

Dana Allen
1065 Academy St.
Mt. Angel, OR 97362
February 5, 2014

Senator Floyd Prozanski, Senator Betsy close, Senator Michael Dembrow, Senator Jeff Kruse, Senator Arnie Roblan
Committee On Judiciary
2014 Oregon State Senate

Dear Senators:

I would like to bring to your attention some legal issues concerning the 2014 Oregon Senate Bill 1551 and I am voicing my objection to this Bill. The majority of SB 1551 runs afoul of both the Oregon Constitution and the U.S. Constitution and at least one Oregon Statute.

Specifically, please refer to:

- a. Constitution of Oregon, Article I, Section 9. Unreasonable searches.
- b. U.S. Constitution, Fourth Amendment. Unreasonable Searches.
- c. ORS 133.535, Permissible objects of search and seizure.
- d. Constitution of Oregon, Article I, Section 15. Foundation principles of criminal law.
- e. Constitution of Oregon, Article I, Section 20. Equal Protection Clause.
- f. U.S. Constitution, Fourteenth Amendment. Equal Protection Clause.
- g. Constitution of Oregon, Article I, Section 34. Involuntary Servitude Clause.
- h. U.S. Constitution, Thirteenth Amendment. Involuntary Servitude Clause.

I would also like to bring to your attention a quote from the Oregon Supreme court case of State v. Borowski. The ORS brought to question in that case was declared unconstitutional *in toto*.

“...we can infer that, had the legislature known that a bill implicated serious constitutional questions, it would have chosen to avoid the issue entirely.”

If ORS 174.040 (Severability) is applied to SB 1551 then there is no part of this Bill that can be enacted. For further information, please refer to the included document which contains specific arguments and references to Supreme Court opinions.

Respectfully,

Dana Allen

Incl: Constitutional and other Legal Arguments against Oregon SB 1551

Constitutional and other Legal Arguments against Oregon SB 1551
-Mandating That Private Individuals Serve as Agents of the State
-Mandating That Private Individuals Provide Information to a Government Agency About Private Effects

Issue #1:

- A) SB 1551, Section (2) including sub-sections (a) & (b):
Except as provided in subsection (10) of this section and ORS 166.438, a transferor other than a gun dealer may not transfer a firearm unless the transferor completes and retains the form described in ORS 166.441 and requests that the department conduct a criminal background check on the recipient by:
- (a) Making the request by telephone to the number described in subsection (1) of this section; or
 - (b) Completing the criminal background check through a gun dealer as described in ORS 166.412 (13).
- B) SB 1551, Section (8)(a):
(8)(a) a transferor....has the recipient fill out the form required by ORS 166.438 (1)(a) and retains the form as required by ORS 166.438 (2)....
- C) Arguments against:
- a. The labor required of an individual, in order to remain compliant with this proposed law, is not being compensated through payment but through coercion in the form of financial penalties and imprisonment. Even though the precedent has been set that a fee can be charged by agents of the State for performing the background checks¹, the individual citizen shall not be duly compensated for labor performed while being forced to act as an agent of the State.
 - b. These sections of the Bill are in violation of the Oregon Constitution due to their requirement of Involuntary Servitude² regardless of whether or not each individual receives compensation due to this being an unwilling pact.
 - c. These sections are in violation of the Thirteenth Amendment of the U.S. Constitution due to their requirement of Involuntary Servitude.³ It is not an individual's duty to the State to fill out departmental or regulatory paperwork (*expressio unius est exclusio alterius*, i.e. whatever is omitted is understood to be excluded)⁴

¹ ORS 166.414 Fees for conducting criminal history record checks. (1) The Department of State Police may adopt a fee schedule for criminal history record checks required under ORS 166.412 and collect a fee for each criminal history record check requested. The fee schedule shall be calculated to recover the cost of performing criminal history record checks required under ORS 166.412, but may not exceed \$10 per record check.

² Constitution of Oregon, Article I, Section 34, Slavery or involuntary servitude. There shall be neither slavery, nor involuntary servitude in the State, otherwise than as a punishment for crime, whereof the party shall have been duly convicted.

³ U.S. Constitution, Thirteenth Amendment. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

⁴ U.S. Supreme Court, *Butler v. Perry* - 240 U.S. 328 (1916). The Thirteenth Amendment does not prohibit "enforcement of those duties which individuals owe to the state, such as services in the army, militia, on the jury, etc."

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Issue #2

A) SB 1551, Section (3)(b)

Except as provided in subsection (10) of this section, the transferor shall provide the following information to the department:

(b) The make, model, caliber and manufacturer's number of the firearm being transferred;

B) Arguments against:

- a. This section of the Bill demands an Unreasonable Search of a personal effect as defined by the Oregon Constitution.¹
- b. This section of the Bill is in direct conflict with the Opinions of the Oregon Supreme Court.^{2, 3, 4}
- c. This Section of the Bill is in direct conflict with the Opinion of the U.S. Supreme Court.⁵
- d. This Section violates the Permissible Objects of Search and Seizure as dictated by Oregon Statute.⁶
- e. A person has the Right to be secure in all of their effects unless those items have been used during the commission of a crime. Even then there must be a court order to inspect or remove the effect from the person.
- f. This section also violates Federal Code.⁷

¹ Constitution of Oregon, Article I, Section 9. Unreasonable searches or seizures. No law shall violate the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable search, or seizure.

² OR State v. Sanders: Under Article I, section 9, a "search" occurs when a government agent invades an individual's protected privacy interest.

³ OR State v. Campbell: The privacy that is protected under Article I, section 9, is the "privacy to which one has a right."

⁴ OR State v. Owens: Article I, section 9, protects privacy and possessory interests. A "search" occurs when a person's privacy interests are invaded.

⁵ Katz v. United States: the United States Supreme Court has defined a Fourth Amendment search as a government action that infringes on a "reasonable expectation of privacy." "...what he seeks to preserve as private, even in an area accessible to the public, may be constitutionally protected."

⁶ ORS 133.535 Permissible objects of search and seizure.

(1) Evidence of or information concerning the commission of a criminal offense;

(2) Contraband, the fruits of crime, or things otherwise criminally possessed;

(3) Property that has been used, or is possessed for the purpose of being used, to commit or conceal the commission of an offense; and

(4) A person for whose arrest there is probable cause or who is unlawfully held in concealment. [1973 c.836 §82]

⁷ 18 U.S.C. Ch 44, Sec 926 / Firearms: Rules and Regulations (referring to BATF Form 4473, the FFL form)

No such rule or regulation prescribed after the date of the enactment of the Firearms Owners' Protection Act may require that records required to be maintained under this chapter or any portion of the contents of such records, be recorded at or transferred to a facility owned, managed, or controlled by the United States or any State or any political subdivision thereof, nor that any system of registration of firearms, firearms owners, or firearms transactions or dispositions be established.

Constitutional and other Legal Arguments against Oregon SB 1551

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Issue #3

- A) SB 1551, Section (9)(a) Except as provided in this subsection, a person who fails to comply with the requirements of subsection (2) of this section commits a Class C misdemeanor.
- (b) A person who fails to comply with the requirements of subsection (2) of this section commits a Class A misdemeanor if the person has a previous conviction under this section at the time of the offense.
- (c) A person who fails to comply with the requirements of subsection (2) of this section commits a Class C felony if the person has two or more previous convictions under this section at the time of the offense.
- B) Arguments against:
- a. To criminalize the unwillingness of a citizen to perform either as an agent of the state or to unwillingly surrender both private information and private effects is not only unjust but it is not fitting with the Canons of Legislative Principles.¹
 - b. The protection of citizens from governmental infringement of Rights is a cornerstone of legislative responsibility.

¹ Constitution of Oregon, Article I, Section 15. Foundation principles of criminal law. Laws for the punishment of crime shall be founded on these principles: protection of society, personal responsibility, accountability for one's actions and reformation.

Constitutional and other Legal Arguments against Oregon SB 1551

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Issue #4

A) SB 1551, Section 1(2), 1(3), 1(4), 1(8), 1(9) & 1(10)

B) Arguments against:

- a. The requirements set forth by the above listed Section & Sub-Sections do not now and have never been applied when associated with the sale or transfer of personal effects between individuals.
- b. There are no such requirements for the private sale / transfer of automobiles, golf clubs, hammers, toasters, kitchen knives, etc and there should not be. What I own, sell, trade or give is of no business of the government.
- c. Placing such burden upon one class of citizens (firearm owners) yet excluding all other citizens is illegal according to Article I, Section 20 of the Oregon Constitution and the Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution.^{1, 2, 3, 4, 5}

¹ Constitution of Oregon, Article I, Section 20. Equality of privileges and immunities of citizens. No law shall be passed granting to any citizen or class of citizens privileges, or immunities, which, upon the same terms, shall not equally belong to all citizens.–

² . OR Supreme Court, *Tanner v. OHSU*, As the Supreme Court explained in its seminal opinion, *State v. Clark*, 291 Or 231, 237, 630 P2d 810 (1981), the clause "forbids inequality of privileges or immunities not available upon the same terms, first, to any citizen, and second, to any class of citizens."

³ OR Supreme Court, *State v. Borowski*,section 20has for many years served as the state constitutional analog to the federal Equal Protection Clause, prohibiting legislation that imposes burdens on a historically oppressed minority

⁴ OR Supreme Court, *State v. Borowski*, The unambiguous import of these cases is that a statute that imposes criminal penalties on persons, but creates an exception for persons, violates the Equal Protection Clause because the statute creates a distinction that has no bearing on any legitimate governmental interest.

⁵ *OR Supreme Court, Salem College & Academy, Inc. v. Emp. Div.*,the concluded that extending an exemption from payingto somebut not others violated the constitutional mandate to treat allequally.

Testimony against this gun registration bill.

February 6, 2014, Salem, Oregon

1 – There is an issue of privacy ... web sites are not secure.

Example: Oregon SOS site just hacked according to KATU news.

2 – Gun Safety Classes could be made more available for the dollars it will take to do all these background checks. These would have a greater impact on people. In fact, I believe every Legislator should be required to take a CHL class whether they ever intend to own a firearm or not.

3 – This will overwhelm a system that is already not doing what it was intended to do It was intended to stop gun crimes. It has not. It is a waste of valuable time and money and will probably not stop any criminals or mentally ill from securing a gun. Those people will go elsewhere for their weapons and you will actually be encouraging a growing industry... black market guns.

4 – Prosecute those who use guns in the commission of a crime.

5 - Increase the effectiveness of the current laws. Spend the money for law enforcement of the laws we have. Increase the efficiency of the background checks we are already doing. There are many errors because the system is not sophisticated enough and many are denied because of errors.

Submitted by:

Kay L. Bridges

503-671-0218

4926 SW Corbett Ave. #506 (PO Box 69023)

Portland, Oregon 97239

Small Business owner

A handwritten signature in cursive script, appearing to read "Kay L. Bridges". The signature is written in black ink and is positioned to the right of the typed name "Kay L. Bridges".

Oregon Firearms Federation (OFF) listed your e-mail where gun owners can send testimony for the up coming hearing in Salem on SB 1551. Below is my testimony please share:

I live in a rural area of Oregon. The nearest licensed firearms dealer is a 50 mile round trip drive. This dealer charges \$40.00 for a transfer. If the state computer is down that day I would have to make a second trip for a total of 100 miles of travel. All this does not include the coordination it takes to have my buyer or seller travel and get together with the firearms dealer also. If this dealer decides he does not want to do these kinds of transfers then I have to drive even further. By the time you add in the travel expenses of fuel and dealer transfer costs for both buyer and seller in many cases it is worth more than the value of the firearm being bought or sold. The choice is then to ignore the law and become a law breaker and have that affect your family and carrier. This whole universal background check bill is not about stopping criminals who ignore background checks to begin with, but making it more of a challenge for the honest citizen to own firearms. This bill is a gun control bill on honest Oregonians not criminals.

Bill Britt

Prineville, Oregon 97754

Chair Prozanski, Members of the Committee:

I would like to voice my opposition to the proposed Senate Bill 1551. The bill is poorly crafted putting too much burden on the law abiding citizens which can be avoided without reduction in public safety.

Current federal law allows ATF to identify states where concealed carry licensees can be exempt from the background checks when purchasing firearms from the licensed dealers, as those persons usually undergo a more thorough FBI background check for the issuance of such license. At this time law abiding citizens with permits to carry from more than 20 states are exempt from the NICS background check requirements.

The scale of that federal exemption is indicative of the fact that law abiding citizens with the CHL do not pose a threat to the public safety, and should be allowed to continue to buy and trade firearms in compliance with existing federal and state law. SB 1551 does not exclude CHL holders from the background check requirements and should not be passed in its current form.

Best regards,
Alex Burkoff
Tigard, OR

We are in strict opposition of SB 1551. Please, NO MORE regulations and restrictions! Hear us, the people Mr. Reiley!

Thank you.

Jay Carniglia

Jina Carniglia

Garrett Carniglia

Money spent on background checks would be better spent addressing the root causes of and preventing gun violence

Mr. Chairman and members of the committee:

In a January 23, 2014 column published by The Oregonian, Sen. Prozanski wrote the Oregon State Police performed 263,343 background checks for firearms transfers in 2013. He noted that 261,128 (>99%) were approved, and 2,215 (<1%) were denied. 261,128 unnecessary background checks were performed on sane, law-abiding Oregonians in order to prevent less than 1% of transfers by licensed dealers. To look at it another way, for every background check that was denied, 117 completely unnecessary background checks on sane, law-abiding Oregonians were performed and approved. Yet Sen. Prozanski labelled the program “successful” and “efficient”.

If those hundreds of thousands of completely unnecessary background checks were free they would simply be a waste of time but not a waste of money. But the background checks aren't free. A fee of \$10 is assessed for each background check. 261,128 unnecessary background checks multiplied by \$10 per background check means \$2,611,280 was spent by sane, law-abiding Oregonians in 2013 for completely unnecessary background checks. And now Sen. Prozanski wants to expand this inefficient, wasteful, and ultimately ineffective (because criminals still obtain guns even in states like California that have so-called “universal” background checks) program to involve virtually all firearm transfers in Oregon.

