

## Opposition to HB3075

My name is Herb Fecker. I am a resident of Dallas and type 1 FFL holder. I facilitate transfers for those in my area purchasing firearms online. I am opposed to HB3075 and Measure 114 and I submit the following arguments in subheadings Permit and 10 Round Limit.

Permit to apply for background check to qualify for purchase:

The permit process as stated is very similar to the background check process initiated by transmitting a purchase on the FICS system in Oregon. Though I don't know all the databases the OSP uses to approve a firearm purchase currently, there may be some in the bill that aren't completed now. Instead of completely reinventing the system, it would be more logical to add the additional checks onto the current OSP approval process. It would also be timelier considering they do hundreds of these checks already every day.

The bill states that the county or city permit agent will verify that the applicant is qualified first through state databases and then through the Federal Bureau of Investigation. This is already efficiently done through the OSP for every firearm purchase. What value does a redundant check through decentralized, less efficient department have, especially every 5 years?

A full set of fingerprints is required for a permit. Fingerprints are used to verify identification but obviously aren't needed by OSP for most background checks. The presumption that fingerprints are needed is basically saying that the OSP is misidentifying those buying firearms now. I don't believe that and I'm sure they'd beg to differ! Currently the OSP is able to identify the buyer without fingerprints, so fingerprints are apparently not needed except in rare cases. In those rare cases, the FFL dealer is taking thumbprints anyway and simply sends them to OSP and in most cases that is enough. In modern times, there is no need for fingerprints to identify someone who is already giving the information on a form 4473 to include their SSN and a government issued photo ID, which are unique identifiers.

The bill states that there will be a mandatory safety class required to obtain a permit. Apparently the presumption is that currently firearms owners are unsafe. I haven't seen any evidence to that effect, but let's say everyone sits through a class to get a permit. The likelihood that the class will make a difference in safe handling of a firearm is low. Anyone can pass a class and its value is proportional to the miniscule amount of training that will take place in that class. It really only proves the permit applicant has a few neurons and can pay attention for a class period. In short, it's not training, it's just a class. I have yet to see a reason why law abiding adults should sit through a class to qualify for a permit to allow them to submit to a background check to exercise a constitutional right. If there are resources available in Oregon for firearms safety training, the best place and time to do this is in elementary school. Children benefit from safety training and the instructors may see behavioral concerns early, when they count.

HB3075's requirements for a permit have a pattern. They appear to be constructed as obstacles for citizens who want to purchase firearms with no actual benefit for safety or the citizenry as a whole. I would speculate 99% of the people passing background checks now will be the permit applicants and pass those requirements as well. I would also speculate 99% of violent criminals do not purchase firearms through a dealer using form 4473 now and will not be applying for permits in the future. So what would we accomplish by spending lots of law enforcement resources that could be used to fight actual criminal behavior? The same law abiding people buying firearms now will continue to buy them

legally in the future and the same criminals buying illegally now, will continue buying illegally in the future. A lot of money and time spent, but absolutely no change in safety.

10 round limit:

I am concerned that the 10 round magazine limit is based on flawed analysis of incomplete data. Gun control advocates cite data showing so called high capacity magazines are present in more and more mass shootings as proof that magazines with a capacity over ten are increasing casualties. We are to believe this is because a shooter doesn't reload as often. This is faulty analysis for two reasons: 1) ALL modern sporting firearms have as standard equipment magazines well over ten rounds capacity, so ANY firearms present at a mass shooting event are very likely to have magazines with capacity over ten and be lumped into the high capacity category, 2) the studies cited do not state how many rounds were actually in the magazine, how many were used at once, and whether magazine changes took place or this information is omitted. Therefore it is wrong to conclude a direct connection between magazine capacity and casualties.

In the early 20<sup>th</sup> century, cars were "high speed" because they were faster than a non-motorized vehicle like a horse and buggy. Certainly there were accidents with higher casualties involving cars going relatively fast. Did that mean that all accidents where motorized vehicles were present were caused by high speed? No.

A more scientific approach would address the human behavior behind the violence, no matter the weapons used. The weapons will change over time as perpetrators adapt to what's available. Picking off items present at an attack will never catch up to the problem. Criminals adapt to laws and work around them, leaving only the law abiding jumping through the hoops for a net loss to society as freedoms are eroded.

In closing, I think much of what frustrates voters about laws curtailing freedoms is the lack of root cause analysis. People instinctively know that firearms do not cause crime, and any investigation into any crime would show a root cause involving a violent person, not that it was caused by availability of any tools like a magazine having 20 rounds instead of 10. The violent person in the violent culture is the root cause. It would be encouraging indeed if lawmakers could focus on society and violent behavior instead of objects used peacefully by millions of people. If there are more complete checks OSP can add to the databases they check before approving a 4473, by all means, add to their list. This system is already in place and is an excellent way to find people with problem behavior. Further layers of bureaucracy is a waste of law enforcement resources and punishes those not causing a problem. Please scrap this bill and focus on the root causes of the problem.