

Dear House Committee on Judiciary,

Please reject this damaging bill which is clearly an unconstitutional infringement on Second Amendment rights.

SB 243-1 is yet another deceitful attack on Oregonians. It has turned from an innocuous “requires the Department of State Police to study . . .” into yet another last minute anti-gun omnibus – a compilation of several other bills which are also currently oozing their way through the system. Its supporters try cloak it in a veneer of reasonability through claims that it will “insure fair and responsible access to firearms,” and will “respect the rights of responsible gun owners.” However, when all of the current anti-gun Legislation is viewed in the aggregate, that is clearly not the case!

Dangerous criminals are being turned out of our jails and prisons, and our streets are flooded with the mentally ill and drug addicted, which further endangers the population. This bill, coupled with the many others currently on the docket in this Legislative session make it clear that our state’s political class wants the law abiding disarmed and unable to protect themselves from the real crime epidemic in this state.

#### RAPID FIRE ACTIVATORS

There are several serious concerns with this portion of SB 243-1 (as well as with SB 696). If passed, this measure will conflict with current Federal Law pertaining to “bump stocks,” as the previous ban was overturned in 2024. Thousands of bump stocks and similar devices have likely been purchased by Oregonians who correctly assumed it was legal to do so. Now, this bill aims to turn them into criminals! By broadly defining and restricting firearm accessories that are not inherently illegal under federal law, SB 696 could (and should) invite legal challenges for violating both state and federal constitutional protections. SB 243-1 turns responsible gun owners into criminals overnight simply for possessing certain firearm accessories. The bill does not differentiate between those who have lawfully acquired these items for recreational or competitive shooting and those with criminal intent. This approach punishes individuals who have followed all existing laws and regulations while doing nothing to target violent criminals. Furthermore, the bill imposes severe penalties—up to 10 years in prison and a \$250,000 fine for transferring, manufacturing, or transporting a rapid-fire activator, and up to a year in jail for mere possession. These excessive punishments do not fit the nature of the alleged offense and could disproportionately impact law-abiding citizens who may not even be aware of the new restrictions.

There is little evidence to suggest that banning rapid-fire activators will meaningfully reduce crime or enhance public safety. The vast majority of gun-related crimes and mass shootings do not involve these devices.

By banning firearm accessories that are not firearms themselves, SB 696 sets a concerning precedent for further state-level restrictions on law-abiding gun owners. If this bill passes, what is to stop future legislation from targeting other commonly owned firearm components? Such incremental restrictions erode the Second Amendment rights of responsible citizens under the guise of public safety without actually making communities safer.

#### FIREARM AGE RESTRICTIONS

Supporters of this measure will claim that those under 21 “have not reached their full maturity or intelligence.” Yet, in this country, an 18-year old can enlist to fight and die for their country, can vote, and

can enter into a legally binding contract. In this state, those under 18 make major medical decisions without the consent of their parents, and there are those in the Legislature who foolishly desire to extend the right to vote to 16 year olds! Where is the consistency?

Supporters of bills like this one will also use sensationalized terms such as “assault weapons,” and “weapons of war” in their testimony, which clearly demonstrates their ignorance of this situation. The vast majority of rifles and other long guns purchased by 18-20 year olds are purchased for lawful recreational activities such as target shooting and hunting. At the same time, the young perpetrators of recent high profile mass shootings committed their atrocities not because of their youth, but because they were mentally disturbed. In every case, these people were known to the education establishment and law enforcement, who wouldn’t or couldn’t do anything to address it.

Rifle ownership by 18-20 year olds is currently not restricted in Oregon. This bill will instantly make felons of the 18-20 owners of certain gun types. You intend to fine them, and put them into prison. You intend to take their guns away. Why are the vast majority of law-abiding 18-20 year olds being punished for the transgressions of the very few?

