

Dear Senator Thatcher:

Please include this as my testimony. The other I sent in had some grammatical, stylistic and other mistakes, and some omissions. Thank you!
Senate Committee on Judiciary

Dear Senator Thatcher and Honorable Members of the Senate Judiciary Committee.

I am concerned about the proposed amendments to Senate Bill 978.

First, they take a relatively benign bill and overload it with controversial and problematic proposals that will bog down the legislative process.

I am particularly concerned about the following.

“Firearm storage, loss or theft Reporting and access by minors.”

I understand completely the intent behind this law. All responsible gun owners following similar procedures to the one outlawed by this amendment. I also think many parts of the law are very carefully worded. Unlike the California law, the reporting requirement is reasonably worded. The California law, to be obeyed, would require people to report their firearms lost before they go on vacation and to report that they miraculously found them. I commend the author of the bill for that.

However, some of the wording needs to be clarified. 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 a lock or container is readily available to a person the owner or possessor has not authorized to carry or control the firearm.”

The way it is worded if someone breaks into the gun owner/possessor’s house, has a prybar or safe cracking tools in a bag (readily available), then the owner/possessor is liable criminally for the misuse of the firearm. This is not the intent of the law but means an overzealous police officer, prosecutor, or judge could subject a person innocent of any crime to prosecution.

This could not only result in innocent people going to jail but the eventual overturning of the law, as it prevents the owner from storing guns not in use, rendering status quo ante, which the proposer of the bill nor the committee wants. I’m envisioning the scene in *Ma Max: Beyond Thunderdome* where Max has to unload all of his guns. He had dozens of them. To be safe under this wording, one would have to do this.

“Other mean of opening a lock or container” should be restricted to the intent—which is that some other unlocking device pertinent to said lock or container.

The Amendment, “Local Authority to Regulate Firearms in Public Buildings.”

This amendment has a certain superficial appeal, as administrators of private buildings and schools have this authority. But the right to keep and bear arms, as interpreted by Justice Scalia in *Heller v DC*, cashes

out to the right to carry a firearm when one to confront someone who is a danger to one's life or household. As this danger can occur anywhere, the right, logically, is a general one.

To speak plainly, law-abiding citizens need to protect themselves in public buildings as well as in their homes, cars, on the streets or in 2A friendly establishments. This is also in the public interest to allow them to do so. According to FBI statistics, one out of eight mass shooters are stopped by an armed citizen. One armed citizen could have stopped the shooter at UCC. Nine out of ten mass shootings over the last fifty years have occurred in "gun-free zones."

It is also poorly worded. Strictly speaking, it would allow a school district in Eastern Oregon to control the public buildings in Portland. I'm sure that the Courts would handle such an issue, but I thought I would address it so you can take care of it.

I will not comment on the undetectable and untraceable gun amendment, as there are no such things. If the legislature wants to ban things that don't exist, that is their sovereign right.

To allow companies to discriminate on the basis of age is morally reprehensible, but companies should have the right to do that.

Please consider these points when you consider these amendments. And better still, postpone the discussion on the amendments to a later date, considering them one at a time.

Respectfully submitted,

Dr. Fred Young