

From: Matthew Stanley
To: [SJD Exhibits](#)
Subject: SB 764 and SB 797
Date: Saturday, April 15, 2017 3:22:52 PM

State of Oregon, Senate Judiciary Committee

Dear Senators:

Subsequent to my prior correspondence to your office on SB 764 this morning, I have been advised that there is a new amendment that has been proposed.

SB 764. The "dash 4" amendment borrows from SB 797 and eliminates the safeguard that allows a person to receive a firearm after three business days have transpired if the Oregon State Police ("OSP") do not complete a background check. While the amendment does allow a person who has been *denied* a transfer the right to provide info to the State Police proving they are qualified, there are still no protections for persons who have been *delayed*, a far more common problem. So under this amendment, if a person is delayed, they are simply out of luck.

In many states, when a dealer runs a background check prior to a firearm sale, contact and clearance is obtained through the National Instant Check System ("NICS") run by the Federal Bureau of Investigation ("FBI"). The cost is... zero. In states where the background check is done directly through NICS, dealers of firearms are informed that they MAY transfer after 3 days. In Oregon, the OSP run the checks themselves (by contacting the FBI). The cost is \$10.00, and as bureaucracies do, OSP occasionally attempts to increase the amount they charge. This redundancy adds no value in protecting the citizens of the Great State of Oregon and may place certain of its citizens at risk. For example, victims of domestic violence. The bigger question here is, "Why is OSP involved in this process?"

An individual's rights pursuant to the Second Amendment to the United States Constitution should not be infringed upon because their request for a background check has fallen into a bureaucratic abyss.

I respectfully request that you vote "NO" on SB 764.

SB 797. An amendment has been proposed for SB 797 as well. As noted above, SB 797 is the bill that eliminates the three day safeguard and allows the State Police to deny a citizen of the Great State of Oregon a firearms transfer literally forever. The "dash 3" amendment proposes that *denied* persons can provide information to the State Police to demonstrate they are qualified, but once again does *nothing* for the far greater number of people who are *delayed*.

Again, an individual's rights pursuant to the Second Amendment to the United States Constitution should not be infringed upon because their request for a background check has fallen into a bureaucratic abyss.

I respectfully request that you vote "NO" on SB 797.

Respectfully,

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