



**CEASEFIRE** oregon

*Reason. Educate. Legislate.*

February 4, 2014

Judiciary Committee  
Oregon Senate

Re: Ceasefire Oregon Supports SB 1551

Dear Chair Prozanski and Committee Members,

Thank you for the opportunity to offer testimony in support of SB 1551, a bill to add most private firearms sales to the list of transactions requiring a background check to verify that the individual purchasing a firearm is not legally prohibited from doing so—that he is not, for example, a felon, a domestic abuser, or dangerously mentally ill.

We estimate that 40,000 to 75,000 guns were transferred privately in Oregon last year,<sup>1</sup> in addition to the 260,968 firearms<sup>2</sup> transferred by licensed dealers and by private parties selling at gun shows. In only 101 of those 40,000 to 75,000 transactions did the seller elect to spend \$10 to do a background check through the Oregon State Police. It is simply indisputable that the voluntary private background check system has been widely ignored by gun owners reselling weapons.

Ceasefire Oregon does not know how many of those privately transferred guns went to prohibited purchasers; neither do the sellers. A low estimate, using the 40,000 figure and the rate of 0.84% background check denials by OSP last year, would be 336 guns sold privately and (for the sellers at least) legally, to felons, abusers, or deranged purchasers by gun sellers who voluntarily chose to remain ignorant about the buyer's criminal history.

It is likely that the figure is much higher, because prohibited buyers with any sense at all go to the unregulated marketplace, where background checks are not required. A recent study using data from a national survey of state prison inmates found that nearly all (96.1%) offenders who were legally prohibited, acquired their gun from a supplier not required to conduct a background check.<sup>3</sup> In Oregon, those suppliers are private individuals selling guns at places other than gun shows—they are not required to conduct background checks.

[Please see page 2.]

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1. The precise number of guns that are transferred in Oregon each year without background checks is unknown. One national estimate, based on a 1996 study, is that 14–22% of firearms are obtained in private transactions from persons who are not required to conduct a background check (and are not family members). (Philip J. Cook and Jens Ludwig, *Guns in America*, 1996, available at <http://www.policefoundation.org/content/guns-america>, which found that 30–40% of guns were obtained from private sources in a sample group; a subsequent analysis of the data found that 14–21% of guns were purchased without background checks, after intra-familial transfers were excluded.) In Oregon, that percentage would be slightly lower because background checks are required for all transactions at gun shows, including private sales.

Of the 259,513 firearms background checks performed in Oregon in 2012, only 465 (or 0.18%) were requested by private parties (i.e., not by licensed dealers), and 388 (83%) of those checks were requested by private parties at gun shows, where background checks are mandatory.

2. Data from the Oregon State Police, January 2014.

3. Katherine A. Vittes, Jon S. Vernick, and Daniel W. Webster, “Legal status and source of offenders’ firearms in states with the least stringent criteria for gun ownership,” *Injury Prevention*, February 2013, at <http://injuryprevention.bmj.com/content/19/1/26.abstract?sid=e5b439d8-15e8-4913-9085-eb303da51901>.

The Internet has transformed the private firearms marketplace in the twenty-five years since background checks became law in Oregon. Last week, our quick check of private firearms listed for sale in Oregon on just one website, Armslist.com, found approximately 2,000 current listings. These are not transfers to family members, they are sales to strangers.

A few Armslist.com sellers bluntly state that there will be no background check (“I dont require Background checks, Only a standard Firearms reciept (Private Deal)” [sic] and “No background check fees”). Most sellers are a little more subtle, but it takes only a few keystrokes to find online sellers who invite prohibited purchasers by offering “FTF” (face-to-face) transactions, i.e., no background check required.

These same “FTF” Internet sellers, however, appear to comply with laws that do apply to them. Most of them require Oregon IDs and bills of sale, to protect themselves from any legal liability for an unlawful transfer, at the same time they eagerly offer to sell without the background check that would protect the rest of us if the buyer is a felon, a domestic abuser, or dangerously mentally ill.

Background checks for private gun sales save lives.<sup>4</sup> In states that require background checks for all handgun sales:

- Gun trafficking is 48% lower than in other states.<sup>5</sup>
- The rate of women murdered by an intimate partner with a gun in 2010 was 38% lower than in other states, while the rate of those murdered by other means was nearly identical.<sup>6</sup>
- The firearm suicide rate was 49% lower than in other states, even though suicide by other means occurred at almost the same rate.<sup>7</sup>

There is every reason to expect similar results in Oregon following the enactment of SB 1551—lives will be saved.

It is time for the Oregon Legislature to put public safety first. Ceasefire Oregon respectfully urges your approval of SB 1551.

Respectfully submitted,



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Executive Director, Ceasefire Oregon



Elise Gautier  
President, Ceasefire Oregon

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4. This research was conducted, and the results provided, by Mayors Against Illegal Guns, as set forth in its press release No. 12, dated March 20, 2013, at <http://www.mayorsagainstillegalguns.org/html/media-center/pr012-13.shtml#5>.

5. Mayors Against Illegal Guns, supra note 4, citing Daniel Webster, Jon Vernick, and Maria Bulzacchelli, “Effects of State-Level Firearm Seller Accountability Policies on Firearm Trafficking,” *Journal of Urban Health*, July 2009.

6. Mayors Against Illegal Guns, supra note 4, citing U.S. Department of Justice, Federal Bureau of Investigation, Supplementary Homicide Reports, 2011.

7. Mayors Against Illegal Guns, supra note 4, citing Centers for Disease Control and Prevention, National Center for Injury Prevention and Control. Web-based Injury Statistics Query and Reporting System (WISQARS) [online]. (2005) [cited 2012 Dec. 20].