

Dear House Judiciary Committee,

I am against this egregious gun bill. HB 4145 was at the request of the governor and is another attack on our 2nd Amendment civil rights. Even more, it erodes Oregon's Constitution under Article 1 section 27 right to bear arms. It is already against the law to have a convicted felon, convicted abuser or person with restraining order to buy a firearm. The part that seems to be missing is the due process of law where we are making a system of being guilty until proven innocent on nothing more than a rumor. Why is this violent perpetrator already arrested or have a restraining order at the time of the crime that would keep them from firearms? This is nothing more than a creative way of removing someone's right to firearm ownership on a rumor or false accusation... no proof needed.

The advocates who support this law refer to it as "closing the boyfriend loophole." Currently the law allows the state to confiscate firearms from people who are the subject of "extreme risk protection orders."

This bill seeks to expand the list of people who are ostensibly "protected" by a restraining order to "family or household members."

"Family or household member" applying for a restraining order may seem to make sense, until you look at the definition they use for "family or household member." Here it is:

"Family or household members" means any of the following:

1. Spouses.
2. Former spouses.
3. Adult persons related by blood or marriage.
4. Persons cohabiting with each other.
5. Persons who have cohabited with each other or **who have been involved in a sexually intimate relationship.**
6. Unmarried parents of a minor child.

As you can see, this definition is breathtakingly broad. Anyone you ever had a sexual relationship with, or who claims to have had a sexual relationship with you, would be considered your "family member" and could request an order that forbids you from having firearms. This includes vindictive and bitter ex's.

Furthermore, the bill employs even more subterfuge by purposefully encouraging people not to contest the order. If a court issues a restraining order against you under current law, you have the option to contest it to attempt to "prove" your innocence. The problem is that under Federal law, if you contest this order, and it is upheld, you will lose your gun rights under Federal law.

If you don't contest it, and the court has not ordered a gun prohibition, you will not lose your gun rights. In other words, if you agree to comply with the order, no matter how false the accusations are, you may not automatically lose your gun rights.

A handwritten signature in black ink, appearing to be "Neil A. ...", is located at the bottom of the page.



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