

Chair Prozanski, Vice-Chair Thatcher, and Committee Members:

Please accept this in the legislative record to register my strong opposition to SB 978 set for hearing today.

This legislation will not likely make any appreciable impact to overall crime rates, except insofar as it criminalizes certain conduct that is ancillary to the exercise of a constitutional right guaranteed by US Const. 2nd Amendment and Article I Section 27 of the Oregon constitution.

Oregon Health Authority statistics gathered from 2010 to 2014 show that overwhelmingly our firearms death issue is suicide (83%), with the highest rates (>17 per 100,000) being in the 75+ year old age bracket. By contrast, minors have rates that are 2.5 per 100,000 or less. This bill does nothing to really get at real issues and is a waste of valuable legislative time and taxpayer money considering the inevitable legal battles it will drive if adopted.

Oregon's homicide/non-negligent manslaughter rate runs about 2.5 per 100,000, more than half the national rate (5.3 per 100,000, itself nearly the lowest in 45 years), according to FBI UTC statistics. We don't have an epidemic of gun violence in Oregon. Sadly, we do have an issue with suicide, particularly among older populations. How about doing something meaningful about that instead of these measures?

Please stop wasting taxpayer money and valuable legislative time that would be better spent on other more pressing problems for Oregon.

Thank you,

E. TenBrook,
Resident and Citizen of Oregon and Yamhill County

Chair Prozanski, Vice-Chair Thatcher, and members of the Committee:

Please accept this supplemental written testimony, including the attached enclosures, in opposition to proposed SB 978 -1, -2, and -3 amendments or any subsequent similar amendments you may have not yet disclosed to the public. I have no objections to the original study bill that was introduced.

This supplemental submission is pursuant to the Chair's indication the record is left open and supplemental submissions are allowed through 4/4/19 and is specifically to amplify the actual factual data about suicide and firearms fatalities rates and risks in Oregon.

Legislation like this is not likely to make any appreciable impact in overall crime rates other than to criminalize certain conduct related to exercise of the core rights protected under US Constitution Amendment 2, and Oregon Constitution Article I, Section 27. *See, e.g., District of Columbia v. Heller*, 554 US 570 (2008) (inter alia, law requiring firearm in the home to be disassembled or bound by trigger lock makes it impossible for citizens to use arms for the core lawful purpose of self-defense and is hence unconstitutional); *McDonald v. Chicago*, 561 US 742 (2010) (2nd Amendment incorporated against States). The proposed bill also is not reasonably likely to address the real issue related to firearm suicides in Oregon, as further discussed below, and many of its sections would not likely survive strict scrutiny review nor is the bill good policy.

Our laws already prohibit many persons from possessing or carrying firearms, create restrictions on transfers, and allow for dispossession of firearms under Extreme Risk Protection Orders. Robust enforcement of those laws rather than adding more burdens is the right-minded way to address concerns.

Proponents of the bill claim it will reduce homicides and suicides. Perhaps marginally it will and loss of an innocent life is tragic. But what the bill really does is just widen the net of those to be criminally charged *after* a heinous crime, not stop those crimes. Statistically, violent crime in the US is at a 45 year low, including an historic low level of murder/non-negligent manslaughter rate at 5.3/100,000 (see Washington Post article enclosed, citing FBI statistics). That's without a national assault weapons ban, magazine capacity ban, national storage requirements, or other significant restrictions. Oregon's rate is 2.5 per 100,000 - half the national average. Our opioid overdose rate is between 6.4 and 6.6/100,000 (OHA), about 2.5 times our murder/non-negligent manslaughter rate, and in 2010, 39.7/100,000

Oregonians died from alcohol-related causes (OHA). I ask, what should you really be focused on?

Distressingly, suicide is of far greater concern for Oregonians. We suffer from a high rate of suicides (17.7/100,000 in 2013). See Oregon Health Authority Fact Sheet on Suicide, Enclosed. According to OHA, and in distinction to the fuzzy information provided at the hearing by some proponents of this bill, by far the highest rates of suicide is actually among males in the 65+ to 75+ range. *Id.* With respect to firearms fatalities in Oregon, the tale is also told: the risk is overwhelmingly NOT murder or accidental shootings or suicide by minors. 83% of ALL deaths in Oregon by firearm are suicides, *with the disproportionate victims being 65+ age group.* Storage laws and trigger locks are not going to meaningfully address this problem. Suicide rates among minors, while very tragic indeed, account for 2.3/100,000 in the 10-17 age group. Accidental shooting deaths were exceptionally small according to OHA statistics. By contrast, the 65+ age group suicide rate runs 17.6/100,000 (2010-2014 data). Where should the legislature focus its policy efforts? I submit: not on further burdening constitutional rights and risking expensive challenges in court the defense of which taxpayers have to fund, but rather on addressing the root causes and remedies for this high rate of suicides among our older population. You want to reduce firearms deaths substantially in Oregon? Look at addressing those issues please and use your precious legislative time and our taxpayer dollars wisely and not to the detriment of safe, smart, law abiding citizens.

