



**CEASEFIRE** oregon

*Building safe and healthy communities free from gun violence*

May 3, 2011

Judiciary Committee  
Oregon State Senate

Re: Ceasefire Oregon Opposes House Bill 2792A

Dear Chair Prozanski and Committee Members,

Ceasefire Oregon strongly opposes House Bill 2792A. The bill would undermine Oregon's existing law on concealed handgun licenses (CHLs) by authorizing CHL reciprocity, which would result in the carrying of concealed handguns in Oregon under the lowest standards set anywhere in the United States. This dangerous bill poses an unwarranted risk of increased shootings in Oregon.

**HB 2792A sets lower standards for nonresidents.**

Under HB 2792A, people who live in other states would be granted the privileges of an Oregon CHL without meeting Oregon's CHL requirements, even if the person's home state had the lowest concealed handgun standards in the country. Oregonians, however, would still have to meet Oregon's statutory requirements to obtain an Oregon CHL, set forth at ORS 166.291, including those on criminal records, handgun competence, and age. Oregon, for example, requires "competence with a handgun" (defined as completing a safety or training course that included handgun safety or having equivalent experience) to obtain a CHL, but Washington state does not. Therefore, under HB 2792A, Washington residents with no competence in handgun safety could carry concealed handguns in Oregon, but Oregonians without such competence could not.

Note also that Washingtonians and residents of other states adjacent to Oregon who have "a compelling business interest or other legitimate demonstrated need" may already receive an Oregon CHL under existing law. ORS 166.291(8).

**HB 2792A would put all Oregonians at risk for the convenience of a few.**

Proponents want HB 2792A enacted because if Oregon recognizes CHLs from other states, those states would be more likely to recognize Oregon's CHLs, and if they do, Oregonians who want to carry concealed handguns when they travel to other states would not need to request CHLs from those states. The bill's sole "benefit"—saving some paperwork and perhaps a few dollars in CHL fees, for those few people—is far outweighed by the risk of having untrained CHL holders from other states, and others who don't meet Oregon's CHL standards, carrying loaded, concealed handguns on our streets.

**CHLs are not like drivers' licenses.**

The statutory mechanism for the abdication of Oregon licensing standards is called "reciprocity"—extending the privileges of an Oregon CHL to nonresidents who possess a CHL issued by another state. Proponents describe reciprocity as a courtesy to visitors, similar to allowing them to use their nonresident drivers' licenses on Oregon highways. Without reciprocity, they say, visiting gun owners must either break the law or drive around Oregon.

But CHLs are not like drivers' licenses. Drivers' license reciprocity is administered under a long-established intergovernmental agreement (see [www.aamva.org/KnowledgeCenter/Driver/Compacts/](http://www.aamva.org/KnowledgeCenter/Driver/Compacts/)). Although states don't differ significantly in their drivers' licensing criteria, the interstate compacts leave states some discretion to maintain their own criteria, e.g., Oregon does not recognize the full licenses granted to Idaho drivers under 16 years of age.

In contrast, CHL standards vary widely among the states. Some states grant CHLs to people whose criminal records, age, or lack of handgun competence would disqualify them in Oregon. CHL reciprocity standards vary, too. Many states require verification that the reciprocal state sets minimum standards, and that the resident state's age requirements are met.

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(An Oregon CHL holder must be at least 21 years old.) HB 2792A provides Oregon with none of those safeguards.

The reciprocity website maintained by the Washington Attorney General's Office is illustrative.<sup>1</sup> It notes that only 11 states grant reciprocity to Washington CHLs, and several refuse because Washington has no training requirement. Washington refuses reciprocity to states that have no mandatory mental health background-check requirement (including Ala., Ariz., Colo., Ga., Idaho, Ind., Nev., Neb., N.H., Va., and Wyo.) and to the six states that grant CHLs to those under 21.

Note also that without HB 2792A, visitors will still be able to transport firearms easily without violating the law, just as Oregonians do. A person who does not have an Oregon CHL must transport the firearm unconcealed or out of easy reach (see ORS 166.250); under some city ordinances, including Portland's, the firearm must also be unloaded.

