

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: April 15, 2013

AGENDA ITEM: Gun Ordinance

FOR: _____ AGAINST: X

NAME: David Wand

CONTACT INFORMATION (optional):

ADDRESS: 21399 SE Bohne Park Rd

CITY/STATE/ZIP: Damascus, OR 97089

PHONE: _____ EMAIL: _____

IF YOU WISH TO ADDRESS THE BOARD IN PERSON:

1. Complete this form and submit to the Board Clerk.
2. Presenters are called to testify in the order their form is received. The Presiding Officer may rearrange testimony or may ask Invited Guests or Elected Officials to speak first.
3. Public testimony is limited to **3 minutes or less** per person unless otherwise directed by the Presiding Officer.
4. Written materials may be submitted to the Board Clerk for distribution to the Board and entry in the official record. Please provide 7 copies.
5. All meetings are audio and video recorded.
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7. A buzzer will signify the end of your allotted time.
8. The Presiding Officer has authority to keep order and may impose reasonable restrictions necessary for the efficient and orderly conduct of a meeting. Any person who fails to comply with reasonable rules of conduct or who creates a disturbance may be asked or required to leave and upon failure to do so becomes a trespasser.

IF YOU WISH TO SUBMIT WRITTEN INSTEAD OF ORAL COMMENTS TO THE BOARD:

1. Complete this form and submit it along with your written testimony to the Board Clerk at the meeting, or by e-mail at: lynda.grow@multco.us
2. Written testimony will be entered into the official record

→ written
testimony attached.

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PUBLIC TESTIMONY SIGN-UP**

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MEETING DATE: 4-25-13

AGENDA ITEM: Gun Control

FOR: _____ AGAINST: _____

NAME: Carl Schultz

CONTACT INFORMATION (optional):

ADDRESS: 3765 NE Country Club

CITY/STATE/ZIP: Gresham, OR 97030

PHONE: (503) 704-2028 EMAIL: carl.schultz@frontier.com

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MEETING DATE: 4-25-13

AGENDA ITEM: R-1

FOR: _____ AGAINST: _____

NAME: Zachary

CONTACT INFORMATION (optional):

ADDRESS: _____

CITY/STATE/ZIP: Portland

PHONE: 503-772-4401 EMAIL: _____

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MEETING DATE: 25 APR 13

AGENDA ITEM: R 1

FOR: _____ AGAINST: X

NAME: RICK GILMORE

CONTACT INFORMATION (optional):

ADDRESS: 1114 NW 53 DR

CITY/STATE/ZIP: PORT ORE ORE 97210 1034

PHONE: 503-2923732 EMAIL: _____

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MEETING DATE: April 25th 2013

AGENDA ITEM: R.1 WRITTEN TESTIMONY _____

FOR: _____ AGAINST: _____ (both)

NAME: Michael Morgan, private citizen of Multnomah County

CONTACT INFORMATION (optional):

ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE: _____ EMAIL: _____

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Written Public Testimony for Regular Meeting April 25th 2013

Dear Multnomah County Commissioners,

I'm writing as a private citizen of Multnomah County Oregon to remind that some dots are connected. Many I know, myself included, are struggling to support Multnomah County §15.051 efforts (Regular Board Meeting Agenda Item R.1) because it will unintentionally make law-abiding voters easy prey and will embolden criminals making it even more important for us to defend ourselves. As written, §15.051 efforts create a catch-22 escalation that does nothing to stop criminals or protect our children.

Laws that toss the 'baby' (our rights) 'out with the dirty bathwater' (real criminals) do us harm and no good, so its important for you, our elected Commissioners, to yourselves investigate and confirm the statistics being offered by others as reasons for additional gun laws in Oregon. One example, in the opinion of most, the FBI raw numbers prove that communities having the fewest gun crimes and child-related gun injuries are those having the fewest gun restrictions. Many of today's tossed-about statistics come from carefully-planned street surveys, not studies, and none come from Oregon where current laws are appropriate and working. We are not California and do not want to be.

If you take time for this important step you will see what I see: (1) most criminals are perfectly sane and the 'one thing' keeping them cautious and 'at-bay' is they do not know if their prey is armed or if someone nearby is armed, and (2) when criminals know guns are legal for law abiding citizens to keep and bear, they do not know which people have them and therefore they cannot strike people and homes and businesses at their whim knowing their prey is disarmed or that defense guns are locked. It can be said the 'detente effect' is what keeps our neighborhoods safe from most criminals.

