



oregonfirearms.org

Oregon Firearms Federation Testimony In Opposition To HB 4005

HB 4005 IS UNCONSTITUTIONAL

See “District of Columbia vs Heller.”

HB 4005 IS ANOTHER PAYOFF TO TRIAL LAWYERS

“Strict liability” only requires that the gun was transferred within two years and that it was used in harming a victim. Nothing more. Homeowners and renter’s insurance premiums would skyrocket.

HB 4005 Mandates Dangerous Locks

The kinds of locks this bill requires are hazardous and can easily cause unintended discharges. Mandating their use is irresponsible and could be deadly. They are comically easy to defeat by anyone with a tool, good light and no fear that they are about to be attacked, but dangerously slow to open with a key or combination, in the dark, when facing an imminent threat.

The bill requires their use but still holds you legally responsible and “strictly liable” for any gun that is misused even if these or any other locks are engaged.

HB 4005 Punishes Victims Of Theft But Nowhere Addresses Gun Thieves

The bill holds a person responsible for the misuse (by anyone) of guns they have lawfully transferred to another person, for two years, if the guns are not equipped with dangerous trigger locks but provides no explanation for why this makes sense and offers no guidance on who has the burden of proof that the gun was locked, even though these transfers now have to be done by gun dealers. Similarly there is no explanation for who has the burden of proof that a firearm was locked in any instance where a gun is stolen or misused. The bill contains not a single word about actually enforcing laws dealing with gun theft.

HB 4005 Devastates Youth Shooting Programs

This bill will devastate youth shooting programs which are often the only opportunity young people have to learn safe firearms handling.

Section 6 (1)(a) requires that a person who *transfers* a firearm to a minor must “directly supervise them” but (1) (b) says that minor may not *possess* a firearm without “direct supervision of an adult.”

In fact the bill forbids unsupervised possession by minors under *any* circumstance except if the minor is using the firearm in a “lawful act of self defense” which would require that the adult who provided the firearm have violated the rest of the bill.

The section offers an “exception” to the mandatory oversight by an adult, but only to *transfers* of firearms to minors (not possession) and then only under very limited circumstances and only if the minor possesses a hunting license* or if the minor already *owns* the firearm that is supposedly “transferred” to him.

It does not explain how one “transfers” a firearm that is already owned by the person you are transferring it to, nor does it explain how that minor may “possess” the firearm he already owns given the prohibition in section 6 (1) (b)

This bill was sold as a response to youth suicide, but the single largest demographic for suicides in Oregon is older, white, rural men who, one would assume, have the keys to their own gun locks and whose deaths are not very important to people who write laws in Oregon.

It’s badly conceived and badly written and should be voted down.

* [Section 6 (3) (b) (B)]