**HB 2792A relies on the mistaken assumption that all states have flawless CHL procedures.**

States that use the National Instant Background Check System (NICS) to determine eligibility for CHLs are not getting access to all relevant data. Based on the estimate by the United States General Accounting Office, for example, at least 1.6 million disqualifying mental health records (records that identify people not permitted to possess guns under federal law) have not yet been entered into NICS.<sup>2</sup> It is reasonable to assume that some of those ineligible people have passed NICS checks and obtained CHLs in other states.

Additionally, some states have issued CHLs to criminals. From 1996 to October 2000, Texas issued CHLs to more than 400 criminals, including rapists and armed robbers.<sup>3</sup> In the first half of 2006, Florida issued concealed carry permits to 1,400 felons (guilty or no contest pleas), 216 people with outstanding warrants, 128 with domestic violence injunctions, and six registered sex offenders.<sup>4</sup> Investigations found similar errors in Tennessee and Indiana.<sup>5</sup> The mere fact that someone has obtained a CHL from another state should not give them the privilege of carrying concealed handguns in Oregon.

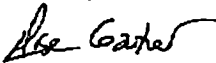
**CHL holders from other states are not all law abiding.**

Investigations show that some CHL holders commit crimes after obtaining their CHLs. From May 2007 to April 2011, CHL holders killed at least 11 law enforcement officers and committed at least 17 mass shootings, in which a total of 73 people were killed. These and other killings by CHL holders are reported in detail at [www.vpc.org/ccwkillers.htm](http://www.vpc.org/ccwkillers.htm). The numbers do not include shootings deemed in self-defense or for which the shooter was acquitted.

Other studies show that (1) from 1996 to 2000, CHL holders in Texas were arrested for weapons-related crimes at a rate 81% higher than that of the state's general population age 21 and older<sup>6</sup> and (2) the "largest category of problem licensees involve[d] those who committed crimes after getting their state" permits.<sup>7</sup> Why would the Oregon Legislature want to make it easier for such people to carry concealed handguns in Oregon?

House Bill 2792A poses an unjustifiable risk of increased shootings in Oregon. Therefore, Ceasefire Oregon respectfully urges you to vote NO on House Bill 2792A.

Sincerely,

  
Elise Gautier  
Ceasefire Oregon

1. Website of the Washington State Office of the Attorney General, at [www.atg.wa.gov/page.aspx?id=7772](http://www.atg.wa.gov/page.aspx?id=7772).

2. Mayors Against Illegal Guns, Jan. 28, 2011, press release, no. 15, available at [www.mayorsagainstillegalguns.org/html/media-center/pr015-11.shtml](http://www.mayorsagainstillegalguns.org/html/media-center/pr015-11.shtml).

3. William C. Rempel and Richard A. Serrano, "Felons Get Concealed Gun Licenses Under Bush's 'Tough' Law," *Los Angeles Times*, Oct. 3, 2000, at A1, <http://articles.latimes.com/2000/oct/03/news/mn-30319>.

4. Megan O'Matz, "License to Carry: Florida's Flawed Concealed Weapons Law," *South Florida Sun-Sentinel*, Jan. 28, 2007, at 1A, [http://articles.sun-sentinel.com/2007-01-28/news/0701270316\\_1\\_gun-licensing-system](http://articles.sun-sentinel.com/2007-01-28/news/0701270316_1_gun-licensing-system).

5. "Armed and dangerous: Dozens with violent histories received handgun carry permits," *Commercial Appeal*, Mar. 12, 2009, <http://www.commercialappeal.com/news/2009/mar/12/armed-and-dangerous-tennessee-gun-debate-prone/>; "Should these Hoosiers have been allowed to carry a gun in public?" *Indianapolis Star*, Oct. 11, 2009, <http://www.indystar.com/article/20091011/NEWS14/910110365/Should-these-Hoosiers-been-allowed-carry-gun-public>.

6. Violence Policy Center, *License to Kill IV: More Guns, More Crime* (June 2002), [www.vpc.org/graphics/lrk4.pdf](http://www.vpc.org/graphics/lrk4.pdf), at 5.

7. Rempel and Serrano, *supra* note 3.