



April 3, 2025

Chair Kropf, Vice-Chairs Chotzen and Wallen, and Members of the Committee,

My name is Michael Smith. I am a resident of Multnomah County and currently serve as Chair of the Gun Owners Caucus of the Democratic Party of Oregon. Today, on behalf of the Caucus, I am offering testimony on House Bill 3884.

One of the missions of the Caucus is to promote evidence-based policies to reduce gun deaths. According to the Oregon Health Authority, three out of four Oregon gun deaths are suicides. For this reason we have focused most of our legislative and policy efforts on suicide prevention.

The mental health community tells us time and again that the best way to prevent someone from using a firearm to harm themselves is to get time and distance between themselves and their firearms. For gun owners, this can be as easy as locking their firearm in a safe or installing a cable or trigger lock. However, situations may arise where the need for time and distance becomes more acute. In situations like this, gun owners should be able to take further precautions by voluntarily removing their firearms from the home.

Unfortunately, State Law does not make this easy or intuitive. For example, if I were in a state of crisis, I might go to my neighbor, and ask her to take custody of my firearms until things improve. My neighbor might agree, and I might then hand my firearms over to my neighbor.

As a reminder, Oregon allows my neighbor to hold on to my firearms, and I'm quoting, "for the purpose of preventing imminent death or serious physical injury, and the provision lasts only as long as is necessary to

prevent the death or serious physical injury.” The question arises: does my neighbor holding on to my firearms fall under this exception? The answer to this is unclear, and therein lies the problem.

We have work-arounds to make firearms harder to access in these situations. For example: one friend of mine was recently hospitalized with an acute illness that can impair his judgment. Rather than take his firearms out of his home, which could break the law, one of his colleagues went to his home and installed cable locks on all of his firearms. She then took the keys with her.

In another case, one of my co-workers has a teenage child who has started to act erratically. That co-worker handed me a bag full of unserialized parts, which now sit in my safe. Legally speaking none of these are firearms, but without them, his firearms cannot operate.

So, we have work-arounds. But we would like to make it easier to take firearms out of the home during emergencies, without weakening our background check law.

HB 3884 presents a solution. It would clear the way for gun sellers to take temporary hold of a firearm, allowing a gun owner another easy path towards creating time and distance between themselves and a firearm. It does so in accordance with ATF rules by indemnifying sellers who enter into a hold agreement. Because of ATF rules the buyer cannot retrieve the firearm without a background check.

Unlike with a “red flag” law, these holds are *entirely voluntary* and are enacted by the *gun owner* rather than by court order. This can be done for any change in circumstances, including a mental health crisis, but also due to military deployment, natural disaster, or any other situation that might necessitate keeping one’s guns outside one’s home.

Since the last time I testified in front of this committee, we have lost hundreds of Oregonians to suicide by firearm. Even one is too many, and we cannot let another year go by without making available this important and entirely voluntary solution. We believe that this bill, which the legislature can pass *this year*, will save lives *this year*.

For this reason, I, on behalf of the DPO Gun Owners Caucus, respectfully request that the committee adopt the Amendment and advance the bill to the floor with a recommendation to pass.