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Testimony in Opposition  
SB 978 and 978-1  
April 1, 2019

Dear Chair Prozanski, Vice Chari Thatcher and Members of the Committee:

I am submitting testimony to express my lack of support for SB 978. While I oppose various firearms restrictions within the bill, I also take issue with the manner in which it was introduced and that an emergency has been declared necessitating that it take effect upon passage. **“SECTION 32. This 2019 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2019 Act takes effect on its passage.”** There is no emergent state that would require such action. The declaration of an emergency is irresponsible and flippant. It represents nothing other than a political stunt and is a disgraceful abuse of position and power.

I noted that SB 978 was initially introduced as a much smaller piece of legislation comprised of only a few lines referring to gun purchase research conducted by the Oregon State Police. This initial legislation merely served as a place holder for the lengthy 44 page amendment which quietly replaced the original document. This is a sly manner in which to discreetly introduce controversial legislation while limiting public awareness and potential negative feedback.

As to the contents of SB 978, it is yet another oppressive, naïve and myopic attempt to stem violent acts by focusing on a particular weapon. Legislation of this sort does little more than shift a perpetrator’s focus from one weapon to another. There are myriad options available to a person determined to commit a violent act. The singular objective accomplished by SB 978 will be to restrict the freedom and 2<sup>nd</sup> amendment rights of every law abiding citizen in the state of Oregon. As such, it is totally unacceptable.

Throughout SB 978, there are numerous and egregious examples of “victim blaming” as well as misplaced blame and punishment for crimes. For example, gun owners would be held responsible for two years for guns they transfer unless they can prove the gun had a trigger or cable lock. Victims of gun theft could also be held accountable for future illegal actions of third parties in the possession of stolen firearms. Where else are victims of theft or sellers held responsible for future injuries and/or crimes committed by third parties using property no longer in their possession? Threatening victims and other innocent citizens with prosecution for the crimes of others, in order to enforce overbearing gun legislation, is legislating by fear and intimidation. Leading and legislating by fear and bullying is not leading, it is oppressing.

SB 978 also attempts to discriminate, and allow discrimination of consumers, based upon age. ***“SECTION 1. (1) A gun dealer, a person transferring a firearm, a firearm accessory, a firearm component, ammunition or an ammunition component at a gun show, or a business engaged in repairing or servicing a firearm, may establish a minimum age of 18, 19, 20 or 21 years for the purchase of firearms, firearm accessories, firearm components, ammunition or ammunition components or for the repair or service of a firearm.*** Establishing a minimum age becomes an arbitrary process under this section. An 18 year old may patronize a gun dealer at one establishment, while being

turned away at another. The same unequal treatment can be applied to a nineteen or twenty year old person.

Overall, I find SB 978 to be a cumbersome, discriminatory and unnecessary piece of legislation. It will do little, if anything, to curtail violent crimes. It repetitively assaults the second amendment and provides ample room for the legal abuse of law abiding Oregonians. It attempts to micro-manage any and all issues associated with gun ownership, sale and transfer creating an oppressive, bureaucratic nightmare. As such, I oppose SB 978.

Michelle Smith