

Submitter: Kieffer Nyland
On Behalf Of:
Committee: House Committee On Judiciary
Measure, Appointment or Topic: HB3075

To whom it may concern, Oregon House of Representatives, et. al.

I am writing to urge you to vote NO on House Bill 3075 (HB 3075) due to its potential for discriminatory enforcement, disproportionate impacts on marginalized communities, and serious constitutional concerns. While I fully support efforts to improve public safety, this bill risks furthering systemic inequities and creating barriers to the rights of law-abiding Oregonians, particularly people of color and lower-income individuals.

1. HB 3075 Could Enable Racial and Economic Discrimination in Firearm Permitting

- The bill gives law enforcement broad discretion to determine who is "likely to be a danger to themselves or others" when deciding whether to approve a firearm purchase permit.

- Studies show that discretionary gun permitting systems disproportionately impact Black, Latino, and lower-income applicants, even when they meet all legal requirements.

- In states with similar laws, marginalized communities have been denied permits at higher rates than white applicants, despite having no disqualifying records.

- Without proper safeguards, HB 3075 risks replicating this pattern of racial and socioeconomic bias, reinforcing systemic inequities in law enforcement decision-making.

2. HB 3075 Imposes Financial Barriers That Disproportionately Harm Low-Income Oregonians

- The bill increases permit fees to \$150 for an initial permit and \$110 for renewal, in addition to background check and mandatory training costs.

- These fees are a direct financial barrier to constitutional rights, much like the poll taxes that were historically used to suppress voting rights.

- Wealthier individuals will still have access to firearms, while lower-income residents- especially those in historically marginalized communities- will be effectively priced out.

- Progressive policies should not reinforce economic inequality in access to constitutional rights.

3. Retroactive Punishment Violates the U.S. and Oregon Constitutions

- HB 3075 criminalizes the possession of large-capacity magazines (LCMs) that were legally purchased between December 8, 2022, and the bill's passage.

- The U.S. Constitution (Article I, Section 10) and the Oregon Constitution (Article I, Section 21) both prohibit retroactive punishment, meaning that individuals who

followed the law at the time of purchase could suddenly be made criminals.

- This is fundamentally unfair and risks being struck down in court.

4. HB 3075 Will Lead to Costly Legal Challenges and Wasted Taxpayer Dollars

- If challenged in court, HB 3075 is likely to be overturned, requiring the state to waste taxpayer money defending an unconstitutional law.
- The courts have already struck down similar laws that retroactively criminalized previously legal firearm ownership.
- Instead of passing legislation that invites litigation, we should focus on policies that actually improve public safety without reinforcing systemic inequities.

Call to Action: Vote NO on HB 3075

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I strongly urge you to vote NO on HB 3075. Instead of passing a discriminatory, unconstitutional law that will be challenged in court, let's focus on policies that actually promote equity and public safety without punishing marginalized communities.

I would appreciate hearing your position on this bill and whether you will stand against legislation that risks deepening racial and economic disparities in Oregon.