

## Testimony on SB 764

This type of bill makes a mockery of the public process that is supposed to occur in this legislative body. I believe the common term is “gut and stuff”. To me it is incredibly dishonest to submit a bill that is intended as a vehicle for a legislator to use to introduce an amendment absent a reasonable time for the public to review and comment on the bill. At this point, I have no idea what the bill will actually say. What I have determined is that it is an underhanded method of denying citizens of the state their second amendment rights.

The bill as originally submitted is not such a bad idea. I have heard horror stories about people being denied a concealed weapon permit due to the whim of an overzealous law enforcement person. These stories come primarily from the Portland area. I think it would be a good idea to find out just what reasons are being used for these denials. It is especially troubling that law enforcement would not issue a concealed weapon permit due to the fact that this means that the only way a person can carry a weapon for self defense is to carry it visible. I personally view that as a means to cause some people to be uncomfortable and hostile toward gun owners in the same way that people can be uncomfortable and hostile toward people who tie their hunting trophies on the hood of their cars. I personally prefer to be armed and safe in Portland without flaunting the fact that I am packing in the same way as I would choose not to display the head of an animal I have harvested for meat on the hood of my car in order to avoid having someone overreact to my right to do both.

## Comments in opposition to SB 764 amendment

I cannot figure out what problem this amendment is supposed to solve. Section 8 serves no purpose other than discouraging people from attending or teaching gun safety classes or obtaining a concealed handgun license. I have always encouraged people to go to the classes because it is good information. I can't see that this section will make anyone safer, and it will no doubt make access to gun safety classes harder to find because instructors will not be willing or able to meet the requirement for 25 practice shots with live ammunition. Is it your intent that fewer people attend these classes or teach them? What problems have you identified that lead you to believe this bill is necessary? The Oregon Legislature should not dictate to people running gun safety classes that they must provide live ammunition training as part of the classes for multiple reasons not limited to the following:

1. Depending upon the location of the class, access to a shooting range to provide live ammunition training may not be reasonable.
2. Often these classes are offered in the evenings when there may be no access to shooting areas.
3. Practice regarding safe handling of a gun does not require live ammunition, and as we have all experienced in the past few years, live ammunition may not be available.
4. Shooting 25 rounds of ammunition accomplishes nothing in terms of education that cannot be accomplished with an empty chamber and asking an instructor to deal with a dozen students he or she has no prior knowledge of with live ammunition creates a safety hazard that is not reasonable or realistic.

I am teaching my grandchildren gun safety starting at 2 or 3 years old. They carry an empty gun for as long as it takes to demonstrate to me that they are constantly aware of the responsibility they are taking on before they are allowed to carry live ammunition. Shooting practice should

occur outside the classroom in a safe location (identifying a safe location for practice is the type of thing that can be included in a gun safety class)

I question with the rules regarding state employees, that the Oregon Department of Fish and Wildlife would even be allowed to teach classes meeting this requirement.

This bill should not leave this committee. Denying people the ability to have a concealed weapon permit because of a misdemeanor in the past 4 years is also a bit excessive.

Misdemeanors covers a lot of ground including “tampering with cable television equipment, unlawful sound recording, and drinking in public. Even the courts allow some misdemeanors to be expunged after 3 years.

This bill will do absolutely nothing to decrease gun violence. What it will do is mean that people will not attend or teach gun safety classes. How exactly does that make people safer?

The changes to 166.173 make me think that whoever drafted this amendment is completely unaware of the 2<sup>nd</sup> Amendment. Specifically, (1) which states: “A city or county may adopt ordinances to regulate, restrict or prohibit the possession of loaded firearms in public places as defined in ORS 161.015”

ORS 161.015 states: “Public place means a place to which the general public has access and includes, but is not limited to, hallways, lobbies and other parts of apartment houses and hotels not constituting rooms or apartments designed for actual residence and hallway, streets, schools, places of amusement, parks, playgrounds and premises used in connection with public passenger transportation.”

Given the current financial problems of the state of Oregon, I find it unbelievable that a bill such as this even got a hearing. There is no possibility that this bill will not result in litigation due to the incredible overreach it represents.

I urge you to file this bill along with any proposed amendments in the circular file.

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## Comments Regarding SB 797

This bill should die in committee.

We own the Oregon Trail Trader gun store in La Grande, Oregon

This bill will place people at risk of physical harm due to unreasonable delays in being able to obtain a firearm.

During 2016 we sold over 600 guns. We had approximately a dozen delayed. The delays lasted somewhere between 1 month and 7 months. In one instance we had released a gun to an individual months earlier. He came in to purchase another gun which cleared and the agent gave us a release code for the first gun at the same time as they cleared the current one.

