



House Committee On Judiciary  
Chair Sanchez and members of the committee

RE: HB 4135 – Mandatory Gun Lock Up

WE ARE A STRONG NO

Responsible gun ownership is important, including making sure guns don't fall into the wrong hands. But several things are wrong with this bill:

1. Assuming liability for the actions of others: if an owner transfers a firearm and does not include an approved lock, or does not secure it per the requirements defined by the Oregon Health Authority and it is taken by someone lawfully in the dwelling, or the firearm is lost or stolen and the owner does not report the loss or theft within 72 hours, this bill says they are strictly liable for any injury caused by the new owner or thief, for two years. Liability for the actions of another adult would never hold up in court. A fine might, but liability will not.
2. This bill could be enacted into law as soon as February 2020, but the Oregon Health Authority is not required to define what acceptable lock mechanisms are before July 1, 2020. There could therefore be a period of time when this is law and it IS IMPOSSIBLE TO OBEY.
3. If someone stole your firearm with a cable lock and cut it off and used the gun in a crime, how would you be able to prove that you had a cable lock on it? And how would the state be able to prove that you didn't?

There are many existing laws that can be used to hold negligent persons accountable. For example, the tragedy in Baker County where a 2 year old toddler gained access to a firearm and fatally shot himself resulted in criminal charges against the parents. It turned out the parents could not even legally possess firearms, so they would not likely have

followed this law either. We believe this would be another law which only impacts the law abiding.

Multnomah County already has a law like this, but the District Attorney decided not to use it to charge the father and brother of the Reynolds High School shooter who had taken their firearms, which were supposedly secured, without their permission. What good are more laws if there are more exceptions than the rule of law?

We must not forget that the reason Japan did not attack the mainland along the Pacific Coast and chose Pearl Harbor is that citizens had too many guns.

Bottom line – a weapon that isn't accessible amounts to a total ban and unconstitutional.

Donna Bleiler  
FAST Legacy