HB 4145 erodes Oregon's Constitution under Article 1 section 27 right to bear arms.

The advocates who support this law refer to it as "closing the boyfriend loophole." Currently the law allows the state to confiscate firearms from people who are the subject of "extreme risk protection orders."

This bill seeks to expand the list of people who are ostensibly "protected" by a restraining order to "family or household members."

"Family or household member" applying for a restraining order may seem to make sense, until you look at the definition they use for "family or household member." Here it is:

"Family or household members" means any of the following:
Spouses.
Former spouses.
Adult persons related by blood or marriage.
Persons cohabiting with each other.
Persons who have cohabited with each other or who have been involved in a sexually intimate relationship.
Unmarried parents of a minor child.
As you can see, this definition is breathtakingly broad. Anyone you ever had a sexual relationship with, or who claims to have had a sexual relationship with you, would be considered your "family member" and could request an order that forbids you from having firearms. This includes vindictive and bitter ex's.

Furthermore, the bill employs even more subterfuge by purposefully encouraging people not to contest the order. If a court issues a restraining order against you under current law, you have the option to contest it to attempt to "prove" your innocence. The problem is that under Federal law, if you contest this order, and it is upheld, you will lose your gun rights under Federal law.

If you don't contest it, and the court has not ordered a gun prohibition, you will not lose your gun rights. In other words, if you agree to comply with the order, no matter how false the accusations are, you may not automatically lose your gun rights.

This very poorly written law that is not necessary, we already have laws coving these problems.

We request this law be canceled.
Thank you,
Jerry and Lynda Noles