

I oppose SB941.

To begin with, every time I hand a gun to another person for any reason, even for ten seconds, this goofball bill would appear to require a Brady Check.

Here's why: The bill, in section 2, requires a Brady Check for any "delivery of a firearm from a transferor to a transferee." "Delivery" includes all loans and leases, but the definition ("not limited to") is completely open-ended. And "delivery" is a legal term which effectively includes any hand-off.

For any of these exceptions to apply -- hunting, shooting, firearms repair, protection of my family - - I have to have "NO reason to believe the transferee is prohibited from possessing a firearm" ... NONE WHATSOEVER.

Even the craziest version of this statute being foisted in other states requires, at the least, negligence. Bloomberg's Oregon draft would put gun owners in prison if there were any reason at all for believing the guy I am handing my gun to is prohibited from taking it, however crazy the reason.

Just to give you an example, federal law prohibits you from possessing a gun if you are "addicted to" or "an unlawful user of" any controlled substance -- including marijuana [18 USC 922(d)(3) and (g)(3)]. Are you willing to bet a few years in prison that your neighbor has never smoked a joint? Are you willing to take that gamble and hand him a gun for him to look at -- even for 10 seconds?

Not only that, if your neighbor has ever smoked pot, it's still a crime for him to take your gun and save your life -- even if there is an armed intruder in your home who is attacking you.

Or, consider the fact that tens of thousands of military veterans (suffering from PTSD) have been deemed as prohibited persons in this country. So, to put this whole problem in perspective, if your neighbor is a veteran and he comes over to your house, he can't handle your new gun for even a second. Why? Because you cannot claim that you have "no reason" to believe your neighbor might be a prohibited person.

In other words, a person doesn't have to be a prohibited person to make it illegal for me to transfer a firearm to them. I only have to have a "reason to believe" they might be a prohibited person -- no matter how far-fetched that reason might be. But even if the Oregon version had not been drafted by feckless clowns, the whole concept behind Bloomberg's universal background check proposals has a lot of problems.

For example, to sell my gun to my next-door neighbor, whom I've known all your life, I have to take a day off of work, drive with my neighbor to the nearest FFL, pay whatever fee the FFL chooses to charge, and hope that I am not one of the 8% of all Brady Law transactions who get either a "false red" or a "false yellow." If either of these happens, perhaps because my neighbor's name resembles someone else's, my neighbor can pretty well give up any hope of ever purchasing a gun again in Oregon.

And then there is the problem of ATF's de facto national gun registry. Increasingly, that agency is going into gun dealers and demanding to copy many or all of the dealer's 4473's in computer-readable form. ATF will claim this is not a "registry," for roughly the same reason that the devil doesn't use the word "sin." But the bottom line is that, if every gun purchaser has a 4473 because every gun purchaser has to go through a Brady Check, then every gun owner will be entered into the registry.

Please throw this poorly written legislature out or at least put it before the Oregon voters.

Sincerely,

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