Instead of wasting \$2.6 million per year on unnecessary background checks, imagine if that money was spent improving our mental health care system in Oregon. Imagine if \$2.6 million per year was spent on suicide prevention (suicide is the #1 leading cause of death from “gun violence” in Oregon and the United States). Imagine if \$2.6 million per year was spent keeping violent criminals in prison longer. Imagine if \$2.6 million per year was spent putting more cops on the street. Imagine if \$2.6 million per year was spent providing armed security at all elementary and secondary schools in Oregon. Any of those uses would do far more to prevent “gun violence” than expanding background checks, more than 99% of which are completely unnecessary.

Supporters of universal background checks seek to prevent violent criminals from buying guns by passing a virtually unenforceable law that creates the new victimless crime of selling a used gun without a background check. But that proposal begs a more important question.

If some violent criminal is so dangerous that you don't want them to buy a used gun from a private individual without a background check, *why isn't that violent criminal still in prison?* Why are they running around free trying to buy guns, knives, or any other kind of weapon? If they were kept in prison until they were much less likely to commit a violent crime, no one would have to worry about them buying a gun without a

background check, and the vast majority (>99%) of people selling and buying guns who are law-abiding would not have their harmless activities criminalized.

The law requiring licensed dealers to perform background checks is wasteful and inefficient, but at least it is enforceable. There are a limited number of licensed firearm dealers in Oregon, they operate at known locations, and they are required by law to maintain detailed inventories so they can account for all firearms at the transfer. A law requiring virtually all private firearm transfers in Oregon to undergo a background check would be virtually unenforceable and therefore ignored without consequences by those who are perfectly willing to sell firearms to prohibited persons, regardless of the law. The government cannot monitor every private home, place of business, and parking lot 24 hours a day to see if a background check is being performed when a firearm is being privately transferred. All such a law would do is increase crime, by creating a new victimless "crime" that criminalizes behavior by otherwise completely law-abiding Oregonians that harms no one.

I urge you to reject the proposed universal background check law. Instead, let's work together to address the root causes of gun violence rather than wasting time and attention on expanding an inefficient, wasteful, unenforceable, and ultimately ineffective program.

James Caro, M.D.
Forest Grove, OR

Chair Prozanski, Members of the Committee,

My name is Mike Chandler, Portland Oregon, and I am writing to express my opposition to SB 1551, expansion of current background checks in Oregon.

Oregon already has some of the most comprehensive background checks in the United States. And the current system is working.

- **The Current Laws are either not being enforced, or working well.** Of the 168,259 background checks performed in 2010¹, 2393 were denied for various reasons. Less than **0.05%** of the total background checks performed (90) were denied and judged important enough to warrant arrest. **It does not sound to me like criminals and those not allowed to possess firearms are trying to make purchases on the open market. Or is Oregon not prosecuting criminals who try to buy guns?** Between 70-85% (based on national rates) of gun crimes are committed by people with prior records that already forbid them possession in the first place.^{2,3} This law won't change that culture.
- **Oregon has still not closed the mental-health loophole** with regards to background checks, or care in general. More people die each year as a result of suicide (over 80%) than gun crimes or accidents in this state⁴. Oregon and Portland are earning a reputation as one of the fastest growing suicide states and cities in the country. **We would save far more lives by focusing on mental health records and services than this bill will every save.**^{5,6} (See SB 823)
- **The government has shown that it is not responsible holding private records.** We were told the government doesn't spy on its citizens. Ten years ago it would have sounded like a crazy conspiracy to hear that our email, phone records, even our google map coordinates and facebook information is being stored by the government to police us. **And now we are being asked to trust the government with additional personal information?**^{7,8} Even the ACLU is on record as being weary of "universal background checks".⁹
 - **Even Senator Wyden (D), OR, had concerns in 2013 regarding the NSA keeping a separate gun-registry.**¹⁰
 - How about a law verifying the destruction, including backups and review of chain-of-custody, of records that are supposed to be destroyed? By an independent citizens committee? Give privacy back to the people!
- **There are already a long list of laws about criminals and other offenders being in possession of, or purchasing firearms.** Straw purchase, attempting to buy or sell to, dealing without a license, etc. **Why do we need to add more?** Especially if we have evidence that shows the current laws are working, and this law targets the general public, not the criminal element? **There is no exploitation of a "loophole" in Oregon.**
- **Oregon gun-owners are law abiding and are self-policing.** When many private transactions take place they are face-to-face or at a gun store already. Many will ask for identification or concealed carry license, some do walk away. They strive to follow the law. **Criminals avoid these types of transactions.**

- **None of the tragedies from last year (national or local news), or even Gabby Gifford's attacker, would have been prevented by this bill.** Even gun-control advocates and background check legislators admit this. **So why the time/energy to pass something that doesn't work? Or is this politics as some senators are up for re-election this year?**
- "But 78% of Oregonians want background checks". You mean the poll conducted by "Public Policy Polling", and hosted by "Center for American Progress Action Fund"? Both experienced partisan political entities who advocate for democratic (only) causes?¹¹
 - **Since when are constitutional rights subject to mob rule?**
 - The same Public Policy Polling obtained similar results in Colorado to help push the gun control bills in 2013, a state with a lot of demographic, geographic and political similarities to our own state. **In the end, at least three Colorado senators found out that the Poll was wrong.** And now the Colorado legislation is embroiled with rolling back those laws and defending against lawsuits.¹²
 - I wonder **what voters in Oregon really think if a proper poll were performed.** The National Sports & Shooting Federation performed a nationwide poll in December 2013, and went to great lengths to asked non-leading poll questions that informed respondents as to the current laws. **They found only 40% actually support expanding background checks,** with a majority not wanting sticker new laws.¹³
 - And if you are going to follow polls on gun control, realize that trend is rapidly changing.¹⁴

Out of the blue I asked a co-worker today "do you support background checks", and he said yes. I then followed up with "Did you know it expands the checks to private sales between people like you and me?" **He responded that he did NOT support those kinds of checks.** I didn't even mention registration.

In conclusion, overall crime continues its trend of a 20 year decrease. And Oregon continues to have a gun-crime rate far less than the national average.

OREGON DOES NOT HAVE A BACKGROUND CHECK PROBLEM!!!!
THERE IS NO LOOPHOLE TO CLOSE. This is a law looking for a problem to solve that doesn't exist.

Please vote NO on SB-1551

I would instead ask that you provide support to bills that address mental health issues, such as SB 823, if you wanted to reduce the overall number of deaths and injures in this state, not just those were guns are involved.

Regards,
Mike Chandler
Portland, OR 97229

SB-1551, Expanded Background Checks,
Written Testimony Senate Judiciary Committee Hearing, 02//6/2014

Data supporting the above:

1-U.S. Department of Justice, Background Checks for Firearm Transfers, 2010 - Statistical Tables

2-Harvard Journal of Law & Public Policy; "Would Banning Firearms Reduce Murder and Suicide?"
http://www.law.harvard.edu/students/orgs/jlpp/Vol30_No2_KatesMauseronline.pdf

3- Milwaukee Homicide Review – Repeat offenders, pg 3, bullet 19.
<http://city.milwaukee.gov/ImageLibrary/Groups/cityHRC/reports/2011Reportv6.pdf>

4-Oregon Health Authority: Violent Deaths in Oregon: Data by Year.

5- Oregon Suicide Rate highest in nation, Oregonian, Sept 30th, 2013.
http://www.oregonlive.com/portland/index.ssf/2013/09/portland_suicides_almost_three.html

6-BusinessInsider, Most Suicidal US Cities, 2011.
<http://www.businessinsider.com/most-suicidal-us-cities-2011-7?op=1>

7- NSA said to use Google cookies to track surveillance targets.
http://news.cnet.com/8301-13578_3-57615206-38/nsa-said-to-use-google-cookies-to-track-surveillance-targets/

8 – Legal gun owner from Florida pulled over, searched and arrested in Maryland, for suspicion of owning a firearm (no charges made). How did the police know?
<http://tbo.com/list/columns-tjackson/jackson-gun-owner-unarmed-unwelcome-in-maryland-20140112/>

9-ACLU says Reid's gun legislation [Background checks] could threaten privacy rights, civil liberties
<http://dailycaller.com/2013/04/04/exclusive-aclu-says-reids-gun-legislation-could-threaten-privacy-rights-civil-liberties/>

10-Oregon Senator Ron Wyden (plus 25 other senators) writes to NSA over possible illegal gun registry.
<http://wyden.senate.gov/download/?id=87b45794-0fa4-4b1a-b3a6-e659a91a5042>

11–Public Policy Polling suppresses poll predicting recall loss for anti-gun senator
<http://www.csindy.com/IndyBlog/archives/2013/09/11/public-policy-polling-killed-recall-numbers>

12-Colorado Republicans, activists seek to overturn states new gun laws
<http://www.foxnews.com/politics/2014/01/04/colorado-republicans-seek-to-overturn-state-new-gun-laws/>

13-Americans Don't Think "universal Background checks" extension Gun Shows is needed (something Oregon already has)
<http://www.nssfblog.com/americans-dont-think-universal-background-checks-extension-for-gun-shows-are-needed-national-poll-finds/>

14-Americans' Dissatisfaction With Gun Laws Highest Since 2001. Public who wants less strict gun laws triples since 2013.
<http://www.gallup.com/poll/167135/americans-dissatisfaction-gun-laws-highest-2001.aspx>

Dear Senators of the Senate Judiciary Committee,

Thank you for giving me the opportunity to speak and voice my opinion on this proposed senate bill 1551. I am strongly opposed to this bill for several reasons.

1. Criminals are criminals for a reason. They do not follow the law. I'm sure you have heard this a hundred times by now, but I can repeat it for you. Laws only affect those who follow the law.
2. Even if you did pass this proposed law, what would be the outcome of someone who attempted to buy a firearm illegally? Out of the over 2300 people who were denied a firearm due to a failed background check, how many were pursued and prosecuted?
3. If a criminal or a felon want to get a gun and they have malicious intent, they are going to get a gun anyway. Here is a great example of this:

This last October, my sister in law, Jessie, was shot in the head in front of her two young daughters. You may remember hearing about it on the news when the amber alert was issued when he escaped with Jessie's 3 year old daughter. He was caught later that night in front of my wife and I's apartment. He was in possession of 4 handguns and a bullet proof vest. Now, he was already a felon and was not allowed to own a gun. He didn't get his gun by buying from a friend, from craigslist, from armslist, or anything of the sorts. A background check would not have stopped him from getting these guns. A background check would not have stopped him from breaking into her apartment and shooting her. A background check would not have stopped him from kidnapping Jessie's daughter. I welcome you to try to tell me how a background check would have stopped someone like Josh from getting a gun. You cannot provide a valid excuse for why background checks on private sales will stop or prevent a criminal in any way. Because, if they are hell bent on doing it, they will find a way to do it. Period. Now, Senator Prozanski, or any other member of this committee, I encourage you to present me with a valid reason as to how universal background checks would have prevented my sister in law's murder.

Thank you,

Christopher Cochran (Gresham, OR)

Re: SB 1551

My name is Nicholas Coffey. I am a resident of Salem, Oregon. I oppose this bill which is tantamount to gun registration and a part of an incremental assault on two constitutionally protected rights. It is an attack on the 2nd Amendment and another attack on the right to privacy. In Roe v. Wade the Supreme Court found an "inherent right to privacy." This bill is yet another assault on that right.

Senate Judiciary Committee

SB 1551

Feb. 6, 2014

From: Bruce Cuff - Gun Owner

Senators.

Restrictions to 2nd Amendment Constitutional Rights are attempts to tell individual gun owners how they should live their lives. Restrictions to law-abiding citizens will NEVER stop criminals from getting guns and using them illegally . Funding Law Enforcement should be your focus, not restricting law-abiding citizens constitutional right to bear arms.

Common Sense and the Constitution are on the side of the Individual gun owner. Twisted statistics and meaningless surveys are on the side of those who wish to create a perception that this is a grass-roots desire – expanding background checks.

In the book – CALL TO ACTION published in 1976, Ronald Reagan quoted Disraeli who said, “There are lies, damned lies and statistics.” Reagan stated that the bureaucracy favors statistics.

We will keep our Constitutional, 2nd Amendment right to bear arms. Restrictions are not wanted or welcomed.

Thank you,



Bruce A. Cuff

Republican Candidate for Governor

Wangler Jessica

From: Dennis <nghtrdrharley@gmail.com>
Sent: Saturday, February 08, 2014 3:30 AM
To: Reiley Mike; mikebloomberg@gmail.com; mike@council.ashland.or.us; mayorhales@portlandoregon.gov; mayorcharliehales@portlandoregon.gov; Mayors Against Illegal Guns; ceasefireoregon@gmail.com; Sen Dembrow; Senator Jeff Merkley; Sen Dingfelder; Sen Starr B
Subject: Front Sight Blog: Murders drop from 6.6/100,000 to 3.2 as gun ownership doubles

<http://www.ignatius-piazza-front-sight.com/2014/01/22/front-sight-blog-murders-drop-6-6100000-3-2-gun-ownership-doubles/#news>

Sent from my Verizon Wireless 4G LTE DROID

Testimony against SB 1551
Oregon Senate Judiciary Committee
February 6, 2014

This bill would require background checks for nearly all private firearm transfers, in addition to the current Oregon requirement that all firearm transfers through a firearms dealer, including at gun shows, as well as private transfers at gun shows, require a background check.

It is my opinion based on sound reading of all available material, that such a requirement would have a negligible effect on any crime rate, and would only impose undue burden on lawful private firearms owners.

I base this statement on the following:

1. While we all wish to see all crime rates lowered and I support any *effective* measures aimed at doing so, there has been an increased push for gun control measures in response to recent highly publicized public shootings. Nearly all of the measures being introduced at the state and national levels would, even by the admission of their proponents, have had no impact on these occurrences. This measure is one of these. Let's list a few of these shootings:

Columbine 1999 – the shooters acquired three weapons at a gun show, and a fourth from a friend. A friend of the shooters accompanied them to the gun show to assist them with the purchase there as they were not yet 18. As to the fourth weapon, even if that friend had required a background check for the private transfer, they would likely have passed as they were in diversion for a theft and had no other records. Even if they had failed a check, it is obvious that the outcome of this incident would have been no different.

