

Submitter: Gerald Boyd
On Behalf Of:
Committee: House Committee On Judiciary
Measure, Appointment or Topic: HB3075

I am an Oregon resident and voter. I am retired from a 50+ year career in public safety, 42 of those years in law enforcement, 15 of those years as a Chief of Police. I have also held elective office in Oregon. It is my belief that ALL elected officials have an obligation to vote based upon objective facts, not subjective opinion. I also believe that voting based on a political agenda which ignores facts is wrong. Further it is my belief that all elected officials have a fiduciary responsibility to spend tax dollars wisely and not waste limited resources for the purpose of political agendas. Finally, I believe that since members of the legislature have taken an oath to uphold the Constitution of the United States it is unethical to vote in favor of any proposed legislation which contains requirements that the highest courts in the land have already considered and declared unconstitutional.

This House Bill has as its stated intent amending and replacing Ballot Measure 114. The arguments of the bill's proponents are that enactment of this legislation will reduce "gun violence" and will reduce suicides. Based on my long professional career the first argument is nothing more than a wish and a hope. In reality, and I have seen it many times, those with violent tendencies will carry out acts of violence whether they have access to a firearm or not. And since they do not comply with any laws that address their violent behavior they will acquire firearms even if this legislation is enacted. The "cure" for gun violence is to enforce current gun laws which target criminals, and sentence them upon conviction as the law requires. The track record in Oregon is one of being soft on such offenders and not using existing laws to reduce the chances of them re-offending. House Bill 3075 will have no impact on violent criminals and will only impact law abiding citizens.

Suicide prevention? One bent on suicide will accomplish his/her objective whether a firearm is available or not. Oregon has over a period of decades reduced funding for mental health assessment and treatment programs. It is the mentally ill who commit suicide. Rather than spending money we don't have on implementing an ineffective law such as HB 3075 proposes if you really want to prevent suicides restore funding for mental health programs.

The State of Oregon no matter what the fee for a "permit to purchase" or fees for FFL gun dealers simply cannot afford to implement this legislation. It isn't just about the huge cost of implementation. Even if funding was available there is not a Sheriff or Police Chief in this state whose department is staffed to handle the permit process. ALL law enforcement agencies in this state are short staffed and it is NOT due to lack of funding. It is due to a lack of interested, qualified applicants for law enforcement

positions. The need to hire additional staff to handle the permit to purchase process will only exacerbate the current staffing problem. Forcing that duty upon law enforcement is fiscally irresponsible on the part of the legislature.

Multiple portions of the proposed legislation have already been declared unconstitutional by the federal judicial system. If HB 3075 becomes law it will be appealed and the substantial cost of defending the law will fall on Oregon taxpayers--and any member of the Legislature who has truly studied this proposed legislation and analyzed it in terms of federal court decisions if s/he is honest knows that much of this proposal will be held unconstitutional. Fiscal responsibility on the part of any member of the legislature cannot allow a vote in favor of legislation that they should know will cost the taxpayers of this state a whole lot of money we don't have.

Put agendas aside. Exercise common sense. Do not vote to advance this, or any similar, legislation. It serves no constructive purpose.