

March 30, 2019

Dear Senators Prozanski, Thatcher, Bentz, Fagan, Gesler, Linticum and Manning Jr.:

Re: Senate Bill 978-1 Amendments; Sections 1-3

I oppose Senate Bill 978-1 amendments and I am requesting that you encourage a no vote for the following reasons:

We are, first of all, citizens of the United States of America and the Constitution of the United States follows us where ever we may go, including the federal Constitution's Second Amendment.

Those of us who reside within Oregon's borders are residents of the State of Oregon and Oregon's Constitution Article 1 Bill of Rights, Section 27 clearly states "The people shall have the right to bear arms for the defence [sic] of themselves, and the State..."

Throughout federal and Oregon State statutes, a person age 18 and older is defined as an adult. Persons under the age of 18 are defined as a minor.

Sections 1 through 3 will allow arbitrary discrimination to deny or severely restrict legal adults in the age group of 18 through 20 of their federal and state constitutional rights, not because of their character, criminal history, mental health or illicit drug use, but simply because of their age.

The vast majority of that age group are responsible residents of Oregon. Are we at that point in history when our government wants to punish the many because of the one?

I find it irresponsibly unethical and alarming that an 18-20 year old adult can serve his or her country in the military and sent overseas to kill people or die, yet has his or her right to own a firearm is either denied or severely restricted.

That, in itself, is morally incomprehensible.

If Oregon is going to treat the age group of 18-20 year olds as children ("minors"), then why are we letting them join the military? After all, sending children to war would be considered reprehensible in any civilized society.

If the age group of 18-20 year olds are so irresponsible then why are we allowing them to vote, let alone drive? Fatal car accidents are the number one killer of teenagers. If "we can just save one life" is the mantra of the day then perhaps we should consider increasing the age for a driver's license. And increase the voting age to 21 as well.

Unfortunately, nothing can be done about handgun purchases for that age group because of the federal Gun Control Act of 1968. However, the criminally inclined have no problem circumventing that law.

There are other issues I am concerned about regarding the amendments to SB 978 of which I will address later. For now, the proposed amendments to SB 978 should be removed. Too many of them are seriously flawed, morally and ethically.

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March 30, 2019

Dear Senators Prozanski, Thatcher, Bentz, Fagan, Gesler, Linticum and Manning Jr.:

Re: Senate Bill 978-1 Amendments; Sections 4-13

I oppose Senate Bill 978-1 amendments and I am requesting that you encourage a no vote for the following reasons:

We are, first of all, citizens of the United States of America and the Constitution of the United States follows us where ever we may go, including the federal Constitution's Second Amendment and United States Supreme Court decisions.

Those of us who reside within Oregon's borders are residents of the State of Oregon and Oregon's Constitution Article 1 Bill of Rights, Section 27 clearly states "The people shall have the right to bear arms for the defence [sic] of themselves, and the State..."

SECTIONS 4 through 13 require that all firearms be locked up with a trigger lock and/or a cable lock or in a locked container or in a gun room with a "tamper-resistant" lock, all of which must meet the minimum specifications of the Oregon Health Authority, loss reporting and establishes penalties, liability.

All of the Sections 4-13 are in direct violation of the District of Columbia et al. v. Heller United States Supreme Court decision of June 26, 2008:

"Under any of the standards of scrutiny the Court has applied to enumerated constitutional rights, this prohibition—in the place where the importance of the lawful defense of self, family, and property is most acute—would fail constitutional muster. Similarly, the requirement that **any lawful firearm in the home be disassembled or bound by a trigger lock makes it impossible for citizens to use arms for the core lawful purpose of self-defense and is hence unconstitutional.**" [emphasis added]

Obviously, any penalty and threat of liability within these sections are unenforceable. It is unconstitutional to require that firearms be locked in some manner in the home.

Besides, trigger or cable locks, padlocks and locked boxes can be easily circumvented with basic tools such as drills, bolt cutters, lock picks, electric metal cutters and other manual tools. How does one prove the firearms were properly stored if the thief(s) take the evidence of such with them?

Section 8 requires that loss or theft of a firearm shall be reported within 72 hours or face a penalty. Reporting the loss or theft of a firearm should be voluntary. Lawful owners will report a loss in hopes of gaining the firearm back and the satisfaction of seeing the thief prosecuted and punished.

It is reprehensible to think that the victim of a crime can be held liable for a third party's crime. Would a reasonable person apply that to just about everything that can be used to harm or kill – even stolen cars. I think not.

Sections 4-13 are nothing more than a high handed attempt to coerce lawful and responsible firearm owners into submission to comply with an unconstitutional law.



