



The League of Women Voters of Oregon is a 101-year-old grassroots nonpartisan political organization that encourages informed and active participation in government. We envision informed Oregonians participating in a fully accessible, responsive, and transparent government to achieve the common good. LWVOR Legislative Action is based on advocacy positions formed through studies and member consensus. The League never supports or opposes any candidate or political party.

February 18, 2021

To: House Committee on Judiciary
Rep. Janelle Bynum, Chair

Re: **HB 2543** – Prohibits transfer of firearm without background check – **Support**

The League of Women Voters of Oregon has long supported regulation of firearms, based on our national gun safety and violence prevention positions. We support the background check system, in effect since the passage of the Brady Act in 1993, as an important mechanism to deny firearm transfers to ineligible individuals. However, a notable flaw in the system is what is known as the Charleston Loophole, named after the killing of nine Charleston churchgoers by a white supremacist in 2015. We join with the gun violence prevention community in support of HB 2543, which eliminates this flaw by amending three Oregon statutes related to firearm transfers.


Oregon statute provides that if the Oregon State Police (OSP) is unable to complete a background check within 30 minutes, it must notify the dealer and provide an estimate of time when the check will be completed. Those background checks that cannot be completed within 30 minutes are designated as Pended/Delayed until sufficient record information can be obtained to complete the request. This is the point where the loophole in question occurs. Both state and federal laws provide that the dealer MAY deliver the handgun to the purchaser after a three-business day period, if OSP does not provide notice that the purchaser has been approved or denied.

The operative word in the statute is “may,” and although some dealers choose not to transfer a firearm until the background check is completed, others allow the purchaser to take possession after three days, even when the background check is incomplete. The purpose of this bill is to ensure uniform compliance and prevent potential tragedy by eliminating the three-day window, making background checks mandatory for all firearm transfers in Oregon.

This change is needed now more than ever due to huge increases in the number of gun purchases, the likelihood of OSP backlogs during periods of high demand for firearms, and the very real danger that more individuals will slip through the loophole and obtain a firearm illegally. According to the National Shooting Sports Foundation, the number of background checks in the US jumped from 13.2 million in 2019 to 21 million in 2020, a 60% increase. Included in this number are 8.4 million Americans who purchased a gun for the first time, reacting to the stresses brought on by a global pandemic, environmental disasters, and a tense political environment. Everytown for Gun Safety estimates that there were nearly 6,000 cases in which gun purchases should have been prohibited last year, roughly double the 2019 total.

Here in Oregon, we saw an increase in background checks of 50% from 2019 to 2020. 2020’s total was just over 418,000, and in the month of March alone there were 51,000 approved firearm transactions. A *Statesman Journal* article from that month reported that on March 20 nearly 2000 people were on the list to be approved for a firearm purchase through the OSP system. The sheer volume makes delays in the process inevitable, the likelihood greater that the Charleston Loophole will be used to acquire firearms without a completed background check, and the likelihood many more tragedies will occur.

Passage of this bill is long overdue, and we urge you to vote yes on HB 2543. Thank you for the opportunity to discuss this legislation.


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LWVOR President


Marge Easley
LWVOR Gun Safety Portfolio