Also, do not make 'prey' of law abiding citizens by unconstitutionally requiring everyone to lock their home defense guns because criminals will know they can invade before a homeowner can react and unlock their gun. We have a God given right to defend ourselves and our families without being infringed from any source for any reason, and this makes sense because our police cannot be on our doorstep for many minutes to help us survive the attack. So before criminals have time to invade our homes and businesses, please enable the police and courts to convict and jail actual criminals and leave 'we the people' free to elect our own God-given choices, including the choices we ourselves make to protect our children and our property.

I hope to stop-in and shake your hand one day but in the meantime let me say a sincere 'thank you' for your time and also for your hard work on all our behalf.

Respectfully and Sincerely,

Michael Morgan
Multnomah County Citizen and Voter

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MEETING DATE: 4/25/2013

AGENDA ITEM: R.1

FOR: _____ AGAINST: X

NAME: GARY HAYCOX

CONTACT INFORMATION (optional):

ADDRESS: 11125 SW Tanager Ter

CITY/STATE/ZIP: BEAVERTON, OR 97007

PHONE: 206-902-0264 EMAIL: GSHAYCOX@GMAIL.COM

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MULTNOMAH COUNTY
Meeting of the Board of Commissioners

April 25, 2013

Agenda Title:

Adding new ordinances to Chapter 15 and amending §15.051 to address firearm safety in Multnomah County

My name is Gary Haycox, I am a concerned citizen of Oregon, I want thank the Chairman and members of the Board for the opportunity to voice my position and concerns in regards to the Chapter 15 ordinances being discussed in Committee today, and those, which may be deliberated on in the future.

I am not a lobbyist or paid consultant representing any organization or industry. In full disclosure, I am a member of the National Rifle Association and the Oregon Firearms Federation, as a citizen member. I have a conceal handgun license and have had a CHL for over 25 years. I have never had to use any firearm to date and pray that I will never need to in the future; but I continue to stay vigilant and prepared to defend others and myself against criminal and evil acts.

With the limited time I would like to open with my close. These proposed Chapter 15 ordinances are in conflict with the Oregon State pre-emption law under ORS 166.170; notwithstanding the nonsensical legislation under ORS 166.171, 172 and 273, which inexplicitly allows for pre-emption of the non-pre-emption clause. More importantly the proposed ordinances infringe upon our 2nd Amendment rights under the US Constitution. If these ordinances pass and are included into Chapter 15 as the policy of Multnomah County, you will have created an unwelcoming and unsafe environment for my family and me. Therefore I have but one remedy and *that* being to vote with my wallet. If I am unable to influence policies that undermine my Constitutional rights then I will have to use economics. I have calculated my average annual spend within the County and City of Portland at \$3,500, dining out, entertaining and other personal activities. If these

ordinances are adopted, then I will choose to patronize business in the suburbs where my rights are not infringed upon and where law-abiding citizens are welcome.

I am saddened to see Oregon, which was founded on the 'roughed individualism' of Lewis and Clark, has become a den of progressive liberalism, an ever expanding 'nanny state' and with those who have the responsibility to preserving our Liberty are instead questing for more control thereby eroding our Liberty. Remember, Lewis and Clark were sent to the Western Frontier by Thomas Jefferson and it was he who said ***"No freeman shall be debarred the use of arms."***

I have included additional quotes from Thomas Jefferson and written testimony for Board review where I have addressed the specific ordinances and provisions for consideration.

I urge the Board ***not*** to include these ordinances into Chapter 15 and remember your responsibility to uphold, protect and defend the Constitution as you consider ordinances, rules and laws for Multnomah County.

I want to again thank the Board for your time.

Respectfully submitted,
Gary Haycox

Additional quotes from Thomas Jefferson:

"Laws that forbid the carrying of arms...disarm only those who are neither inclined nor determined to commit crimes... Such laws make things worse for the assaulted and better for the assailants; they serve rather to encourage than to prevent homicides, for an unarmed man may be attacked with greater confidence than an armed man." (Quoting Cesare Beccaria)

The two enemies of the people are criminals and government, so let us tie the second down with the chains of the Constitution so the second will not become the legalized version of the first.

Additional written testimony

No laws or ordinances should be created that infringes upon the Constitutional rights of law-abiding citizens, period. It is unfortunate that these ordinances are being introduced which only impact law-abiding citizens. People who have gone the extra step in obtaining a Concealed Handgun License, including a FBI background check, submitting fingerprints, attending specialized training and demonstrating firearm proficiency should be held in high regard by legislators, law enforcement and the community at large as these are diligent citizens concerned for the safety and security of our community. However, these ordinances do the opposite, they infringe upon our natural rights protected by the Constitution and do nothing to prevent evil acts committed by criminals.

