

To: House Committee on Rules
Re: Senate Bill 554
Date: April 20, 2021

Chair Barbara Smith Warner, Vice-Chair(s) Christine Drazan, Paul Holvey and members of the Committee, my name is Frances M. Preston a citizen residing in Grant County. Thank you for the opportunity to provide comments in OPPOSITION of SB 554 with a few recommendations for amendments.

Public buildings belong to all Oregonians not just people who hate law abiding gun owners.

In 1989, gun owners made a deal with Vera Katz. In exchange for accepting waiting periods, Oregon would recognize the Second Amendment.

We were warned that blood would run in the streets. People would be shot over parking spaces.

And none of it happened. Gun owners played by the rules, took mandated classes, paid fees and subjected themselves to intrusive background checks to exercise a quote “right”.

No one has shot up an airport. There have been no gunfights at libraries. CHL holders behaved peacefully and lawfully, because that is what they do.

It has been the position of some organizations that they don't make compromises and don't make deals because they believe the other side simply cannot be trusted to uphold them.

And while other people claiming to represent gun owners still want to bargain and extend olive branches, some still think that's a fool's errand.

If you vote to pass this bill you will prove them right.

This bill serves no one and protects no one except criminals.

SB 554 places the decision on whether to allow firearms in public buildings in the hands of the local governments who control and manage these facilities in the public interest.

While the Legislature considers the appropriateness of firearms in the Capitol, it needs to be noted that Oregon's local governments are preempted from making the same decisions for themselves. Moreover, the incidents and conditions that have led the Legislature to consider taking steps for its own safety can happen just as easily in any public building in this state- but without a contingent of the Oregon State Police for protection. While the Legislature has the power to change the laws governing the possession of firearms in a public building, ORS 166.170 prevents cities from taking this action.

It is highly unlikely that every city in Oregon will choose the restoration of this regulatory authority. However, those that do will be making it for themselves, no county facility inside a city will be subject to a city ordinance and likewise, no city in a county that enacts a prohibition will be subject to that decision unless it chooses to be. These decisions will be truly local in nature.

Concealed Carry License

If you would care to share, I would like to know who on the committee has a concealed carry license? Do you have friends or family that have one? How many of your sponsors of have one? Your family? Friends? Neighbors?

I would like to know what the statistics are on the number of individuals with a CHL who commit a crime with their personal protection weapon. **If you do not have or know what these are you should not be voting yes on this bill.**

You may have a picture in your mind of what a person who has a CHL looks like. Let me give you a few others. A mother who is a real estate agent frequently shows strangers property in remote areas or hosts open houses alone. A mother whose husband works late hours or is gone for work for weeks at a time while she is home alone with their children. A bartender who has lots of cash tips and closes up the bar late at night. A property manager who checks in on properties that may or may not have drug activity occurring.

If you are not aware, the decision to carry a personal protection firearm is not one made lightly. There is much responsibility in owning a gun and even more when choosing to carry one in public for protection. When a person buys a gun a background check is performed. When someone applies for a CHL, another background check is performed as well as being fingerprinted. This process can take up to a month or so to complete. This process is repeated every four years to renew the license whether the individual buys a gun or not.

The people who have CHL are under more scrutiny- rightfully so- than the average individual in Oregon. Taking this into account, SB 554 is putting many truly law-abiding Oregonians in a situation to be arbitrarily committing felons and incurring outrageous fines.

This bill will also increase the fees to obtain a CHL. Is there a sliding scale for low-income individuals? Is this bill going to limit the access for someone low-income to protect themselves in a manner they see fit?

At a time when many of your colleagues are calling for defunding police programs and submitting bills like HB 2002 that would lower sentences for those convicted of crimes and water down their parole commitments and responsibilities, is it wise to limit an Oregonian's means of protecting themselves?

I cannot support a bill that restricts law-abiding citizens that are skilled and licensed to carry a handgun. While this bill does not ban guns outright, I believe that the bill makes law-abiding

citizens that want to carry a gun to protect themselves and their loved ones even more at risk with poorly defined descriptions as to what is off limits to concealed handgun owners.

