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Senate Bill 941 - Hearing is Wednesday, April 1 Background Checks on Private Gun Sales

Your Sheriff's Office administers concealed handgun licenses for more than 20,000 people in Washington County, so we are receiving many inquiries about SB 941. My message below is an effort to answer all the questions being fielded by my office before the legislative hearing tomorrow.

Dear Washington County Residents and Businesses,

SB 941 is not a new concept, but the latest effort to legislate background checks on private gun sales. In fact, over several past legislative sessions, Oregon sheriffs have expressed strong concerns that have had a positive impact on the language in this version of the bill.



I commend the legislature for responding to several of our concerns. For instance, this version of the bill will not require background checks for firearms transfers among family, on shooting ranges, when hunting, for a gunsmith, for temporary reasons related to individual safety (though very limited), and when the transferee is in the presence of the transferor.

However, I still have concerns about some provisions of [SB 941](#).

1. I am concerned criminals will get around the new law by accessing firearms another way. For more than a few criminals, the threat of a misdemeanor criminal charge will not be a significant deterrent.
2. The law will be onerous for law abiding citizens with layers of new requirements. Many Oregonians are serious sport shooters, hunters and collectors. Frequently and with great care, they buy, sell and trade firearms with each other. I am concerned this law could create crimes and criminals out of otherwise law abiding people. Also, it's unclear what priority prosecutors and stressed court systems will place on charging people who have no prior

- criminal record for an unauthorized gun transfer under this new law.
3. I am concerned that much of this law will be unenforceable. It's unclear how law enforcement will learn of unauthorized transfers, and in many cases it will be very challenging to disprove a claim that a transfer was temporary in nature and therefore authorized. Laws that are largely unenforceable diminish respect for the law in general, which we do not need in today's environment.
 4. I am concerned how the State plans to account for the fiscal impact and increased pressure on the current background check system. The State's background system is already heavily burdened, and additional requests could significantly slow the system further, unless additional funds are provided to bolster capacity.

The Oregon State Sheriff's Association will offer written testimony at the hearing tomorrow, Wednesday, April 1. (Visit www.oregonsheriffs.org tomorrow to read it.) **Clearly, if you have strong feelings, you are encouraged to [contact your legislators](#) directly.**

In the bigger picture this session, I appreciate the legislature's work to provide ongoing and additional mental health investments for local communities. I believe those investments go much further to serve people in mental health crisis and reduce gun violence.

Finally, I understand some of you will have different views on SB 941, but as your elected Sheriff, I want to do my best to communicate my position and the reasoning behind it.

Sincerely,



Sheriff Pat Garrett

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