

House Judiciary Committee – SUPPORT HB 2543

To: Chair Bynum, Vice Chairs Noble and Power and Members of the Committee:

Lift Every Voice Oregon (LEVO) is an organization of people of faith and all people of good will striving to reduce gun violence in this state. We had prepared an initiative for the 2020 election, but due to the covid19 pandemic, we like many other petitioners were not able to collect signatures. That initiative included, in part, provisions to ensure that purchasers, specifically those seeking semiautomatic assault firearms, could not be sold until a background check was successfully completed. Thus, we are very pleased to see HB2543 being considered in this 2021 session. We urge this measure be sent to the House of Representatives with a recommendation for passage.

It is critical that background checks be fully completed before the firearm is delivered to the purchaser, particularly for those applications that are not approved within three days. An application within that group is 4 times more likely to be denied. Those applicants are certainly not the ones who should simply be allowed to receive a firearm under the assumption that: (1) the purchaser will not use it in an illegal manner; or (2) that the firearm will be surrendered or can be readily retrieved, if the background check is denied at some time in the future.

Moreover, based on OSP records, it appears that in 2020 a greater number of individuals, who fell into a category of “prohibited from obtaining a firearm”, attempted to buy one. The Oregon State Police records show the number of background checks conducted in 2020 (418,061) had increased 51%, over the number of checks in 2019 (276, 912).¹ The percentage of individuals who applied but were denied the right to purchase in 2020 increased by an even greater percentage, reaching 64%.² More importantly, the denials increased significantly in areas related to felony charges and convictions:

Basis for Denial	2019	2020	Increase by #	Increase by %
All Denials	1292	2119	827	64%
Pre-Trial for a Felony Crime	24	56	32	133%
Convicted of a Felony	517	1041	524	101%
Reckless Endangering Conviction Within Last 4 Years	51	91	40	78%
Menacing Conviction within Last 4 Years	9	19	10	111% ³

¹ Oregon State Police Firearms Instant Check System (FICS) General Comparisons between 2019/2020 and Current Backlog <https://olis.oregonlegislature.gov/liz/2021R1/Downloads/CommitteeMeetingDocument/231870> p. 2.

² *Ibid.* p. 4.

³ Categories and raw numbers based on Oregon State Police Firearms Instant Check System (FICS) General Comparisons between 2019/2020 and Current Backlog <https://olis.oregonlegislature.gov/liz/2021R1/Downloads/CommitteeMeetingDocument/231870> , p. 4. Percentages derived from OSP numbers.

With the increased number of applicants who have been determined to be “prohibited purchasers”, it is essential that every applicant’s background be fully reviewed, and that eligibility be determined **before** a firearm is delivered to the buyer. This is not a matter that can be ignored, nor a precaution that should be waived simply because necessary records cannot be obtained within three days. We would not grant licenses to teachers or law enforcement applicants simply because the appropriate agencies could not gather the essential background information.

Some opponents to HB2543 urge the state to hire more employees to process the increased number of applications for firearm background checks occurring during the pandemic. Surely there are better uses for the state’s funds, such as maximizing vaccine inoculations, processing unemployment applications, or preparing schools for return of students. A **delay** in receiving a firearm for more than three days has not been shown to endanger Oregonians. However, a firearm issued to a prohibited person, simply because the state police had not been able to complete the background check in three days, does present a **clear and present risk of harm** to our citizens. The most poignant and tragic proof of this fact is the slaughter at Emanuel A.M.E. church in Charleston, South Carolina in 2015.

It is reasonable, necessary and urgent that the Judiciary Committee pass this bill out of the Committee and send it to the House with a recommendation for passage.

Thank you for taking this very important step toward creating a safer Oregon.

Elizabeth McKanna,
Advisory Committee Member
Lift Every Voice Oregon