



February 20, 2018

FLOOR ALERT

RE: HB 4145 (Brown) – *Doublespeak* Reclassifications of ORS; Opening Up The Stranger Loophole

POSITION: OPPOSE

Dear Senators:

On behalf of the members and supporters of the Firearms Policy Coalition, I respectfully submit our opposition to House Bill 4145.

Last year, the Oregon Legislature saw fit to enact SB 719, which enabled police officers and immediate family members to pursue Extreme Risk Protection Orders against individuals, for among many alleged offenses, including, but not limited to stalking.

However, there is one striking difference when SB 719 is examined side-by-side with HB 4145, it allegedly closes the “Boyfriend Loophole” while also opening “The Stranger Loophole.”

HB 4145 redefines family or household member as **“(c) “Family or household member” has the meaning given that term in ORS 135.230).“**

As seen in ORS 135.230 (4)(e) this will mean literally *any* person that you may have ever been “involved in a sexually intimate relationship” with – without specification of time, elapsed time, proof, or frequency of interaction.¹

The difference in this Oregon law when compared to all other state laws is striking, as none of them are as lazily constructed as HB 4145. This law unlike all other states in the U.S., would allow anyone, without specification, to make specious accusations against you, without proof.²

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¹ [ORS 135.230 \(4\)\(e\)](#)

² <http://www.ncsl.org/research/human-services/domestic-violence-domestic-abuse-definitions-and-relationships.aspx>



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The numerous pitfalls for this are obvious. Anyone could claim to have had sex with you and file life-changing charges against you—no matter how much time has elapsed since your last (*alleged*) contact.

The irony here is the bill portrayed as closing the “Boyfriend Loophole” actually has its own loophole. In reality, you don’t have to even be a boy (or) girlfriend, or even a “friend” at all. HB 4145 should instead be called “The Stranger” loophole.

Lastly, the penalties for false accusations using laws like 4145 are little if anything at all and rarely if ever pursued by prosecutors. The impacts on the victims are extreme, loss of rights, job prospects, and family turmoil. The penalty for abusing these types of laws and our justice system should be no less than a mandatory felony.

For all of the reasons stated above, we must oppose HB 4145 and urge your “NO” vote. Please don’t hesitate to contact us at (855) 372-7522 or policy@fpchq.org if we can be of any assistance to you or your staff.

Respectfully,

A handwritten signature in blue ink that reads 'Philip Watson'.

Philip Watson
Legislative Advocate
Firearms Policy Coalition