

Comments on SB 978 Amendment

To Oregon Senate Judiciary Committee:

I have just reviewed the amendment and am furious at the tangled language and the blatant attempt to classify law abiding citizens as a new class of criminal simply for being firearms enthusiasts.

P. 1 lines 8-14 infer the establishment of age requirements for firearm accessories, ammunition components and accessories used to create modify or reload ammunition. This could put restrictions on optics(scopes for the uninformed), lasers, barrel mounted chronographs, match bullets for target shooting, and reloading tools. P.2 line 1 (d)(line 2-3) gives examples with no limits. This is patently absurd.

P.8 lines 7-12: Assigning strict liability for injuries by misuse of a stolen firearm for two years defies reason regardless of leeways in timely reporting t law enforcement.

P.17 lines 6-8 Undetectable Firearms-Downloadable firearms: More hysterical rhetoric regarding 3D printing. Note the image below that the plastic parts are eminently detectable. Authors of the language are displaying egregious lack of knowledge.

P.19 Section 19. A person commits the crime of unlawful possession of a firearm if the person knowingly carries a firearm concealed on the person. However at P. 22 line (6) **Firearms carried openly in belt holsters are not concealed within the meaning of this section.** This seems to sanction widespread open carry to avoid penalties for unlawful possession!! This also doesn't appear to make sense.

SECTION 20. Puts the onus on individuals to essentially perform the Instant Check function already enacted under Oregon Law. Furthermore to perform law enforcement duties regarding knowledge of stolen firearms. Ordinary citizens do not have the resources for this function. Another criminal violation for gun owners.

Again, the amendment, if passed, does more to create new potential criminals than effectively fight crime. This is shameful !!

Art Rohrbacher, Eagle Point

This 3D revolver and five rounds of .22 Magnum ammunition were detected by the TSA at an airport in 2016. But critics say these guns are "invisible" to metal detectors. (Image courtesy TSA)

I have reviewed the language in firearms bills introduced in the current legislative session. Particularly troubling are HB2505, HB 3223, HB3265, SB87, and SB501 . I am stunned that the House bills all open by declaring an emergency. Being new to Oregon I was unaware as to the State's definition of emergency . The glossary at OregonLaws.org definition reads: Emergency" means a human created or natural event or circumstance that causes or threatens **widespread:**

- (a) Loss of life;
- (b) Injury to person or property;
- (c) Human suffering; **or**
- (d) Financial loss.

The use of Oregon's constitution to declare an "emergency" in the House bills appears to be a ploy by the bill sponsors to avoid defining the emergency and to circumvent true public involvement.

The following open source information is interesting:

FBI UNIFORM CRIME REPORT 2017 – Oregon 36th in VIOLENT CRIME

FBI UCR OREGON FIREARMS MURDERs	58 (2017)
OREGON PHYSICIAN ASSISTED DEATH –	143(2016)
OREGON TRAFFIC FATALITIES -	281 (2017) 318 (2018)
OEGON INFANT/NEONATAL DEATHS	393 (2017)
OREGON SUICIDES -	825 (2018) 8th leading cause of death overall in Oregon.

Based on this information Legislature's efforts could be better focused on issues other than firearms restrictions. The bills as written do not appear to pass critical thinking/logic tests to enhance avowed public safety. They do more to create instant criminals out of law abiding citizens. Representative Piluso has previously testified (4/5/2013) "We have become too punitive as a society and it's not what works best for public safety." This seems contrary to her sponsoring HB2505, HB3223, and HB3265. Senator Burdick in a 2/13 response to my comments on SB501 wrote: "***It is heartbreaking when senseless deaths occur from gun violence and I believe we must protect our children and the public from these tragedies. I also respect Second Amendment rights. Current legislative proposals would seek to tighten down the sales of guns and enforce stricter background checks. They are written with the intent to keep guns out of the hands of those who might use them to do harm to themselves or others,***

whether willfully or unintentionally. Before casting a vote on any of these bills, I will be making sure they balance public safety with constitutional rights.”

Furthermore it seems that the proposed bills are ignoring the Oregon Constitution at “**Section 27. Right to bear arms; military subordinate to civil power.** The people shall have the right to bear arms for the defence [sic] of themselves, and the State, but the Military shall be kept in strict subordination to the civil power[.]” Many of the bills such as the rationing of the purchase of ammunition, magazine capacity restriction, so called “assault weapons restrictions”, and permit required to purchase have no metrics demonstrating the efficacy of such legislation from other jurisdictions.

I urge all the supporting sponsors to demonstrate real logic by not passing any of bills.

Thank you for your consideration.

Art Rohrbacher

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References: <https://ucr.fbi.gov/crime-in-the-u.s/2017/crime-in-the-u.s.-2017/topic-pages/tables/table-20>

<https://www.oregon.gov/oha/PH/PROVIDERPARTNERRESOURCES/EVALUATIONRESEARCH/DEATHWITHDIGNITYACT/Documents/year20.pdf>

https://www.oregonlive.com/commuting/2018/09/horrific_summer_pushes_oregons.html

<https://www.oregon.gov/OHA/PH/BIRTHDEATHCERTIFICATES/VITALSTATISTICS/ANNUALREPORTS/VOLUME2/Documents/2017/Table633.pdf>

<https://www.oregon.gov/OHA/PH/BIRTHDEATHCERTIFICATES/VITALSTATISTICS/ANNUALREPORTS/VOLUME2/Documents/2017/Table503.pdf>

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