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Dear Senators Prozanski, Thatcher, Bentz, Fagan, Gesler, Linticum and Manning Jr.:

Re: Senate Bill 978-1 Amendments; Sections 14 – 21, 24 and Section 32

I oppose Senate Bill 978-1 amendments and I am requesting that you encourage a no vote for the following reasons:

Sections 14 through 21 deal with undetectable and untraceable firearms and the possession thereof.

Section 17 (b) requires that a firearm must have a serial number. However, the federal government did not require serialization of firearms until passage of the Gun Control Act of 1968. There may be millions of firearms without serial numbers and the general public will be unaware of the requirement regardless of any attempt to inform the public. (Yes, ignorance of the law is bliss).

This section must be changed to eliminate any penalty if an owner is found to possess a firearm without a serial number manufactured prior to the passage of the Gun Control Act of 1968 and should be issued only a warning and directive to have the firearm serialized by a gun smith. A reasonable time should be allowed since many owners in eastern Oregon live 100 miles or more from a reputable gun smith. The State Police can develop a validation form.

Sections 19 and 20 must be purged of any reference to penalties for unlawful storage since all of the Sections 4 through 13 are in direct violation of the District of Columbia et al. v. Heller United States Supreme Court decision of June 26, 2008:

“Under any of the standards of scrutiny the Court has applied to enumerated constitutional rights, this prohibition—in the place where the importance of the lawful defense of self, family, and property is most acute—would fail constitutional muster. Similarly, the requirement that any lawful firearm in the home be disassembled or bound by a trigger lock makes it impossible for citizens to use arms for the core lawful purpose of self-defense and is hence unconstitutional.” [Emphasis added]

Section 24 – I fail to see why there is a charge of \$15 for the State Police for conducting a fingerprint check while on duty unless the federal government’s NICS program charges them. There is no “extra cost” while performing their duties. They are paid no matter what. They are not a for-profit organization.

The same applies to a county sheriff. Charges should be applied for the actual cost of the printed permit. Most fingerprints are now done electronically and such machines have been in use for some now and are needed primarily for the incarceration of inmates. Charges for a duplicate or renewal license should be restricted to the actual cost of the laminated permit.

If the additional fees are approved then the public must be allowed a concession for the higher cost with a five (5) year expiration term rather than the current four (4) years.

Section 32 declares an emergency. What is the emergency? There is no emergency. The use of the emergency clause has been severely abused for the last two years.



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Re: Senate Bill 978

Dear Senators Prozanski, Thatcher, Bentz, Fagan, Gesler, Linthicum and Manning Jr.:

I oppose Senate Bill 978 amendments and I am requesting that you encourage a no vote for the following reasons:

We are, first of all, citizens of the United States of America and the Constitution of the United States follows us where ever we may go, including the Constitution's Second Amendment.

Those of us who reside within Oregon's borders are residents of the State of Oregon and Oregon's Constitution Article 1 Bill of Rights, Section 27 clearly states "The people shall have the right to bear arms for the defence [sic] of themselves, and the State..."

Senate Bill 978, as amended, denies the residents of Oregon their constitutional right of self-defense, as well as restricting our federal constitutional right to bear arms.

Sections 26 through 29 of the amendment regarding concealed handgun licenses (CHL) essentially revokes the power of the States' preemption law to create statute through legislation and allows bureaucrats, whether appointed, locally elected or unelected, to deny the residents of Oregon their federal and state right to self-defense through an ordinance or policy.

It would create a legal nightmare.


According to the Oregon State Police, as of December 1, 2016, there were 249,260 CHLs in Oregon. (Closer to 300,000 or more by now). At that time there were 76,378 CHLs in the Portland metropolitan district, 20,467 in Lane County, 16,984 in Marion County, 11,415 in Linn County and 14,558 in Jackson County.

Add the other three of the top ten; Deschutes has 13,202, Douglas 10,313 and Colombia has 8,810 CHLs. That is a whopping 172,237 (69.1%) of the CHLs in Oregon and contains most of the colleges, universities, schools and most populated cities and counties in Oregon.

Sections 26 through 29 have nothing to do with preservation of the public peace, health and safety. There is no emergency. It is designed to be nothing more than a trap. I would go even further and call it entrapment. Parents picking up their children at school should not be placed in fear of violating an "ordinance or policy" and losing their constitutional right to keep and bear arms.

The right of self-defense does not stop at our front door. However, I believe that some restrictions should apply such as the existing ones in place. I would also agree that higher education students, even though qualified to have a CHL, should not carry within a classroom. However, everyone so qualified should be allowed to carry on campus and grounds adjacent to or owned by the college, university or school and statewide under existing law.

There are other issues I am concerned about regarding the amendments to SB 978 of which I will address later. For now, the proposed amendments to SB 978 should be removed. Too many of them are seriously flawed.


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