As I read the bill the penalties are extreme for what likely could be an inadvertent violation compared to other actual violent crimes.

I do not want to see hunters get caught in this maze of poor definitions that could make me lose my right to carry a firearm including a rifle or shotgun for hunting if convicted of unknowingly violating this law by carrying a firearm I could be licensed to carry. All this and higher CHL license fees too. CLH fees are high enough and in this pandemic era where Oregonians are struggling to make a living, fees like these should be reduced.

This measure seems unenforceable, to begin with, and like a waste of everyone's time. SB 554 seems like an unduly punitive stance to take toward those who have been certified by their county of residence to legally carry a firearm. If it's about preventing crime, then why target citizens who have proven their interest in obtaining legal permission to arm themselves?

If I pick up a friend or family member and just drive near the terminal or parking lots I can be sent to prison. This is outrageous. Does my need for self-protection and my ability possibly to protect other innocent people end at some arbitrary geographical line?

This bill will also make me a FELON if I go near any loosely defined "public building" that has declared itself a self-defense free zone. How can I even keep track of or know about such a hodgepodge of legal and illegal zones for concealed carry? This bill is designed to entrap the unsuspecting concealed carry holder into inadvertently violating the law if he crosses the street into one of these "gun free zones" while traveling around town. This mistake makes him a FELON for doing so. Both the law and the penalty attached to it are outrageous. It is designed to make law-abiding citizens into a law breaker. Why do you want to criminalize your best citizens?

This bill also doubles the cost of a concealed handgun license, penalizing the law-abiding citizen even further. By raising the cost, you are lowering the incentive for people to even get a concealed handgun license, which encourages illegal carry. Is that the result you want? You should make it as easy to comply with the law as possible, not make it more expensive and difficult to do so.

As representatives you have taxpayer paid protection from the Oregon State Police. WE cannot afford that for ourselves, so we must carry to defend ourselves from criminals. Do not make us into criminals for doing so.

This law does nothing to make anyone safer, because criminals will ignore them, and commit violence in these zones knowing that no good person has the means to stop them. Gun free zones are slaughter zones, because they leave good people defenseless.

State preemption of local regulation of firearms is necessary to ensure that a holder of a concealed carry license can conduct business with and on state, county and locally owned

property. With differing decisions made by different entities, a concealed handgun licensee will not know until she gets to her destination what rules apply. If she has taken public transportation, what does she do with her firearm? She is precluded from conducting her business with the entity.

Allowing each government jurisdiction (and private schools!) to pass a rule that limits legal defenses of concealed carry permittees is unconscionable. These decisions MUST be made at the state level.

In addition, the bill permits regulation of firearms on real property owned by a college or university. Does this permit Oregon State University to regulate concealed carry licensees in the Elliot State Forest?

SB554 which further limits the use of concealed handgun license by enabling local municipalities and airports to declare their building, parking area, park, or terminal as a “public building” for purposes of crime of possession of a weapon in public.

- SB554 will create a patchwork of inconsistent ordinances that will inadvertently make felons of law-abiding citizens as they pass through a region, state, or town.
- SB554 enables municipalities and port authorities (airports) to make it illegal to travel with firearms for lawful hunting and sporting purposes.

Imagine a grandfather is taking his granddaughter or grandson to the range for target practice or traveling across the state to their favorite hunting spot. Only to have car trouble in an unfamiliar city or town and be required to park and work out repairs. Unknowingly, the grandfather missed the random sign imposing SB554s restrictions and suddenly finds himself as a Class C Felony.

Criminals do not obey law. Don't make law abiding tax paying citizens criminals.