These ordinances only provide a façade of safety and security and are a style over substance emotional response to the heinous and evil acts perpetrated by criminals. I can only hope that more time will be diverted to critical thinking to develop solutions to the root cause (mental health) and dealing with sociopaths and psychopaths that underpin most if not all gun related massacres. Additionally, harsher penalties for those who commit crimes with firearms would be a welcomed change to the current legislative actions against law-abiding citizens.

I have included the text directly from the document for the Multnomah County Board meeting agenda. I have included my input directly in-line with the text with my input in BOLD Italicized 14 point font, Example: ***[GH]: This is my input text.***

Begin:

The Multnomah County Board of Commissioners Finds:

- a. Unlawful firearm use poses a present and serious threat to the health, safety and security of the residents of Multnomah County. ***[GH]: Operative word here is "Unlawful".***
- b. Gun violence kills about 30,000 Americans each year and injures more than twice as many, according to the Centers for Disease Control (CDC). Firearms were the third-leading cause of injury-related deaths nationwide in 2010, following poisoning and motor vehicle accidents. ***[GH]: This is an opinion-based statistic as no document or study is referenced. The 30,000 figure does not break out suicides and more importantly it does not break out how many of these deaths are a result of a law-abiding citizen using a gun.***

c. According to the Oregon Health Authority, homicide was the third leading cause of death for ages 15-24 in the State of Oregon in 2009. **[GH]: No gun use statistic.**

d. In 2012, firearms were used in 891 incidents reported to law enforcement agencies in Multnomah County. Firearms were used in 45% of the homicides committed in Portland in that same time. **[GH]: No breakout of firearm deaths from law-abiding citizens.**

e. About one-third of U.S. households contain a gun, and half of gun-owning households don't lock up their guns, including 40 percent of households with children under age 18. **[GH]: No reference to a document or study, therefore this is opinion not based in fact.**

f. The majority of gang related activity occurs in the evening or early morning hours. Although County Ordinances 15.050 and 15.051 currently provide a curfew for minors, further restricting the curfew for youth who are currently on probation or under juvenile court jurisdiction or juvenile parole for gun-related offenses will provide law enforcement, the Department of Community Justice and the Oregon Youth Authority with an additional investigative tool to contact youth before a violent incident occurs and will protect the community. **[GH]: Might be the only provision that is worthy of including. However, if you know whom these juveniles are why are they still on the street?**

g. Over 1,200 firearms have been reported stolen in Portland in 2011 and 2012. Stolen or misplaced guns represent a major risk to the community because of the likelihood that they will land in criminal hands or be used for criminal purposes. Adding reporting requirements for stolen or misplaced firearms will:

1. Enable law enforcement to respond more rapidly to a report of a stolen or lost firearm; **[GH]: This is interesting and not well thought out; today, due to resource constraints and priority it is difficult to get law enforcement to respond to property theft crime, so are you saying if a gun is part of the theft then law enforcement will respond to property crimes?**

2. Deter the criminal use of stolen or lost weapons; **[GH]: how, this only speaks to reporting a gun stolen; Since the act of stealing a gun is a criminal act in the first place, what prevents or deters 'further' criminal use after the theft?**

3. Facilitate the identification and recovery of stolen or lost weapons; **[GH]: this is ok, but I would assume identification and recovery of stolen property is already addressed.**

4. Prevent unwarranted criminal accusations against firearms owners who suffer the loss or theft of a firearm; and

5. Deter persons from falsely claiming that a firearm was lost or stolen to avoid punishment for an illegal firearm transfer. **[GH]: Really? Illegal firearm transfer is a criminal act, so how does this deter a criminal from performing a different criminal act?**

h. Multnomah County's adopted 2013 Legislative Agenda calls on the State Legislature and Congress to prevent gun violence by enacting common-sense legislation including limiting assault rifles, requiring universal background checks, and returning authority to local jurisdictions to regulate concealed weapons in public places such as schools. **[GH]: None of the proposed laws at the Federal, State or Local level will have prevented the criminal acts and illegal gun use at Sandyhook, Virginia Tech and other school shootings. And conversely there have been no shooting incidents or homicides committed by law-abiding citizens with Conceal Handgun Licenses in Oregon. As a note, there are over 175,000 CHL holders in the State of Oregon.**

