

March 24th, 2023

Members of the House Committee on Judiciary
Oregon State House of Representatives
900 Court St NE
Salem, OR 97301

Re: **HB 2005 - OPPOSE**

Dear Chair Kropf, Vice Chairs Andersen and Wallen, and Honorable Members of the Committee:

GUN CONTROL/'SAFETY' LAWS ARE INHERENTLY RACIST

My name is Alisha Overstreet. I am an educated woman of color and a law-abiding gun owner living in Oregon. I am writing this today, as I have come to love this state, yet I am quite exhausted of facing the predicament of having to decide which of my and my family's civil liberties and rights I must fight for next - all depending on political narratives and at the behest of those with the privilege and resources to speak louder than those of us within consistently marginalized communities.

I have witnessed extreme subjectivity based on unconscious bias and popularized stigma that gun owners are old, racist, white men with superiority complexes needing the justification of owning big, powerful, and dangerous firearms to support their complexes. The most recent narrative suggests white nationalists, of all ages, are the [biggest threat to minorities](#) like me.

However, when I openly admit to being a gun owner and gun rights advocate, I am often met with reactions that range from '*But you're Black!*' to being ridiculed with words and phrases including but certainly not limited to - being ***too busy seeking proximity to whiteness; house ni**er; porch monkey; traitor to [my] race; and the female version of an Uncle Tom;*** etc.

Therefore, by providing my testimony, I am very likely putting my safety, my reputation, as well as potentially current and future opportunities and endeavors at significant risk – as I **OPPOSE** HB 2005. However, I will speak up for those of us who are too afraid, too weary, and too exhausted.

As several volunteers of Moms Demand Action have used their socioeconomic status (i.e., attorney, psychiatrist, social worker, mental health therapist, etc.) to demonstrate their social status and perceived expertise on gun violence, I present my testimony with the following expertise:

I hold a masters in Forensic Psychology and have more than 15 years of individual and systems advocacy and advising experience on the local, state, and federal levels ranging in topics from Diversity, Equity, Inclusion & Acceptance, Public Policy, Public Health, The intersections of Psychology and Law, Behavioral and Mental Health, Civil Rights, Oversight and Accountability, Civil Commitment, Veterans and their Families, Individuals with Intellectual and/or Developmental Disabilities and their Families, Rural Communities, as well as BIPOC Communities/Populations.

Gun Control Laws, now suggested to be Gun *Safety* Laws, are inherently **racist** and **promote systemic oppression** of marginalized and disenfranchised populations! Such laws were put in place to ensure the prevention of slave insurrections against their white masters before the Civil War, often referred to as [Slave Codes](#); and after the issuance of the 1863 Emancipation Proclamation, these laws were re-invented

and referred to as [Black Codes](#). Note: [Chinese Immigrants](#) were also not spared from such exclusion laws and the [restriction of Chinese Americans' civil liberties](#), including the right to bear arms, with the passage of the Chinese Exclusion Act of 1882.

[Oregon had its own series of Black Exclusion Laws](#) from its inception in 1859 which essentially made it unlawful for Black people to merely exist in Oregon – therefore, if Black folks were not allowed to exist in Oregon, they also were not provided the privileges and rights of Oregon's Constitution, including *Article I. Section 27 Right to bear arms; military subordinate to civil power.*

[Black Codes](#) and the [Reconstruction era \(1861 -1900\)](#) were followed by the infamous [Jim Crow era](#) (1870s – 1960s); which placed Black Americans into the status of second-class citizens and inconspicuously gave [White racists government-sanctioned authority](#) to discriminate against, segregate, economically disenfranchise, tyrannize and physically and economically harm Black Americans with the use of law enforcement, the justice system, and most notably, by [way of public lynchings](#).

