

Expansion of gun sale background checks takes effect

By Jeff Mapes
The Oregonian

PORTLAND (AP) — The new Oregon law requiring background checks for private gun transactions will take effect Sunday amid plenty of uncertainty.

Nobody really knows how many private sales occur in Oregon and there is heated debate about whether the new law will be widely ignored or not.

On top of that, many local sheriffs and county commissions say they don't intend to enforce the new law — and it's unclear how many gun dealers will even agree to conduct checks for private sellers.

"We don't really know" how many more background checks will be conducted, said Dave Piercy, who manages the firearms unit for the Oregon State Police. "This is a big cultural change for Oregon."

Gov. Kate Brown signed Senate Bill 941 into law on May 11 after an intense legislative battle that pitted gun-rights activists against groups seeking to stem gun violence.

The measure requires criminal and mental-health checks for private gun transfers. The federal government

has long required these checks for sales by licensed gun dealers. The state police conducted about 240,000 checks last year and denied about one percent of the sales because the buyer is legally prohibited from possessing a firearm.

But extending the checks to private gun transfers was a difficult blow for many gun owners accustomed to lending, swapping, buying and selling their firearms without the involvement of the government.

They question why someone should have to get a background check to sell a gun to a good friend or store it at a neighbor's house while on vacation.

"This is the creepiest, rottenest law," said Warren Lacasse, owner of The Gun Room in Southeast Portland, predicting that many gun owners will simply ignore it.

But supporters say the new law can help change attitudes — just as seat-belt laws spurred much higher usage rates.

"The vast majority of gun owners are really responsible and they really do want to follow the law," said Penny Okamoto, executive director of Ceasefire Oregon. "Some of the recent mass shootings

have jarred peoples' consciousness that there are some people out there who should not be having guns."

When the bill takes effect, Oregon will become the 12th state to require universal background checks for both handguns and long guns.

Everytown for Gun Safety, the national group funded by billionaire Michael Bloomberg that played a big role in pushing through Oregon's law, says its research shows that states with universal background checks have lower rates of firearm violence.

Experts say a number of factors can affect a state's level of gun violence. A report by the Kaiser Family Foundation found that Oregon's firearm death rate 2013 was 11 per 100,000 people, compared to a national average of 10.4.

Everytown for Gun Safety says its "gun safety support fund" will soon launch advertising promoting the law and explaining that it is "easy to comply" with the new requirements.

More than 2,000 Oregonians have the federal firearms licenses required to conduct background checks through the state police. Many are hobbyists or antique

firearm dealers, but federal records show that there are hundreds of licensees with stores.

What's not clear is how many of them will perform the checks. Many of the dealers lobbied against the law and are hesitant to be seen as supporting it.

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— Dave Piercy

Karl Durkheimer, who along with his wife owns two stores in the Portland area, refused to allow Everytown to film at his business and said he's still unsure about whether he'll provide background checks for private sellers.

Durkheimer said he doesn't want to get blamed for bad service if the checks run into delays and wasn't sure the state has thought through the procedures for how these

checks would be conducted.

Fred Meyer, which has licenses to sell firearms at 20 of its stores, has decided not to perform the new background checks, said spokeswoman Melinda Merrill.

"We have a wider clientele in our stores," she said, "so we prefer to just conduct background checks for customers who purchase" firearms.

Adam Braatz, owner of Mazama Sporting Goods in Eugene, said he has always performed background checks for private sellers who wanted to do it voluntarily and he plans to continue to offer the service. He said a Eugene police detective came by the store to explain how the new system will work.

Okamoto, the Ceasefire Oregon director said that "with more licensed firearms dealers than post offices, I don't think the lack of dealers will be a problem."

Piercy, the state police firearms unit manager, said he's added three temporary workers to his staff to ensure they can meet added demand.

But he said no one knows how many private transfers take place every year, and that it will be hard for the state to know how many people are complying with the new law.

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