Virginia tech 2007 – the shooter acquired the weapons through a dealer, and passed the background checks, in spite of having well-known mental health issues.

Tucson January 2011 – the shooter acquired the weapon through a dealer, and passed the background check, in spite of having well-known mental health issues.

Colorado Theater July 2012 - the shooter acquired the weapon through a dealer, and passed the background check, in spite of suspicion of mental health issues.

Clackamas Mall Oregon December 2012 - the shooter acquired the weapon by theft.

Newtown CT December 2012 - the shooter acquired the weapon within his own house, from his mother who had passed background checks.

It could not be clearer, that background checks do not work. Criminals get guns by stealing them, and the mentally challenged are not stopped by the current checks due to insufficient data about their mental history. So rather than expand a completely ineffectual system, why not spend efforts to make it actually work? Why are we here today, looking at this giant expansion of this failed program if we are serious about addressing the issue?

2. Proponents throw around statistical numbers of criminals who are supposedly stopped with background checks. These invite scrutiny for a number of reasons: First, what criminal, who is aware that they have a criminal record, goes into a gun store and fills out the background check form, knowing that they will be checked? Second, where is the data showing that these criminals acquire their weapons from private purchases, and would have been stopped if a background check requirement had been in place, versus having acquired them by theft and the black market?

3. I will ask one more question. Oregon is somewhat unique in that it requires background checks even for private transfers at gun shows. Most states do not. This requirement went in to place in about the year 2000. Has anyone done any studies to indicate whether this has had any effect on any crime? As far as I am aware, the answer is no. Yet the push is on to expand this to all private transfers. Based on what evidence of efficacy?

Let's call this what it is. Ineffectual, ideologically driven legislators again doing something which is easy, which affects only the law abiding and does nothing whatever to address the serious issue, so that they can say that they did something.

If an effort is undertaken to actually address the issue in a serious, adult way, I will be happy as a citizen of this state to lend my time and effort. If continued efforts are made to impinge on the rights of the law abiding, I will lend those efforts to the replacement of the offending legislators.

Sincerely,
William Dewey
Tigard, Oregon

Dear committee member,

SB 1551 is one of the most poorly crafted pieces of legislation I have ever seen.

Under this bill a uncle can give a gun to his nephew but the nephew cannot return it without subjecting his uncle to a background check!

Under this bill I could not give a hunting rifle to my own father-in-law!

If my gun club allows someone taking a safety class to use one of our club owned guns, we'd be required to run a background check on the student and transfer the gun for the duration of the class. The student would than have to do the same to return it! This is lunacy.

Vote against any restrictions on private transfers.

Yours,

SD

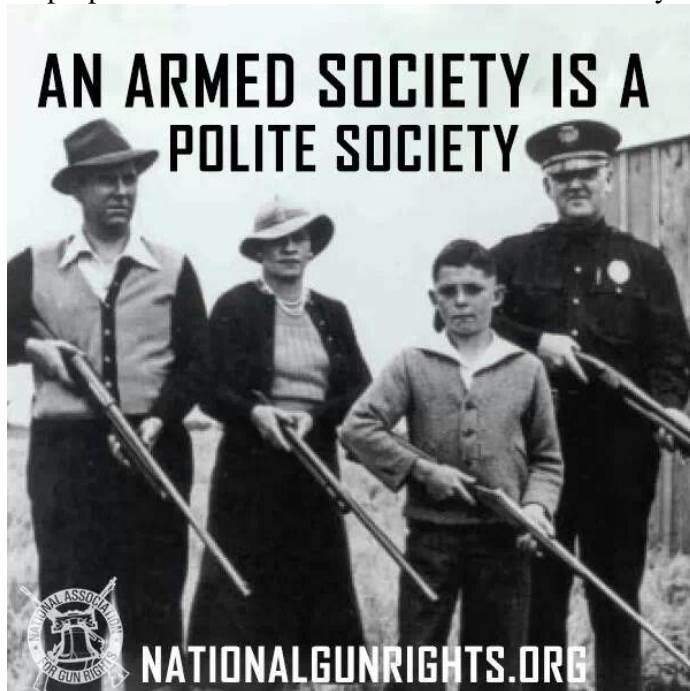
Dennis Elleson

No NEW GUN LAWS!!! You took a oath to uphold the Constitution & The Bill Of Rights!!!!
We will vote (YOU OUT IF YOU DO NOT)!!!

https://www.youtube.com/watch?v=bUd3YBrfoR4&feature=youtube_gdata_player

<http://www.ignatius-piazza-front-sight.com/2014/01/22/front-sight-blog-murders-drop-6-6100000-3-2-gun-ownership-doubles/#news>

<http://patriotoutdoornews.com/8893/let-women-carry-concealed-firearms-campus>



Firearms Training

Home >> blog >> Dr. Ignatius Piazza >> **Front Sight Blog: Murders drop from 6.6/100,000 to 3.2 as gun ownership doubles**

Front Sight Blog: Murders drop from 6.6/100,000 to 3.2 as gun ownership doubles

January 22nd, 2014

My New Year's Resolution is to be as pro-active as possible in spreading the truth about the importance of our cherished Second Amendment, while exposing the liars, whores and thieves who conspire to strip us of our freedoms, and to continue to provide you and the rest of America with the absolute greatest opportunities to become armed and trained.

I firmly believe our future, and the future of our children and grandchildren, depends on it.

As part of my New Year's Resolution, I will do my very best to deliver to you hard-hitting and entertaining blogs. You can help greatly, by doing two things for me...

Send me great videos and articles you find, to share with our hundreds of thousands of Front Sight Subscribers.

1.

When I send you a Front Sight Blog, please forward it to all on your list and ask them to do the same. With

2.

by AWR
Hawkin

hundreds of thousands of Front Sight subscribers and the vast power of the Internet, we can literally educate the world if we each do our part. I will dedicate my time and resources to this end. Please assist me in our

mission to pro-actively and positively change the image of gun ownership in our lifetimes.

With that in mind, here is another exceptional study that reveals the truth about guns...

TWICE AS MANY GUNS DROPS MURDER RATE IN HALF!

Congressional Study: Murder Rate Plummets as Gun Ownership Soars A Congressional Research Service (CRS) report shows that while gun ownership climbed from 192 million firearms in 1994 to 310 million firearms in 2009, crime fell—and fell sharply.

According to the report, the “firearm-related murder and non-negligent homicide” rate was 6.6 per 100,000 Americans in 1993. Following the exponential growth in the number of guns, that rate fell to 3.6 per 100,000 in 2000.

This rate rose from 2004 to 2005 and got as high as 3.9 in 2006 and 2007, but it then resumed falling in 2008, the year the Supreme Court ruled in *District of Columbia v. Heller* that individual firearm possession is Constitutionally protected—particularly for self-defense. This figure fell to 3.2 per 100,000 by 2011.

In other words, as the number of firearms almost doubled over a nearly 20-year period, the “firearm-related murder and non-negligent homicide” rate was more than halved.

Additionally, the overall murder rate dropped from 9.0 per 100,000 in 1994 to 4.7 in 2011. The overall number of estimated murder victims fell from 23,326 in 1994 to 14,612 in 2011. For estimated firearms-related murder victims, those numbers are 16,333 in 1994 and 9,903 in 2011.

The firearm category that led the way from 1994 through 2009 was handguns. And these were “mostly pistols, revolvers, and derringers,” the most concealable types of guns.

So after after all the pro-gun control grandstanding and the relentless focus on how the so-called easy availability of guns drives up crime, the CRS report shows that more guns—especially more concealable guns—has actually correlated with less crime.

Forward this in its entirety to everyone you know and encourage them to do the same. Spread the truth about guns in the hands of responsible private citizens.

And be part of the solution for a stronger America! Take advantage of our 5 Day Defensive Handgun Course, 30 State Concealed Weapon

Permit and our entire set of 7 training manuals (over \$2700 in total value) for only \$200. **Get yourself and your family trained!**

That's right! Only \$200. But you will need to act fast. Go here <http://www.frontsight.com/patriot/> to grab a **5 Day Front Sight Course, plus 30 State Concealed Weapons Permit, and our entire set of 7 Front Sight Training Manuals for only \$200. Just do it before the offer sells out!**

And here is a great video we recently created so you can share it with your family and friends:

o Email Print Share

New Taste of Front Sight YouTube

I highly recommend you view it in 720 (a selection you can make at the bottom of the video window)...so you can see all the awesome detail.

Sincerely,

Dr. Ignatius Piazza

Founder and Director

Front Sight Firearms Training Institute

7975 Cameron Drive, #900

Windsor, CA 95492

<http://www.frontsight.com>

info@frontsight.com

1.800.987.7719

Entry Filed under: Dr. Ignatius Piazza,Front Sight,Gun Training,Monday Blog Posts,Newsletter,second amendment,Self Defense.

Logo'd Merchandise Includes Bonus Front Sight Course

329

SSHhaarree

We invite you to sign up for Front Sight Firearms Training Institute's and Dr. Ignatius Piazza's 15 Special Gun Training Reports (approximately one every other day):

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Dr. Ignatius Piazza and Front Sight will never transfer or sell your email address.

Dr. Ignatius Piazza has personally written all of these Gun Training Reports that will give you **little known and rarely talked about secrets of the firearms training industry** plus a **wealth of tactical information about self defense, firearms training, gun training mindset, mental awareness**, and more!

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<http://www.ammoland.com/2014/02/doj-report-firearm-related-murders-down-39-since-1993/#axzz2t2SnbKrl>

Oregon Senate Judiciary Committee

Re: SB 1551

February 4, 2014

Chair Prozanski, members of the Judiciary Committee:

I urge a NO vote on SB 1551.

We all want people to be safe with firearms. As a professional firearms instructor, my job and mission are to teach people to be safe. While I'm sure that the sponsors of SB 1551 have a similar intent, **this bill as written will have far-reaching negative consequences that create more harm than good.**

Of particular concern are the definitions of "purchaser" (which the bill defines as "a person who buys, leases or otherwise receives a firearm from a gun dealer") and "transfer" (which I did not see explicitly defined in the bill).

These seemingly innocuous lines could create huge backdoor problems. Two examples:

- Shooting ranges frequently rent guns to customers. SB 1551 would seem to require that the range complete a background check on every customer before renting a gun for the day's shooting. Not only would this be onerous to the business, but it would overwhelm the facility conducting the background checks if all ranges had to do this seven days a week.
- As a paid professional firearms instructor, I frequently loan my personal firearms for students to use in a class. SB 1551 could interpret this practice as "leasing" a firearm and thus require me to run a background check on every student first—another onerous requirement that does nothing to enhance safety.

We all want people to be safe with firearms. This bill as written goes beyond its stated purpose and enacts policies that ultimately degrade safety by hamstringing the ability of ranges and instructors to provide firearms for people to practice.

I therefore urge you to vote NO on SB 1551.

Sincerely,

Kenneth M. Ewing

Beaverton, Oregon

NRA Certified Firearms Instructor, 37503719

OREGON STATE SHERIFFS' ASSOCIATION TESTIMONY OPPOSING SENATE BILL 1551

In writing before the Senate Judiciary Committee / February 6, 2014

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.

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 hope to fix soon.

While the goal of universal background checks is certainly laudable, Oregon Sheriffs know from experience that Senate Bill 1550 will substantially inconvenience thousands of 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 1550 will not prevent that person from immediately purchasing another firearm from the black market. SB1550 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 passing SB1550 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.

Oregon State Sheriffs' Association

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

Chair Prozanski, and members of the Committee,

Senate Bill 1551, if passed into law would become yet another infringement on individual liberties and useless at its stated purpose: To keep guns out of the hands of criminals.

What this bill would do is needlessly penalize law abiding, responsible gun owners. In 2010, there were 2393 denials, but only 90 prosecutions. Either the remaining 2303 were not worthy of follow up by the Oregon Police, or they were false positives.

Locking your car door doesn't stop the criminal from breaking your window, or moving on until he finds an unlocked car.

It may seem trivial to those on the other side of the argument, but it equates to real dollars that we will have to pay for these background checks, and real time to do it. The burden that is put on responsible gun owners must stop. I am tired of being treated guilty until proven innocent every time I want to acquire a new defense tool, collectible, or range toy.

The people and responsible gun owners of this state don't need or want SB 1551. I urge you to vote NO.

Matthew Hale
Corvallis, Oregon

Dear Chairperson Prozanski and Committee Members:

This is Larry S. Hart, Ph.D., ABPP. I am a clinical-forensic psychologist.

I have prepared several talking points in opposition to the SB 1551.

INTERNET GUN SALES ACROSS STATE LINES ARE REGULATED BY THE FEDERAL BATF. ALL INTERNET AND INTERSTATE GUN SALES THROUGH RETAIL GUN SHOPS OR SUPPLIERS MUST UNDER GO A FFL BACKGROUND CHECK, BUT NOT PRIVATE PARTY TO PRIVATE PARTY [BUT PRIVATE PARTY SALES ACROSS STATE LINES ARE PROHIBITED BY FEDERAL LAW].

IF YOU WANT TO CLOSE THE LOOPHOLE WHERE CRIMINALS BUY GUNS YOU MUST STOP THE ILLEGAL UNDERGROUND OF GUN TRAFFICING THAT SO OFTEN ACCOMPANIES SEX SLAVERY, DRUGS AND ILLEGAL GUN SALES FROM CRIMINAL TO CRIMINAL. DOJ STATS DO NOT SUPPORT THE BELIEF THAT CRIMINALS PREDOMINATELY PURCHASED FIREARMS FROM CITIZENS.

FACT: THE MINORITY OF ILLEGAL GUN TRANSACTIONS ARE ACTUALLY USED IN A CRIME.
FACT: POLICE OFFICERS ARE SAFER WITH LAWFULLY ARMED CITIZENS.

DOMESTIC "ABUSERS" CITED FOR DOMESTIC VIOLENCE ARE BLOCKED FROM PURCHASING A FIREARM THROUGH FFL AND AS A CONDITION OF PROBATION ARE PROHIBITED FROM POSSESSING A FIREARM.

