

HB 4005 Supporting Hearing submitted testimony – Friday, Feb 7th, 2020

Senate Judiciary Committee Hearing

By Paul Kemp

Thank you Chairman Sanchez and the members of the Judiciary Committee for holding a hearing on HB 4005.

My name is Paul Kemp. I've been an Oregon resident since 1985. I've been a gun owner most of my life. Also, I enjoy target shooting & hunting with family and friends. My focus today is on the safe firearm storage part of this bill.

The circumstances that allowed for the tragedy six years ago will finally be addressed by the 2019 legislature passing SB978 which includes a requirement for safe firearm storage. Six years ago, an angry young man spent the night at a friend's house with the intention of taking some of his guns that were left **unattended, unlocked** and **fully loaded**, in order to commit a mass shooting. With premeditation, the shooter bought four 30 round high-capacity magazines and ammunition to fill those magazines in the weeks ahead of December 11, 2012 shooting. The gun owner saw the news reports of the Clackamas Town Center Mall shooting and realized his friend had taken some of his own firearms to carry out the shooting. I want to emphasize that there was **no burglary** or **break-in** at the gun owners' residence. According to police reports all of the gun owner's firearms were out in plain sight unlocked and loaded.

Those unsecured firearms are the weapons that were used to murder my brother-in-law Steve, hospice nurse Cindy Yuille and wound teenager Kristina Shevchenko. The gunman also committed suicide with one of those firearms, adding to the annual toll of Oregon suicides.

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My sister and I learned on Wednesday morning Dec 12th, the owner of those guns had **no** obligation under Oregon law to report them as stolen. In fact, the legal gun owner did not call the police until the mall shooting was national news that afternoon.

I will never forget the personal pain I felt when we had to tell my teenage nephew that his father had been killed at the mall. Or, when I called Steve's brother to let him know that Steve had been shot to death. It is time for Oregon to enact a measure to prevent this type of senseless tragedy in the future.

It is also worth noting for all those who have never purchased a new firearm that new handguns purchased at a retail outlet come with a locking device from the manufacturer. Many long guns are also supplied with a locking device too. So, there is no excuse to not use a locking device on a firearm, you've already bought it in most cases. It is a conscious choice to leave firearms **unsecured**, this careless act can lead to tragic results.

Here in Oregon, 82 percent of the annual gun deaths are suicides. The Oregon gun suicide rate is 20 points higher than the national average. One Oregon resident dies by gun suicide every day. The US firearm suicide rate has increased 19 percent in the past 10 years. Even more tragic in the last 10 years there has been a 61 percent increase in children and teens using a firearm in a suicide. Access to a firearm increases the risk of death by suicide by 3 times. When a firearm is used for suicide, death occurs in about 85 percent of those attempts. While using other means of suicide

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less than 5 percent of those attempts result in death. The majority of those that survive a suicide attempt get the help they need, or the temporary crisis is over and they do not die by suicide. For several years now I've been volunteering for an organization here in Oregon that responds to traumatic events when called out by police and fire. During this volunteer work I have responded to 6 suicide deaths. 4 of those suicide deaths involved a firearm. While all the suicide deaths are tragic and traumatizing for the family and friends of the victim, the firearm suicides are by far the most traumatizing for all involved. Someone may have been considering suicide for weeks or months, but once they make the decision to carry out the suicide act, it is less than 10 minutes before they have completed the act. Studies have shown that placing some roadblocks or hurdles in the way of accessing a firearm, by roadblock I mean safe firearm storage can give someone time to be interrupted or give them time to think clearly before following through with a suicide.

Most gun owners already safely secure their firearms, but gun owners who have careless and reckless storage practices need to face consequences when others are injured or killed as a result of their poor choices.

Consequences for reckless firearm storage habits will lead to improved safe firearm storage practices.

In recent polling 65% of Oregonians support safe storage requirements. Over the last 10 years here in Oregon, (2005 to 2016) over 24,000 firearms have been reported stolen, and this is likely a very conservative number too. In 2016 alone, there were 2,734 firearms reported stolen. These

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numbers are from the National Crime Information Center. Adding to stolen firearm data there are an estimated 50,000 Oregon children live in homes with loaded guns. Over half (26,000) of those guns are not stored in a locked container or with a trigger lock. Kids' access to firearms is one of the factors examined in a study of school shootings by the US Secret Service National Threat Assessment Center (NTAC). According to the survey, two-thirds of the 41 students involved in 37 school-shooting incidents since 1974 got their guns from their own home or that of a relative. Here in Oregon we have shootings at Thurston and Reynolds High School where the shooter got those firearms from home.

The safe storage practices advocated for in this bill are also recommended by the NRA, gun safety instructors and firearm manufacturers to keep children and unauthorized persons from gaining access to a firearm.