i. Multnomah County also supports efforts to remove State preemptions that restrict our ability to enact local legislation to protect our residents. **[GH]: Bad strategy, having consistent laws throughout the state provides for safer communities and less confusion for law-abiding citizens.**

j. Oregon law preempts local jurisdictions' authority "to regulate in any matter whatsoever the sale, acquisition, transfer, ownership, possession, storage, transportation or use of firearms or any element relating to firearms and components thereof, including ammunition," vesting that authority to the Legislative Assembly. ORS 166.170 **[GH]: This is good and upholds Constitutional rights**

k. Oregon law specifically authorizes local governments to regulate the discharge of firearms and to regulate possession of loaded firearms in public places. ORS 166.171 and 166.173. Local governments have authority to enact curfews and to establish loss reporting and child access laws. ORS 419C.680(4), Multnomah County Code 15.050, et seq.

l. Multnomah County has twice passed ordinances regarding the possession of loaded firearms and discharge of firearms in the County. See Ordinance 646, passed March 22, 1990, and Ordinance 712, passed on February 13, 1992. However, those ordinances were not properly codified. This Ordinance supersedes Ordinances 646 and 712.

m. This ordinance will apply countywide unless a city within Multnomah County enacts separate legislation on this same subject matter.

Multnomah County Ordains as follows:

Section 1. MCC 15.060 to 15.065, Firearms, is created as follows:

FIREARMS

15.060 Title and Area of Application.

This subchapter shall be known and cited as the County Firearms Law.

15.061 Consistency with State Criminal Law.

This subchapter shall be construed consistent with state criminal law, and any procedures or defenses made available in the prosecution of the same or similar offenses under state criminal law shall apply in prosecutions under this subchapter.

15.062 Penalty for Violation.

Unless a different penalty is specifically provided, any violation of any provision of this subchapter shall upon conviction be punished by a fine of not more than \$500, or by imprisonment of not more than 6 months, or by both. However, no greater penalty shall be imposed than allowed under state law.

15.063 Definitions.

For purposes of this subchapter, the following definitions apply unless the context requires a different meaning:

(A) HANDGUN: has the meaning as provided in ORS 166.210(5).

(B) CONCEALED HANDGUN LICENSE: a license issued pursuant to ORS 166.291 to 166.295 that allows an individual to carry a concealed handgun in public places as provided by state law.

(C) FIREARM: has the meaning as provided in ORS 166.210(3).

(D) PUBLIC PLACE: has the meaning as provided ORS 161.015(10).

15.064 Possession of a Loaded Firearm in a Public Place.

(A) It is unlawful for any person in a public place, to carry a firearm upon the person, or

While in a vehicle in a public place, unless all ammunition has been removed from the chamber and from the cylinder, clip, or magazine. A person who violates this section is subject to penalty even if the person did not know that ammunition was in the cylinder, chamber, clip or magazine. **[GH]: I call this the "Barney Fife" provision; what good is an unloaded firearm. The FBI reports that use of a firearm to deter a criminal act occurs within 4 seconds and within 7 feet. It is nonsensical to allow for carrying a firearm either open or concealed that is unloaded, therefore there are no statistics regarding the implications or ramifications of having unloaded firearms in regards to personal protection or deterring acts of violence.**

NOTE: A 1993 study by Kleck, who found that 2.45 million crimes were thwarted each year in the United States by guns, and in most cases, the potential victim never fired a shot.

(B) The prohibitions of subsection (A) of this section do not apply to or affect:

(1) Those listed in ORS 166.173(2).

(2) Licensed hunters engaged in lawful hunting. **[GH]: Where the heck is lawful hunting allowed in a public place??**

(3) Persons engaged in target shooting at an established shooting range, shooting gallery or other area designed and built for the purpose of target shooting.

(4) A government employee authorized or required by his or her employment or office to carry firearms.

(5) A security guard employed at a financial institution insured by the Federal Deposit Insurance Corporation while the security guard is on duty. **[GH]: Therefore it is not legal for a Credit Union or small non-FDIC financial institutions to have armed security officers. Interesting, you will allow an armed guard in a Bank where if there is a robbery the FDIC will reimburse the Bank; but not in a small non-FDIC bank or financial institution or Credit Union which has a higher need for armed security to protect private and personal property.**

(6) A person with written authorization from the Multnomah County Sheriff or his designee.

(C) It is unlawful for any person who possesses a firearm, clip or magazine in or upon a

public place, or while in a vehicle in a public place, to refuse to permit a peace officer to inspect that firearm, clip or magazine after the peace officer has identified himself or herself as such. **[GH]: Without probable cause, is this not in violation of the Constitution as an illegal search and potential seizure.**

The prohibitions of this subsection do not apply to or affect the persons listed in subsection (B) of this section.

