

SB 243-1

Senate Judiciary Committee,
Chair Prozanski, Vice Chair Thatcher

I am writing you in strong opposition of SB 243-1.

This bill is written as if I am a criminal and the millions of other lawful gun owners are criminals just looking for a place to commit a crime.

I am a retired Law Enforcement Officer, Firearms Instructor, Officer Survival Instructor and currently a certified Firearms Instructor, Range Safety Officer.

You have people from all over the country testifying on this bill, but “we’re all Oregonians”? Really. John Hopkins, Giffords people from New York or Arizona, Everytown for Gun Safety and Red Shirts that get their talking points from Bloomberg.

So, from our North Klamath County residence, you are wanting me to make a 200 mile round trip to K Falls to apply for a permit. Gawd only knows how far you want me to drive for currently unavailable firearms classes that meet whatever standards the Oregon Legislature decides to come up with. And from our Central Oregon ranch I have to say that the Senator purporting to be the Senator of Central Oregon, I am sorry sir, but you are not my Senator and your district is only on small chunk of Central Oregon.

Considering what law-abiding citizens of Oregon just went through regarding Measure 114. I feel that this is not a good use of public resources and puts the state in a position for further litigation. Litigation that is far from over in regard to Measure 114. Before any such Omnibus or portion thereof is considered, we should consider the laws that are already in play in the courts and wait for a final determination.

Placing the “adjacent” to verbiage in the bill is denying me of my right to bear arms, my right to keep or carry arms in my own yard. At our Sheridan Residence, the School District bought the house and property next door. My house and property are now zero feet from the School buildings as they built a building whose eve line crosses the plane of our property line. With this law as written, I will be forced to permanently relocate and sell our property if this bill is passed. And yes, I have checked with a couple of attorney’s that concur that if I own property adjacent to a Government property and building and can literally reach out from my property line and touch a government office (HR Building now, formally a classroom) I would be in violation per the letter of the law.

No, adjacent doesn’t mean standing right next to the building. Per Black’s Law Dictionary (which would be the definition used in court);

Black's Law Dictionary: an adjacent property is one that is lying near or close to another property, but not necessarily touching it. The difference between adjacent and adjoining properties is that adjacent properties are not widely separated, while adjoining properties are joined or united to each other without any third object intervening.

This bill is fundamentally flawed and does not move the needle when it comes to public safety. We all want to save lives; that being said, Oregon gun owners deserve the right to have a seat at the table, especially when we are the ones who face criminal penalties. We are not the ones who commit gun

crimes. We are your friends, we are your family members, and we are your neighbors. Please, do not punish the over 99.6% of Oregonians who did NOT commit a crime with a gun. Do the right thing and do not pass this piece of legislation.

We do not need a permit to exercise free speech, we do not need a permit to go to church, we do not need a permit to buy the book we want, even if it was written by Karl Marx or Adolf Hitler. We do not need a permit to exercise any of the rights afforded to us in the Constitution of the United States. But, you want us to have a permit to exercise the right afforded us under the 2nd Amendment of the United States. An amendment that specifically states “A well regulated Militia being necessary to the security of a free State, **the right of the people to keep and bear Arms, shall not be infringed.**”

Some people would say the Constitution is a “Living Document”, that it was made to change with the times, and they didn’t have semi-auto’s when it was written. There are two sides to that argument.

I firmly believe and would submit that the writers of that document were NOT fundamental idiots as people would purport them to be. They knew, when they wrote that document, that times would indeed change. Technology would advance. The printing press, firearms, transportation, Law Enforcement, Invasion of homes by the government would advance. And people wishing to subvert the will of the founders, the Constitution of the United States and take those rights away from us would forever be present and persistent.

Jim & Diana Mischel
Sheridan and Gilchrist Oregon