Here is an excerpt from the 10 commandments of firearm safety on Remington's website:

2ND COMMANDMENT OF FIREARM SAFETY

Firearms should be unloaded when not actually in use.

Load your firearm only when you're in the field or on the target range and ready to fire. Never let a loaded gun out of your sight or out of your hands. Unload it as soon as you're finished shooting - before you bring it into your car, camp, or home. Remember, unloading your firearm means unloading it completely, so there is no ammunition in the chamber or in the magazine.

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Before handling a firearm or passing it to someone else, visually check the chamber, receiver and magazine to be certain they do not contain ammunition. Always keep the gun's action open when not in use. Never assume a gun is unloaded even if you were the last person to use it. Always check for yourself. Let common sense rule when you carry a loaded gun. If you're in any situation that could risk accidental discharge - such as crossing a fence, wading through a stream, or climbing a tree - always unload your gun. Never pull or push a loaded firearm toward yourself or another person. And never carry a loaded gun in a scabbard, detached holster or gun case.

Safe storage of firearms is just as critical as safe handling. Never store guns loaded and be sure to keep your firearms in a secure place where no one can get their hands on them without your knowledge.

Take special care if there are children around. Kids are fascinated by guns. It's a natural curiosity that can have tragic consequences when not properly supervised. Store your firearms in a locked gun safe or some other location that physically bars a child from gaining access. Ammunition should be stored and locked in a location separate from your firearms. Never leave an unsecured firearm or ammunition in a closet, dresser drawer or under the bed. Remember, it is your responsibility to make sure that children and others unfamiliar with firearms cannot get access to your firearms and ammunition.

Below is wording from Smith & Wesson's website regarding product safety information:

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Safe and secure storage of your firearm is one of your most important responsibilities. It is a full-time responsibility. You must always secure your firearm and ammunition separately so that they are not accessible to children or other unauthorized persons.

Whenever your firearm is not in use, keep it unloaded and locked. Your safety and the safety of others requires that you always secure and store your firearm in a manner that will prevent unauthorized access. Never leave a firearm unattended unless it is unloaded, locked and secured.

Below is wording from National Shooting Sports Foundation website regarding 10 rules for safe gun handling:

2. FIREARMS SHOULD BE UNLOADED WHEN NOT ACTUALLY IN USE

Firearms should be loaded only when you are in the field or on the target range or shooting area, ready to shoot. When not in use, firearms and ammunition should be secured in a safe place, separate from each other. It is your responsibility to prevent children and unauthorized adults from gaining access to firearms or ammunition.

Unload your gun as soon as you are finished. A loaded gun has no place in or near a car, truck or building. Unload your gun immediately when you have finished shooting, well before you bring it into a car, camp or home.

Whenever you handle a firearm or hand it to someone, always open the action immediately, and visually check the chamber, receiver and magazine to be certain

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they do not contain any ammunition. Always keep actions open when not in use. Never assume a gun is unloaded — check for yourself! This is considered a mark of an experienced gun handler!

For those not familiar with trigger locks, cable locks and secure firearm storage devices below are photos for your reference:



Keyed trigger lock on hunting rifle. This trigger lock costs less than \$10.



Keyed manufacturers lock provided with rifle from retailer.

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Keyed trigger on 9mm handgun

Opposite side of keyed trigger lock



Cable lock on 9mm handgun. Using a cable lock this way, you know that the handgun is unloaded and can't be fired.

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Combination trigger lock on 9mm handgun. This avoids having to securely store a key for the trigger lock. The user sets the 3 digit combination.



Portable keyed handgun safe.

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Electronic user set number coded handgun vault. This vault also has a light inside so you can see the firearm when it's dark.

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Portable biometric fingerprint reader handgun vault with key backup. This vault also has a light inside so you can see the firearm when it's dark. There is also an AC adaptor to use in place of a battery.

If you can afford a firearm you can certainly afford a secure storage system. Options to securely store firearms come in all price ranges. For those that want quick access to a firearm for protection, you have practice opening the safes, trigger & cable locks just like you practice opening the devices. Gun owners have to practice at the gun range to ensure they can hit their target.

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Some people acquire a firearm that is passed on from one family member to another. It may not be passed on with a locking device, but there is little cost for cable or trigger locks often these cost less than \$10 each. These locking devices are available at many retailers such as Cabelas, Sportsmans Warehouse, Dicks Sporting Goods and gun dealers. Check with your police or sheriff department, as they may have some available for free. There are organizations here in Oregon that also distribute free firearm locking devices. A handgun lock box may be as simple as tool box with a pad lock.

Check with to be sure the locking method you use is approved by the state.

I am a gun owner and have been for most of my life. Responsible gun owners always safely secure their weapons when not being carried or used. It is time that all gun owners do that. There have to be consequences for those reckless and careless gun owners who don't secure their firearms when it leads to injury and death of others.