This isn't about whether locking up guns and keeping them out of the hands of minors is wise - of course it is. But the facts show we really don't have an epidemic/public health issue in Oregon over this. Our issue is suicide rates in our elderly population. Address that and you'll start to address firearms fatalities in Oregon in a meaningful way.

Thank you for your consideration,

Eric TenBrook
Yamhill County

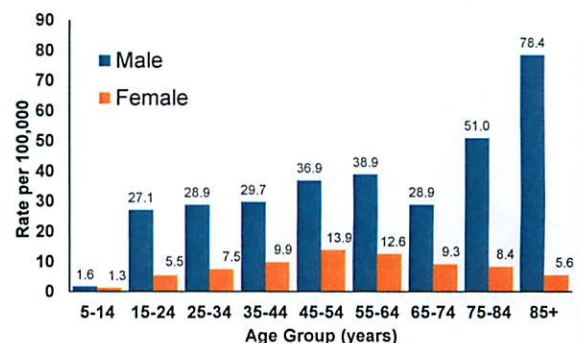
Basic Facts

- Suicide is preventable.
- On average, 2 Oregonians die every day by suicide.
- Suicide is the 2nd leading cause of death among people 5–34 years of age and the 9th leading cause of death overall in Oregon.
- Rates of suicide in Oregon have been higher than the US for the past 30 years. Oregon ranks in the top 10 among states for suicide incidence.
- The highest rates of suicide in Oregon occurs among white males and veterans; one in five suicides occurs among veterans.
- Approximately 70 percent of persons who died by suicide in 2013 had a diagnosed mental disorder, alcohol and /or substance use problems, or depressed mood at the time of death.
- 1 in 6 teenagers (8th graders) have had serious thoughts of suicide in the last year.

Suicide deaths in 2013:

- The rate of suicide was 17.7 per 100,000 in 2013.
- 4 in 5 suicides (76%) occurred among males.
- The rate of suicide among males was 27.6 per 100,000 while females had a rate of 8.1 per 100,000.
- The highest suicide rates occurred among males aged 85 years and older, while among females the highest rate occurred among 45-54 year olds.
- 56% of all suicides involved a firearm.

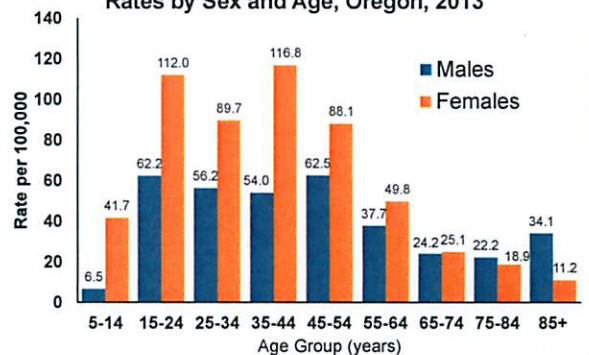
Suicide Rates by Sex and Age, Oregon, 2013



Suicide attempt hospitalizations in 2013:

- The age-adjusted rate of hospitalization for suicide attempts was 54.6 per 100,000 Oregonians (2,146 hospitalizations).
- Overall females accounted for 63% of suicide attempt hospitalizations. Females had a rate of 68.0 per 100,000 and males had a rate of 40.9 per 100,000.

Suicide Attempt/Self-Harm Hospitalization Rates by Sex and Age, Oregon, 2013



Where can you get help?

National Suicide Prevention Lifeline (call 24/7): 1-800-273-TALK

For more information: Oregon Youth Suicide Prevention Program: <http://1.usa.gov/1w147s5>. Program contact: Donna Noonan, donna.noonan@state.or.us

Suicide Prevention Resource Center (SPRC):

www.sprc.org

- The highest suicide attempt hospitalization rates occur among females 35–44 and 15–24 years of age.
- 90% of suicide attempt hospitalizations involved poisoning (overdose); 2.2% involved firearms.