I HOPE THIS IS HELPFUL. I LOOK FORWARD TO YOUR VOTE AGAINST THIS SB 1551.

LARRY S, HART, PH.D., ABPP

503-380-3777

I oppose SB1551.

As written, SB1551 is a thinly-veiled vehicle to promote the registration of firearms. Without registration the bill has no significance. If registration isn't the intent, there is no reason to require the collection of intrusive information including the serial numbers of transferred firearms.

Historically, both internationally and nationwide, there is ample evidence that firearm registration leads to confiscation. Closer to home, and contrary to Mr. Prozanski's assertions, Oregon residents have had their guns confiscated with no legal justification as a result of background checks.

SB 1551 is an impediment to and a penalty on the exercise of the constitutional rights of law-abiding Oregon residents. The inconveniences occasioned by its language, which is both vague and confusing, will most certainly lead to inaccurate interpretations by officials and consequent and unnecessary penalties for citizens.

It is inappropriate that government leaders, who appear increasingly unable to meet the obligations for which they were elected or appointed should, with the help of the merely-famous, attempt to impose their uninformed, perhaps hypocritical, or merely biased opinions on the wrong, but conveniently-available group of people.

Sincerely,
F. Charles W. Heil
22239 SW Sequoia Terrace
Sherwood, Oregon 97140
503-625-0274
cpheil@msn.com

Mr. Reiley:

I'm a Washingtonian, but I work and travel in Oregon, thus I pay taxes in Oregon.

It's come to my attention that Floyd Prozanski is trying to pass gun legislation again. It seems just as ridiculous now as it ever has for citizens to be held accountable for what crazy people do.

The only Mr. Prozanski's bill would work is if the state is allowed to create a database with the serial numbers from all firearms sold in the state. That is registration, and that is not fine by me.

There are no instances where this time of law would prevent the tragedies we see in the news. For instance, I understand Gabby Gifford's husband, Mark Kelly, is going to testify in support of SB 1551. He should know better than anyone, since his wife was shot by a man who lawfully undertook a background check, that this only helps to track law abiding citizens—not criminals.

Oregon, and the North West in general, has one of the lowest murder rates in the country, and I believe it's because we are allowed and willing to protect ourselves without the governments intervention and "protection". I oppose this and any other piece of legislation which violates my 2nd Amendment which is guaranteed to me by the Constitution of the United States of America.

Thank you,

Kevin Herman

White Salmon, WA 98672

Mike,

This will not help anything, in fact all it will do is hurt the everyday man from passing things on to friends and family. The bad guy will always be able to get guns and if anything it could very well raise the crime rate due to the fact that it will be hard for the bad guy to get a firearm. We need to stop beating around the bush and face the facts. We need to be working on the broken mental health care issues, youth crime, and holding people responsible that do NOT keep their firearms secured away from children and people that shouldn't have access to them. Think of the Clackamas mall shooting if the family that the AR15 was stolen from had the firearm secured the shooter could have not gotten his hands on it. Maybe if we could get a tax credit for people that buy a true gun safe, not some little \$90.00 thing I mean a real safe for firearms. This could help. We need to hold people ACCOUNTABLE for their negligence. Stop making deals with ANYONE convicted for a crime with a firearm. Maybe others are afraid to tell you what will and will not help, but I am not.

--

You have a divine animal right to protect your own life & the life of your offspring.

Practice safe shooting.

John Herring
NRA Range officer
NRA Chief Range Safety officer
NRA Certified Pistol Instructor
J&J Truck Repair
34380 Grenz Ln NE
Albany OR 97322
503-580-7102

Dear Senate Committee On Judiciary,

As a resident of Oregon with Libertarian leanings, I am concerned about the actions taken in our state that restrict law abiding people from their Constitutional rights.

We have a 8th grader in the Tigard Tualatin School District and feel that the correct way to address school safety is by implementing some or all of the initiatives in the study provided through the link here: <http://nraschoolshield.com/>

All the bills being presented this session and in the upcoming hearings that have been hastily written in a “knee jerk” reaction to the latest tragedies will do nothing to reduce gun violence. The laws already on the books are more than sufficient if enforced.

As long as man has free will, there will be a need for self defense. It appears most active shooter instances are elaborate suicide by cop events or destined to have straight suicide endings. This is a mental health issue with many causes. The answers will never be 100% effective. Taking away 2nd Amendment rights isn't one of them.

I'm guessing you are getting plenty of emails with reference materials and opinions, but here are a couple more if you haven't seen them before or recently:

Probably the most complete recent study>> <http://www.fas.org/sgp/crs/misc/RL32842.pdf>

<http://www.ojr.org/what-the-media-gets-wrong-about-guns/>

<http://www.thenewamerican.com/usnews/crime/item/14859-florida-update-concealed-carry-permits-up-violent-crime-down>

The only bills that should be brought forward are those which do their part to uphold both the US and Oregon Constitutions. Individuals come first and you have an oath to support and respect our rights.

I appreciate your time in reading this and expect the best for our state and country through less laws and regulations, not more.

Sincerely,



Ralph G Hughes

Tigard, OR
503.780.3332

PS: I sent the above when SB 3200 was being considered last year, so it should look familiar to some committee members. The links to the reference materials and my feelings on the subject haven't changed.

Dear Judicial Committee,

As an Oregon resident since 2001, my personal stance on any "gun control" bills hasn't changed. SB 1551 and any other resurrection of old ineffective bills that haven't gotten anywhere in previous sessions will do no good to lessen crimes committed with guns. I trust you have the research and facts available to verify this to be true. Emotional, "feel good" bills are never the way to legislate. All legislation and legislators should be focused on other areas that aren't tampering with constitutional rights.

With proper enforcement of existing laws, your target should be on the mental health aspects of violence.

Please do not bring SB 1551 out of committee.

Sincerely,

Ralph G. Hughes

A handwritten signature in blue ink that reads "Ralph". The signature is written in a cursive, flowing style.

Tigard, OR

I was informed that it was too late to submit testimony for tomorrow's hearing, so I e-mailed the Committee members. I am sending you a copy in case I was misinformed as to the cut off time. Thank you.

Olga Jones

I was shocked and displeased to discover that the cut- off time for submitting written testimony on SB 1551 was so shortly after the hearing was publicly scheduled. This really calls into question the motivations of certain legislators. While I would like to attend tomorrow's hearing and it is my intention to do so, it's quite probable I will be unable to, with such short notice.

As a mother of three (and grandmother of two) as well as a "survivor of a victim of gun violence," I am extremely interested in anything which impacts public safety. SB 1551 would obviously do nothing to enhance safety, but would certainly create an unnecessary inconvenience for many Oregon citizens.

The bill is so poorly written that, were I a gun owner, I would, for example, be able to gift one of my sons- in- law with a firearm, but he would be unable to return it to me without a completely superfluous "background check." Or is the "poor writing" intentional? I can think of several reasons for it other than obvious incompetence, none of them acceptable.

Dishonestly promoting the bill as "exempting family members," as has been done through local media, is unconscionable.

One must wonder if the true intention of this bill is to begin criminalizing gun ownership in general. Regardless of the ridiculous protestations to the contrary, it does start the creation of a de facto gun registry.

Any reasonable person would realize that we could expect that to work out even less well than it has in CT, where they have, by the best available figures, an EIGHTY SEVEN PERCENT NON COMPLIANCE rate. The State of CT have made themselves a laughingstock, by attempting to blame the fact that post offices closed early on New Year's Eve for the lack of compliance. They have instantly created an entirely new class of "criminals," who were previously regular, law- abiding citizens.

I urge, nay, I demand, that this and any other bill attempting to further curtail the rights of firearms owners be soundly rejected. There are many, many others like myself (not members of the NRA, not "gun hobbyists," not hunters, etc.) who take strong exception to the continuing attempts to erode Article I, Section 27 of the Oregon Constitution. We may have heretofore ignored the legislative usurpations, but rest assured, the "silent majority" is starting to speak out, and will be speaking quite loudly via the ballot box at reelection time.

Sincerely,
Olga M. Jones
Sherwood, Oregon

<http://www.pcez.com>

Senator Prozanski and committee members

Like you, I want to do whatever it takes to keep bad people from accessing guns. But SB-1551 will not accomplish this goal. Unfortunately, there are too many other ways for the bad guys to get firearms.

With all due respect, the State doesn't need to know anything about the kind of guns that law abiding citizens own. There are more effective ways of keeping weapons out of the wrong hands without infringing on the rights of good people.

Please vote no on SB-1551, and any restrictions on the private transfer of firearms.

Thank you very much,

john knipe rockaway beach
rockyjon2002@yahoo.com.

I OPPOSE SENATE BILL 1551" ---- Roger Lang -- 51235 HWY 26 -- Mount Vernon,Oregon 97865 ---
541-620-1236

Thanks for reading,Roger Lang

(Please read at the hearing.)

To all of those who would in any form or manner try to limit or hinder our 2nd Amendment rights.

Be it know from this day forth that said individuals will be held responsible for their actions and prosecuted for inciting riots and starting revolution.

Your arrogance and ignorance has put you in jeopardy.
It is our right and responsibility to abolish any governing body that attempts to infringe on our rights.

WE THE PEOPLE

Stan Larson

Mike Reiley

Judiciary Office Coordinator

503 986 1635

mike.reiley@state.or.us

Re: In opposition to proposed SB 1551

Mike:

The following is intended to be a letter in opposition to SB 1551 and intended to be put before the Senate Judiciary Committee. I am not sure of the next step so am forwarding it to you as the Judiciary Office Coordinator. I apologize for not being more timely but between the late notice and health concerns I was delayed. In appreciation.

Don Leach (Electronic Signature pursuant to the Electronic Signature Act)

Oregon Traitors Propose Gun Control

An open letter from my [blogspot](#) and Face Book to the Oregon Senate Judiciary Committee: (Note: Pictures did not load but are available on my blog site or facebook site.)

The agenda states that today you meet for consideration of gun control. Thank you for the reminder outlined in SB 1551. I am Don Leach, author of *Oregon Concealed*. It is a primer on what one needs to know under current Oregon Laws as they are enforced today to successfully carry a concealed handgun in Oregon. It would be what is called "the Bible" for those who have or want to have a concealed license.

I have taught thousands of people the basics for their handgun safety certificate. A surprising number of them have been Ds . They are of a common mindset, they need to be able to defend themselves from the everyday bad guys. Of those they identify as "Bad Guys," right up there at the top with Rapists, Murderers, and Sex Offenders are those legislators who would and do support gun control.

SB1551 is nothing more than an end run around Oregon's Bill of Rights, specifically, Article I, Sections 1 and 27. The standard to burden a constitutional right is much higher than any evidence you all can possibly find here in Oregon to apply the controls you now contemplate.

I don't believe in the apparent irony of the SB1551 designation on this proposed legislation. I incorporate the evidence I provided last session on the then SB1551 and other gun control issues, about 68,000 words, which at their core attack the legislative supporters of that session's gun control measures.

In the past calling Prozanski, Burdick, Courtney and their ilk "political prostitutes, whores, and murders", I may have left some things out. Did I call them "treasonous traitors?" In reflection, I think I did. Name calling sometimes takes away from the core messages but I think not in this instance.

I think you all should look at the "why" of name calling. When people cannot be heard, they try by shouting louder, and name calling to get attention, to be heard. In this case some of you just don't get it. The Ds think they can make these meaningless gestures a platform for future political gain. I think they misjudge their constituency.

If the recent political history surrounding Ds and their gun control effort repeats, here in Oregon they too will be voted out. Absent the voters box, then the other side of history will most probably repeat. It will be a radical D that takes them out with the cartridge box, that works to stomp out the tyranny of government the legislative gun control advocates represent when the metaphoric fecal matter hits the proverbial fan, so-to-speak. Whether by firing squad or as the attack on Ronald Regan, a D will probably do the job.

Which ever day comes first, I hope I get to sit on the jury, whether in the voter's box (another metaphoric thing here in Oregon) or the jury box of the D that pulls that trigger or those triggers. Either way, here is what I know at my core: The supporters of this bill declare themselves enemies of the Oregon Constitution and enemies of the people of Oregon.

I was thinking about sending you all a copy of my book but you are not worth it. You can go to my website to purchase one if you desire. <http://www.thinkingwrite.org> For those who find this open letter on other social media I invite you to my blog spot.donthinkingwrite.blogspot.com.

[ThinkingWrite on Facebook](#)

--

Don W. Leach

84058 N. Pacific Highway
Creswell, Oregon 97426
541.579.3500

Mike Reiley

February 5, 2014

Sir,

I am representing our shooting club, Central Oregon Shooting Sports Assoc. Our organization consists of over 550 members and we are dedicated to advancing the shooting sports in a safe manner and training new and young shooters.

SB 1551 would put a great hardship on our existing training programs. We have programs set up that train new adult and junior shooters and we supply the firearms for the classes. If this bill passes it would cancel out all of the good work that we are trying to do to provide safe training for all shooters. To "transfer" a firearm to one of our students for a brief period, maybe only a half hour, and then back to the Club and then transfer it again for another shooter would greatly burden our resources. The time required for a single background check can run into 30 minutes, depending on the load at the State Police center. Many of our classes run from 10 to 20 students. This could require up to 5 to 10 hours of time just for the background checks. The time to do such is not the only burden. The existing cost of transferring a firearm through the State Police is \$10.00 a transfer. This would mean that for one person to shoot in our class, it would cost the club \$20.00. If you multiply this by a class of a class of 20 shooters, it would be a burden that would shut down all of our classes.

The people that come to our classes are interested in learning safe gun handling and are willing to spend their time to do such. However, if the time spent is not productive, they will not attend the classes and more untrained people will be handling firearms.

I do not see the reasoning behind this bill and how it would help to keep firearms out of the reach of the criminal element. Our entire club stands behind the defeat of this bill.

