

Dustin Jefferis

Portland, Oregon

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Opposition Testimony to Amendments to SB 243-1

Dear Chair Prozanski, Vice-Chair Thatcher, and Members of the Senate Judiciary Committee,

I write today in strong opposition to the proposed amendments to Senate Bill 243-1. These amendments include significant restrictions on firearm ownership, including the implementation of a 72-hour waiting period, a ban on firearm purchases for adults aged 18-20, and new regulations on so-called “rapid-fire devices.” Below, I outline fact-based concerns regarding the impact of these policies, referencing relevant sections of the proposed legislation.

1. 72-Hour Waiting Period (Section 3 - ORS 166.412)

The proposed mandatory 72-hour waiting period does not have substantial empirical evidence supporting its efficacy in preventing crime or suicides. According to a 2019 study published in Injury Prevention, waiting periods had no significant effect on firearm homicide rates in the United States (Crifasi et al., 2019). Moreover, a study from the RAND Corporation reviewing decades of gun control measures found “inconclusive evidence” that waiting periods reduce gun deaths (RAND, 2020).

This policy disproportionately affects law-abiding gun owners who may need immediate access to a firearm for self-defense -- often the most vulnerable in our communities. The Centers for Disease Control and Prevention (CDC) estimates that defensive gun use occurs between 500,000 and 3 million times per year in the U.S. (CDC, 2013). A substantial number of those Imposing unnecessary delays could endanger individuals facing credible threats.

2. Firearm Purchase Ban for Adults Aged 18-20 (Section 5 - ORS 166.470)

This amendment would prevent adults under 21 from purchasing the most common modern rifles and shotguns, despite these individuals already being eligible for military service. The Supreme Court's decision in *District of Columbia v. Heller* (2008) established that the Second Amendment protects an individual's right to keep and bear arms, and recent legal challenges have successfully overturned similar age-based restrictions in other states. For example, in *Hirschfeld v. ATF* (2021), the Fourth Circuit ruled that banning handgun sales to adults under 21 was unconstitutional.

A common counterpoint to this argument is that brain development in adolescents continues into the mid-20s, potentially affecting decision-making and impulse control. However, this logic is inconsistently applied, as individuals aged 18-20 are legally permitted to operate motor vehicles, serve in the military, enter into contracts, and assume other significant responsibilities. If the state deems them mature enough to make life-altering decisions such as enlisting in the armed forces or driving vehicles capable of causing mass harm in an accident, it is contradictory to deny them the right to lawfully purchase a firearm for self-defense, hunting, or sport shooting.

Moreover, statistics from the FBI's Uniform Crime Report (UCR) show that individuals under 21 account for a small percentage of firearm-related crimes. In 2021, only 4% of homicide offenders using a firearm were aged 18-20 (FBI UCR, 2021). Restricting lawful access to firearms for this demographic is an ineffective means of reducing crime.

3. Ban on "Rapid-Fire Devices" (Section 7 - ORS 166.274)

The proposed regulation on so-called "rapid-fire devices" lacks a clear definition, and confuses some devices and terminology. Previous federal bans on similar devices, such as the 2018 bump stock ban, have been legally challenged, with courts ruling that such regulations exceed the authority of executive agencies (*Cargill v. Garland*, 2023).

These devices, although scary sounding, don't actually make a firearm more deadly in many contexts. Extreme rates of fire significantly reduce the accuracy and controllability of the firearm, making accurate aiming quite difficult. These devices are

primarily used for recreation purposes, and should be left to the discretion of the law-abiding citizenry.

Additionally, data from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) indicate that bump stocks and similar devices have been used in an exceedingly small number of crimes. A report from the ATF found that out of over 10 million firearms traced from crime scenes between 2010 and 2020, bump stocks were involved in fewer than 0.01% of cases (ATF, 2021). The proposed restrictions are a solution in search of a problem and would unjustly criminalize lawful gun owners.

4. Expanding Gun-Free Zones Around Government Buildings (Section 4 - ORS 166.370)

Expanding gun-free zones around government buildings, as proposed in SB 243, disarms law-abiding citizens and leaves these areas more vulnerable to criminal activity. Gun-free zones often create "soft targets" by disarming those most capable of defending themselves. Studies show that criminals typically disregard gun-free zone laws, making these areas no safer and potentially more attractive for those intending harm (Lott, 2010).

Instead of further restricting citizens' rights, the state should focus on enhancing security measures around government buildings, while allowing law-abiding individuals the ability to protect themselves in public spaces.

Fiscal Impact and Lack of Cost Clarity

The proposed amendments to SB 243 would likely require significant resources for enforcement, compliance monitoring, and administrative processing. The cost of implementing a 72-hour waiting period, restricting firearm sales to young adults, and regulating so-called "rapid-fire devices" has not been clearly outlined. Law enforcement agencies and state regulatory bodies would need additional funding and personnel to ensure compliance with these new rules. Without a transparent financial analysis, these amendments risk imposing unforeseen economic burdens on taxpayers and government agencies.

Conclusion

The amendments proposed under SB 243-1 are neither supported by strong empirical evidence nor consistent with constitutional protections. Instead of restricting law-abiding citizens' rights, the Legislature should focus on policies that address the root causes of violent crime, such as mental health services and targeted law enforcement measures.

Young democrats in the state are shifting their position on firearms. Many have chosen to purchase firearms for self-protection. It is a mistake to think that continuing to push gun legislation is what your constituents want. They are smart, and see that the emotional claims of those that support these amendments -- many of which are supported by anti-gun lobby groups outside the state -- as emotional manipulation to pass ineffective legislation that disproportionately penalizes the law-abiding citizens of Oregon.

For these reasons, I respectfully urge the committee to reject the proposed amendments to SB 243. Thank you for your time and consideration.

Sincerely,
Dustin Jefferis

References

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