

I am submitting testimony expressing my opposition to HB4145. It is being touted as closing the "boyfriend loophole". My first impression of this legislation is.. It is another attempt to legally state that all gun owners are abusers of women. Then when I read the details I see a more insidious avenue.

Yes. There are cases of domestic violence, stalking and intimidation that happens between spouses, or former spouses, family members by blood or marriage or people who live together. It is not as common as the supporters of this bill make it out to be however. But I who have been around and involved in law enforcement in the past acknowledge that it does happen.

But THIS bill now makes a distinction beyond that. Anyone who had sex as a teen age encounter before can now come forth and make a request at any time and request that the gun owner can be forbidden to have a gun even if no crime or abuse has taken place. That is contained in the definitions under Section (e) of the definition of family or household member.

So a one night stand in ones past leads to the possibility of abuse of this proposed law. But also in the section on line 10 of the first page states.

"(ii) Remains in effect after the person received notice of the opportunity to request a hearing in which to be heard on the order, and **declined to request** a hearing during the time period in which the opportunity was available;"

Then under this provision.. the person being accused is declared guilty either way and the direct punishment is.. a complete loss of gun rights. IF the person comply s with the law.. you loose your rights to having a gun. It is a double whammy either way. And the way the wording is done.. there is NO protection for person being accused under the bill against false accusations.

The restraining order details in this bill allow a easy way for people simply angry with each other to ruin a persons life and property and gun rights out of spite.

And before any supporter of this bill on this committee tells me that people would not swear a false statement against a gun owner out of spite or malice. Then you are living in false narrative as I have witnessed it as being part of a law enforcement agency in the past.

This Bill might as well be an attempt by the Oregon Legislature to allow individuals to nullify anyone of the right under Article 1, Section 27 of the State Constitution that reads:

""The people shall have the right to bear arms for the defense [sic] of themselves, and the State, but the Military shall be kept in strict subordination to the civil power[.]""

One false accusation can be made against one individual and effectively that person would be denied their property and gun rights period. This bill is a bad law and should NOT be allowed to go on to a vote as written.

Thank you for your time and trouble
Frank Martin
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