Looking back further, the [Dred Scott v. Sanford decision](#) in 1856 not only demonstrated that Black people (free or enslaved) were, in fact, **not** equal to Whites and should not be recognized as citizens; as it would give “the negro race” all the protections and rights White people were entitled to – including “the right to keep and carry arms wherever they went” (Former Chief Justice Roger B. Taney). Additionally, this demonstrates that **if** Black people were citizens, we could **not** be subjected to special laws and police regulations deemed ‘necessary for their own protection’ - insinuating that **if Black people had the right to bear arms, it would subject White people to the potential “insubordination” and resulting in the endangerment of “peace and safety of the State.”**

I have heard several testimonies on March 22nd, 2023, proclaiming the need to “do something” against the gun violence we see in Oregon, and how bills such as HB 2005 are common sense measures. Speakers mentioned mass shootings and suicides as two proofs for their assertions that this bill will ‘save lives’ despite [empirical](#) research demonstrating neither positive nor negative outcomes regarding gun control (‘safety’) laws. This is further perpetuated by the fact that the term ‘mass shooting’ is [inconsistently interpreted and defined by researchers and government officials](#) across the spectrum, as well as the [inconsistent interpretation](#) of the term ‘assault weapon,’ as well as the current narrative and inconsistent definition regarding firearms that are already in common use and have a historical precedence but are suggested to be outrageously dangerous – which this bill and gun control advocates refer to as [‘ghost guns.’](#)

However, one thing all of these assumptions and testimonies had in common is the assertion that the speakers, mostly from urban areas such as Portland, Salem, and Eugene (all areas with [higher violent crime rates](#), including gun violence) are simply wanting to ‘save lives.’ Yet, SafeWise's 2023 State of Safety Report suggests that while Oregonians' concerns about safety and violent crime has increased from last year (45% up from 37%), [“Oregonians feel less concerned than their fellow Americans.”](#) Some of the safest cities, according to SafeWise's report, based on crime rates reported by the FBI, were represented in this week's public hearing – which goes back to my earlier point around the ability of

individuals imposing political narratives while marginalized populations are at the behest of those with the privilege and resources to speak louder and more consistently.

I wholeheartedly empathize with the traumatic experiences shared by many of the speakers that day, particularly because I have lost friends to suicide myself, have been a victim of harassment, and would therefore, never attempt to disparage or reduce these experiences. It is apparent that gun violence, such as homicides, is concentrated in certain populated areas, and disproportionality affects [young Black men](#). Black Oregonians are disproportionately represented in [firearm injury ED visits statistics](#). Black Oregonians have and still are still plagued by [discriminatory practices within the Justice System](#) at a much [higher rate than any other population](#) in Oregon; whereby, some have been sanctioned by Attorney General Ellen F. Rosenblum stating her [“obligation to defend the validity of 47 years of criminal convictions”](#) based on a recently overturned Supreme Court decision.

I am a law-abiding citizen, with not as much as a speeding ticket, yet HB 2005 appears to increase the likelihood of turning someone like me into a criminal, simply because I make economically sound decisions by legally obtaining a serialized firearm and separate associated parts kits. HB 2005 resembles several economic gun bans such as the “Saturday Night Special” economic gun bans, which imposed heavy taxes on the sale of guns, or outright banned cheaper models [“in an attempt to put handguns out of the reach of blacks and poor whites.”](#) (“Gun Control: White Man’s Law,” William R. Tonso, Reason, December 1985).

Let me be a bit clearer here:

HB 2005, if passed, appears to make individuals like me de-facto criminals! This, despite me being a law-abiding, highly dedicated and educated community advocate, as well as a responsible, well-spoken, and passionate proponent of advancing inclusive and equitable practices in Public Health.

So, I urge you to reflect on the likelihood that if you pass this bill, law-abiding yet consistently marginalized Oregonians like me (Black, Brown, Rural, Poor, etc.) will bear the brunt of this [unconstitutional](#) bill. There are highly effective tools and services that can be employed to support the reduction in gun violence and irreparable harm caused by such violence – this may include the consistent funding of community-based organizations with personal and direct relationships within the communities mostly affected by gun violence.

Therefore, if the intention is to prevent gun violence and to ‘save lives,’ please be sure you weigh whose lives this bill will actually save, and whose lives will forever be harmed by the perpetuation of racist, systemic, and economic oppressions through gun control laws such as HB 2005.

Thank you for your time and I hope you reconsider the passing of this bill.

Alisha Overstreet