

## **Local government assumptions and methodology**

- a. **For the estimated number of permit denials, the Sheriff's Association based their projections on the average during a specified time period.**

**OSSA Response:** The Oregon Judicial Department provided a number of 2400 CHL denial appeals per year, based upon court records. OSSA believes this number to be a conservative estimate of appeals per year for this measure. OSSA does anticipate appeals to occur at a much higher rate than CHL's as there is no case law precedence for this measure. Additionally, CHL Managers have seen a significant uptick in CHL denial appeals in the past couple of years. Given the strong emotions associated with gun ownership, the fact that this measure creates new requirements for firearm purchases and the recent case from the US Supreme Court (New York Rifle and Pistol Club) reaffirming individual 2nd Amendment right to own and carry firearms, we are anticipating legal challenges to occur.

- b. **For other projections, there is not a similar basis provided for the estimate. For example, what are the following assertions based on:**

- i. **The estimate of one employee for every 1,200 applications annually**

**OSSA response:** This estimate was arrived at after polling CHL managers across the state on how many CHL license and renewals a CHL clerk can process per year. This is the average number based upon all responses.

- ii. **Hiring/training/equipment = \$15,000 per new employee**

**OSSA response:** This figure is based on polling of CHL managers across the state. This is the statewide average cost for new employees. This estimate also considers that this measure would create an entirely new program in every agency. In order to do this, these employees would have to be identified, pass a comprehensive background check, and trained on a brand-new program, all in a historically tight labor market. As new positions, additional space would need to be identified for these employees. They would each require a phone line, computer, software programs, desk, chair, monitor, supplies, etc.

- iii. **Turnover projected at 50 employees/year**

**OSSA Response:** This is a very conservative estimate based upon the current crisis Law Enforcement agencies are facing for recruitment, hiring and retention of personnel.

- iv. **Every single permit denial will be appealed**

**OSSA Response:** OSSA does not believe every permit denial will be appealed. OSSA does anticipate appeals to occur at a much higher rate than CHL's as there is no case law precedence for this measure. Additionally, CHL Managers have seen a significant uptick in CHL denial appeals in the past couple of years. Given the strong emotions associated with gun ownership, the fact that this measure creates new requirements for firearm purchases and the recent case from the US Supreme Court (New York Rifle and Pistol Club) reaffirming individual 2<sup>nd</sup> Amendment right to own and carry firearms, we are anticipating legal challenges to occur.

**v. Legal cost: number of hours and hourly rate**

**OSSA Response:** OSSA estimates that it takes approximately 10 hours of legal time to prepare for, attend, and submit written briefs on each appeal. An average hourly rate for a County/municipal attorney is \$200 per hour.

**We understand there are likely some standards utilized here for government budgeting purposes; the Treasurer is just interested in understanding the source of the assumptions and projections. Are they based on similar experiences in other states or past experience in our state or a best guess based on past implementation of a related program?**

**OSSA Response:** The legal cost estimate came from OSSA General Counsel, who served as the General Counsel for the Washington County Sheriff's Office for over twenty years and who has personally litigated a fair number of CHL denials as well as petitions for restoration of firearms under ORS 166.274. The \$200 per hour range is based upon what most county counsel offices are charging for attorney time.