Citizens who obtain a Concealed handgun license (CHL) are some of the most vetted who live among us, citizens who have proven they are law abiding citizens. This law doesn't protect anyone, it doesn't help anyone but hurts good law-abiding citizens, our brothers and sisters in our amazing state. The only thing this bill will do is make good people into criminals. This bill only serves to punish good people who seek responsibility to protect themselves, family, and preserve life. Do not make good people criminals, protect our freedoms and rights. Our right to bear arms is not a privilege as it's already been made by having the license but is a right, we do not require licenses to speak and to have opposing or offensive speech if you support this bill then you must propose a license to speak offensively as well because it's the same thing, both are equally wrong and appalling.

The most telling of all are the government's own numbers. In 2016 - 0.0074% of CHL holders were either charged or convicted but at that not all were convicted. CHL holders are not a problem. CHL holders don't touch any of the most pressing issues our state faces. Don't make good people into criminals try to understand your neighbors and understand CHL holders aren't bad, mean, evil, people, just regular people trying to make it through this life and leave it better than when we came into it. I ask you strike this bill down now not just for being a useless waste

of your valuable time but to protect your neighbors, friends, and family from becoming criminals.

SB554. What it does is criminalize a group of gun owners who possess CHL's. This turns into a felon somebody who is currently permitted to carry their concealed firearm on school grounds, certain public buildings, and the non-secured side of the airport-individuals who take additional training, an additional background check, and to this date have never abused their CHL's by committing misconduct. Do we really want to turn into a felon somebody, say a parent who might be picking up, or dropping off their child at a school, or an individual dropping off or picking up a friend or family member at an airport?

From a public safety standpoint this bill is indefensible. This is because the individuals it targets pose absolutely no threat to the safety of the public, and this fact has been demonstrated. This is a spiteful bill by creating new definitions of a public building, a perversion of the state's pre-emption law to a group of gun owners not deserving of the contempt this proposed bill would bestow upon them.

If this law were to be passed I would fear for my children and their school mates. If a homicidal psychopath were to assault my children's school who is going to protect them? The time between an armed police response and the ending of a threat is time our children will pay for with their lives.

To date, no lawful concealed carrier has engaged in a mass shooting. They are not the people you should be worried about carrying a firearm. The issue lies with the unlawful carriers or criminals who will just disregard this legislation anyway.

Gun free zones tend to be the location of most, bordering on all, mass shootings. This makes them a soft target for would be shooters.

As an American with constitutional rights I absolutely disagree with anyone or anything trying to take my god given rights. Or restrict them in anyway. Always have been and always will be a law-abiding citizen and you people putting more restrictions on us will not fix the fact that criminals will not fallow any rules or regulations.

You will not stop bad people from doing bad things by taking away and the limiting the rights of law- abiding citizens like concealed handgun carriers.

There is a gun problem in Oregon. It's in Portland with daily gun violence that goes unchecked because politicians have stripped the police of the tools they need to do their job. If the Legislature wants to do something meaningful, get a grip on Portland. The gun violence is not taking place in public buildings or airport parking lots as outlined in this bill. It is not happening because of CHL holders. It's happening in large part because of gangs, but we don't want to hurt anyone feelings by calling them out as gangs.

Deal with Portland and leave the rest of law-abiding Oregon citizens alone.

Constitution(s)

This bill would give local government the ability to infringe on a right affirmed in both the United States and Oregon Constitutions.

SB 554 will allow for local restrictions of rights and the bill should be dropped from consideration.

We affirmed many natural rights inherent to the people in the Oregon Constitution that you all swore an oath to protect. One of those rights is described in Article 1 Section 27, “The people shall have the right to bear arms for the defence [sic] of themselves”. We also affirmed the right to freedom of worship, freedom of speech and the press, trial by jury, and equality of privileges and immunities of citizens.

Would you support a bill that gave local government the authority to place limits on religious worship?

Would you support a bill that gave local government the authority to place limits on speech or the press?

Would you support a bill that gave local government the authority to restrict trial by jury?

Would you support a bill that gave local government the authority to allow unequal treatment of certain citizens?

If your answer to any of the questions above is **“no”** then you must stop all work on this bill and allow it to die in this committee.

