

Submitter: David Bellis-Squires
On Behalf Of:
Committee: Senate Committee On Rules
Measure, Appointment or Topic: HB4145

I oppose this bill. I oppose the attempts being made to unilaterally pass this legislation in the face of overwhelming public opposition. The original measure was highly flawed, and barely passed a public vote. This measure removes none of Measure 114's flaws, and is an attempt to further legislate without public vote on a contested and unconstitutional bill which affects all Oregonians.

Duplicating the NICS background check requirements which are already in place for every gun sale (whether private or public) serves no additional purpose and does not improve the safety or security of gun sales. As it stands now, every gun sale in the state of Oregon, whether between two private individuals in a pawn shop, someone buying online, or between a law-abiding citizen purchasing from a big-box sporting goods store, requires the in-person completion of form 4473 and a full NICS background check. This bill does not add multiple layers of fine-sifting scrutiny to the existing process, it merely duplicates efforts and makes a bureaucratic redundancy.

Requiring a permit to purchase which is granted at the discretion of law enforcement is a highly problematic part of this measure. In the past few years, we have seen:

- Blatant misuse of force by local and federal peace officers against peaceful protestors as well as non-protesting citizens.
- Portland police in contact with members of a right-wing militia, advising them where not to be so as to avoid arrest.
- Portland police uncovering a stockpile of long guns on top of a parking garage, and letting the right-wing owners off with a warning (and letting them keep their guns).

This is only a few of many recent incidents which all speak to one thing: if we cannot depend on the police to act neutrally and apply the law equitably and fairly to all citizens in the course of their regular duties, why would this behavior not extend to their discretion of who does and does not receive a permit to purchase firearms? Will social media posts decrying ICE or police overreach result in someone being denied a permit to purchase? Will the color of someone's skin? Simply put, there is no way to know or predict this because there is no oversight on the almighty discretion over Oregonians' second amendment rights which would be given to police.

Likewise, the carve-out for law enforcement officers, whether on or off-duty, is a huge problem in this bill. It creates a two-tiered law system, where simply by virtue of being a law enforcement officer (past or present), a person is given exemption from the law.

This isn't even going into the many problems associated with payment for a permit to purchase. Should the constitutionally guaranteed right of firearm ownership only be afforded to those who can afford it? This amendment seems to think so.

The path to gun ownership in America isn't perfect, but the fact remains that we already have a robust system in place for preventing prohibited people from purchasing firearms: form 4473, and the NICS background check, which is undertaken for every firearms sale and purchase in the state.

If prohibited people are set on acquiring firearms, they will do so through unlawful means, and neither this legislation nor any other will prevent or hinder that.

Instead, it will create needless barriers to ownership for Oregonians who are lawfully attempting to exercise their second amendment rights.

Gun violence is a serious issue; the ideal number of gun deaths is zero. But this bill is not the way to attain that figure. It does nothing to make Oregon safer. It does nothing to amend or solve Measure 114's most problematic and unconstitutional features.

Do not listen to special interest groups. Listen to your constituents. Listen to the Oregonians who have stood up against this poorly-thought-out legislation.

Vote NO on HB 4145.