Data sources: Oregon Center for Health Statistics, Oregon Violent Death Reporting System, Oregon Hospital Discharge Index, Oregon Healthy Teen Survey, Oregon Behavioral Risk Factor Survey, National Household Survey of Drug Use

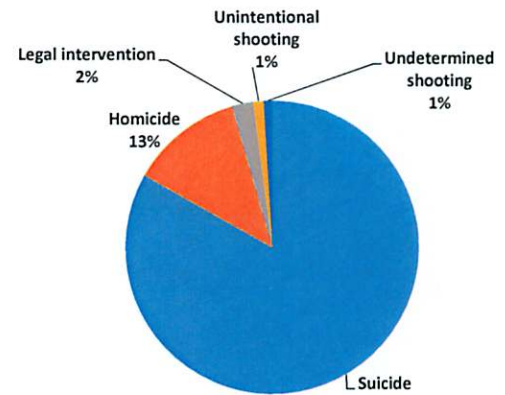
Basic Facts

- On average, at least one Oregonian dies from firearm injury every day.
- Firearm fatalities occur due to suicide, homicide, legal intervention, unintentional shootings, and undetermined intent shootings. Most firearm deaths in Oregon are due to suicide.
- Males are nearly six times more likely than females to die from a firearm injury.
- Older males (age ≥65 years) have the highest risk of death by firearm suicide. Young adults 18 to 24 years old are at the highest risk of being victims of homicide by firearm.

From 2010 to 2014:

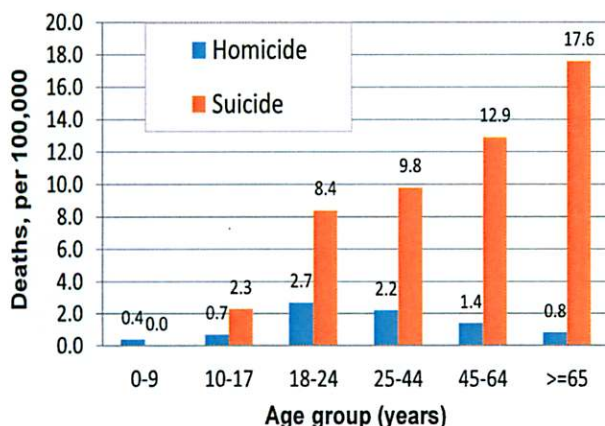
- 2,280 Oregon residents (an average of 456 people each year) died from firearm injuries. Age-adjusted rates of firearm fatalities (11.7 per 100,000 in 2014) have changed little over five years in Oregon.
- Among 2,280 deaths, 1,395 (85% of total) were males.
- The majority of firearm deaths in Oregon were suicides (1,897 deaths), followed by homicides (282 deaths), legal intervention (54 deaths), and unintentional shootings (25 deaths).
- The highest firearm injury death rates occurred among older non-Hispanic White males, 65 and older (38.7 per 100,000), due to a high suicide rate, and among young non-Hispanic African American males ages 15-44 years (34.8 per 100,000) due to a high homicide rate.
- 53 incidents of gun violence in Oregon involved more than one death. Three in four of them are classified as homicide-suicides.
- Firearms were the mechanism of injury for 87% of deaths in homicide-suicide events.

Firearm Fatalities by Intent, Oregon, 2010-2014 (N=2,280)



Source: CDC WISQARS

Firearm fatality rates by age group and intent, Oregon, 2010-2014



- Weapons used in firearm fatalities were handguns (74%), rifles (15%), and shotguns (11%).
- 44% of people who died by firearm suicide had a depressed mood, 33% had a diagnosed mental illness, 27% were being treated for a mental illness, and 13% had a history of suicide.
- Firearm homicide occurs most often in the context of intimate partner violence and gang violence.

Prevention

A public health approach to gun violence prevention needs to emphasize primary prevention, a focus on the community, a wide range of policies, and collaboration with diverse interest groups.

For more information: Oregon Violent Death Reporting System, Oregon Injury and Violence Prevention Program: <http://public.health.oregon.gov/diseasesconditions/injuryfatalitydata/pages/nvdrs.aspx>

The Washington Post

Fact Checker Analysis

Trump's false claim that violent crime hasn't gone down 'in a long while'

By Glenn Kessler

"Through the combined effort of everyone here today, violent crime is now going down for the first time in a long while."

— President Trump, remarks to Major County Sheriffs and Major Cities Chiefs Association joint conference, Feb. 13, 2019

President Trump ran for president warning that U.S. crime and murder rates were through the roof — repeatedly claiming, "We have the highest murder rate in this country in 45 years."