Bill Lewis, Oregon voter, 541-480-4695

Hello, I can not attend the public works session feb. 5th but I would like the committee to know my feelings on this and all other feel-good do-nothing gun control attempts. **WHEN WILL LAW MAKERS LEARN THAT ONLY LAW ABIDING CITIZENS FOLLOW THE LAWS !!!!!!!!!** If somebody is going to commit a crime like murder, robbery, rape, etc. what makes you think they would not obtain a gun because it was against the law? Why do certain politicians keep trying to take away our freedoms and rights in the name of "safety" Claiming it's "for the children" ? What about the thousands of children who have no mother or father because they died trying to protect this country and defend the freedoms these politicians so carelessly try to trample on and through away ? what about those children? I live out in the country, and if my Wife and kids are faced with an intruder, the response time for 911 could be half an hour or more. ever wonder what a drugged-up rapist could do in half an hour to my wife and two young girls if they could not defend themselves? What about those children?

Doesn't it seem ironic that the places with the strictest gun control like D.C., New York, Detroit, Chicago, and most of California also have the highest violent crime? **GUN CONTROL DOES NOT WORK**, If this poor excuse for a power-grab passes, it will not make guns harder for criminals to get, and if anyone believes it will then please explain the drug problem in this country! The last time I checked, those have been illegal for decades and strangely are still obtainable to every criminal who want's them?

If you want to stop crime **PUNISH THE CRIMINALS**

Oregonians will not just stand by and let this eroding of our freedom, and safety continue.

Austen Martin

Chair Prozanski, Members of the Committee,

My name is Stephen Meliza, I live in Beaverton, Oregon.

SB 1551 is about gun registration of law-abiding citizens and not about stopping criminals from getting guns or else it would be about locking up the felons that are currently attempting to buy guns at dealers that go un-prosecuted. Rather than prosecute the criminals SB 1551 targets the ordinary citizen. Make no mistake, a background check is not just about checking a person's criminal record, every detail of the gun being purchased is recorded. This is an unnecessary gathering of data if SB 1551 is truly just about background checks.

On Friday of last week I stopped at a local gun store with my wife to purchase a handgun. The phone call to perform the background check had a hold time in excess of 15 minutes so my pregnant wife had to go sit in the car to wait. How does SB 1551 propose to make these phone line hold times reasonable? How will SB 1551 pay to more than double the staff handling the phones and records?

Please reject SB 1551 and focus on prosecuting known violators instead of going after me.

Dear Senator,

I urge you to vote no on SB 1551. All this pointless bill will do is burden law abiding citizens, and burden an already overwhelmed government. What SB 1551 will not do is deter crime, or track criminals. Criminals by the very definition of their namesake will not heed any new laws. Not only will this new bill fail at fighting crime, I and many other law abiding citizens find it obtrusive and anti-constitutional. There are many ways to help fight gun related crime, but this is not the way to go about doing it.

For these reasons and many others, please vote no on SB 1551.

Sincerely,
Chris Meyer

The Newtown and Washington Navy Shipyard shootings example the futility of the gun control legislation proposed in SB 1551; legislation which only effects law abiding citizens.

The children and staff at Newtown enjoyed all the protections afforded by some of the most restrictive gun control regulations in the country. The principal even confronted Adam Lanza, but he failed to submit before rules prohibiting firearms on campus.

Later I read a World Magazine article listing the supposed worst mass shootings in the United States since 1999. This article chronicled 25 instances with 220 dead, 242 injured, and 17 predator suicides. The shootings occurred at schools, churches, retail malls, and businesses, and in 19 to 24 cases at locations that would have prohibited firearms. In every case the police arrived for body counts and paperwork. In every case no one except the assailant had a gun.

The most recent World citation involved Adam Lanza who stole his mother's guns (which was against the law), and then killed her with them (which was against the law). Next he transported these loaded guns onto school property and inside the building (which was against the law). He discharged the weapons within the city limits (which was against the law), and murdered 26 people (which was against the law). Finally, Mr. Lanza committed suicide (which was against the law).

In reaction President Obama, Dianne Feinstein, Chuck Schumer et al. proposed severe gun-control provisions including an "assault weapons" ban, a limit on magazine size, and **a requirement for background checks for all private sales.** Not only did their initiatives fail legislatively, but would have proved useless concerning the next notorious mass shooting by Aaron Alexis at the Washington Navy Yard. Following Joe Biden's advice, he bought a shotgun from a reputable, licensed dealer and passed a federal background check. If he got the weapon from a private individual, he obviously would have passed an identical check.

The presence or absence of guns among the general population and violent incidents has been researched in many ways. Here are a few of the more rigorous studies.

U.S. Justice Dept research estimates that over a third to just less than one half of Americans adults own guns and half of those consider personal protection a significant inducement. The research inferred that annually well over 1,000,000 people find the presence or use of firearms necessary to defend themselves.

Harvard Law School completed a study discovering that within the U.S. and across European countries, violent criminality and suicide were unrelated and often inversely related to gun ownership. Instead basic social, economic, and cultural factors determined human actions.

The Center for Disease Control, which habitually considers guns comparable to viruses or bacilli, conducted a review of 50 studies. It found no positive benefit from laws concerning bans, restrictions, waiting periods, registration, licensing, or concealed carry.

The Clinton Administration commissioned a National Science Foundation (NSF) study that could not find a positive correlation between gun control laws and other measures after consulting 400 sources and doing its own research. The only dissent was detailed in Appendix A saying John Lott's conclusion from his studies that concealed carry laws do drive down murder rates had in fact survived all attempts at reanalysis.

Here the dissenter referred to a twenty-year study by John Lott and William Landes from the University of Chicago Law School. That and subsequent Lott studies the NSF reviewed correlated passage of concealed carry laws with large decreases in multiple victim shootings, and reduced harm from shootings when they did occur.

Evidently psychopaths and criminals in general follow a pattern of lawlessness unaffected by the type of gun control legislation proposed. However, we can rely upon shootings for the media and politicians to adopt as props pervasive audios and visuals of distraught individuals juxtaposed with idyllic photos of victims. Over any tragedy hovers ongoing Hollywood style theatrics presenting frightened children beneath the sinister specter of black rifles. The passionate, contra-factual, asymmetrical marketing of Sandy Hook Elementary and other events provides the emotional cover necessary for folks like the supporters of SB 1551 to drive deferred agendas that are unrelated to enhancing safety or curbing criminality.

Of course such distractive legislation thwarts any attempt to allow debate to begin with the precondition that any solution must first protect Constitutional guarantees. In recent history such concerns did not seem paramount for national debates from The Patriot Act and The Patient Protection and Affordable Care Act through The National Defense Authorization Act of 2011. Opponents saw these pieces of legislation doing irreparable harm to Habeas Corpus, trial by jury, Posse Comitatus, speech and religious freedoms, and Ninth Amendment freedoms guaranteed, but not enumerated by our Constitution.

If protecting Constitutional guarantees regarding firearms in common usage was paramount, very likely only the most promising and durable proposals regarding guns could survive. A focus on personal freedom would likely lead to a focus on predators and criminals. Failed strategies targeting responsible gun owners would not be debated.

Nolan Nelson
3497 Westward Ho
Eugene, OR 97401
541-344-7853

A Town Clothed in Misery

http://www.worldmag.com/2012/12/a_town_clothed_in_misery/page3

Washington Navy Yard Shooting

http://en.wikipedia.org/wiki/Washington_Navy_Yard_shooting

Guns in America: National Survey on Private Ownership and Use of Firearms

<https://www.ncjrs.gov/pdffiles/165476.pdf>

Harvard Law School Gun Study

<http://illinoiscarry.com/forum/index.php?showtopic=6297>

Would Banning Firearms Reduce Murder and Suicide?

http://www.law.harvard.edu/students/orgs/ilpp/Vol30_No2_KatesMauseronline.pdf

Center for Disease Control

First Reports Evaluating the Effectiveness of Strategies for Preventing Violence:
Firearms Laws

<http://www.cdc.gov/mmwr/preview/mmwrhtml/rr5214a2.htm>

National Science Foundation: Firearms and Violence, A Critical Review

<http://www.nap.edu/openbook.php?isbn=0309091241>

Study by John Lott and William Landes from the University of Chicago Law School

http://papers.ssrn.com/sol3/papers.cfm?abstract_id=272929

Patriot Act of 2001

<http://epic.org/privacy/terrorism/hr3162.html>

USA Patriot Improvement and Reauthorization Act of 2005

<http://thomas.loc.gov/cgi-bin/query/D?c109:6:./temp/~c109jbWSuV::>

The Patient Protection and Affordable Care Act

<http://thomas.loc.gov/cgi-bin/query/D?c111:7:./temp/~c111j3sqUu::>

National Defense Authorization Act of 2011

<http://thomas.loc.gov/cgi-bin/query/D?c112:7:./temp/~c112gIPx5x::>

Dear Senator Prozanski:

The Oregonian is correct – you are completely “out of touch with the people [you] serve.” Your patronizing (almost prosecutorial-like) attitude is as offensive as it is unbecoming of a public servant. With all due respect, but how dare you to have such a low opinion of us, the People of the Great State of Oregon! Namely, you proposed bill SB 1551 is in effect saying that, “God forbid, if Oregonians will get hold of firearms, they will immediately sell them to criminals.” We, Oregonians, are law-abiding citizens and have much, much, much better judgment than that. If you are of such a low opinion of us, you SHOULD NOT BE A REPRESENTATIVE, and we will do EVERYTHING to vote you out of office (either through elections or recalls, if needed)!

Don't insult our sense of judgment and our integrity, don't think that you know better what is “good” for us, and don't try to “save” us from ourselves. And, especially, don't compare your gun registration bill with laws that mandate wearing seatbelts (as you and others often do). Not wearing seatbelts has been determined to be a major contributing cause in motorists' deaths, whereas a failed background check was NOT a cause in any of the tragic events, recent or otherwise (as a suggestion, please watch "60 Minutes" regarding mental health issues in this country!!!). Then let me ask you this: why are you trying to legislate by addressing something that was NOT a contributing factor in any of these events (do you want me to remind you why we as a society legislate? To address factors contributing to ills in the society, meaning that penal laws must be justified to the highest degree)? It tells us that your bill is mostly political, intended only to harass legitimate gun owners, and, most importantly, will have no effect on law-breakers. In fact, it is believed (and also reported by The Oregonian) that what you are really trying to do is force certain GOP senators to take a controversial vote shortly before an election. Yes, another election is coming, and, with more people moving to Oregon than ever (Oregon was #1 moving destination last year, including into your District, so don't rely on your typical voters), we will oust you and we will replace you with a true representative who understands REAL ISSUES facing Oregon, such as our broken school system, crowded classrooms, falling graduation rates, the Interstate I-5 bridge, Cover Oregon, marijuana legalization, tax policy, and many more (your agenda is not among these). Please understand that your bill is not at all a priority for Oregon (and does not make any sense, *inter alia*) and, as such, it wastes legislative time and the taxpayers' hard-earned money, and, in fact, the people have already spoken on this as well as other related issues during last legislative session. Remember, you represent us, not the other way around!

Again, you should be ashamed for having such a low opinion of us, for not believing in the Constitution and the inalienable rights of Oregonians to keep and bear arms, and for actively working to destroy the 2nd amendment. We will not let that happen in Oregon (remember, the population of Oregon is changing)! Forcing us to run a background check on a friend or loved one before we give them a firearm will not prevent felons from obtaining weapons. With all that said, we do believe in second (and even third or fourth) chances, and you can absolutely redeem yourself, if you wish to do so! If you strive to be a true representative and if you care about important issues as well as your political future, we urge you to reconsider your bill. Again, it does nothing to prevent felons from getting guns, but is an unwarranted invasion of our privacy.

Sincerely,

ALP (and many, many, many others)

Chair Prozanski and members of the committee,

My name is Paul Peloquin. I reside at 1181 Lori Lane East in Monmouth. I am representing only myself.

I have worked my entire life in public safety. I spent 12 years as a private security supervisor and manager. I am a former employee of DPSST and the Oregon Department of Corrections. I am currently an instructor at the Oregon Public Safety Academy. I also currently volunteer as Treasurer for Shelly's House, a transitional housing facility for women offenders in Marion County. I trust that from my resume you understand that I have dedicated my career to public safety.

(I understand that Captain Mark Kelly is testifying here today).

My sincerest condolences to Capt. Kelly, to his wife Gabrielle Giffords and all the families of those killed and injured during the Tuscon Shooting of January 2011. It was a truly horrific event, perpetrated by a mentally ill and deranged person who should never have been allowed to purchase a gun.

While I empathize with Captain Kelly, his time and the money spent to testify here today are wasted. This is nothing in Senate Bill 1551 that would prevent a shooting similar to Tucson from happening in Oregon. Jared Loughner legally purchased the firearm used in this horrific crime. He did not receive the gun from a friend or family member. It was NOT a private transfer. He was approved for gun ownership by NICS; a broken and flawed background check system that failed in Tucson. A system that also failed last year at the Navy Shipyards, in 2012 at Aurora Colorado and in 2007 on the campus of Virginia Tech. In each of these cases, a mentally ill person was allowed to legally purchase firearms. Please allow me to repeat: there is nothing in Senate Bill 1551 that addresses the root causes of those murders; mental health treatment and reporting.

If the honorable members of the Oregon Legislature wish to increase public safety and prevent gun violence, I would suggest investigating methods of keeping firearms out of the hands of mentally ill persons. I would suggest contacting the Oregon Psychological Association and discussing criteria for mandatory reporting of their clientele who pose a violent risk to the public. I would suggest contacting the FBI and asking why a system meant to keep firearms out of the hands of the mentally ill doesn't. Perhaps the Oregon Alliance to Prevent Gun Violence could assist the legislator in these endeavors.

I suggest we deal with the source of the problem; a broke mental health reporting system.
Let's not punish the citizens of Oregon for the failures of others.

Thank you.

Chair Floyd Prozanski and Committee:

As a life-long Oregon citizen, I am writing asking that SB 1551 NOT be passed out of committee. In my opinion, this is a first step toward gun registration in Oregon. This is contrary to our Federal Constitution and our Oregon Constitution, both of which as elected officials we swear to uphold.

When considering gun legislation, one must realize that these laws will only impact law-abiding gun owners. Certainly this bill will not take guns out of the hands of the people who use them for criminal purposes. Criminals will certainly not register their firearms and this bill will do little or nothing to impact crimes committed with a firearm. Legislation that would make a difference would contain a life sentence for anyone who committed a felony with a gun.

