



March 19, 2015

Oregon House Judiciary Committee
Salem, Oregon
re: HB 2429

Dear Chair Barker and House Judiciary Committee Members,

Thank you for accepting our testimony concerning HB 2429. Ceasefire Oregon understands the following to be true about HB 2429:

1. HB 2429 allows a person to apply for relief to the Oregon Psychiatric Security Review Board if s/he cannot possess a weapon because s/he:
 - was committed to the Oregon Health Authority (Court determination of mental illness) [166.250 (1)(c)(D)], or
 - was found to be a person with mental illness under a court order [166.250 (1)(c)(E)], or
 - cannot purchase a weapon for the reasons listed above [166.470(1)(e) or (f)] or
 - if the person has been found guilty except for insanity of a misdemeanor involving violence, ORS 166.470 (1)(g).
2. Allows those listed above to apply for relief through the Psychiatric Security Review Board.
3. Allows the review board to be made up of adult and minor members.
4. Removes the January 2, 2016 sunset date, therefore people may apply for relief after that date.

In HB 2429, Section 4, our understanding is that the following people may apply for relief to a circuit court:

- A person who was under 18 years of age and in possession 166.250 (1)(c)(A)
- A person who was a felon in possession 166.250 (1)(c)(C)
- A person who was under 18 years of age for purchase 166.470 (1)(a)
- A person who attempted to purchase a gun as a felon 166.470 (1)(b)
- A person who has been convicted of a misdemeanor involving violence and attempted to purchase, ORS 166.470 (1)(g).

Our understanding is that the following people prohibited from purchase may not apply for relief:

- A person who has any outstanding felony warrants for arrest 166.470 (1)(c)
- A person who is free on any form of pretrial release for a felony 166.470 (1)(d)
- A person who has been found guilty except for insanity 166.470 (1)(h)

ORS 166.274(11)(a to c) prevents relief from being granted to felons who:

- committed a person felony 166.274(11)(a),
- committed a mandatory minimum sentence felony (b) or
- are currently serving a felony sentence (c).

Ceasefire Oregon is very concerned that this bill could be used to make unwanted changes to the relief concept as it pertains to violent criminals, including felons.

If the above statements are correct, Ceasefire Oregon supports HB 2429.

Thank you,

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Ceasefire Oregon