Or, as he put it in 2018: "Before I took office less than two years ago, our nation was experiencing a historic surge in violent crime."

Now that he's been president for two years, Trump says violent crime is finally going down — for the "first time in a long while."

Well, it's easy to solve a problem when you completely misstate the facts. His campaign statements were false, just like his more recent claim about violent crime. Instead, there's been barely a blip in long-term trends.

The Facts

During the 2016 campaign, Trump seized on FBI data showing homicides were up 10.8 percent nationwide in 2015, which was the biggest percentage jump in a single year since 1971. But he repeatedly twisted it to say it was the "highest murder rate" in 45 years.

"Criminal justice experts warn against comparing crime trends from short periods of time, such as month over month or year over year," we noted at the time. "An annual trend can show a trajectory of where the trend might be headed but still does not give a full picture. Many criminal justice experts say crime trends are determined over at least five years, preferably 10 or 20 years, of data."

When Trump spoke to the joint conference of sheriffs and police chiefs, he used a few carefully parsed statistics that violate these basic rules.

"In the two years before my inauguration, violent crime increased by eight percent nationwide, and murders were up by more than 20 percent," he said, adding: "Murders in America's largest cities [in 2017] dropped by six percent compared to 2016."

But zoom out a bit and you see that the president is claiming credit for long-term trends.

Violent crimes include murder and nonnegligent manslaughter, rape, robbery and aggravated assault.

In 1991, the nation's violent crime rate peaked at 758 violent crimes for every 100,000 people. Since that point, violent crime across the country has declined. In fact, in 2015, the violent crime rate was lower than it has been in almost 45 years, and lower than it has been for most of the 2000s save for 2013 and 2014. The violent crime rate increased in 2016, but it was still lower than any year between 1970 and 2013. And while Trump brags about the rate in 2017, the rate was not significantly different than 2016 — a decline of less than one percent.

In other words, this is exactly the statistical noise that researchers warned about in 2016. There may have been a one- or two-year increase, but so far the long-term trend appears to be continuing.

The Congressional Research Service, in a June 2018 report, noted the increase in crime rates in 2015 and 2016 and said: "Violent crime rates, even after accounting for the recent increases, remain near historical lows ... While there were increases in violent crime (particularly homicides) in some cities, these increases are not indicative of a sweeping national crime wave."

The report said that the recent spike reflected a pattern seen before: "Even though violent crime and homicide rates have generally declined since the early 1990s, there were years when either one or both increased, before resuming the long-term decline in subsequent years. For example, the national violent crime rate increased from 2004 to 2005 and again from 2005 to 2006 before declining nearly every year thereafter."

The murder rate was Trump's particular focus during the president campaign. Note that, when speaking to the conference, he touted a [six percent decline](#) in the rate "in America's largest cities." That parsing was necessary because the overall murder rate has barely changed under Trump, going from 5.4 per 100,000 people in 2016 to 5.3 in 2017, or a decline of 1.4 percent. Like the 2016 rate, the 2017 murder rate was the highest since 2008 — but it's still better than any year between 1965 and 2009.

Left unsaid by Trump is that one of the cities with the biggest decline in murders in 2017 was Chicago, with an 18 percent decline in the murder rate, [according to calculations by the Brennan Center of New York University](#). All throughout that year, Trump attacked Chicago for the number of murders.

There's another survey — an annual survey of more than 90,000 households conducted by the Bureau of Justice Statistics — which asks Americans whether they have been victims of crime. But that survey simply reaffirms the FBI data. "Using the FBI numbers, the violent crime rate fell 49 percent between 1993 and 2017," said a Pew Research Study note. "Using the BJS data, the rate fell 74 percent during that span."

In other words, the long-term trends appear to be holding, and, contrary to Trump's campaign rhetoric, the United States was not in the middle of a crime wave before he took office. Since 1991, the murder rate has generally gone down, accounting for yearly fluctuations.

The White House did not respond to a request for comment.

The Pinocchio Test

Trump tends to act as if everything started anew when he became president. The crime rate is something largely beyond a president's control, at least in the short term, reflecting societal, economic and demographic factors. There's been a small decline — as we suggested was probable in 2016 — but it's simply false to claim it's "the first time in a long while."

The last time was as recently as 2014, when Trump was in his final season as the host of "The Apprentice." He earns Four Pinocchios.

Four Pinocchios

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Glenn Kessler

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