

House Judiciary Committee:

Vote NO on HB 4145.

HB 4145 has been extensively marketed as "*closing the boyfriend loophole.*" Since it's not the "intimate partner" loophole, or the "lesbian lover" loophole it's clear that this bill is targeting men, men who own firearms.

Current law allows the Oregon bureaucracy to confiscate firearms from people who are the subject of orders that prohibit them from "stalking, intimidating, molesting or menacing an intimate partner."

Oddly, under Oregon law, "intimate partner" does *not* mean a person with whom you are having, or have had, sex. "Intimate partner" means the person's spouse, the person's former spouse, a parent of the person's child or another person who has cohabited or is cohabiting with the person in a relationship akin to a spouse.

This bill seeks to expand the list of people who are "protected" by a restraining order to "family or household members." What this means is that if the person who gets the restraining order against you is a "family or household member" you will now be prohibited from owning firearms.

While this would seem to make little sense, when you look at the definition wanted to be used for "family or household member" you'll start to understand. Here it is:

"Family or household members" means any of the following:

(a) Spouses.

(b) Former spouses.

(c) Adult persons related by blood or marriage.

(d) Persons cohabiting with each other.

(e) Persons who have cohabited with each other ***or who have been involved in a sexually intimate relationship.***

(f) Unmarried parents of a minor child.

You read that right. Under this bill, *anyone* you ever had a sexual relationship with is now your "family member" and can request an order that forbids you from having firearms.

But that's not the worst part. The worst part is a little detail from page 1 of the bill.

On line 10 the bill adds the following language to the law:

(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;

What this means in English is this, 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. You will most likely lose, but you have the option. However, if you do this and the order is upheld, you lose your gun rights under Federal law.

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

Under the section quoted above, you lose your gun rights *even if you comply*. And this is the whole point of this bill and something anti-gunners have been pushing for 15 years.

At one time anti-gunners were actually pushing legislation that would allow the person who *requested* the restraining order to force *you* to contest it just so they could strip you of your rights under Federal law.

This bill has nothing to do with keeping women safe. As anyone who lives in the real world will tell you, restraining orders don't keep people safe. And Oregon actually punishes women who are real victims of domestic violence by forbidding them to be armed to protect themselves.

But restraining orders *do* provide a convenient and easy way for angry people to ruin other people's lives, force them from their homes and steal their property.

The reality is that people who comply with restraining orders are not dangerous but, dangerous people will ignore a restraining order and any weapons prohibition.

Safety is not what this bill is about. Punishment and harassment of gun owners is what it's about.

Nowhere in the bill is there a single word of protection for the falsely accused.

This bill is simply a pay-off from Kate Brown and her fellow travelers in the Oregon Legislature for the big bucks Mike Bloomberg used to buy elections.

Vote NO on HB 4145.

Respectfully submitted,

Eric Cole
12 SE 196th Avenue
Portland, OR 97233

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This bill will expand the definition of "family member" to anyone you have ever had an "intimate relationship" with in your *entire life*. Those people will become able to request court orders which prohibit you from owning a firearm.

This law punishes people who *comply* with stalking and restraining orders. It's just plain nuts. Such stalking and restraining orders are used to harass people and are often based on false allegations. It is known that some judges in Oregon rubber stamp them and virtually no one is ever prosecuted for providing false information.

Your opposition to this bill, HB 4145, is expected.

Vote NO on HB 4145.

Respectfully,

Eric Cole
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