With law enforcement being reduced and jails on the verge of closing throughout Oregon, to restrict law-abiding citizens from the opportunity and the right to protect themselves, their families and their property is injustice. In Columbia County, we are looking at a jail closing as are many other counties, particularly the timber affected counties. Our Sheriff has advised our citizens to get a shotgun because funds are not available for public safety and law enforcement.

Please consider the fact that the unfortunate mass shootings in our country have happened in "gun free" zones. The theater in Colorado was gun free zones. The schools were gun free zones. The Mall in Oregon was touted as a gun-free zone. I truly believe that would have been a massacre if one citizen hadn't shown the criminal his legally carried concealed weapon. The safe zones are the ones where honest, law-abiding citizens might be carrying concealed and can protect those in the area from a crazed criminal.

Gun control has not been effective in reducing crime in Australia, England or anywhere else it has been tried. Criminals will always get guns, will not abide by any registration law or, indeed, any other firearm law. The only ones who will be punished are the citizens who have had the life-long right to own firearms for the purposes of hunting, competition and personal safety. Please consider more punishment for the ones who do use guns illegally and leave Oregonians alone to enjoy their Second Amendment rights.

Thank you,
Mayor Diane Pohl
Clatskanie, Oregon

Eric Polson
2217 11th Ave
Forest Grove OR 97116
(503) 359-7849

Intended Testimony on Senate Bill 1551

There are certain groups that feel that if they limit the ability of law abiding citizens to own and/or acquire firearms that it will have some magical effect on crime. This is not and never has been the case. Those that perpetrate crimes are by definition criminals and already do not follow the laws. They purchase their weapons and operate in the shadows. There is no law that will deter their acquisition and use of a firearm and no measure of control that will prevent them from perpetrating crimes against those that are unarmed, or that intentionally follow the law.

What Senate Bill 1551 clearly represents is an attempt to create a door for further restrictions on private ownership of firearms. Those wanting to verify the legal eligibility of a person to purchase a firearm have always been able to request a background check either indirectly through a firearms dealer, or directly through the Oregon State Police.

By requiring the performance of a background check for all firearms transfers, this bill would add another level of serious inconvenience to anyone wanting simply to sell a firearm to a friend, relative or acquaintance, something already accomplishable should the seller desire to do so without being forced by law to do so. It seems that the belief is that in so doing, firearms violence will somehow be affected. Firearm violence cannot be affected in any way at all by such a requirement, as those who are intent on firearms violence avoid such potential roadblocks at all costs. If we are to review the recent mass shootings we find that in no case would such a law have prevented the incident. In each case the firearm was either bought through normal channels with the purchaser passing the background check, or the perpetrator acquired the firearm through illegal channels.

Let us take a look at the bill as it would amend the Oregon Revised Statutes:

ORS 166.436(2) would require any person desiring to transfer/sell a firearm to:

- (a) Call the Oregon State Police directly to acquire an authorization to complete the transfer or
- (b) Contact an FFL holder and have them acquire an authorization

The person performing the transfer would be required to complete “a form” and keep the form as a record of the transfer. What is the form, and how long is the person required to keep it.

In an already short-handed agency, where do the State Police find the manpower to accommodate an already “stretched thin” department?

Has there been any research done to show that this requirement will have any effect on firearms violence? I believe I can answer the question with a resounding NO, as there is no such research available. There is not a single case that I have ever heard of where firearms violence was prevented just because someone was required to perform a background check on the transfer of a firearm. Why, you may ask? Because those that comply with the law do not break the law. What this measure will succeed in doing is creating an entirely new class of criminal: the person that is not aware that they cannot sell a firearm to a friend without performing a background check, thereby creating a large collection of Class C misdemeanor criminals. I feel quite confident in that statement, as it is NOT the nature of those that pass such laws to ensure the public that will be affected is made aware of such changes.

Before passing such legislation, it is the responsibility of the legislators to:

1. Make sure through proper research and testimony that the legislation will have a measurable impact on the section of society that the legislation hopes to affect... in this case those that commit crimes involving firearms.
2. Ensure that the legislation will have no significant on those whose behavior it is not intended to alter.
3. Prove that the legislation will not adversely affect any agency directly responsible for the compliance of the legislation.
4. Prove that the legislation is NOT intended as a back-door means of initiating more draconian measures on innocents.

This legislation fails on all four of these measures:

1. There is NO research that will in any way support this legislation affecting firearms violence. There have been hundreds of interviews with those incarcerated for violent crimes, and in NO case has the criminal ever stated that the presence of a firearm either in the possession or on the premises of their victim had no effect on their decision process. In EVERY interview, the criminal has clearly stated that if they knew there was a firearm either in the possession or on the premises of their intended victim, they would NOT commit the crime, but would seek an alternate where they were certain there was no firearm.
2. The legislation will ONLY affect those who do not or have no intent in committing a crime with the firearm. It will either make it far more difficult for a law abiding

citizen to acquire a firearm from a private party, or for the private party to sell/transfer the firearm. Requiring a private citizen to complete and then retain a form just to sell or purchase a firearm will only effect private enterprise. It simply cannot have any effect on firearms violence, as these are not the ones committing the crimes in the first place.

3. The Oregon State Police is an agency that is already short staffed. They do not have the staffing that would be required to accommodate the verification of every firearm transaction performed in the State of Oregon. This legislation is sorely lacking in either the recognition of this fact, or in any measure to accommodate the additional staffing required to comply with the legislation.
4. The fourth question is a bit harder to answer, as it requires the ability to read the hidden intent of the backers of the legislation, as well as needing to be able to see the future activities and legislation that this legislation may spawn. To many, however, the intent to create a "back door" seems pretty clear. If it is not possible for a piece of legislation to curtail a crime but only to seriously inconvenience law abiding citizens, then it would appear to be clear that there is an alternate intent of the legislation.

While it is a laudable and admiral goal to reduce the levels of firearms violence in this country, it cannot and will not be achieved by attacking law abiding citizens. If you want to reduce firearms violence, you can only do so by going after those that commit the crimes. Just as virtually all firearms accidents can be prevented by following simple firearms safety principles, firearms crimes can be avoided by making those that commit them more accountable for them. Either enforce the laws we already have, or stiffen the penalties for those that break them. Not a single law proposed or passed since the mass shootings would in any way have prevented the mass shootings. They all, without exception, occurred in "gun free zones." When you create a gun free zone, you create an area where anyone intent on committing firearms violence is assured that they can do so with virtually no opposition. Perhaps that is where your focus should be and not on punishing law abiding citizens for no good reason.

Oregon Senate Judiciary
SB 1551
February 4, 2014

Dear Senate Judiciary Members,

As an NRA Firearms Instructor I urge you NOT TO PASS SB 1551.

I am the CEO of Ladies Of Lead Group Therapy, LLC in Bend, Oregon. We supply all handguns and ammunition for our classes. This affords our students the opportunity to learn how to handle several calibers and sizes of handguns safely BEFORE they purchase one for themselves.

It is very important to know what fits your hands and what your strengths are to be able to work the slides on many semi-automatic handguns and to be able to pull repeatedly the heavy triggers of the double action revolvers before they purchase. Our largest age group of women that we train are in their 70's. Many of which have arthritis in their hands. Giving them this valuable perhaps life saving knowledge should not be taken away from them. The passing of SB 1551 will greatly reduce their ability to learn about their limitations and parameters for their personal firearm choices.

Thank you for your time to consider our concerns in this matter. Our goal is to give everyone the opportunity to learn to protect themselves. Having a plan helps women from all walks of life to feel confident should evil come to their door. We don't get to choose the time or place when bad things happen.

Sincerely,

Sharon Preston CEO
Ladies Of Lead Group Therapy, LLC
www.lolgrouptherapy.com
www.facebook.com/lolgrouptherapy
541-788-5858
60920 Larsen Road
Bend, OR 97702

February 5, 2014

Oregon Senate Judiciary Committee

Senator Floyd Prozanski, Chair

Democrat - District 4 - South Lane and North Douglas Counties
Capitol Phone: 503-986-1704 District Phone: 541-342-2447
Email: Sen.FloydProzanski@state.or.us

Senator Betsy Close

Republican - District 8 - Albany
Capitol Phone: 503-986-1708
Capitol Address: 900 Court St. NE, S-303, Salem, Oregon 97301
Email: Sen.BetsyClose@state.or.us

Senator Michael Dembrow

Democrat - District 23 - Portland
Capitol Phone: 503-986-1723 District Phone: 503-281-0608
Capitol Address: 900 Court St. NE, S-407, Salem, Oregon 97301
Email: Sen.MichaelDembrow@state.or.us

Senator Jeff Kruse

Republican - District 1 - Roseburg
Capitol Phone: 503-986-1701 District Phone: 541-580-3276
Capitol Address: 900 Court St. NE, S-315, Salem, Oregon 97301
Email: Sen.JeffKruse@state.or.us

Senator Arnie Roblan

Democrat - District 5 - Coos Bay
Capitol Phone: 503-986-1705
Capitol Address: 900 Court St. NE, S-417, Salem, Oregon 97301
Email: Sen.ArnieRoblan@state.or.us

RE: Vote NO on SB 1551 firearms transfer registration proposed legislation

Dear Oregon Senate Judiciary Committee and Chairman Prozanski:

I write to urge you to vote NO on proposed legislation SB 1551. Senate Bill 1551 is a private-sector, citizens' *firearms registration* scheme, pure and simple. Furthermore, SB 1551 is an apparent *manufactured "criminal"* scheme, against current law-abiding Oregonians; it can be anticipated to be, and will be, abused by government regulation, implementation and enforcement. SB 1551 is a direct violation of the plain language of the U.S. *Constitution, Bill of Rights, Second Amendment*, allowing citizens' "...the right of the people to keep and bear arms, *shall not be infringed*" [*emphasis added, by Pyles*].

Proposed SB 1551 makes no sense, and it is discriminatory, harassing and offensive to blended, contemporary legal families in Oregon, as well as to other personal relationships,

rights, freedoms and liberties, per the proposed exemptions to ORS 166.436, Sections 10 and 11 - e.g., apparently, a person's transfer to an aunt, uncle, cousin, step-sibling, half-sibling, various forms of in-law family relationships,...life-long friend, hunting partner, person eligible to own a firearm under other state and federal laws, or similar scenario, becomes an "illegal", "criminal" act under proposed SB 1551 legislation. Wow! Oregon will be awash in future *government manufactured "criminals"* who are simply law abiding, legal gun owners today. Further, how does SB 1551 adversely affect current legal renting of firearms at gun ranges and for civilian training classes?

SB 1551 does nothing to prevent felons and criminals from obtaining guns. Period. Any opposition to this fact is simply a blatant false argument,...and misplaced propaganda. SB 1551 will be abused to make "criminals" out of current and future legal, lawful Oregon gun owners. SB 1551 is an unwarranted, unnecessary, unwise and unenforceable invasion of personal privacy. *SB 1551 simply cannot be implemented and enforced. How will government determine if a legal gun owned by an Oregonian today was, or was not, transferred per the letter of the law, if Oregonians simply effect reasonable civil disobedience to a fatally-flawed law, do not comply, and assert the transfer took place before SB 1551 was enacted? Implementation and enforcement becomes unable to be proved, unfeasible and impossible.*

In short, upon reading this substantially and materially fatally-flawed proposed legislation, I find it would be better titled as "SB 5150" - i.e., in the common parlance of our times and colloquial police codes, a reference to a mentally ill, unstable and disordered piece of proposed law. SB 1551 is legislation in desperate search of a non-existent problem. All for the apparent purpose to establish a *de facto* gun registry and registration system in Oregon. Oregon's current Oregon State Police background check system is plagued by corruption, illegal practices and unlawful gun registration,...*by the Oregon State Police!*

SB 1551 is obviously a *de facto* registration scheme. *Please cease fire, on the Oregon Legislature targeting and manufacturing "criminals" out of law-abiding, ordinary and common citizen gun owners in Oregon. Vote NO on SB 1551.*

The fact of the matter is, presently in the United States, there are approximately 320 million guns in private ownership by legal, law-abiding U.S. citizens; a great many of them owned by Oregonians. Poor, ill-conceived and constitutionally antithetical proposed legislation like SB 1551, as well as the anti-Second Amendment exploitive, extremist stakeholders, and President Obama administration's failed attempts at new laws and regulations, have resulted in an exponential spike firearms sales and private ownership of guns in the U.S. Better than any other form of pro-gun advertising. *The free market law-abiding gun owners of America have spoken! Attempts at government gun registration and registries are unconstitutional, unlawful, and have failed! SB 1551 is completely unenforceable and not able to be implemented, by any rational, reasonable or responsible understanding, based simply on the current volumes of legal gun ownership. Please help the public understand: How will a "violation" of SB 1551, assuming it is passed, be proved, if a legal gun owner prior to the bill, simply exercises willful and very reasonable civil disobedience (given the manufactured hysteria and exploitation of the anti-gun community), to not comply with SB 1551, should it become law?*

Furthermore, misuse of an enacted SB 1551 law, can be anticipated to be egregiously abused by "law enforcement" and state/local government in Oregon, to *manufacture, falsify and fraudulently create and establish, legal and lawful gun owners as future "criminals"*. Compliance

and enforcement of SB 1551 is not possible. To the extent enforcement of an enacted SB 1551 may be conducted, based on current paradigms and recent past practice of Oregon "law enforcement", the rule of proposed law can be, and will be, abused and corrupted, to violate the civil rights, liberties and freedoms of law-abiding Oregonians. *Has the Oregon Legislature and the State of Oregon addressed the corrupt, criminal misconduct and malfeasance of the Oregon State Police, its firearms identification unit, and other "law enforcement" agencies/agents in Oregon, following the unprecedented violations at the hands of the Oregon State Police, Jackson County, City of Medford and the Oregon Dept. of Transportation?*

PERSONAL BACKGROUND TO INFORM OPPOSITION TO SB 1551

At all periods from Thursday, March 4, 2010, to Monday, March 8, 2010, I was the subject victim to an unprecedented, unlawful, illegal and unconstitutional true civil and criminal conspiracy action effected and originating with the Oregon State Police and the Oregon Department of Transportation. I was victim to a *continuous, clandestine, false and fraudulent professional/political/personal attack of the most unimaginable, wicked, evil and terroristic type – i.e., a fraudulent, color of law/authority "peace officer mental health hold" action, per ORS 426.228 (1).*

The outrageous and egregious violations and attack occurring directly related to my former professional employment as a senior planner 3 with the Oregon Department of Transportation; related to my opposition union activity to legally fight false, fraudulent "progressive discipline" in attempt to terminate my employment by manufactured, false "just cause"; related to my FMLA/OFLA medical leave status; related to my being a whistleblower to expose corrupt ODOT and local government activities; related to my association with minority persons; and, related to other protected class activities as a State employee in good standing and evidenced successful performance record. I experienced a nightmarish, terrorizing, perfect storm of government corruption, collusion, false police reports, fraudulent "investigation" of a *non-criminal* matter, involving at least three police agencies (i.e., OSP, Jackson County Sheriff's Office, City of Medford Police,...likely Douglas County law enforcement also), the ODOT *and a federal/state primary fusion center (i.e., the Oregon TITAN Fusion Center)*. *Why?* Simply because I legally exercised by Second Amendment rights in Oregon.