This provision of SB 243-1 (and SB 697) do nothing more than pander to a radical anti-gun constituency. Put your efforts into educating youth regarding gun safety. Institute gun safety classes in our educational system. Deal with youthful offenders and those who have demonstrated a history of violence and mental disturbance. Leave the rest of us alone!

#### 72-HOUR WAITING PERIOD

Waiting periods are arbitrary impositions with no effect on crime or suicide, introduce no additional investigative avenues, and only burden law-abiding gun owners without changing how or when criminals obtain firearms.

Waiting periods do not change the background check process; no additional investigative measures are taken no matter how long of a waiting period is imposed. Most background checks are resolved instantly, but investigations can currently last up to 90 days.

There is no evidence that waiting periods reduce suicides, homicides, or mass shootings. No studies that identify causal effects have been identified by any of the independent literature reviews conducted since 2004.

Recent research that purports to find that waiting periods reduce firearms-related deaths is fundamentally flawed, as it also finds that background checks increase gun homicides and that poverty is associated with a decrease in homicides.

The average time-to-crime for firearms traced by the BATFE in 2018 was nearly nine years, so the idea that guns are often used in crimes of passion or impulsive actions right after purchase is not supported by anything other than anecdotal evidence.

Criminals will not be affected by waiting periods. Most state inmates who were in possession of a firearm at the time of their arrest obtained the firearm through an illegal source or from a friend or family member.

There are few prosecutions of prohibited persons who attempt to buy a firearm from a dealer. Out of 112,090 total federal denials in 2017, there were 12 prosecutions.

The waiting period mandated by the Brady Act of 1993 was only in effect until the National Instant Check System came online in 1998.

Most gun-owners own more than one firearm and a waiting period could not possibly have an effect on those purchasing an additional firearm. First-time buyers seeking a firearm for self-defense would be affected by a waiting period that limits their ability to safeguard themselves and their loved ones.

#### PUBLIC BUILDING RESTRICTIONS

This aspect of SB 243-1 is a direct attack on Concealed Handgun License (CHL) holders – law-abiding gun owners who have undergone an extensive background check, fingerprinting, and who have received training in the safe use of firearms. CHL holders are responsible citizens who have gone to lengths to ensure the free exercise of their Second Amendment rights - this bill will turn them into criminals. SB 243-1, like its several predecessors - will in allow nearly any public agency to unilaterally create “Gun-Free Zones,” which are proven to be kill zones. Does the Legislature really think that anyone intent on committing mayhem in a public building will heed the restrictions that will be spawned by this bill? The language in this bill is confusing, and there is a high probability that it will conflict with existing laws and regulations. Allowing local jurisdictions to create their own restrictions on CHL holders will likely result in numerous cases of non-compliance, both involuntary and voluntary. A CHL holder would have no way of knowing the regulations that were established at a particular jurisdiction. This is the primary reason for state pre-emption.

My wife and I are both CHL holders. We’re responsible gun owners, and my wife is a 34-year law enforcement veteran – highly trained in the use of firearms. As with all CHL holders, we carry our firearms lawfully for our own protection, as well as the protection of others. We do not appreciate state attempts at limiting our right to self-defense. This bill will effectively disarm us, leaving us vulnerable to criminals. We do not intend to become victims. There are already federal laws prohibiting firearms in certain sensitive facilities such as courthouses, and so far, those laws have made sense. Unfortunately, as with many of the bills being proposed in the current session, SB 243-1 is yet another example of state overreach. It is a “solution” in search of a problem. With the patchwork of regulations it will engender, it clearly has the potential to make felons out of law-abiding gun owners. The fact that a violation – which could be unknowing - will result in five (5) years’ imprisonment and a \$125,000 fine is unconscionable! To our knowledge, there is no precedent for an Oregon CHL holder committing any type of firearm-related crime while in a public facility, so there seems to be no logical reason or need for this legislation.

I implore you to stop these attacks on the law-abiding citizens of Oregon. Please reject SB 243-1 and see that it doesn’t make it out of Committee.

Keith LaHaie

Central Point