

I wish to submit testimony in regards to Senate Bill 941.

Gun violence has affected my life in several ways. A young friend committed suicide with his father's gun. Two years later, I was only a few feet away when one boy fatally shot another in the head during an argument. A few years after that, the younger brother of my best friend, who was in a gang, fatally shot to death an old man while robbing him. The unifying factor in these cases, as with most of the 100,000 shootings each year in America, is that a gun was in the wrong hands.

Here in Oregon, thousands of prohibited persons are turned down for gun sales at gun stores every year due to successful background checks, protecting untold lives. But those prohibited people -- felons, the criminally insane, underage, domestic abusers -- need only go and answer an ad, pay cash to someone in a parking lot, and walk away with as many guns as they can pay for, with no background check required. The buyer is not checked, and the seller is not held accountable. It is inexcusable that we allow this to happen, and Oregonians are paying for it with their lives.

The gun guys will try to tell you that universal background checks are the same as "gun registration," yet we all know this isn't the truth, since the background check records are temporary.

The gun guys will try to tell you that having a background check "prevents" law abiding people from buying a gun, but the average 5 minutes it takes to perform the check is a minor inconvenience compared to public safety, and there are more licensed gun sellers in Oregon than there are post offices and Starbucks stores, combined. And anyone who passes the check is still allowed to purchase.

The gun guys will try to distort the bill by saying it will prevent them from selling a gun to an immediate family member, or loaning it to a friend at a gun range, but these are lies borne out of a failure to understand the bill's language.

The gun guys will try to tell you that background checks are somehow against the Second Amendment, but the Supreme Court itself has already stated their opinion on this, in the D.C. vs. Heller case, by writing, "The Court's opinion should not be taken to cast doubt on longstanding prohibitions on the possession of firearms by felons and the mentally ill ... or laws imposing conditions and qualifications on the commercial sale of arms." In other words, the Second Amendment does not prohibit reasonable checks against prohibited people.

The gun guys will try to tell you that passing this law will not make a difference in availability to criminals, but according to the Bureau of Justice Statistics, around 40% of guns used that were used by Federal inmates who committed gun crimes came from private transfers.

While no law can completely stop any crime, we need to stop enabling criminals to get lethal weapons. I strongly urge you, for the sake of my family's safety, to support SB

941 and finally put a close to this giant loophole that allows guns to fall into the wrong hands.

-- Jason A. Kilgore

I would like to submit a further piece of testimony, which pertains to a proposed amendment to SB941 by Sen. Thatcher.

Sen. Thatcher has proposed that a notation be made to driver's licenses to indicate that the potential buyer is a felon. Her suggestion is that this would negate the need for private gun sale background checks. I have the following objections to this proposal:

- 1) This would require that a new license be sent to every current and new felon, which is a logistics nightmare and could be costly to the state.
- 2) This would require that every old license must somehow be confiscated and accounted for, so that an outdated (but not noted as expired) license won't be used for the gun sale.
- 3) **Most importantly:** Her proposal would only notate that the possessor and potential gun buyer is a felon, but would not notate any of the other reasons for which a person would normally be turned down for a gun purchase if they had had a gun background check (such as having been adjudicated as mentally ill, having a warrant for their arrest, being dishonorable discharged from the military, etc.)
- 4) The current background check records are already available and are updated regularly, so there is no need to create a whole new system.

Thank you for your consideration.

Jason A. Kilgore

I would like to give yet more testimony on SB941....

Sen. Thatcher's proposed amendment changed again. As I read in an article today. Instead of requiring a notation on a driver's license, she now simply wants to hold the seller legally responsible if selling to a prohibited person, but still have background checks voluntary.

But to make any difference, this would require that law enforcement track down the seller for every case where a prohibited person got hold of a gun. Law enforcement is too strapped for time and money to do this in most cases, so I theorize that they would choose not to pursue the question of who sold it or if a check was performed. So nothing would change. It would be far better to have the check mandated.

I'm surprised the gun lobby and Sen. Thatcher would support this. I would think that they wouldn't want gun owners to have to prove their innocence.

Of course, it still defeats the purpose of preventing prohibited people from purchasing a gun, which is the point of the bill.

I urge you to turn down this dangerous proposed amendment.

Jason A. Kilgore