

GUNS: Sheriff calls law 'unconstitutional'

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When Governor Kate Brown signed Senate Bill 941, "The Oregon Firearms Safety Act," into law May 11, she made Oregon the ninth state or district to require universal background checks for firearm transfers.



Brown

The others requiring the checks are California, Colorado, Connecticut, Delaware, New York, Rhode Island, Washington and the District of Columbia. Some have further restrictions in the form of waiting periods, assault weapons bans and

magazine capacity restrictions.

The "criminalization" of individuals who transfer guns without background checks to which Rogers refers is in the language of the law.

Those who choose to violate the law will be slapped with a misdemeanor for the first offense and a Class B felony for the second and subsequent offenses.

Some safety measures in the bill inspire less ire. The bill states that if a potential buyer fails the background check, the Oregon State Police may notify the local sheriff of the attempted firearm transfer. The sheriff is not mandated to take any action at that point, simply to be aware of the situation.

Finally, judges may prohibit those undergoing assisted outpatient treatment from owning a firearm if there is a reasonable likelihood the person would constitute a danger to themselves or others as the result of a mental or psychological state.

There are a few exceptions to background checks. Most transfers of ownership within a family to siblings, aunts and uncles, sons and daughters (free of past criminal records) are exempt from background checks.

Other sales, however, will require a trip to a gun dealer who will most likely scan your fingerprints and file for an Oregon State Police (OSP) background check electronically. OSP current-

ly charges \$10 per check, but dealers are allowed to add on fees for their services.

Gun show aficionados expect this to severely curtail their sales.

Russ Smith, president of the Elgin Stampede and organizer of a yearly gun show fund-raiser is afraid the new law signals the end of gun shows entirely.

"Some dealers at the gun show have the technology to wire fingerprints and background checks from the show. But one of the reasons the Elgin show was popular was that Mom and Pop could come down with five guns and sell them and didn't have to have that technology," Smith said.

The bill makes some provision for this lack of tech-

nology, in that it states that individuals at a gun show can telephone OSP, provide information, require the buyer to fill out a form of the same information (which the seller keeps) and OSP will either deny or provide an approval number within 30 minutes.

These provisions, while reassuring, do not satisfy individuals who find the law unfair to responsible gun owners.

"It punishes legal people," said Smith. "Whether it solves anything with the illegal people I don't know."

The law is often supported by reference to the horrific school shootings that have rocked the nation, but Rogers points out that in most of those cases mental

illness was a significant factor. "I've always said this is not a gun ownership issue, this is a mental health issue," Rogers said.

To that end, a minority report that earmarked \$44 million in General Fund revenue to Oregon Health Authority for 2015-17 biennium to provide mental health services was brought to the floor by Reps. Carl Wilson (R-3) and (former psychologist) Bill Kenner (R-39), but was voted down.

The questions of funding in general and for the background checks in particular, housing for individuals convicted of gun crimes, and payment for increased policing will be covered in a future article.

Cougar sighting; animal neglect

Dispatch Log

May 11
8:13 a.m. Cell 911 re: cougar sighting at Wallowa Lake.
9:02 a.m. Three dogs lost in Lostine. Reunited with owner.
1:23 p.m. Enterprise traffic stop.
2:01 p.m. 911 call reporting traffic crash, rural Lostine.
2:23 p.m. Dog complaint in rural Enterprise.
5:16 p.m. Animal complaint in rural Enterprise.
5:23 p.m. Assault in Enterprise.
5:36 p.m. Assault in rural Imnaha.
10:27 p.m. Fire alarm reported in Joseph.
May 12
9:37 a.m. Enterprise traffic stop. Citation issued.
12:01 p.m. Enterprise traffic stop. Cited for illegal U-turn.
1:59 p.m. Entered Circuit Court misdemeanor warrant on Christine Dyer, 47, for failure to perform duties of a driver and reckless driving.
3:58 p.m. Found bike in Enterprise.
6:47 p.m. 911 call from Enterprise.
9:03 p.m. Found male chihuahua with blue collar in Joseph. Owner located.
9:16 p.m. Report of rocks in the road on Imnaha highway.
10:07 p.m. Power outage in Enterprise.
10:20 p.m. 911 requesting ambulance in Enterprise.
May 13
8:56 a.m. Possible wolf depredation, upper Imnaha.
3:15 p.m. Found property in Enterprise.
3:22 p.m. Report taken for hit-and-run, non-injury, Enterprise.
4:14 p.m. Found keys and padlock.
5:54 p.m. Wallowa County Circuit Court issued arrest warrant for Scott Lee Foust, 53, Imnaha. Charges are unlawful use of a weapon with a firearm, assault-4 DV, menacing DVx2 and pointing a firearm at another.
6:47 p.m. Community Corrections entered a detainer warrant for the arrest of Gregory L Meyers, 42, Joseph. Charge of probation violation, original charge of menacing.
7:24 p.m. 911 requesting

FOR THE RECORD

12:46 a.m. Traffic complaint in Joseph.
1:20 a.m. 911 call from Joseph. Male subject out of control. Loren Idding, 32, arrested for menacing. Transported to Union County Jail.
8:40 a.m. 911 report of boulders blocking one lane of Hwy 350 rural Joseph.
11:29 a.m. Complaint of animal neglect in rural Joseph.
3:26 p.m. 911 call with firearm complaint in rural Lostine.
3:36 p.m. 911 call for private vehicle transporting patient to ER from rural Enterprise.
4:50 p.m. Tillamook County Sheriff's Office arrested Carl Rousseau Jr., Wallowa, on two Wallowa County Circuit Court no-bail misdemeanor warrants. Original charges of theft-3 and disorderly conduct-2.
6:59 p.m. Report of a loose calf along Hwy 82 in rural Joseph.
8:17 p.m. Complaint of aggressive dog in Enterprise.

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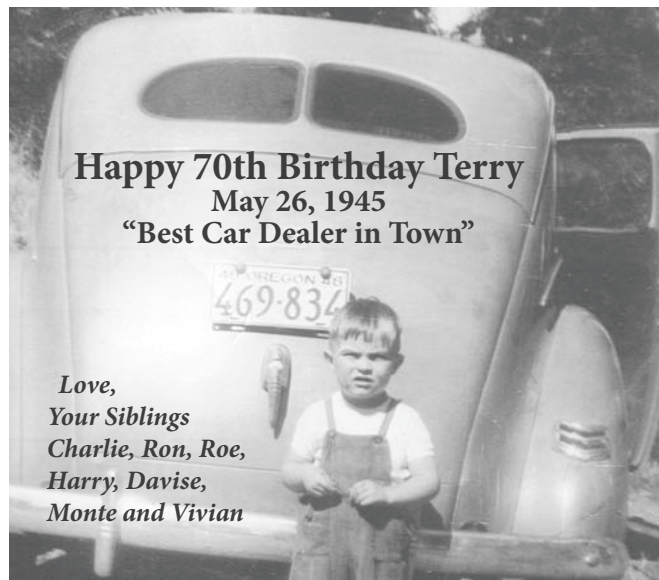
AROUND ENTERPRISE

Greater Enterprise Main Streets is restarting the **Bowlby Bash 3-on-3 Basketball Tournament** to be held Saturday July 11, 2015 in downtown Enterprise. Multiple divisions with a 3 game guarantee. All ages, boys, girls, men, and women welcome. Sign-up packets available at Lear's on Main Street & Wild Carrot Herbs

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- Adapting to climate change
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