15.065 Discharge of a Firearm.

(A) It is unlawful for any person to fire or discharge a firearm within the boundaries of the County.

(B) The prohibition of subsection (A) of this section does not apply to or affect those listed in ORS 166.171(2).

15.066 Endangering a Child by Allowing Access to a Firearm.

(A) A person commits the offense of endangering a child if a person fails to prevent access to a loaded or unloaded firearm by a minor without the permission of the person, a parent or guardian, when the person knew or reasonably should have known that a minor could gain access to the firearm. **[GH]: If a person does not explicit provide permission, and then has that person failed to prevent access? Poorly written. I am all for safe storage of firearms to prevent unauthorized access to firearms, but attempting to legislate "responsible parenting" is a fools errand and not enforceable.**

(B) Subsection (A) of this section does not apply when:

(1) The minor obtains the firearm as a result of an illegal entry into any premises under the person's custody or control.

(2) The firearm is kept in a locked container or in a location that a reasonable person would believe to be secure from entry by the minor.

(3) The firearm is locked with a device that has rendered the firearm inoperable and is designed to prevent minors and unauthorized users from firing the firearm. The device may be installed on the firearm, be incorporated into the design of the firearm, or prevent access to the firearm.

(C) Penalty: Violation of subsection (A) of this section is punishable by incarceration for not more than 10 days and a fine of not more than \$500.

15.067 Failure to Report Theft.

(A) Any person who possesses, owns or controls a firearm in the County shall report the theft or misplacement of the firearm to law enforcement and provide a description of the firearm, within 48 hours of knowing, or having reason to know, the firearm is stolen or cannot be located through reasonable effort. **[GH]: Unenforceable.**

(B) A person who possesses, owns or controls a firearm in the County and fails to provide the serial number of the firearm when reporting the firearm in accordance with subsection (A) of this section is subject to a \$200 administrative fee. **[GH]:**

Administration fee for what? I recommend you poll your law enforcement officers to see if they have recorded or know what the serial numbers are for their personal firearms. Also, it would be interesting to know if the Sheriff's department or Portland Police department have definitive records of all the service firearms.

(C) Violation of subsection (A) of this section is punishable by a fine of \$2,500. **[GH]: Will surely deter reporting; Perhaps you would consider replacing the firearm that is reported stolen, and then you may get compliance.**

Section 2. Amending MCC Chapter 15 relating to the Curfew for Minors:

(Language stricken is deleted; underlined language is new)

§ 15.051 CURFEW HOURS

[GH]: Could you make this more complicated and there you go again legislating "parent responsibility". How about making general curfew Midnight – 5am for all law-abiding juveniles and then if they break the law, or are otherwise demonstrate irresponsibility apply a more restrictive curfew. The sad thing is, law enforcement likely knows who the trouble juveniles are, so punish them and leave law-abiding juveniles alone.

For the purposes of this subchapter, the applicable hours of curfew shall be:

(A) As to minors under 14 years of age who have not begun high school, the hours shall be between 9:15 p.m. and 6:00 a.m. of the following morning, except that during the months of June, July, and August, the hours shall be between 10:15 p.m. and 6:00 a.m. of the following morning, except as further limited by subsection (C) of this section.

(B) As to minors 14 years of age or over who have begun high school, the hours shall be between 10:15 p.m. Sunday, Monday, Tuesday, Wednesday or Thursday, and 6:00 a.m. of the following morning, and between 12:00 midnight on Friday or Saturday, or any

legal holiday, and 6:00 a.m. of the following morning, except that during the months of June, July and August, the hours shall be between 12:00 midnight and 6:00 a.m. of the following morning, except as further limited by subsection (C) of this section.

(C) For minors who have been found by a court to have possessed, purchased, used, transferred or transported a firearm unlawfully and are under the jurisdiction of the court as a result of that adjudication, curfew is between 7:00 p.m. and 6:00 a.m. of the following morning except for minors meeting the exception of §15.050 or with written permission of the minor's probation or parole officer or juvenile court counselor.

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

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MEETING DATE: 4-25-2013

AGENDA ITEM: R.1

FOR: _____ AGAINST: ✓

NAME: Kevin Herman

CONTACT INFORMATION (optional):

ADDRESS: _____

CITY/STATE/ZIP: White Salmon, WA 98672

PHONE: 541-490-1622 EMAIL: kevinmherman@gmail.com

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2. Written testimony will be entered into the official record.

