



David Gomberg—State Representative, House District 10

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Contact: Kyle Linhares, Chief of Staff

rep.davidgomberg@state.or.us

503-986-1410

Representative Gomberg Addresses Concerns over SB 941

Susan often reminds me to lock the door whenever we leave the house. I once told her that it was inconvenient and someone wanting to rob us would break in anyway. And with cool wifely logic, she replied, “Why make it easy for them?”

The Oregon Legislature has just approved a proposal regarding firearm safety. Senate Bill 941 will expand background check requirements for all private gun sales, following the same process already used in commercial sales. The intent is to prohibit purchases by felons, domestic violence abusers, certain drug addicts, and people with documented mental illness.

I have heard from many constituents about Senate Bill 941, both for and against. Some wrote to say that 941 inconvenienced lawful citizens and would not keep criminals from getting guns. I thought about Susan when the time came to vote. “Why make it easy for them?”

Will background checks keep criminals from acquiring guns? Background checks prevent roughly 1 in every 100 firearm purchases in stores and remarkably where purchasers know they will be checked. Since 2007, these checks have blocked more than 30,000 gun sales to prohibited people -- felons, those convicted of domestic violence and individuals with dangerous mental health challenges.

A new study indicates that 1 in 18 people trying to buy a gun online in the private market is prohibited from possessing firearms. Often this occurs on web pages that explicitly advertise “no background checks!” Indeed, criminals and other prohibited buyers are five times more likely to try and buy guns from individuals than they are from stores.

In the end, some determined buyers will find access to firearms in other ways. But through this intense discussion, I’ve become convinced that background checks really do keep many guns out of the wrong hands.

The remaining question is how we can screen these people with minimum burden on law-abiding citizens. So let me be clear that I support future amendments. On the House floor, I spoke in favor of waiving the background check for buyers with a concealed carry permit, and allowing “safekeeping” where firearms are temporarily transferred for storage or security.

What exemptions will be put into place in order to protect normal, lawful activities? SB 941 includes a number of specific exemptions:

- At a shooting range
- For hunting, trapping, or target shooting activities
- To a firearm repair person or for production of custom made accessories
- For the purpose of preventing imminent death or serious physical injury
- Transfer of a firearm to a spouse, domestic partner, parent, stepparent, child, stepchild, sibling, grandparent, grandchild, aunt, uncle, first cousin, niece, nephew, or the spouse/domestic partner of any of the preceding list.

Is this bill constitutional? Background checks have long been required for most retail firearm sales and the Courts have ruled them constitutional. Many private owners already run checks when selling firearms. This important step relieves them of liability should that weapon later be used in a crime. Universalizing this requirement will add protections for law-abiding sellers.

Surveys of residents on the Central Coast show that 67% of those interviewed strongly support background checks for firearms regardless of where the gun is purchased. I understand that not everyone agrees. Please know that I have considered the many different points of view carefully as the discussion has evolved.

The health, the safety, and also the liberty of my constituents are my highest priorities. After serious consideration, and after reading all the letters I received, I decided to support SB941. I honestly believe background checks will help keep firearms out of dangerous hands. But I will be actively pursuing changes in the law to make the process less of a burden to law-abiding citizens.

I want to extend a sincere thank you to everyone who wrote and called expressing their concerns, both in support and opposition, to this bill. And while I couldn't make everyone happy with my vote, I hope this letter helps you understand how I made my final decision.

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