

March 23, 2015

Members of the Senate Committee on Judiciary
900 Court St. NE
Room 343
Salem, Oregon 97301

RE: SB 913 - Relating to trafficking in animal parts

Position: Oppose

Dear Members of the Senate Committee on Judiciary:

I write today to express our organization's opposition to Senate Bill 913, legislation that would create an offense of making a knowing purchase, sale, offering for sale, possession with intent to sell or importation for purchase or sale in this state of ivory, rhinoceros horn, ivory products or rhinoceros horn products.

The Congressional Sportsmen's Foundation recognizes the adverse impacts that poaching and commercial hunting had on wildlife, a public trust resource, especially during the late 1800s and early 1900s. That said, we also strongly support the role that legal hunters and anglers, as well as fish and wildlife agencies, have played in curbing or eliminating such practices through the passing of laws regulating the methods and take of individual game species and which have largely eliminated commercial hunting and trafficking of illegally killed animal parts. Additionally, we recognize that international trade and commerce add an extra degree of difficulty in formulating regulations relating to both the legal and illegal trade of wildlife across multiple administrative and regulatory jurisdictions.

We believe the statutory changes in SB 913 would do nothing to curtail poaching and the associated illegal and unethical trafficking of ivory and other wildlife parts.

Those who would be most adversely impacted by SB 913 would be law abiding citizens already in possession of legally acquired ivory products, including hunters, firearm collectors, antique enthusiasts, and musicians. These individuals, who comprise the vast majority of those in possession of ivory products, have acquired such products through legal means over many years through trade, purchase, and inheritance. As such, many of these legally acquired items contain no documentation, given that they were acquired in good faith.

SB 913, along with the proposed -1 amendments, would allow those in possession of certain ivory products to trade such products, though only under the stipulations that these items are over 100 years old and where ivory represents less than 20 percent of the item in question, and only then when existing owners could provide documentation indicating as such. Given the age of such items, however, it would be highly unlikely in most cases for any such documentation to exist, as is the case with many other similarly aged and acquired antique items. Such statutory changes would subject otherwise legal ivory owners seeking fair compensation for their ivory products to fines of up to \$1,250 or twice the market value of the item in question, in addition to up to 30 days imprisonment. Additionally, the value of such undocumented items would be severely depressed.

Additionally, the twenty percent threshold for knives and firearms is extremely misguided. Firearms in particular are constructed using a wide variety of materials and feature complex mechanical components that are often removable. There is also no existing standard used to determine whether the sum of these removable components should be considered a firearm or whether they should be considered separate pieces, and the same holds true with regard to standards for calculating the volume of individual components as a percentage of a firearm. This exemption contained in SB 913 is vague and placing the onus of determining the volume of ivory content on antique firearm owners is both impractical and subjective.

Again, we feel that SB 913 would do nothing to curb the possession and trade of illegally acquired ivory and animal parts, and would instead strongly decrease the value of legally acquired ivory products and make criminals of law abiding ivory owners seeking fair compensation for their items.

For the reasons enumerated above, we urge the Committee to reject SB 913.

Sincerely,

Zach Widner
Western States Coordinator
Congressional Sportsmen's Foundation