

By State Sen. Betsy Johnson

It's hard to tell what Americans love more – guns or gun laws.

We have plenty of both. That should say something about how ineffective gun laws are.

Nevertheless, we will soon have still another gun law here in Oregon. The latest one, Senate Bill 941, will supposedly close a loophole in private gun sales. If you're a private seller, you and the buyer will have to go to a licensed gun dealer and have the dealer run a background check to make sure the buyer isn't a felon or mentally ill.

Ex-felons already know they cannot legally possess a gun unless they successfully petition the court. Not surprisingly, most ex-felons who acquire a gun do so on the black market or through other illegal means. Senate Bill 941 won't change that. As for halting gun sales to the mentally ill, that is a noble cause. Unfortunately, many of the mentally ill shooters who make the news are deemed mentally ill only after they kill someone.

The Oregonian in its editorial endorsing Senate Bill 941 said it would bring "three years of off-and-on bickering to a close." Three years is nothing in the debate on gun control. We've been arguing about guns in America for more than a century, so long that conservatives and liberals have switched sides. (The first state to ban all pistol purchases was South Carolina in 1902.)

Today, my constituents are all over the political spectrum when it comes to guns. What everybody wants, though, is to keep guns out of the wrong hands. There is no law that can do that. None. Even outright confiscation and a ban won't keep guns out of the wrong hands. Any politician who tells you otherwise is either lying or desperate to look like he or she is doing something.

The brutal truth is that too many of my colleagues don't want to acknowledge that mistakes have been made. Our problem isn't guns; it's politics.

Here are a few loopholes that Senate Bill 941 won't touch:

First major loophole: Our failure to restrict the freedoms of the violent, mentally ill. If you've got a Jared Loughner or an Adam Lanza in your family, you're on your own. If you have a son who scares you, good luck trying to get somebody to do something before he makes the news. The mentally ill have rights, including the right to roam and the right not to take their medicine. Senate Bill 941 will do nothing to correct decades' worth of bipartisan mistakes that began when we thought mental illness could be cured by drugs and expanded civil rights.

Second major loophole: Our failure to restrict the freedom of dangerous felons. Every week it seems The Oregonian reports on a violent crime committed by a suspect who has already been convicted of previous felonies and has done little or no time. Senate Bill 941 does nothing to strengthen and enforce prison sentences against felons.

On the contrary, the bill's sponsor, state Sen. Floyd Prozanski (D-Eugene) tried unsuccessfully in the 2013 legislative session to include weaker sentencing guidelines for assault, robbery and sexual abuse in House Bill 3194. He wanted the bill to also expand expungement, making it easier for convicted felons to wipe clean their criminal records. Prozanski has promised to revisit this issue. What good does it do to pass a law requiring more background checks for gun sales if you're trying to make it easier for felons to lie about their criminal histories?

Third major loophole: Our failure as a society to acknowledge metastasizing moral decay. Behavior that we would've once scorned we are now told to accept – whether it's drug addiction, a college student getting so drunk she passes out, a drug peddler selling drugs that can ruin a person's life (drug dealing, we are told, is a non-violent, victimless crime) or committing any number of felonies that are now dismissed as minor (auto theft, burglary, assault). If the criminal is a substance abuser, his behavior is dismissed as an innocuous-sounding “drug crime.”

What is most disturbing about Sen. Prozanski's SB 941 is that it's fighting last century's gun war. In this century, gun manufacturing is going DIY. It's getting easier and cheaper to obtain parts and blueprints to make your own gun.

At least one politician – Gov. Jerry Brown of California – understands this. Last year he vetoed a bill that would have made it a crime to make one of these guns without obtaining a serial number and registering it.

“I can't see how adding a serial number to a homemade gun would significantly advance public safety,” Brown stated. A serial number doesn't make a gun less lethal.

Oregon's Senate Bill 941 is headed for passage. There will be lip-smacking, self-congratulations all around. Then what?

Undoubtedly, somebody who shouldn't legally have a gun will ignore the law, get a gun and do what he wants. Just as predictably, excuses will be made for the gunman, and blame will be assigned to the gun.

Eventually we will run out of gun laws. Eventually we will be forced to go after the criminals whose fingers are on the triggers. There's the biggest loophole.

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