for some reason, but it happens. And there are and continue to be rogue nations out there who aren't above smuggling. Why would they be unwilling to smuggle guns as well? Indeed, they already do, including into this country.

But SB 1551 isn't a ban on guns, and it is not even being sold to the public as such. It is merely an effort to ensure that guns are not transferred from a lawful owner to someone who should not be in possession of a firearm. But what happens to criminals who fail a background check? Does the Oregon State Police arrest a felon who tried to buy a gun? They do not. Do they even notify the felon's parole officer that he is in violation of his parole? Again, they do not! And once the person who cannot buy a gun in a store learns that they cannot get one legally, what then? Can we reasonably expect that they give up?

I have to stop and mention for just a moment that I have never so much as received a ticket, much less ever been arrested. I've never used illegal drugs. I have lived my life as a law-abiding citizen. And yet, living in the city of Portland in a relatively "good" neighborhood near Portland State University, I could still buy a gun today by walking just three blocks from my home. No background check, and no questions asked. The passage of SB 1551 would not change that, because the man who would sell me that gun spends his time dealing drugs—I presume he is legally disqualified from owning one. And yet I know that he has a gun himself, that he occasionally sells them to people who need them if they can afford the asking price, and that he usually makes his living selling drugs to college students. Three reports to Portland police after observing him dealing hasn't gotten him out of my neighborhood. Will SB 1551 do so? Would it even stop him from selling guns to the sort of people who would buy from him? Proponents of this bill cannot say that it will because the observable data says time and time again that it will not. In fact, it will do little more than make the firearms business more profitable for this man.

There are three studies I wish to address in particular. One is often cited regarding the number of firearms sold without a background check in this country. Significant double digit percentages of guns are sold without a background check, the study found, and it's usually the argument for "closing the loopholes" regarding gun shows and private exchanges. There's just one problem with that study—it's from 1994. A large portion of the sales of firearms without a background check cited in that study are mail order guns. Two major things have happened since that study took place. The first is that mail order of firearms are subject to background check at a local dealer now. The other was the widespread adoption of a thing we collectively call the Internet. Either one of these factors can be said to invalidate the applicability of that study today. Without fresh data collected in the past 20 years, how do we know that the number of legal gun transfers without a background check warrant intervention?

The second is statistical analysis performed by the government's Bureau of Justice Statistics. The incidence of gun-related homicide is down 39% since 1993. This mirrors the findings of a CDC study last year, but I haven't got those numbers in front of me to compare so I will simply note that the CDC study exists. We have had several major bits of gun control legislation in this country over that time period, but the most important one is said to be the 1994 assault weapons ban, which expired. Despite every significant shooting in this country making national news for the past two years, the statistics continue to show that the murder rate related to guns is on the decline as enforcement has improved. That should suggest a strategy for lawmakers to consider when deciding how to allocate the state's resources.

The third is a study in the news just within the past month: When accounting for factors such as population density and SES, he found that localities with more permissive legislation surrounding legal firearms have about 10% fewer gun crimes across the board. That is significant! And based on the interviews with the professor, he didn't expect those results. But he's got to go where the data leads him, and he suggests further study to replicate his findings and figure out how that could possibly be the case.

You'll hear the NRA's proponents cite the statistic that the United States is 4th from the top in the world for gun murders until you remove the four cities in the US with the strongest gun control at which point the US is 4th from the bottom. May have been true at one point based on woefully incomplete statistics, but the claim is demonstrably bogus. We are very far from the top for gun murders, and removing four cities from the count does reduce our standing a bit, but they are four of the most dense population centers in the country and all have issues with rampant poverty. Yet this new study accounts for both and finds that the head scratcher that more guns equals less crime actually is at least somewhat based in reality.

Finally, I mentioned that my training is as a scientist and as a software developer and both are relevant to this discussion. Software developers employ the problem-solving method, which goes something basically like this:

1. Understand the problem and clearly define the parameters for a realistic solution to that problem.
2. Identify the steps necessary to solve that problem.
3. Implement those steps.
4. (Throughout the process) Evaluate the effectiveness of the solution.

Overall, SB 1551 does not solve the problem presented to Oregonians. It does not even begin to do so, in fact. Indeed, we have not yet clearly defined the problem we are trying to solve, nor established a realistic solution to that problem acceptable to the people. No plan thus far presented removes firearms from the hands of criminals without taking them also from law-abiding citizens. Indeed, every plan that makes it more difficult or even impossible for law-abiding citizens to own firearms of a particular type or even in general has been found to be completely ineffective at keeping admittedly dangerous weapons out of the hands of criminals.

This is why gun rights proponents say that the ultimate aim of gun control efforts will always be confiscation, because nothing short of confiscation of every single firearm even has a chance of being successful. And we've seen that even that simply doesn't work. Plus, there is the small problem that the Oregon and US Constitutions both guarantee the right to arms, and that a significant majority of the people

simply will not stand for gun bans in the state of Oregon. One need only compare the hundreds and thousands who show up in support of gun rights to the single and double digit opponents. It's also noteworthy that after several large rallies with hundreds and thousands of gun owners bringing their usually loaded guns with them in plain sight (including so-called assault rifles), there hasn't been a single incident. The same cannot be said of the gun control rallies, despite their much smaller attendance.

We like our guns in Oregon. Hunting, fishing, backpacking, and other outdoorsy sorts of things are just part of life here, even for the city folk. That means at least that a lot of us have been around guns, even if we don't use them ourselves and we're comfortable around them. They're dangerous in the wrong hands. Actually, they can be dangerous in the right hands, particularly if you're stupid. But many things are. Ultimately though, shooting is fun in a recreational environment, and a lot of people are concerned it could someday be necessary in a not-so-recreational environment.

Really, SB 1551 boils down to the age-old argument that something must be done. SB 1551 is something, so therefore it must be done. But if it isn't going to accomplish anything except criminalizing giving an old hunting rifle to your grandson rather than your son, or make it more difficult for law-abiding citizens to buy and sell, then it should NOT be done. There is no evidence that SB 1551 will limit criminals' access to guns and plenty of evidence that it will not do so.

Therefore, as both a scientist and a software developer, the data tells me that this bill needs to die in committee.

Thank you,

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