

**[FOR IMMEDIATE RELEASE]**

**DPO Gunowners' Caucus**  
**Testimony on House Bill 4005**

February 7th, 2020

Chair Sanchez, Vice Chairs Bynum and Sprenger, and Members of the Committee,

My name is Michael Smith. I am a resident of Multnomah County and currently serve as Chair of the Gun Owners Caucus of the Democratic Party of Oregon.

On Thursday January 30, the Caucus held a telephone town hall during which Representatives Sollman and Prusak, and State of Safety President Henry Wessinger were kind enough to field questions from Caucus members. I wish to take this opportunity to thank the Representatives and Mr. Wessinger for meeting with us. It was a lively, friendly, and informative conversation, the kind of which is rarely seen when discussing gun policy.

The Caucus held a special business meeting by phone on the night of Monday, February 3rd, to discuss our position on HB 4005. After a nearly hour long discussion, the Caucus decided that we cannot support HB 4005 as written. As such, I have communicated our concerns to Mr. Wessinger, and to Representatives Sollman and Prusak, both sponsors of HB 4005.

We appreciate that the bill represents a shift in attitude about gun legislation, treating gun violence as a public health issue. We believe this is a productive step in the right direction. We believe that a safe storage law would do a great deal to reduce gun deaths across the board -- mass shootings, yes, but also suicides and domestic homicides that make up the vast majority of gun deaths. We also appreciate that this bill does not contain criminal penalties, and that the claims to the contrary made by the Oregon Firearms Federation (OFF) and other organizations represent a blatant falsehood.

Nonetheless, the caucus has concerns with HB4005, of which we chose to note the following:

- **Insufficient defense from liability.** The caucus feels that a firearm owner needs to be exempt from liability (a) if only authorized users are in the home and the doors are locked, (b) if the firearm winds up in the hands of an unauthorized person due to an authorized person being overpowered. This is in addition to the exceptions already included in the bill.

- **Strict liability.** The Caucus believes this is intended to cast firearms ownership as so inherently dangerous as to warrant onerous regulations. We believe the fallout from this would be devastating to gun owners' rights and to productive conversations on gun ownership and safety.

- **No definition set for adequate safes and locking devices.** We discussed this at length during the telephone town hall held Thursday, January 30th. The sponsors and chief proponent of HB4005 expressed their opinion that existing law and legislative intent would provide adequate guidelines to the Oregon Health Authority so that OHA would allow gun owners to employ a wide variety of effective, inexpensive devices in order to comply with HB 4005. Nonetheless, the caucus remains concerned that OHA is being given a blank check to decide what constitutes an adequate locking or storage device. The Caucus fears that misplaced good intentions on the part of OHA regulators would have them decide that only the most robust (and expensive, and difficult to deploy) devices suffice, thus forcing renters and the poor to either carry all their firearms full time or risk a ticket. They do not believe that statements of legislative intent will suffice to prevent this. Simply put, the Caucus wants the bill to set clear guidelines for OHA to follow.

- **Law Enforcement Officer exemption.** Under HB4005, civilians would be held to a standard of safe storage that is below NRA recommendations. We note that theft of firearms from law enforcement is a serious issue. To not hold law enforcement to the same standards as civilians is illogical.

In conclusion, we believe that a safe storage law is a good idea in theory. As with any gun safety law, the proverbial devil is in the details. We ask the the Legislature consider modifying HB 4005 to address the above points before putting it to the floor.

Respectfully submitted,

Michael Smith, Chair, DPO Gun Owners' Caucus