

Dear Oregon House Judiciary Committee,

I am submitting testimony against HB 4005 the so-called "Safe Storage" bill as follows:

Everyone knows that firearms must be stored safely, but most Americans, including myself, feel that it is not the government's business to dictate how people store things in their homes.

Each home is an individual environment. Our 2nd Amendment recognizes the legitimacy of owning firearms including for self-protection. A gun which must be locked up may not (probably will not) be available in an emergency, self-defense situation. A home invasion is just one such example scenario. Moreover, the circumstances of protection in each individual home are too variable to mandate any one policy. No single safety rule, written in the crime-free confines of a legislative chamber, cannot – and should not – determine what the best practices for gun storage will be in all likely situations.

There is no compelling need for such invasions of privacy or infringement of rights for the following reasons:

- Today, fatal firearm accidents are at an all-time low.

While the number of privately owned firearms has quadrupled since 1930, the annual number of fatal firearm accidents has declined by 62%. Firearms are involved in 1.5% of accidental fatalities nationwide, far behind the deaths due to motor vehicle accident (47%), falling (15%), poisoning (10%), drowning (4%), fire (3%), suffocation on an ingested object (3%) and other causes. (National Safety Council, National Center for Health Statistics)

- Mandatory storage laws that exact penalties are unnecessary.

There are already penalties for reckless endangerment, under which an adult found grossly negligent in the storage of a firearm under certain circumstances can be prosecuted for a felony offense.

- Universal mandatory storage requirements are counterproductive.

No "one size fits all" requirement can possibly meet the needs of all American gun owners, whose circumstances vary greatly. For example, gun owners without children in their homes may have different storage needs than those with children present. Gun owners who live in high-rise apartments may have different needs than those who live on isolated farms or ranches. It is and should remain the responsibility of the individual firearm owner, not the government, to determine how to ensure that guns are safely stored.

- * Enforcement of a storage law could lead to abuses of civil liberties.

Enforcement of a storage law could lead to searches of homes in violation of Fourth Amendment protections.

- "Feel-good" legislation is not the same thing as good legislation.

In these days of quality, high powered portable saws and drills, fitted with carbide and/or diamond blades and/or bits, it literally only takes a few minutes to rip open common affordable firearms safes, even those that meet legal firearm storage requirements (e.g., California). Again, these types of laws typically only impact (usually negatively) law abiding citizens, not criminals. Holding a citizen responsible because their firearm was stolen given these circumstances is repugnant.

Rather than imposing ineffective laws, storage and safety education is the way to further reduce firearm-related accidents.

Gun safety and storage is a matter of personal responsibility and every person's situation is different. It is unreasonable for the law to impose a one-size-fits-all solution. In short, this measure invades people's homes and forces them to render their firearms useless in self-defense or become criminals because of poorly conceived and executed laws.

Sincerely,
Marc Ries
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