

I Live in southern Douglas County and wish voice my opposition to SB 797 and SB 868.

SB 868 would create a “Extreme Risk Protection Order” (ERPO) that could be obtained by a law enforcement officer, family member, or household member in an ex parte hearing to deprive someone of their Second Amendment rights without due process of the law. This ex parte order, which strips the accused of their Second Amendment rights, would be issued by a judge based on the brief statement of the petitioner. The accused would not be afforded the chance to appear in court to defend themselves against the allegations when the ERPO is issued. These orders may be issued without any allegations of criminal behavior. The potential for abuse of this law would more than out way any benefit derived from its passage.

SB 797 would require firearm transfers to be indefinitely delayed if the Oregon State Police (OSP) are unable to determine eligibility. A deferral from OSP does not necessarily mean the recipient is prohibited, but rather that OSP is not satisfied with the background check inquiry and a determination has not yet been made. Currently, federal law allows a licensed firearm dealer (FFL) to release a firearm after three business days if they have not received any additional correspondence after receiving a “delay” when conducting the initial background check for a firearm transfer. This safeguard prevents the potential shutdown of sales via endless delays and allows law-abiding individuals to take possession of a firearm in a timely manner.

I believe that these bills if enacted would do little to reduce gun crime. If the State wishes to reduce gun related crime, then resources should be devoted to enforcing State and Federal laws already on the books. If enacted these laws would burden an already over worked law enforcement and court system. In addition if enacted I believe the State would be subject to lengthy and expensive litigation which will further burden a State budget that is already struggling with large deficits.

**Joel Krause
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