SB 554 is another bill which would ensure that only bad guys would be carrying a concealed firearm in a public building. I ask, “What is the problem this bill intends to address”? “When has a concealed permit holder committed a crime in Oregon with his/her legally- concealed firearm in a public building”? This is just one more attempt to undermine the rights of law-abiding citizens. PLEASE REJECT SB 554!

SB 554 is a blatant attempt to criminalize lawful behavior. Encouraging a multitude of political subdivisions to enact their own rules regarding the carrying of a concealed handgun by a licensed person effectively creates felons out of law-abiding residents / taxpayers of the State of Oregon. This bill would make it nearly impossible to know where it is legal to carry and where it is not as the various jurisdictions will continually move the goal posts. Concealed handgun license holders commit crimes, involving a gun, at a rate that is many times less that of even law enforcement officers and this bill is attempting to solve a non-existent problem. Our Constitution guarantees the right to keep and BEAR arms. This bill is a direct assault on that right. Concealed

Handgun License holders are not the problem. Vote NO on this atrocity. We are not a police state....yet.

This bill is a gross violation of both the State and Federal Constitutions. You all took an oath to support and defend these Constitutions. As you know, constitutions are organic; meaning you derive your authority from them. You don't have the authority to trample on our rights. If you do so, you violate your oath and exceed the authority given to you by the people. I don't care if your yes men and women say it's okay. **The constitutions give us authority and you have no authority to ignore them.**

In closing, this bill makes it extremely difficult in the protection of one's own self and his/her family. Instead of having one set of rules for the whole state, you could have upwards to 100's of new laws, rules, ordinances and policies from many various actors making it illegal to possess a firearm, regardless of the type of firearm that it is.

With a sweep and swoop of a pen, you instantly have criminalized thousands of Oregon citizens, and those who come from out of state that are Oregon conceal carry permit holders. It will make it impossible to keep up with the amount of new information about laws, who does and doesn't allow CHL holders. It will be IMPOSSIBLE to keep up. Unless your truest intentions are to disarm Oregon citizens by infringing upon their 2nd Amendment right by creating laws that are meant to strip people of it.

There is another side of this, the law of unforeseen consequences, it absolutely does nothing to address a greater issue. It does not address mentally ill, or criminally insane individuals who are the ones who commit horrific acts. We have a failure of law-enforcement in dealing with these types of people from the federal level down to the state, county and city. We have seen countless times that these people were overlooked, someone fell asleep at the wheel of ensuring those that have mental issues do not have access to firearms. Many of the mass shootings have been by individuals who, by the very term, have been overlooked by many people who should have raised red flags to have stopped a person before having committed a horrific act.

This bill does something else, and considering the defunding campaign against law enforcement, you want to tax law enforcement to a greater degree, putting them at greater risk of confrontation, putting more lives in harm's way.

Every firearms bill I have seen the past few years does absolutely nothing about stopping criminals from obtaining firearms of all types, but does everything to criminalize the citizens.

If you really wanted to stop the problem, use the current tools to their maximum potential. Give those that do background checks the needed resources to perform thorough background checks. The state is back logged for months on performing background checks, the failure of federal systems that provide the additional information that is necessary for thorough and complete backgrounds on individuals.

Most of all, and this truly goes to the heart of it all... This bill, and many others, defies the State and Federal Constitutions. It spits in the face of our Bill of Rights that are guaranteed in the 2nd Amendment. You have taken an oath to support and DEFEND - emphasis here - the Constitution, and yet you are the very people who continue to break your oaths of office by submitting bills that are in direct contrast to those two important documents.

The impact of this bill and others impacting over a million firearm owners, in the sweep and swoop of a pen, who will be turned into criminal in a matter of moments.

I pray if SB554 is passed you WILL NOT implement on 91st day following adjournment sine die but rather do the right thing and place a measure on the May 18, 2021 ballot for “we the people” to decide.

Respectfully submitted,

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