

Submitter: Gary Warnock
On Behalf Of:
Committee: House Committee On Judiciary
Measure, Appointment or Topic: HB3075

I gave this testimony for the Bill today in Salem and addressed this Unconstitutionality

Oregon House Bill 3075 (HB3075) seeks to tighten the screws on firearm ownership by imposing severe restrictions on magazine capacity, limiting what it calls "own round clips" to a maximum of 10 rounds. This modification to Ballot Measure 114 (2022) not only oversteps the original intent of the Founding Fathers regarding self-defense but also exposes a glaring inconsistency: military and law enforcement—trusted defenders of public safety—rely on extended-capacity firearms as a bulwark for their own defense. Oregonians deserve the same capability to protect themselves, and HB3075's restrictions must be opposed.

The Second Amendment was crafted with self-defense at its core. The Founding Fathers, living in a time of muskets and militias, understood that individuals needed effective means to secure their lives and liberties against threats—whether from tyrants, invaders, or criminals. They did not envision a government capping the tools of self-preservation to render citizens outmatched. Modern magazine restrictions, like those in HB3075, defy this intent by arbitrarily limiting firepower. A 10-round cap assumes a defender will face only a predictable, minimal threat—an absurd notion in a world where assailants often wield illegal, high-capacity weapons unrestricted by such laws.

Military and law enforcement underscore this point. Soldiers and police officers carry standard-issue handguns and rifles with magazines holding 15, 20, or even 30 rounds—not because they seek overkill, but because they know survival hinges on having enough rounds to neutralize a threat. These professionals, trained to protect, are not denied this capacity; it's deemed essential to their duty. Yet HB3075 denies civilians the same tools, treating them as second-class citizens incapable of responsibly exercising the same right to self-defense. If extended magazines are a bulwark for those who safeguard society, they are no less so for individuals safeguarding their homes.

Moreover, the restriction fails any test of reason. Criminals, unbound by laws, will not surrender their high-capacity magazines. HB3075 thus creates a disparity where law-abiding Oregonians—facing a home invasion or violent encounter—are left underpowered against lawbreakers. The Founding Fathers did not enshrine a right to be outgunned; they ensured a right to fight back effectively. Historical debates, like those in the Federalist Papers, emphasize an armed populace as a check on threats, not a neutered one limited by bureaucratic fiat.

HB3075's magazine limits also ignore practical realities. Self-defense scenarios often involve multiple attackers or high-stress situations where reloading is impractical. A

10-round cap could mean the difference between life and death, a risk the Founders never intended citizens to bear. Military and law enforcement standards prove this: capacity matters. Oregonians should not be stripped of that same protection under a misguided law that sacrifices their rights for an illusion of safety. HB3075 exceeds constitutional bounds and must be rejected.