

Submitter: Stephen Forbush  
On Behalf Of:  
Committee: Senate Committee On Rules  
Measure, Appointment or Topic: HB4145

To the members of the legislature:

Measure 114 was a narrowly-passed, highly-divisive measure. It's legality is still very much in question. This proposed legislation does not help the situation.

Gun ownership is a fundamental right, both in the state of Oregon, and under the United States Constitution.

Requiring a permit from the local sheriff is already a questionable infringement upon this right.

The extension of the permitting window from 30 days to 60 days doubles the length of time that someone is unable to exercise their constitutional rights.

There is no good reason why this process needs to take 60 days. The current federal background check system can complete this task with an hour or less; even during busy times, it takes a few hours at most.

Let's be honest — the move to extend this waiting period to a maximum of 60 days isn't because that's the length of time it actually takes to perform the background check — because these background checks already happen hundreds of times a day in the state, near instantly. Rather, it's because this bill's sponsors presume this will become a defacto waiting period for someone to exercise their rights.

There is no other constitutional right where it would be viewed as acceptable to impose such a delay. We would not require the sheriff to approve the right to vote, with a 60-day timeline; that would be viewed as a grave infringement upon our civil rights.

Some might argue that firearms pose a unique risk that requires more time. But this argument falls flat as well.

Even securing a permit for a large protest takes less than 60 days. If it's possible for a law enforcement agency to prepare for large, often-dangerous protests in 4-5 weeks, then there's no legitimate reason why it should take 60 days to perform a background check that the federal government can currently perform in a matter of hours. Protests can often be dangerous, but we still require they be permitted in a reasonable timeline, because to do otherwise would be unconstitutional.

The increase of fees for permitting is similar abhorrent.

For a state that prides itself on promoting equality, the proposed increase in permitting fee has one but one purpose: to further create inequitable access to a fundamental right.

We used to require "fees" to vote in this country. They were called poll taxes, and were successfully used to disenfranchise people of color for generations. We rightfully abolished this grave injustice.

Requiring a fee to exercise one's Second Amendment rights is no different. This simply ensures that those who are wealthy can exercise rights that the poor — who are statistically more likely to be people of color — cannot.

Lastly, exempting law enforcement from these requirements shows that the backers of this legislation, and 114 in general, are aware that these laws and regulations are overly burdensome.

There is nothing inherent to law enforcement or military service that qualifies that individual to own a firearm moreso than an average citizen. Many members of the military and law enforcement undergo far less training than an average shooting enthusiast. In every other aspect of life, the rules and regulations that apply to civilians, apply to members of the military and law enforcement. When they are not on the job, we do not give police officer or soldiers \*more\* rights than a regular civilian. The founding fathers specifically did not elevate the military or law enforcement above ordinary citizens. We do not require military service to vote, or have free speech — it therefore shouldn't have any bearing on one's Second Amendment rights.

Ultimately, this proposed legislation simply makes a bad policy even worse. It takes some of the most odious aspects of 114, and expands upon them. This is an unacceptable intrusion on the fundamental rights of Oregonians, and runs contrary to the values this state proclaims to uphold.

I urge you all to vote against this bill. Thank you for your time.