None of the guns which were delayed resulted in a denial. They just created an inconvenience for the customer and a denial of their 2<sup>nd</sup> amendment rights. Even if one of these pended checks had been denied, given that the dealer has a current address and fingerprints for the person buying the gun, it would be easy for the police to go get the gun. Typically, when someone is denied it is because of some paperwork problem that the individual did not even know was a problem.

This is another bill that takes away people's rights to solve a problem that does not exist. There is no data to indicate that releasing guns after 3 days because the state was unable to complete their background check has been a problem. Not releasing the guns can create a significant problem for the person who is pended. People may want a gun for self defense, to go hunting, or to protect themselves from cougars and other predators. In Eastern Oregon, ODFW encourages bow hunters to carry a handgun to protect themselves due to the number of predators. People do not feel safe going in the woods without a gun due to the number of cougars and wolves that are now present. This bill will deny hundreds of Oregonians the right to carry a firearm, sometimes for months, because a state agency fails to complete their job in a timely manner. I do not question that the people doing these checks are doing the best they can, but the citizens should not be punished due to the current unreasonable delays in clearing some background checks.

As a taxpayer, I find it ridiculous that the legislators are spending their time on the multiple meaningless bills that will do nothing but complicate citizens lives. In the meantime, there has been little or no effort toward doing anything meaningful to address the real issues such as budget, roads, education and veterans services. I for one find it very disappointing that the majority of those supposedly representing the citizens appear clueless on the issues that they should be spending time addressing. Instead, time is spent pretending that allowing 2 minutes per person to comment on bills such as this is meaningful when this bill should never have been heard at all.

Let this bill die in committee. It has already been given more time than it deserved.

Irene Gilbert

## Senate Bill 868 Comments

Please do not allow this bill to leave this committee. It represents the worse of legislation that is advertised as providing protection for people who believe they are at risk, but actually is using those people for political posturing.

Sponsors of this bill would suggest that it is intended to protect people when it actually is intended to simply justify confiscating firearms. If it is shown with a preponderance of evidence that a person poses a threat to themselves or others, they do not belong on the streets. They can kill someone with a knife, medication, a vehicle or multiple other means. This bill by definition deals with someone who is very ill absent any involvement with any counselor, psychologist, mental health professional, or even a physician and absolutely no professional evaluation of whether or not the individual actually poses a threat to themselves or any other person.

The bill is punitive to the extreme.

The negative impacts of this bill include but are not limited to:

1. Section 2 (3) allows for a petitioner to use statements from virtually anyone to justify taking away peoples personal property. I can imagine a woman having her new boyfriend provide the witness statement to harass the woman's ex-boyfriend,
2. Section 2(4) lists multiple unrelated misdemeanors which can be used to justify the order including any offense committed against a family or household member, any evidence of controlled substance or alcohol abuse, violation of a court order, purchase of ammunition, a firearm or any object which could be used to inflict deadly force.
3. This type order will serve to make pretty much anyone furious. Restraining orders are usually ineffective and often make the situation worse. There seems to be a belief that taking away someones guns makes them unable to be violent. There are multiple other way to murder someone or commit suicide. You would have to take away all knives, medication, vehicles, and place someone in a cell with 24 hr. supervision to have any hope of keeping bad things from happening.
4. Section 8 imposing a 5 year period of time before a person can have custody of, own purchase, possess, receive, etc. a firearm or ammunition is excessive punishment for a Class A misdemeanor. It seems to assume that all guns are owned for the purpose of inflicting harm on ones self or others.
5. I question that people's guns would be returned in the same condition as they are in when they are taken. Especially in the Willamette Valley, you can't just place guns in a gun case and ignore them. They need to be in the open, need to be cleaned an oiled regularly, and it is highly likely that if many of these orders are issued, the quantity of firearms and ammunition that would be in the care of the police could be excessive. A person who participates in shooting activities is likely to own several guns for different purposes. They are likely to own a shotgun for bird hunting, a hand gun for protection, a 22 rifle for target practice, a deer rifle, an elk rifle, an AR 15 for hunting coyotes, and a couple of inherited guns with sentimental value plus a quantity of ammunition.

This bill has no redeeming qualities. If it is shown that a person is a threat to themselves or others, the action that should be taken is they should be confined to a mental health facility until it can be determined that they do not pose a threat.

If you want to protect the public from violent offenders, you should address people like Bonifacio Oseguera-Gonzalez who was deported six times before killing three people with a gun.

Please kill this bill!

Irene Gilbert