

Testimony : SB 348-1 – Neutral (Support with some Reservations)

Submitted to: Senate Committee on Judiciary

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Organization: Lift Every Voice Oregon

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Senator Prozanski, Vice Chair Thatcher and member of the Committee

This testimony is submitted regarding SB 348. The primary purpose of the bill I believe is to provide amendments to Measure 114, the Reduction of Gun Violence Act, passed by the voters of Oregon in November 2022. I have been involved with Lift Every Voice Oregon (“LEVO”), the organization that drafted, filed, collected signatures for, and worked to pass Measure 114. As part of the LEVO Executive team, I am very grateful to the hundreds of volunteers who worked to put the initiative on the ballot and the nearly one million people of Oregon who made it the law.

Measure 114 should have gone into effect as of December 8, 2022, so that its provisions focused on saving lives and reducing injuries could have gone into effect. Unfortunately, legal challenges have interfered. The federal court ruled that the closure of the 3-day loophole, which allowed sale of guns before the purchaser passed the background check, and the ban on the sale of large-capacity magazines could go into effect on Dec. 8<sup>th</sup>. The federal ruling also provided that the permit to purchase firearms provision could go into effect as soon as the agencies were ready. But a state court judge, essentially looking at the same issues, issued an injunction on all three parts of the Measure, which will not likely be lifted until after a trial now set for mid-September.

Fortunately, the agencies are not just sitting idly until that time. Nor is the legislature. The state and local law enforcement agencies are moving forward to ensure the permitting process will operate smoothly as soon as the stay is lifted. The legislature, in particular, Senator Prozanski and this Committee have introduced SB 348 which provides some important technical corrections and

clarifications for Measure 114, so that it will move forward smoothly. There are also some additional provisions related to gun safety included.

I thank Sen. Prozanski for all of his work; I thank this Committee for your efforts; and I also thank the organizations and law enforcement agencies involved in the preparation of SB 348.

LEVO is grateful for the provisions added, that address some important concerns:

- Ensuring privacy of permit and background check information, which was intended by Measure 114, but is expressly provided in SB 348
- Expressly requiring racial and gender statistics by county, to be included in the annual Oregon State Police report. Measure 114 required the report to include information that would “ensure the consistent and equitable administration” of the permitting process and SB 348 identifies one of the paths that will improve the potential for meeting this goal.
- Explicitly providing that nothing in the bill is intended to delay or prevent the delay or development of the process for issuing permits.

Further, though not covered by Measure 114, I also appreciate the prohibition of the sale of all firearms except certain ones typically used for hunting to anyone under age 21. And, I appreciate the intent of providing a 72-hour waiting period after the State Police have indicated the background check has been passed before a gun can be delivered to a buyer. Such waiting periods have been shown to dissuade the use of guns in suicides and other types of misuse.

But LEVO also has concerns about some aspects of SB 348. One that has been addressed in other oral and written testimony, relates to the exclusion of the requirement of a permit for purchases of hunting firearms until July 2026. While this may have some impact on reducing any logjam in the permit application process, that goal has to be weighed against the fact that such weapons are used not only for hunting but in suicides, domestic violence assaults and other gun-related incidents. Moreover, permit applicants can start the application process long before July 2024, when the mandate for a permit in order to purchase a firearm goes into effect. Those applicants who choose to wait until July 2024 to apply will have little or no reason to complain about delays.

Finally, there is one proposal that was not supported by the bill. Measure 114 had provided for the permit agents to be from the sheriff's office, local police station "or their designees".

The last phrase was intended to keep open the possibility that an agency that could serve as an alternative intake location, such as a county court or possibly DMV, to handle preliminary processing, including accepting applications, reviewing training certificates, taking photographs and possibly making fingerprint records, before a law enforcement agency handled the background check and any other necessary investigation. The sheriffs and local police have expressed interest in some alternative to reduce their load in the permitting process.

LEVO proposed language to keep the door open for another "public entity" to be identified in SB 348 as an "application collection point." If we have language authorizing that option, we could work with law enforcement, community groups and one or more agencies to put it in place.

We believe it could be cost effective and increase participation by providing a location viewed as convenient and neutral. In addition, it could free up law enforcement officers so they have more time to focus on enforcing the law and maintaining peace in public spaces, which they would prefer to do.

I want to reiterate my gratitude for the work that has been done on SB 348. I look forward to seeing this bill pass. While timelines are tight and deadlines are approaching, I hope that you will give this bill just a little bit more work to make sure we have the most effective bill possible.