The matters were the subject of the recent February 2012 to January 2014, *David Pyles v. Sheriff Mike Winters, Phil Cicero, Jackson County, Scott Clauson and City of Medford*, federal civil law suit, Medford, Oregon, U.S. District Court case no. 12-CV-346-CL; and, 9th Circuit Court of Appeals case no. 13-35871. The Oregon State Police and the ODOT having been excluded, based on my *being manipulated, deceived, lied to, coerced and denied true informed consent, by every attorney associated to the matters of March 2010 and the federal litigation, and all related matters (e.g., a bad-faith, fraudulent, Settlement Agreement and Release of Claims document I was coerced and deceived into signing by an Oregon State Bar attorney, the State's DOJ attorney(s) for OSP and ODOT, and by a public union attorney. Every adverse and hostile party (e.g., ODOT, OSP, DOJ, ERB, JCSO, MPD) to those originating March 2010 events, to include two attorneys for which I retained personal legal service and counsel, effected a subsequent collusive, conspiracy to cover up, obfuscate and avoid the actual issues and facts of the events of March 2010 – i.e., the OSP and the ODOT effecting a clandestine, false and fraudulent ORS 426.228 (1) action...absent any OSP written statement of probable cause to justify the letter I received from the ODOT and OSP on 03/04/2010; and, the directly related events of OSP and ODOT officials (i.e., Henderson, Mitchell, Swain, Marmon, Harbour, Mather, Frasier, Proulx, Martz, Duvall and others)*

making known and willful false police reports, which effected a perfect storm of OSP, Jackson County Sheriff's and City of Medford Police Department's illegal profiling, clandestine surveillance, and terrorizing action,....all related to my legal firearms purchases between March 5th to 7th, 2010!

How do I know and assert these outrageous and unprecedented events as valid? Because, as related to the Pyles v. Winters (et al) litigation, I just lost a two year law suit, because the Oregon State Police, the State of Oregon, the City of Medford, Jackson County and the Asante Health System hospital **knowingly covered up, concealed, withheld, suppressed and/or removed material police written statements of "probable cause" related to the continuous, clandestine and false peace officer mental health hold between 03/04/2010 to 03/08/2010! - i.e., the OSP second teletype by OSP Sgt. Jeff Proulx at approximately 9:50 p.m., dated 03/07/2010; and, the MPD ORS 426.228 (1) written statement by MPD Det. Sgt. William Ford, dated 03/08/2010!**

As the full Oregon Legislature is aware, based on documents I have provided since March 2010, and more recently, per the two ORS 30.275 de novo tort claims notices I courtesy copied to the Oregon Legislature - i.e., one dated 06/13/2013 and one dated 01/09/2014 - when the State Police, a county sheriff's office and a city police department in Oregon conspire to break state/federal statute and constitutional laws,....**every agency and agent of government doubles down to apparently cover up, conceal, withhold and suppress the only two material and potentially valid law enforcement written statements of probable cause to effect an ORS 426.228 (1) false action from 03/04/2010 to 03/08/2010. To date, the OSP (and the Oregon TITAN Fusion Center) has yet to provide all related documents to the above described March 2010 events; and, the OSP has yet to provide the second teletype by Jeff Proulx of 03/07/2010. The records the OSP has provided to date, evidence corrupt, illegal, unlawful, unconstitutional, false and fraudulent police reports by the OSP and its officials, of the events of March 2010!**

In closing, I question the entire validity of the Oregon State Police having anything to do with firearms background checks in the State of Oregon. The OSP irrefutably committed *criminal malfeasance* in March 2010; malfeasance which has been attempted to be covered up; and, which other authorities in Oregon (e.g., the Legislature, the DOJ, the Governor's Office), I know as fact, *have failed to acknowledge, address and correct!*

CLOSING & SUMMARY

Please vote NO on Senate Bill 1551. SB 1551 is terrible, misguided, misplaced proposed legislation, in search of a non-existent problem. SB 1551 has no capability to be implemented or enforced. SB 1551 is ripe for abuse, exploitation, selective and/or retaliatory application if passed and attempted to be enforced. The OSP cannot be trusted with any aspect of involvement in SB 1551, based on my personal experience and knowledge, related to the events I was victim to in March 2010; and, the State's / OSP's attempted, actual and continuing cover up of material police public records and "probable cause" statements related to those events. SB 1551 will have an irrevocable, adverse effect on legal gun owners in Oregon. Do the right thing; vote NO on SB 1551.

Please enter this letter into the complete and whole Oregon Senate Judiciary Committee public hearing record, and complete Oregon Legislature's hearing public records related to SB 1551, scheduled for Thursday, February 6, 2014; and, to subsequent future similar hearing(s) and consideration by the Oregon Legislature related to SB 1551. Thank you.

Sincerely,



David J. Pyles

9588 SE 124th Loop
Summerfield, FL 34491 ¹
(352) 693-0271
djp_OR1269@yahoo.com

djp/DJP

Cc: Oregon Firearms Federation
Mike Reiley, OR Legislative staff

¹ I write concerning this matter, as a 2013 recent *former Oregonian, forced to leave your wicked, corrupt state, under threat of my personal safety and security, by corrupt, color of law/authority, very dangerous "law enforcement" agencies and officials in the City of Medford, Jackson County (and also at the State Police level), as directly related to well-known illegal, unlawful and unconstitutional collusion, conspiracy and color of law violations by the OSP, JCSO, MPD, all in illegal/unlawful coordination with the Oregon Dept. of Transportation (my former employer), originating at all periods from 03/04/2010 to 03/08/2010. And, the continuous intimidation, harassment, retaliation, threatening conduct and completely manufactured, falsified and fraudulent "criminal misdemeanor" violations and wrongful conviction effected against my person, per false arrest, malicious prosecution, false police officer testimony and destroyed case evidence by State, per Jackson County Circuit Court case no. 12-4489-MI, pending appeal as case no. A154028, State v. David Pyles.* I was wrongfully, falsely and fraudulently made a "criminal", simply for reasonably and peacefully requesting public records related to a systemic pattern of color of law/authority City of Medford Police abuse, intimidation, threatening conduct and retaliation in August 2012 – i.e., the purpose of which directly related to my Plaintiff status in a federal lawsuit against the City and Jackson County, based on the originating March 2010 events and conspiracy between the OSP, the ODOT, the JCSO and the MPD.

From February 2004 to circa December 2010, I was a resident and home owner in Medford and Jackson County. Following the events of March 2010, having my livelihood and professional/personal reputation completely destroyed and irreparably and irrevocably adversely damages, I lived at various periods from 2011 to April 2013 in Portland (three times), Eugene, Jackson County and Grants Pass/Josephine County. *I have earned standing and credibility to submit this letter to the Oregon Legislature, based on the unimaginable, unlawful, illegal and unconstitutional systemic patterns of behavior, misconduct and malfeasance I was subject victim to at all periods from March 4, 2010 to April 2013, at the hands of government in Oregon.*

My Contact information:

JR Radcliffe
5934 NE Hoyt
Portland, Oregon.
97213
415-845-5021

----- Forwarded message -----

From: **Jr Radcliffe** <win2000jr@gmail.com>
Date: Tue, Feb 4, 2014 at 2:30 PM
Subject: Gun Control SB 1551 STRIKE THIS DOWN!!
To: mike.reiley@state.or.us

Mr. Reiley,

Senator Boquist provided me your email and though it was such an important issue that contacting you in hopes of providing an understanding to why so many are in opposition to SB 1551...

I have cited my sources which are all Government studies by the DOJ, ATF. All is sworn testimony and of public record. Their statistical analysis is beyond reproach.. They don't issue opinion. They provide facts.

If you look at it from the criminal perspective. Why would they buy a weapon that will be confiscated the instant they are caught with it. If their gun is stolen, no big deal, they would dump that weapon the instant the heat was near.

They claim we really need to do something about this problem" while offering no objective evidence to support their position. I tend to believe facts supported by evidence tracked over a appropriate time period.

According to the US Dept of Justice report..
2012-summary-firearms-reported-lost-and-stolen-2-1.pdf

<https://www.atf.gov/sites/default/files/assets/Firearms/2012-summary-firearms-reported-lost-and-stolen-2.pdf>

In that 2012 report, In Oregon:
2,367 were reported as stolen
2491 were reported lost or stolen

According to the US Dept of Justice report
"Firearm Use by Offenders"-
November 2001, NCJ 189369

<http://www.bjs.gov/content/pub/ascii/fuo.txt>

Table 8. Source of firearms
possessed during the current offense
of State prison inmates, 1997 and 1991

Less than 1% of the time a gun show was the named source of their weapon.

40% claimed they obtained it through street/illegal means..

39% claimed they obtained it via family or a friend.

Unlike our politicians, I present sources of data to make a objective conclusions. Where, their estimates, and subjective, lacking any real credible source of data and seems to fit in more with their politics rather than facts.

So, no.. It is not reasonable to put this burden upon the bulk of the citizens where the problem appears to be manufactured and based in political ideology, not facts.

We have no gun problem..

The genius of Gun Control is that it is a clever trick of misdirection.

1. Legislators seek gun control to make us safer from criminals.
2. To make laws to disarm/limit citizens who don't commit crime.
3. Those whom are forced to comply end up not getting a chance to complain that a gun would have been really handy before getting killed by criminals.
4. The deaths via criminals with firearms are used as propaganda to validate their initial claim that guns should go away..

Here is some logic..

Criminal robs someone w/a gun+ Need to limit guns.

Criminal assaults someone w/a gun= Need to limit guns.

Criminal kills citizen during DUI= Need to limit vehicles.

It isn't the vehicles fault, and it surely is not the guns fault.

The criminal is the problem. But the State and Government would like you to believe it is the gun that is to blame..

You can go on believing it is a gun problem until you get stabbed, raped, robbed or beaten by a criminal with a bat, knife, hammer, etc.. Then maybe you might grasp that it is indeed a problem with criminals, and not a problem with firearms or our rights.

The key role of Government is to protect it's citizens from criminals. Our legislators can't blame the criminal, that would illustrate their failure to properly deal with crime. So they have to blame something else.. A gun is convenient.

it is the state/gov's failure to be effective on protecting us from CRIMINALS. It's of little importance if the criminal chooses a gun, a knife, a bat, a bomb, or a screwdriver to rape/rob/kill us. We still get dead, we can't protest, and the problem continues..

The Constitution is whole lot more relevant than we give it credit for..

The Government should admit their failure and enlist the help of the American people to address the crime problem. We have the ability to form Militia's for this very purpose. The number of Police are not able to handle the problem.

The nature of Criminals and Governments does not change.. Both prefer us unarmed, both like to operate unopposed.

"Guard with jealous attention the public liberty. Suspect everyone who approaches that jewel. Unfortunately, nothing will preserve it but downright force. Whenever you give up that force, you are inevitably ruined"

Patrick Henry
Philadelphia, 1836

Letter against bill SB1551.

Atson Reeder
Cannon Beach

Members of the committee.

Background checks are "RACIST". In California they have had background checks for more then a decade. Those laws added so much to the cost of a gun it made it impossible for the poorest people to buy one. When you add \$30 to \$50 to the price of a \$80 gun it pretty much puts that gun out of the reach of the poorest people. Often the poorest people are minorities who are also people of color. So the background check means only rich and generally white people have the right to buy a gun and poor minority people can't?

THAT IS AS RACIEST AS YOU CAN GET!

California passed a raciest anti gun law and they knew it. After California put the background checks in place the private sales of legal guns to honest citizens dropped massively. People didn't want to go to all the hassle and expense. Why would Oregon want to disarm honest people? After 10 years of background checks in California crime didn't drop anymore in California then any other state. The background check law proved totally useless. Passing racist laws that disarm the poor is truly bigoted and un-American.

As to on line guns sales, you can't buy a gun anywhere in the United States on line without it going through a federal firearms dealer. That is the law as it now stands. Thanks,
Atson

Dear Senators,

I am writing to express my opposition to SB1551.

I do not believe it is necessary and should not become a law to require background checks between private citizens and/or family members.

Please vote against this intrusive and un-necessary law being put before you.

Thank you

Gerald Sagert

Canyon City, Oregon 97820

Dear Senators

I am writing to express my opposition to SB 1551. I feel this bill invades my private life. I do not feel that it is necessary to require a background check between private parties and/or family members. I also feel this is a law being presented by groups that are trying to take away our second amendment. As a law abiding citizen of the United States of America I strongly oppose any law that restricts my rights under the Constitution of the United States of America. Please vote against this bad law.

Thank you
Jean Sagert
Canyon City, Oregon 97820

Senator Prozanski, Chair, Senate Judiciary, Senator Close, Vice-Chair, Members of the Committee.

As seen below, my name is Sam Sapp and I am representing myself and anyone else who wants to join me. I was at the hearing in Rm 50 this morning, February 6, 2014 and was signed in on the "Against" list to testify against this bill. Unfortunately, time constraints made it impossible for my live testimony so, in accordance with your statement that we would be able to provide that testimony for the next 5 days or so, I have elected to send the following, with copies to friends and family under blind copy.

