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SB 978-1

TO: Senate Judiciary Committee

FROM: Richard Harnsongkram

4/1/2019

Please accept this letter as my formal testimony for SB 978.

I am unable to attend the public hearing on SB 978-1 due to work obligations. I am strongly opposed to this broad-sweeping, ill-advised, infringement on the 2nd Amendment of the Constitution of the United States of America, and infringement on the Constitution of the State of Oregon.

As a law abiding, voting, tax paying, Oregonian I have many issues with SB 978 and will list some of the problems I see as follows.

- Section 6 (C) (b) "for purposes of paragraph (a) of this subsection, a firearm is not secured if a key, combination or other means of opening the lock is readily available to a person the or possessor has not authorized to carry or control the firearm."

"Other means" may include tools such as drills, grinders, pry-bars, and any other such tool as thief's and burglars commonly use to break into peoples homes and in other crimes related to theft. This law would penalize law abiding citizens for acts and tool use of the criminal-not the behavior or actions of the law abiding gun owner.

- "(3) If a person obtains an unsecured firearm as a result of the owner or possessor of a firearm violating subsection (1) of this section and the firearm is used to injure a person or property within two years of the violation, the owner or possessor of the firearm who violated subsection (1) of this section is strictly liable for the injury"

This is ridiculous and unreasonable as this essentially punishes and victimizes a crime victim over the actions of a criminal!

If a thief stole tools out of a law abiding citizens work truck and used those tools to cause harm or commit crime should the person who's truck was broken into be liable?

- Section 19 (l) A person would commit a crime of unlawful possession of a firearm if under:

"(l) Has two or more convictions of unlawful storage of a firearm under section 12 of this 2019 Act.;"

This seems like it could be easily used to strip someone of their constitutional right to keep and bear arms. Each firearm involved would be counted as a separate offense, therefor each firearm found in this violation could be counted as a separate time/violation. Now with this purposed law this would make a law abiding citizen who has two or more guns stolen during one incident would be banned from the constitutional right of keep and bear firearms. This would be illegal and gross overreach of the state to strips these rights for such a vaguely conceived law.

When purposed bills focus broadly on a subject or multiple subjects the law wording can be dangerously vague and open to interpretation of the current power that is enforcing the law or applied to other originally non-intended situations Loopholes and back door legislation are horrible and distrustful ways for our legislators to treat the constituents and law abiding citizens.

If a citizen is legally licensed to carry a concealed handgun by the sheriff of their county why would the legislation choose to bar that individual from public places such as the parking lot and lobby of an airport. There wording is dangerous and general. This could be used to bar individuals who went through legal processes to be licensed to carry a handgun concealed from public places without specifying that a firearm (concealed handgun in this case) would even have to be present.

Please consider throwing out SB 978-1, in its current form it is unconstitutional and dangerously full of loopholes and interpretation that should be clear in any legislation before sending to a vote.

If you would like to work toward a safer community please focus on increasing cultural values and ethically conducting business when working for the government for the people. Please do not succumb to fear mongering, distorted reality created by those that would ignorantly disarm the law abiding citizens of Oregon. Please uphold your oath and uphold the Constitution not only of the United States of America but also the Constitution of the great state of Oregon.

Sincerely,

Richard Harnsongkram