

SB 978

Oregon Senate Judiciary Committee and fellow Oregonians,

2 April, 2019

My name is Dominic Giampietro, Sergeant First Class, US Army (ret), of McMinnville, Oregon.

I'm here to offer my perspective on Senate Bill 978; a perspective as a life-long defender of the US Constitution, Individual Liberty, our way of life, and Natural Laws.

Administrative comment; 2minutes to comment on so many amendments is absurd; if there isn't enough time for careful and thorough consideration, then we shouldn't be trying to take away more liberty.

1. My life experiences have shown me two types of Public Servants; altruistic and otherwise. Fire Fighters for one example; they run into burning buildings and other infernos to rescue anyone; I've never known a Fire Fighter to first obtain a victim's political affiliation. How about the US Coast Guard Rescue Swimmers; who jump into frigid-turbulent waters to save anyone. Law enforcement officials stick their necks out to uphold our laws every day; without regard to who they serve. Generations of Service Personnel in the military have stormed enemy beaches, landed on hot drop-zones, stood guard on the Iron Curtains, and patrolled the oceans in submarines, served on aircraft carriers, served in missile silos, stood guard in the arctic, the jungles, and in the mountains while America sleeps and goes on with her daily lives. The military, like other first responders, NEVER ask who is to benefit from their service before defending the Constitution, our Republic, and our way of life; we stand to give it all (and have) for EVERYONE.

By contrast, some public servants serve only their constituents, only themselves, only their rancor for inanimate objects; they might be group-thinkers who exercise absolute power any time they can. I'm asking this Senate Judiciary Committee (as a 24 year veteran of the US Army), as SB978 moves through the legislature, to follow the countless-examples of our altruistic public servants; to respect and foster the Individual Liberties that are guaranteed in our Constitutions, our Bill of Rights, and Federal Laws.

2. My second point is to share my desire to live peacefully as a citizen in the State of Oregon; not having to wonder if I'm going to be a victim of "Process Punishment" for my beliefs. If SB 978 goes forward and is signed into law, approximately 30% of Oregon's population stand to be disenfranchised by our State; "a law-abiding member of society one minute, criminal-to be the next". My research has shown me that less than .06% of gun related crimes occur with legally-obtained firearms. Doing the math on my premise; 99.4% of gun-related crimes occur with ILLEGALLY OBTAINED firearms. If SB978 is signed into law; 100% of the population's firearms can become illegal.

R/Q: Why would the State of Oregon want to drive a deeper wedge between itself and roughly 30% of the population? 2018 Pew research shows that 60% of non-gun owners would consider owning a firearm someday; now (following my research) we are approaching the State of Oregon; potentially disenfranchising 90% of the citizenry's ideology or beliefs?

3. As far as SB 978 potentially-holding a firearm seller responsible for the illegal actions of a firearms buyer for several years after a lawful sale (that must occur via a licensed firearms dealer); the Protection of Lawful Commerce in Arms Act (PLCAA) clearly defines where and when a dealer or manufacturer can be held liable and where they cannot (Adams v Beretta). Federal laws guarantee a court challenge of SB978.

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4. My next point is a couple examples of laws on the books that actually make sense; can serve as a model or template that will punish criminals instead of law abiding tax payers. ORS 166.350 doesn't restrict the possession or use of armor piercing or Teflon-coated projectiles UNLESS they are used in a crime or attempted crime. There is a similar stiffer penalty if a person uses body armor in a crime or attempted crime. Both statutes stop short of restricting the God-given inclination for self-preservation; while addressing the reduction of lethal capability of criminals. Make the penalties more harsh for criminals, but don't punish law-abiding Oregonians.
5. My last point; I do not know all that is contained in SB978 so I will petition the committee with a Natural Law paradigm. Every living creature on this planet has been given the will to survive. Scales, hide, teeth, claws, pigmentation, camouflage, breeding and dormant cycles, intuition, instincts, thorns, desires, wisdom, and many other attributes. Survival is a natural part of our world. We've all seen our share of memes, mantra, caricatures, and re-defining to suit our desires or instincts for survival; I can see where the 10th Amendment gives the States some powers, but I also believe the States cannot skirt, enhance, circumvent the spirit of the US Constitution and Federal Laws; our Supreme Laws of the Land.

Conclusion

I'm not a lawyer or a scholar; I'm a defender of the US Constitution. Our Republic, and our way of life; from where I stand, it appears to me that if SB978 is signed into law; the State of Oregon and those who enforce or effect it will disenfranchise 30-90% of the law-abiding population, the State would end up on the opposite side of the US Constitution, Our Republic, the PLCAA, the Bill of Rights, and natural law.

Thank you.

Dominic Giampietro
SFC US Army (ret)