**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: 4-25-13

AGENDA ITEM: Firearms

FOR: _____ AGAINST: _____

NAME: Roxanne Ross

CONTACT INFORMATION (optional):

ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE: _____ EMAIL: _____

IF YOU WISH TO ADDRESS THE BOARD IN PERSON:

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**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

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MEETING DATE: 4-25-13

AGENDA ITEM: R1

FOR: _____ AGAINST: _____

NAME: Mary Lynn O'Brien MD

CONTACT INFORMATION (optional):

ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE: _____ EMAIL: _____

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MEETING DATE: 4-25-13

AGENDA ITEM: GUN RESTRICTIONS

FOR: _____ AGAINST: X

NAME: KEN PIPER

CONTACT INFORMATION (optional):

ADDRESS: 438 SW 30TH CT

CITY/STATE/ZIP: TROUTDALE OR

PHONE: 503 492 3932 EMAIL: KPIPER143@COMCAST.NET

IF YOU WISH TO ADDRESS THE BOARD IN PERSON:

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**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

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MEETING DATE: 4/25/13

AGENDA ITEM: IV Regular Agenda - Firearms Ordinance

FOR: _____ AGAINST: X

NAME: Todd Felix

CONTACT INFORMATION (optional):

ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE: _____ EMAIL: _____

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**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

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MEETING DATE: April 22, 2013

AGENDA ITEM: R.1 Gun Violence

FOR: ☐ AGAINST: ☒

NAME: Todd Doty

CONTACT INFORMATION (optional):

ADDRESS: 2715 NE 61st Ave

CITY/STATE/ZIP: Portland, OR 97213

PHONE: (503) 281-0457

EMAIL: todd.doty@q.com

IF YOU WISH TO ADDRESS THE BOARD IN PERSON:

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**MULTNOMAH COUNTY BOARD OF COMMISSIONERS
PUBLIC TESTIMONY SIGN-UP**

Please complete this form and return to the Board Clerk

This form is a public record

MEETING DATE: April 25, 2013

AGENDA ITEM: Forearm Ordinance

FOR: _____ AGAINST: X

NAME: Robert Gordon

CONTACT INFORMATION (optional):

ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE: _____ EMAIL: _____

IF YOU WISH TO ADDRESS THE BOARD IN PERSON:

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Crime Data Brief

April 1994, NCJ-147003

*Handgun Victimization, Firearm Self-Defense and Firearm Theft**Numbers considered low, see noted article.*

P. S. U.

JUN 24 1994

Guns and Crime

DEPOSITORY

By Michael R. Rand, BJS Statistician

In 1992 offenders armed with handguns committed a record 931,000 violent crimes. Handgun crimes accounted for about 13% of all violent crimes. As measured by the National Crime Victimization Survey (NCVS), the rate of nonfatal handgun victimizations in 1992 — 4.5 crimes per 1,000 people age 12 or older — supplanted the record of 4.0 per 1,000 in 1982.

On average per year in 1987-92, about 62,200 victims of violent crime, about 1% of all victims of violence, used a firearm to defend themselves. Another 20,300 used a firearm to defend their property during a theft, household burglary, or motor vehicle theft.

For 1987-92 victims reported an annual average of about 341,000 incidents of firearm theft. Because the NCVS asks for types but not a count of items stolen, the annual total of firearms stolen probably exceeded the number of incidents.

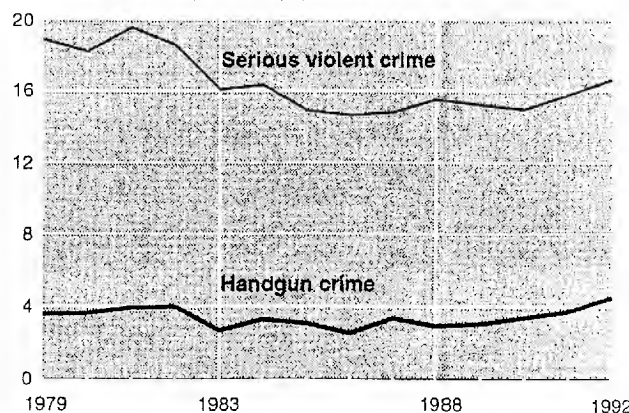
Handguns and crime, 1987-92

	1992	Annual average, 1987-91
Handgun crimes	930,700	667,000
Homicide	13,200	10,600
Rape	11,800	14,000
Robbery	339,000	225,100
Assault	566,800	417,300

Note: Detail may not add to total because of rounding. Data for homicide come from the FBI's Uniform Crime Reports.

