



CEASEFIRE oregon

Building safe and healthy communities free from gun violence

Sent by email
March 20, 2011

Re: Vote NO on House Bill 2792

[REDACTED]

Ceasefire Oregon strongly urges you to vote NO on House Bill 2792. 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 2792 sets lower standards for nonresidents.

Under HB 2792, 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. In other words, HB 2792 would permit other states to set the standards for the carrying of concealed handguns in Oregon by nonresidents.

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 instruction in handgun safety or equivalent experience to obtain a CHL, but Washington state does not. Therefore, under HB 2792, 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 2792 would put all Oregonians at risk for the convenience of a few.

Proponents want HB 2792 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 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/), and states don't differ significantly in their drivers' licensing criteria.

In contrast, CHL standards vary widely among the states. Some states grant CHLs to people whose criminal records, age, or lack of training would disqualify them in Oregon. And many states have inadequate background-check data.

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CHL reciprocity standards vary, too. Many states require verification that the other state sets certain minimum standards, and that the resident state's age requirements are met. HB 2792 provides Oregon with none of those safeguards.

Without HB 2792, visitors will still be able to transport firearms easily without violating the law, just as Oregonians do. The CHL allows a loaded handgun to be concealed on the person or carried within easy reach in a vehicle; a person without an Oregon CHL must transport the firearm unconcealed or out of easy reach. That's all that's required under existing law, at ORS 166.250.

HB 2792 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.¹ 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.² In the first half of 2006, Florida issued concealed carry permits to 1,400 people who had pleaded guilty or no contest to felonies, 216 who had outstanding warrants, 128 people with active domestic violence injunctions against them, and six registered sex offenders.³ The mere fact that someone has been able to obtain 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 February 2011, CHL holders killed at least nine 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. 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 older⁴ and (2) the "largest category of problem licensees involve[d] those who committed crimes after getting their state" permits.⁵ Why would the Oregon Legislature want to make it easier for such people to carry concealed handguns in Oregon?

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

Sincerely,



Elise Gautier
Ceasefire Oregon

1. Mayors Against Illegal Guns, Jan. 28, 2011, press release, no. 15, available at www.mayorsagainstillegalguns.org/html/media-center/pr015-11.shtml.

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

3. Megan O'Matz, "In Florida, It's Easy to Get a License to Carry a Gun," *South Florida Sun-Sentinel*, Jan. 28, 2007, at 1A, as cited in Legal Community Against Violence, *Regulating Guns in America* (2008), at 203, www.lcav.org/publications-briefs/reports_analyses/RegGuns.Gun.Ownership.pdf.

4. Violence Policy Center, *License to Kill IV: More Guns, More Crime* (June 2002), www.vpc.org/graphics/ltk4.pdf, at 5.

5. Rempel and Serrano, *supra* note 2.