

Members of the House Committee On Rules:

We implore you to reject SB 554A and insure that it does not pass out of Committee, as it is a clear infringement on the constitutional rights of Oregonians. The ownership of firearms is a natural right protected by the United States and Oregon Constitutions, which all of you have sworn to defend and uphold. To support this bill would be – in our opinion - an abrogation of your oath of office.

The continuing attacks on law-abiding gun owners by this Legislature are unconscionable. SB 554, now with the last-minute inclusion of language from yet another attack bill - HB 2510 - has morphed into a “superbill” that will penalize law-abiding Oregonians, while doing nothing to stop the people who are actually committing crimes. As with other infringements on our Second Amendment rights, these bills are presented as “common-sense” gun regulation. Where some see “common sense,” others – like us - view this legislation only as an incremental assault on our liberty.

SB 554 is a direct attack on Concealed Handgun License (CHL) holders – law-abiding gun owners who have undergone an extensive background check, fingerprinting, and who have received training in the safe use of firearms. CHL holders are responsible citizens who have gone to lengths to ensure the free exercise of their Second Amendment rights - this bill will turn them into criminals. SB 554, like its predecessors - will in allow nearly any public agency to unilaterally create “Gun-Free Zones,” which are proven to be kill zones. Does the Legislature really think that anyone intent on committing mayhem in a public building will heed the restrictions that will be spawned by this bill? The language in this bill is confusing, and there is a high probability that it will conflict with existing laws and regulations. Allowing local jurisdictions to create their own restrictions on CHL holders will likely result in numerous cases of non-compliance, both involuntary and voluntary. A CHL holder would have no way of knowing the regulations that were established at a particular jurisdiction. This is the primary reason for state pre-emption.

My wife and I are both CHL holders. We’re responsible gun owners, and my wife is a 34-year law enforcement veteran – highly trained in the use of firearms. As with all CHL holders, we carry our firearms lawfully for our own protection, as well as the protection of others. We do not appreciate state attempts at limiting our right to self-defense. This bill will effectively disarm us, leaving us vulnerable to criminals. We do not intend to become victims. There are already federal laws prohibiting firearms in certain sensitive facilities such as courthouses, and so far, those laws have made sense. Unfortunately, as with many of the bills being proposed in the current session, SB 554 is yet another example of state overreach. It is a “solution” in search of a problem. With the patchwork of regulations it will engender, it clearly has the potential to make felons out of law-abiding gun owners. The fact that a violation – which could be unknowing - will result in five (5) years’ imprisonment and a \$125,000 fine is unconscionable! To our knowledge, there is no precedent for an Oregon CHL holder committing any type of firearm-related crime while in a public facility, so there seems to be no logical reason or need for this legislation.

Gun safety and storage is a matter of personal responsibility and every person’s situation is different. It is unreasonable for the law to impose a one-size fits-all solution. With the addition of the -20 Amendment, SB 554 now invites the state to invade people’s homes and force them to render their firearms useless for self-defense - or face the prospect of becoming criminals.

The opening paragraphs of the -20 Amendment references a crime committed with “AR-15 assault style weapon,” and uses the term “assault rifle” or “assault weapon” several more times. The terms “assault rifle” or “assault weapon” are buzzwords used by anti-firearms activists in order to elicit an emotional response to gun control legislation. The term “scary black gun” comes to mind. These terms are an inaccurate and prejudicial characterization of a class of firearms owned and enjoyed by millions of Americans. Nothing in this bill is directed exclusively toward semiautomatic AR-15 style weapons, so we’re only left to assume that this language was included in order to demonize firearms and their lawful owners.

One of the “safety devices” mandated by this bill - trigger locks - are ineffective and unsafe. Trigger locks render weapons useless for home defense use. They are also not designed to be used on loaded guns (any gun intended for home defense use would and should be loaded), which makes them basically useless for preventing negligent discharges. In fact, a trigger lock might actually make a loaded gun MORE dangerous.

Cable locks, which are an alternative under this mandate are ineffective, and easily defeated by anyone with basic hand tools.

In the case of District of Columbia v. Heller, the Supreme Court ruled that a D.C. law requiring gun owners to use trigger locks violated the Second Amendment. Is the Legislature prepared for a legal challenge based on this precedent? Believe me, if this bill somehow passes, it will be coming.

This bill will not only render self-defense firearms useless, by requiring they be locked up – it also will penalize gun owners if their firearms are stolen, which could occur even if they are locked up! Under this bill, crime victims not only become criminals - they also become responsible for the acts of others, which are completely beyond their control. Ironically, this bill does nothing to penalize the real criminals – those who violate the property rights of others, and who would certainly not obey the laws that this bill will engender.

This bill requires that firearms that are lawfully transferred be locked up during the transfer, and makes the transferor liable for two years for misuse of a legally transferred firearm if it was not locked. Are we to assume that a person to whom you lawfully transferred a firearm - with a background check - will not remove the required lock for two years? As well, how is the liability for an injury perpetrated by another individual transferred to an innocent gun owner? This alone constitutes a direct attack on gun owners, and we’re not sure that it would withstand a court challenge. The transfer statute is not clear, and this exposes just one of several fatal flaws in this bill.

According to sources such as the Giffords Law Center, studies and estimates “suggest” that “safe storage” could reduce suicide deaths, but there seem to be no studies that prove that conclusively. This bill sacrifices the rights of law-abiding gun owners in a potentially futile attempt reduce suicides, rather than focusing on the more complex issue of general suicide prevention.

Lastly, this bill virtually eliminates a minor’s ability to use a firearm even to protect themselves and their families in their own homes. Many families live in remote parts of the state, with scant law enforcement protection. Imagine a scenario where a minor child was at home alone and suddenly became a victim of a robbery or home invasion. A response from law enforcement could take 30 minutes or more. That

minor child is trained and proficient in the use of firearms, but because of this bill, would be unable to defend him or herself.

Rather than reducing the number of crime victims, this bill has the potential to create numerous new victims – is the Legislature prepared to deal with that?

We respectfully request that the Committee reject SB 554, which is an unnecessary and overreaching piece of legislation.

Thank You,

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