The 1992 handgun victimization rate was the highest on record

Number of victimizations per 1,000 population



Source: BJS National Crime Victimization Survey, 1979-92.

Note: Serious violent crime includes rape, robbery, and aggravated assault.

Violent crime rates

Unlike the record rate of handgun crimes in 1992, the overall rates for violent crimes were well below the 1981 peaks.¹ The total 1992 rate for rape, robbery, and aggravated and simple assault was 35 per 1,000 persons, compared to 39 per 1,000 in 1981. The 1992 rate of 17 per 1,000 for the more serious violent crimes (rape, robbery, and aggravated assault) was also less than the 20 per 1,000 in 1981.

Most likely victims of handgun crime

- Males were twice as likely as females to be victims of handgun crimes, and blacks 3 times as likely as whites.
 - Young black males continued to be the population subgroup most vulnerable to handgun crime victimization.
- For males age 16-19 —
The rate for blacks (40 per 1,000 persons) was **4 times** that of whites (10 per 1,000).
- For males age 20-24 —
The rate for blacks (29 per 1,000) was **3 times** that of whites (9 per 1,000).

Males, blacks, and the young had the highest rates of handgun crime victimization, 1987-92

Age of Victim	Average annual rate of crimes committed with handguns (per 1,000 persons)*					
	Male victims			Female victims		
	Total	White	Black	Total	White	Black
All ages	4.9	3.7	14.2	2.1	1.6	5.8
12-15	5.0	3.1	14.1	2.5	2.1	4.7
16-19	14.2	9.5	39.7	5.1	3.6	13.4
20-24	11.8	9.2	29.4	4.3	3.5	9.1
25-34	5.7	4.9	12.3	3.1	2.1	9.0
35-49	3.3	2.7	8.7	1.7	1.4	3.3
50-64	1.5	1.2	3.5	0.8	0.7	1.6
65 or older	0.8	0.6	3.7	0.3	0.2	2.3

*Rate per 1,000 persons age 12 or older in each age category. Rates do not include murder or nonnegligent manslaughter committed with handguns. The totals include persons of other races not shown separately.

¹Except where noted, this brief excludes homicides, which NCVS does not measure.

When offenders fired at victims

• Offenders fired their weapon in 17% of all nonfatal handgun crimes (or about 2% of all violent crimes). In 3% of handgun crimes, about 21,000 a year, the victim was wounded. (An additional annual average of 11,100 were victims of homicide by handgun.) The offender shot at but missed the victim in 14% of handgun crimes.

Self-defense with firearms

- 38% of the victims defending themselves with a firearm attacked the offender, and the others threatened the offender with the weapon.
- A fifth of the victims defending themselves with a firearm suffered an injury, compared to almost half of those who defended themselves with weapons other than a firearm or who had no weapon. Care should be used in interpreting these data because many aspects of crimes — including victim and offender characteristics, crime circumstances, and offender intent — contribute to the victims' injury outcomes.
- In most cases victims who used firearms to defend themselves or their property were confronted by offenders

About three-fourths of the victims who used firearms for self-defense did so during a crime of violence, 1987-92

	Average annual number of victimizations in which victims used firearms to defend themselves or their property		
	Total	Attacked offender	Threatened offender
All crimes	82,500	30,600	51,900
Total violent crime	62,200	25,500	36,700
With injury	12,100	7,300	4,900
Without injury	50,000	18,200	31,800
Theft, burglary, motor vehicle theft	20,300	5,100	15,200

Note: Detail may not add to total because of rounding. Includes victimizations in which offenders were unarmed. Excludes homicides.

who were either unarmed or armed with weapons other than firearms. On average between 1987 and 1992, about 35% (or 22,000 per year) of the violent crime victims defending themselves with a firearm faced an offender who also had a firearm.²

Theft of firearms

- Although most thefts of firearms (64%) occurred during household burglaries, a significant percentage (32%) occurred during larcenies. Loss of firearms through larceny was as likely to occur away from the victim's home as at or near the home. In 53% of the firearm thefts, handguns were stolen.

Offenders shot at victims in 17% of handgun crimes, 1987-92

	Percent
Shot at victim	16.6%
Hit victim	3.0
Missed victim	13.6
Nongunshot injury	1.6
No physical injury	12.0
Did not shoot at victim	83.4%
Other attack/attempt	19.9
Verbal threat of attack	15.4
Weapon present	46.8
Other threat	.8
Unknown action	.5
Average annual number	699,900

Note: Excludes homicides.

