



OREGON HOUSE REPUBLICAN OFFICE

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Oregon House Republican Office Q&A – Senate Bill 941

Does Senate Bill 941 close a loophole allowing criminals to obtain a gun?

Bottom Line: No. SB 941 does not prevent a criminal from obtaining a firearm. Criminals can still obtain firearms, either by stealing a firearm from a law-abiding citizen who legally owns the firearm or through illegally obtaining a firearm on the black market. Bad people will find ways to do bad things and will use whatever devices they have at their disposal to commit crimes, no matter what the law says. Criminals have already disregarded the law; they will not submit themselves to a background check that they know they will not pass.

What SB 941 does do is force responsible, law-abiding Oregonians, including those who want to trade or transfer guns for hunting or recreational shooting, to jump through additional hoops and pay additional fees to participate in legal, responsible activities.

Does Oregon's law enforcement community support Senate Bill 941?

Bottom Line: At least 12 sheriffs around the state have deemed SB 941, at best, a deeply flawed law, and at worst, an unenforceable law that would further stretch resources in financially-strapped counties and communities. Two of these sheriffs have testified that they can't enforce the law and therefore will not use their department resources to attempt to enforce the law. There is simply no way for law enforcement officers to track private firearm sales or transfers if they are conducted behind closed doors or out of plain sight.

[Minority Report 1](#), submitted by House Republicans, supported law enforcement efforts to track and prevent domestic abusers, violent criminals and the mentally ill from obtaining and using firearms by enforcing our state's existing laws. As proposed by House Republicans, the creation of the Firearms Investigation Division within the Oregon State Police would've increased police presence on the ground and solely tasked the Division with preventing and removing the threat of firearm violence by criminals. House Democrats voted down the Minority Report along party lines.

Would Senate Bill 941 have prevented the Clackamas Town Center shooting?

Bottom Line: No. Contrary to the misleading TV advertisements referencing the Clackamas Town Center shooting – paid for by New York billionaire Michael Bloomberg – SB 941 would not have prevented the

Clackamas Town Center shooting from occurring if it had been law. In fact, the shooter had stolen the firearm used in the shooting from an acquaintance of his, who legally owned the firearm.

Furthermore, horrific tragedies such as the Sandy Hook shooting and the Aurora, Colorado movie theater shooting could still take place under the restrictions of SB 941, as the perpetrators of these crimes either stole the guns or legally obtained them by passing a background check. SB 941 would also not prevent shootings involving illegally obtained firearms.

Does Senate Bill 941 effectively address mental health?

Bottom Line: No. SB 941 provides no funding, resources or tools for Oregonians dealing with mental health crises. [Minority Report 2](#), submitted by House Republicans, secured \$44 million in funding for mental health services. This proposal represented a significant investment of taxpayer dollars and took anticipatory action to prevent tragedies involving firearms, including suicides, homicides, domestic violence and even accidents. House Democrats voted down the Minority Report along party lines.

Will Senate Bill 941 deter criminals from obtaining a firearm?

Bottom Line: Perhaps, but criminals already do not follow the law. If a criminal wants to obtain a firearm without submitting himself or herself to a background check, then the criminal can obtain a firearm through a number of other ways. What could deter criminals from obtaining or using a firearm is harsh penalties and increased prison time. In addition to securing \$44 million in mental health funding, Minority Report 2 also increased penalties for criminals convicted of illegally purchasing, transferring or possessing a firearm by bumping up these crimes from Class A misdemeanors to Class C felonies. Class C felonies carry longer prison sentences and therefore could keep dangerous and violent criminals off the streets.

Is there bipartisan support for Senate Bill 941 in the Oregon Legislature?

Bottom Line: No. All votes cast in support of SB 941 in both the House and Senate were cast by Democrats. However, there was bipartisan support against SB 941 in both the House and the Senate – Democratic Senator Betsy Johnson and Democratic Representatives Jeff Barker, Caddy McKeown and Brad Witt joined legislative Republicans in voting against the proposal.

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