Testimony:

I consider this bill to be nothing more than an attempt to enhance current gun registration practices by the state of Oregon. If this were not such an attempt there would be no need for the make, model or serial number of the gun required on the form. It is interesting to note the federal government form does not require gun information according to what I've been able to find out. That should answer Senator Dembrow's question of how it is a gun registration bill.

While it may be true the OSP policy is to destroy records within 10 days, the fact is the form used and the computer program used is federally provided and I find it extremely hard to believe they will not capture information for their own nefarious motives.

In testimony I listened to today, I heard a lot of if's and and buts from the support side with only questionable proof to support their contention that background checks save lives. Who were they, how many were there? All the attacks that were continually named in today's hearing, all, I repeat, all the weapons used in these atrocities were **STOLEN**. Where then did background checks save lives?

I rest my case.

There are other issues I have about today's meeting but I will address them under separate cover. Thank you for hearing my testimony.

Best regards,

Sam T. Sapp
503-881-3501
sam.t_sapp@comcast.net

Mike - I would like to testify on this bill on behalf of the Oregon State Shooting Association of which I am President. We are the NRA official representative in Oregon and I have concerns of how this bill would effect instructors or coaches who let others use rifles or pistols for instructional purposes or for competition. Also I see nothing in the bill that would address the firearms owned by the Association or clubs for use by their members. Most people getting started in a program do not go out and buy what they need just to try a sport as it is just too expensive. They use firearms belonging to a friend or relative who introduced them to the program. Nelson Shew, President Oregon State Shooting Association

Written testimony submitted in OPPOSITION to SB 1551
Feb. 2, 2014

Members of the Committee:

I object not only to further expansion of the so-called "Background Check" system for firearms purchases, but on principle to all background checks for firearms purchases.

First, any "Background Check" system can only detect those individuals who are already deemed too dangerous to be allowed to own a dangerous object, in this case a firearm. If they are thus dangerous, why are we leaving them at large among us? They still have access to hammers, knives, gasoline, automobiles, and any number of other contrivances which humans use to murder each other with distressing regularity. Why are you, who are Legislators, leaving these people at large among us when, by your own admission in proposing to screen them out when they attempt to purchase a firearm, you deem them capable of murdering us? We common people by and large don't want them "Screened Out": we want them "Locked Up".

Second, "Background Checks" reduce all of us to the lowest common denominator: that of suspected criminals. In making all of us prove we are not criminals, you are tacitly rendering us guilty until proven innocent - i.e., no better than the criminals whom you are trying to screen out. What have we done, to deserve being treated like this (other than voting you into office, one might suppose)?

Third, "Background Checks" don't work. At the risk of tediously repeating what you have been told repeatedly for years on end, I will simply reiterate what everyone - even those proposing gun confiscation - already knows: "criminals will get guns no matter what". Additionally, the statistics revealed by existing "Background Check" systems show that little or no attempt at enforcement results from "unqualified" individuals attempting to purchase firearms - and at a level of expenditure which would unquestionably be far better directed elsewhere.

Fourth, and (with all due respect) the Chairman's protestations to the contrary notwithstanding, the current system in Oregon as well as the present Bill are merely tools for implementing gun registration, which at the risk of further repetitiousness I will reiterate has been shown in every past instance to lead to eventual confiscation. (It is common knowledge that this is the stated goal of groups like Ceasefire Oregon, also, so there is no point in anyone's attempting to deny it.) The State and Federal Governments are building a database of gun owners, having found means of sidestepping all regulations debarring them from so doing, and the current bill is nothing more than a subterfuge for registering second-hand firearms, to supplement the data collected on purchases of new firearms.

Fifth, and while this last concern may at the moment seem improbable or abstruse it may be the most dangerous aspect of all, of this type of legislation in general: the vetting of individuals for purchases of firearms sets a precedent for vetting of purchases, next of all objects and substances deemed by a Government to be "dangerous", and eventually for all purchases in general. Until now, such total control has been beyond the reach of Governments, but that is rapidly changing due to technological advances, and the systems required for "Background Checks" may become the foundation for something which even the gun confiscationists will eventually wish they

hadn't unleashed upon us - and which, it cannot be overemphasized, will not be possible to "undo" once it has been implemented.

Please let this latest Bill die a well deserved death, and please, instead of imposing more screening and more Government regulation upon us mere citizens, instead focus on removing from among us those whom you deem so untrustworthy that you find it necessary to attempt to prevent them from acquiring "dangerous" objects.

Thank You.

Dave Simmons
Dallas, OR

SB 1151

I am submitting Testimony since I was not able to speak due to time constraints.

In reviewing this bill, I have noted that it appears that there is no plan to implement, since there is a file of "Notice of No Revenue Impact" . Which leads me to rationally come to the conclusion, the bill presentation is the political ploy as was previously discussed.

The Legal Counsel presented their interpretation, which at best is wide open to interpretation..."depends upon the length of time", but no interpretation of what the length of time would be...How can such an interpretation be fairly applied? This leads to selective enforcement, a method to intimidate, and remove those who do not believe your propaganda.

I will borrow a term from Psychiatry, enabling.

This legislature has done nothing to address the issue of criminals arming teens in Portland, by selling teens guns from the trunk of their car, which once again was brought into testimony today.

I spoke with the woman after her testimony, she said that these criminals obtain the guns they sell through straw purchases.

This sounds like "Fast and Furious"....What is being done to investigate this, and address this Present issue on Firearms. During last session, the witness said she was told by her nephews friends that they "all have them in their backpacks", as well as relayed the fact that her nephew killed, also had a gun on him.

By NOT addressing this problem, you are enabling the murdering to continue!

Your focus to present bills such as this, takes action and dollars away from addressing these murders. Somehow the woman who testified, felt that this bill would address her issue. This is deceptive.

Overall, I see this committee's majority is in a breach of confidence, perpetrated for gain of an unfair political advantage.

I oppose this bill,

I support actions to investigate. and deal with the "Fast and Furious" problem that is present in Portland, and may be present in other areas of the State.

Eileen Smith

This bill is significantly flawed and unnecessary as no criminal will ever obey it. Further, there is no way the State can monitor compliance. It only creates more problems and burdens the law abiding.

If the state wants to curb gun violence increase the war on drugs and gangs

*Dave Sullivan
614 38th Place*

To:2014 Sen.MichaelDembrow@state.or.us<Sen.MichaelDembrow@state.or.us>;2014 State Judiciary<Sen.ArnieRoblan@state.or.us>;2014 State Judiciary<Sen.JeffKruse@state.or.us>;2014 State Judiciary<Sen.FloydProzanski@state.or.us>;2014 State Judiciary<Sen.BetsyClose@state.or.us>;Sen Rules Bruce Starr<sen.brucestarr@state.or.us>;Sen Rules G Burdick<sen.ginnyburdick@state.or.us>;Sen Rules Lee Beyer<sen.leebeyer@state.or.us>;Sen Rules Rosenbaum<sen.dianerosenbaum@state.or.us>;Sen Rules Ted Ferrioli<sen.tedferrioli@state.or.us>;Senator Jeff Merkleymailto:MerkleySenator_Merkley@Merkley.senate.gov; copy to State judiciary Mike.Reiley@state.or.us<Mike.Reiley@state.or.us>;

*Betsy and Jeff, just included for info.
They still have common sense
and loyalty to America*

PLEASE WATCH THIS 20/20 report. For once the MSM has it right.

<http://www.youtube.com/watch?v=682JLrsUmEM>

Absolutely NO to SB 1551.

**Citizen gun owners and 2nd Amendment protectors mean business this time.
There will be recalls and there will be new people in Salem and in DC in November.
No and if's or buts about it.**

**The only thing you want is an illegal registry and the people know it
Criminals will continue as before because they don't give a dman about law.
You know that as well.**

**You play games with the constitution. Well we don't play games. This is America
and**

our Constitution is Supreme Law in this country and will be defended.

Those that have seen fit to walk on it are America's enemy's and traitors !

I am very much against gun registration. And in this bill we would be required to give all information on a firearm including serial number before transferring. With that data save for 5 years. No one should know what I do or do not own, not even the government.

On a second note some people including media and politicians are comparing the United States to Britain. In doing so they are doing quick searches to websites like the NRA or MotherJones to get their facts. They never take the time to make sure that these sites have their facts straight. That is why I go straight to the source such as the FBI website for The United States, ONS which is the UK site for government published statistics, and ABS for Australia's site for government published statistics. I also don't compare total numbers from a small country such as Britain with only has 59.1 mil people to a large country such as the USA that has over 313 mil people. Instead I compare per capita of 100k.

So while yes the United States has a little less than 4 more murders per 100,000 people, The United States also has 52 LESS rapes than Britain per capita and 749 less Aggravated Assaults than Britain. When I say aggravated assaults I am talking about someone trying to kill you not just fight you. This means you are 3 times more likely to be raped and 5 times more likely to have someone try to kill you in Britain.

I bring these figures up because a gun is not a killing machine, it is a tool that can be used for bad, yes but, can also be used to defend from such crimes like rape and aggravated assaults.

Putting more regulations into effect that makes it harder for someone to legally buy a firearm, IS infringing on my 2nd Amendment rights. Last year when gun sales skyrocketed it was hard enough to buy one box of ammo because of the constant waits of 2 to 3 hours, not because there were so many people in the store, but because one or two people were buying firearms at that store while many more were buying throughout the state, tying up the background check system causing massive delays and shutdowns in the system. With this you want to add even more to an over encumbered system. With the more regulation, the more infringement.

Please don't pass such bills that will only cause more harm than good.

Source of information

<http://www.ons.gov.uk/> SPREADSHEET Appendix Tables - Crime in England and Wales, Year Ending December 2012 (Excel sheet 758Kb)

<http://www.abs.gov.au/ausstats> FORM 4510.0 - Recorded Crime - Victims, Australia, 2012

<http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2012/crime-in-the-u.s.-2012>

C.W. Walker & Associates, LLC

Real Estate Brokers & Consultants

Clayton Walker, CCIM
Principal Broker

Chuck Koehn
Principal Broker

February 10, 2014

Hon. Floyd Prozanski
Hon. Betsy Close, Hon. Jeff Kruse
Hon. Arnie Roblan, Hon. Michael Dembrow
Senate Judiciary Committee
State Capitol
Salem, OR 97310

RE: SB 1551

Please accept the attached letter as my testimony to the Judiciary Committee regarding Senate Bill 1551.

Sincerely,
Clayton W. Walker

C.W. Walker & Associates, LLC

Real Estate Brokers & Consultants

Clayton Walker, CCIM
Principal Broker

Chuck Koehn
Principal Broker

5 February 2014

Hon. Floyd Prozanski
Hon. Betsy Close, Hon. Jeff Kruse
Hon. Arnie Roblan, Hon. Michael Dembrow
Senate Judiciary Committee
State Capitol
Salem, Or. 97310

Re: SB 1551

Dear Senators:

I have lived in Oregon since 1956 and the state has become progressively more oppressive since about the time I went into business in 1971. Senate Bill 1551 is another example of legislation that not only unnecessarily intrudes into our lives but will not accomplish its goal of keeping guns out of the hands of felons or potential felons. The one exclusion to the law that exists, whether or not it is written, is the criminal enterprise exclusion; people that want to do us harm don't care about your ridiculous laws.

Sincerely,



Clayton W. Walker

GUN COMMITTEE OREGON

FEB 6TH 2014

ELECTED REPRESENTATIVE'S OF THE LEGISLATURE

WE THE PEOPLE OF OREGON STILL DON'T WANT MORE GUN LAWS THAT WILL NOT MAKE US SAFER.

IN 8 DAYS OREGON WILL TURN 155 YEARS. THE GUN LAWS ON THE BOOKS HAVE WORKED JUST FINE WHEN ENFORCED. ORS 166.170 THRU 166.663

THE THEORY THAT MORE BACK GROUND CHECKS AND AND A REGISTRATION OF GUN'S IN OREGON WILL MAKE MY FAMILY SAFER IS MISS INFORMATION. IT WON'T!

THE PEOPLE OF OREGON HAS ENTRUSTED OUR REPRESENTATIVE'S TO LISTEN TO OREGONS NEEDS NOT PEOPLE AND MONEY FROM OTHER STATES.

ANYONE WITH COMMON SENSE WOULD SEE THIS IS JUST ANOTHER STEP IN TAKING LAWBIDING CITIZENS RIGHTS AWAY - MORE RED TAPE - AND NOTHING SAFER FOR OREGONIANS.

VOTE NO!

THANK YOU FOR YOUR TIME

Just. Weigel

Oregon Senate Judiciary SB 1551

February 4, 2014

Dear Senate Judiciary Members,

As an NRA Firearms Instructor I urge you NOT TO PASS SB 1551. I am the CEO of Ladies Of Lead Group Therapy, LLC in Bend, Oregon. We supply all handguns and ammunition for our classes. This affords our students the opportunity to learn how to handle several calibers and sizes of handguns safely BEFORE they purchase one for themselves. It is very important to know what fits your hands and what your strengths are to be able to work the slides on many semi-automatic handguns and to be able to pull repeatedly the heavy triggers of the double action revolvers before they purchase. Our largest age group of women that we train are in their 70's. Many of which have arthritis in their hands. Giving them this valuable perhaps life saving knowledge should not be taken away from them. The passing of SB 1551 will greatly reduce their ability to learn about their limitations and parameters for their personal firearm choices. Thank you for your time to read our concerns in this matter. Our goal is to give everyone the opportunity to learn to protect themselves. Having a plan helps women from all walks of life to feel confident should evil come to their door. We don't get to choose the time or place when bad things happen.

Sincerely,

Sharon Preston CEO

Ladies Of Lead Group Therapy, LLC

www.lolgrouptherapy.com

My daughter and I took this class with the **Ladies of Lead Group**. It was a great class, and we learned a lot. Handling the different types of handguns was very valuable and helped us to make informed choices in purchasing a firearm.

Please vote NO on background checks on people taking classes. We NEED for people to be able to handle handguns; not just book learn in the concealed weapons classes!!

Thank you,

Janeen Wienke

3442 NW Upas Avenue

Redmond, Oregon 97756