341,000 incidents of firearm theft occurred per year, 1987-92

Crime in which firearm was stolen	Average annual number of victimizations in which firearms were stolen		
	Total	Handgun	Other gun
Total	340,700	180,500	160,200
Violent crime	7,900	5,300	2,600
Personal theft	56,200	33,900	22,300
Household theft	52,600	31,700	20,900
Household burglary	217,200	105,300	112,000
Motor vehicle theft	6,700	4,400	2,400

Note: Detail may not add to total because of rounding. The table measures theft incidents, not numbers of guns stolen. See text on page 1.

²Because the NCVS collects victimization data on police officers, its estimates of the use of firearms for self-defense are likely to include police use of firearms. Questionnaire revisions introduced in January 1993 will permit separate consideration of police and civilian firearm cases.

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THE JOURNAL OF CRIMINAL LAW AND CRIMINOLOGY

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VOLUME 86 / NUMBER 1 / FALL 1995



Board Clerk <boardclerk@multco.us>

firearms

1 message

julesh2 <julesh2@frontier.com>

Wed, Apr 24, 2013 at 10:35 PM

To: boardclerk@multco.us

Dear Board Members,

The issue is not with the law abiding citizen for gun control. The gun control needs to focus on the gangs, squatters and illegal immigration. We need stricter laws on these criminals. Stop trying to punish the law abiding citizens.

Why are there so many sex offenders living next to an Elementary School and a Middle School off of SE Kay Place and 5th St? In that area alone, there are almost 85 registered sex offenders. Why don't we focus on that problem? We want to protect children and yet we let the wolf in the stall with the sheep.

Sincerely,

Mrs. Horner



Lynda GROW <lynda.grow@multco.us>

Public Testimony for April 25, 2013 Meeting of Board of Commissioners 9:30 AM

1 message

2spamagnet@comcast.net
<2spamagnet@comcast.net>
To: lynda.grow@multco.us

Wed, Apr 24, 2013 at 7:24
PM

Dear Lynda,

Please accept the following as my public testimony for the April 25th Meeting of the Board of Commissioners. Attached is my completed Public Testimony Form.

24Apr13

Dear Commissioners,

As a resident of Multnomah County, I urge you to not adopt the Firearm Safety Ordinance as written for the following reasons:

Section 15.066 puts an unreasonable burden on lower income firearms owners. I agree with the intent of the section, but not how it criminalizes citizens. I recommend this section be deleted at this time. **Encouraging responsibility through tax incentives, such as HB 3261, will save more lives than Section 15.066.** See the attached text of HB 3261 as introduced, or <https://olis.leg.state.or.us/liz/2013R1/Measures/Overview/HB3261> for more information. Please contact the House Committee On Judiciary to express your support at <https://olis.leg.state.or.us/liz/2013R1/Committees/HJUD/Overview>

HB 3261 provides tax credits for 50% of the purchase price of a gun security device, which

typically start at \$90. For our lower income citizens who own one or two pistols and struggle to pay the monthly bills, this credit is very enticing. There is also an income limit, so that it is restricted to those who may need a little help. I would suggest the 50% credit be reserved for US made goods (or a higher credit), and a smaller credit be given to imported goods. This could create jobs... Imagine if this were a Federal bill.

I would recommend that HB 3261 be supported by the Commissioners in place of 15.066. The HB will reduce state tax revenue, but I believe it would be offset by fewer calls to the police and first responders, and an increase in income taxes through sales and manufacturing jobs.

If you want to encourage good behavior, incentivize it, do not threaten penalties. We should build a better culture of safety in this country before we start cracking down on poor behavior. We could do that in a generation, and phase out the credit. When I asked why we don't do this at a recent town hall, both Senator Ginny Burdick and Penny Okamoto of Ceasefire thought this was a good idea.

Section 15.064 puts an unreasonable burden of time and finances for County citizens who carry a firearm, but do not have the need to do so concealed (i.e. they do not carry when they go into town). Many County residents are outside of cities to avoid these kinds of regulations that effectively limit their options for self defense, the way a poll tax limits the poor from voting.

Section 15.065 appears to imply that it is legal to endanger persons or property in Multnomah County. If the County has no laws against that already, that is very foolish.

Thank you for your time and consideration.

Sincerely,

Robert Léger

Portland, OR 97215

2 attachments



Public_Testimony_Form_04-25-13.pdf

19K



hb3261intro-1.pdf

27K